

James F. McGrail, Chairman
J. Gregory Jacobsen, Vice Chairman
Scott M. Steeves
E. Patrick Maguire, MLA, RLA, CLARB, LEED AP®
Jason L. Mammone, P.E.

Associate Members
Jessica L. Porter
Jared F. Nokes, J.D.



Dedham Town Hall
26 Bryant Street
Dedham, Ma 02026-4458
Phone 781-751-9242
Fax 781-751-9225

Susan Webster
Administrative Assistant
swebster@dedham-ma.gov

TOWN OF DEDHAM ZONING BOARD OF APPEALS MINUTES

Wednesday, March 15, 2017, 7:00 p.m., Lower Conference Room



Present and Voting: James F. McGrail, Esq., Chairman
J. Gregory Jacobsen, Vice Chairman
Scott M. Steeves
Jason L. Mammone, P.E.
Jared F. Nokes, J.D.
Susan Webster, Administrative Assistant

Mr. McGrail called the meeting to order at 7:00 p.m. The plans, documents, studies, etc. referred to are incorporated as part of the public record and are on file in the Planning and Zoning office. In addition, the legal notice for each hearing was read into the record. Member E. Patrick Maguire, MLA, RLA, CLARB, LEED AP, ® was unable to attend this meeting. Accordingly, Chairman James F. McGrail, Esq., appointed Associate Member Jared F. Nokes, J.D., to sit in his stead.

Applicant:	Sheila Lawrence
Property Address:	53 Massachusetts Avenue, Dedham, MA
Case #:	VAR-02-17-2201
Property Owner:	Sheila Lawrence
Zoning District and Map/Lot	General Residence, Map 24, Lot 41
Application Date:	February 8, 2017
Present and Voting:	James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, Jason L. Mammone, P.E., Jared F. Nokes, J.D. Sheila Lawrence
Representative:	
Legal Notice:	To be allowed such Special Permits and/or variances as required for a 2'6" front yard setback instead of the required 20 feet to construct a roof over the front door for protection against the weather
Section of Zoning Bylaw:	<i>Town of Dedham Zoning Bylaw Section 4.1, Table of Dimensional Requirements</i>

Ms. Lawrence is seeking a Special Permit/variance to construct a chevron-shaped roof over her front door. The front porch roof itself is flat, and provides no protection against the weather. The house is right at the edge of Massachusetts Avenue, and has very little front yard setback.

The Board had no questions. The Applicant presented a petition from eleven neighbors who were in support of her petition:

Neil Cronin	47 Massachusetts Avenue
Patricia Cronin	47 Massachusetts Avenue
Bill Skerry	42 Massachusetts Avenue
Jean Fassett	64 Massachusetts Avenue
Chris Lehner	55 Massachusetts Avenue
Maija Priede	48 Massachusetts Avenue
Kenan Krug	41 Massachusetts Avenue
Sean Farr	52 Massachusetts Avenue
Eileen Conroy	60 Massachusetts Avenue
J. Florek	56 Massachusetts Avenue
Lauren Winter	61 Massachusetts Avenue

Mr. Steeves made a motion to allow such Special Permits and/or variances as required for a 2'6" front yard setback instead of the required 20 feet to construct a roof over the front door for protection against the weather. Mr. Jacobsen seconded the motion. The vote of the Board was unanimous at 5-0.

Applicant:	David Ray
Property Address:	76 Park Street
Case #:	VAR-01-17-2183
Property Owner:	David and Maryellen Ray
Zoning District and Map/Lot	Single Residence B, Map 125, Lot 101
Application Date:	January 23, 2017
Present and Voting:	James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, Jason L. Mammone, P.E., Jared F. Nokes, J.D.
Representative:	David Ray
Legal Notice:	To be allowed such Special Permits and/or variances as required for an 8 foot rear yard setback instead of the required 20 feet to construct a 21.8 foot x 18.2 foot addition.
Section of Zoning Bylaw:	<i>Town of Dedham Zoning Bylaw Section 4.1, Table of Dimensional Requirements</i>

Mr. Ray would like to construct an addition to the back of his house that would replace an existing deck. The footprint would not change. The goal is to improve the house so he will not have to move. The room would be a family room, and it would be on footings. No one on the Board had any questions, and no one spoke in favor or against the petition. His neighbors are in support of the petition. Mr. Jacobsen moved to allow such Special Permits and/or variances as required for an 8 foot rear yard setback instead of the required 20 feet to construct a 21.8 foot x 18.2 foot addition. Mr. Steeves seconded the motion. The vote of the Board was unanimous at 5-0.

Applicant:	Justin and Elizabeth Osborne
Property Address:	12 Massachusetts Avenue, Dedham, MA
Case #:	VAR-02-17-2200
Property Owner:	Justin and Elizabeth Osborne
Zoning District and Map/Lot	General Residence, Map 24, Lot 207
Application Date:	February 8, 2017
Present and Voting:	James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, Jason L. Mammone, P.E., Jared F. Nokes, J.D.
Representative:	Justin and Elizabeth Osborne, owners

Legal Notice: Richard Morris, contractor, 42 Kenneth Court, Stoughton, MA
 To be allowed such Special Permits and/or variances as required for an 18 foot front yard setback instead of the required 20 feet to construct a portico over the front door for protection against the weather.

Section of Zoning Bylaw: *Town of Dedham Zoning Bylaw Section 4.1, Table of Dimensional Requirements*

Mr. and Mrs. Osborne would like to construct a portico over their front door for protection against the weather. Mrs. Osborne is currently pregnant and due to deliver in September 2017. She would like this to protect her infant when she leaves the home. She presented two letters in support of the petition from Donna Croteau, 19 Massachusetts Avenue, and Dorothy Hathaway, 13 Massachusetts Avenue, as well as a signed petition:

Anne Quinn	6 Massachusetts Avenue
Sean J. Quinn	6 Massachusetts Avenue
Steven McGloin	11 Massachusetts Avenue
Emma Martin	11 Massachusetts Avenue

The Board had no questions, and no one in the audience spoke in favor of or against the petition.

Mr. Steeves moved to allow such Special Permits and/or variances as required for an 18 foot front yard setback instead of the required 20 feet to construct a portico over the front door for protection against the weather. Mr. Jacobsen seconded the motion. The vote of the board was unanimous at 5-0.

Applicant: Eric McInerney, 27 Park Avenue, Natick, MA
Property Address: 150 Bridge Street, Dedham, MA
Case #: VAR-02-17-2198
Property Owner: McGolf OPCO LLC
Zoning District and Map/Lot: Local Business, Map 39, Lot 23
Application Date: February 6, 2017
Present and Voting: James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, Jason L. Mammone, P.E., Jared F. Nokes, J.D. Eric McInerney
Representative: Eric McInerney
Legal Notice: To be allowed a waiver from the Town of Dedham Sign Code for a 13 inch x 130 inch halo lit wall sign that is higher than the lower edge of the roof of the building.
Section of Sign Code: *Town of Dedham Sign Code Section 237-29 and 237-19E.*

Mr. McInerney would like a waiver from the Sign Code because his proposed sign is four inches higher than the roof line. He has gone before the Design Review Advisory Board, who approved the sign, but it was found that it was a little too high. No one spoke in favor or against the petition. Mr. Steeves moved to allow a waiver from the Town of Dedham Sign Code for a 13 inch x 130 inch halo lit wall sign that is higher than the lower edge of the roof of the building. Mr. Jacobsen seconded the motion. The vote was unanimous at 5-0.

Applicant: Dermot McElligott, 65 Harding Terrace, Dedham, MA
Property Address: 11 Beacon Street, Dedham, MA
Case #: VAR-02-17-2199
Property Owner: Dermot McElligott, 65 Harding Terrace, Dedham, MA
Zoning District and Map/Lot: General Residence, Map 24, Lot 139
Application Date: February 10, 2017
Present and Voting: James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, Jason L. Mammone, P.E., Jared F. Nokes, J.D.
Representative: Dermot McElligott, owner
Harold McGonagle, AIA, 103 Keystone Street, West Roxbury, MA 02132
Legal Notice: To be allowed such Special Permits and/or variances as required for a front yard setback of 10' instead of the required 20' and a side yard setback of 5' instead of the required 10' to construct a second story and a farmer's porch.
Section of Zoning Bylaw: *Town of Dedham Zoning Bylaw Section 4.1, Table of Dimensional Requirements*

Mr. McElligott recently purchased 11 Beacon Street, and is in the process of renovation. He will be adding a second floor using the existing footprint of the dwelling, as well as a farmer's porch, and requires a front yard setback of 10 feet and a side yard setback of 5 feet where there will be an a two-story addition to the house to the rear. Renderings of the home were submitted to the Board, along with a certified plot plan prepared by Michael Paul Antonino, 31 Ledgebrook Avenue, Stoughton, MA 02072. The dwelling currently has two bedrooms, but there is no closet in the second floor bedroom, so it cannot be considered bedroom. There is also a very tiny kitchen. The footprint of the house is very small at 1,152 square feet, and will be increased to approximately 1,600 to 1,800 square feet with the addition. No one on the Board had any questions, and no one spoke against or in favor of the petition. Mr. Steeves moved to allow such Special Permits and/or variances as required for a front yard setback of 10' instead of the required 20' and a side yard setback of 5' instead of the required 10' to construct a second story and a farmer's porch. Mr. Jacobsen seconded the motion. The vote was unanimous at 5-0.

Review of Minutes, March 1, 2017: Mr. Steeves moved to approve these minutes, seconded by Mr. Jacobsen. The vote was unanimous at 5-0.

Mr. McGrail announced that the continuation of the hearing for Dedham Wings, LLC (Hooters), 850 Providence Highway is cancelled. The representative, Colin Parker, is stuck in New York, and cannot attend the meeting. A letter was received from Edward Richardson, Esq., explaining the delay and requesting a continuation. This will be heard on April 19, 2017.

Applicant: Andrew Spognardi and Mary Davis
Property Address: 42 Manning Road, Dedham, MA
Case #: VAR-12-16-2172
Property Owner: Andrew E. Spognardi, Jr., et ux and Kevin C. Davis et ux, 42 Manning Road, Dedham, MA
Zoning District and Map/Lot: Single Residence B, Map 147, Lot 51
Application Date: December 8, 2016
Present and Voting: James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, Jason L. Mammone, P.E., Jared F. Nokes, J.D.

Representative: Mary Spognardi Davis, owner
Legal Notice: To be allowed a Special Permit for an existing accessory dwelling unit that has lapsed.
Section of Zoning Bylaw: *Town of Dedham Zoning Bylaw Section 7.7 Special Residential Regulations, Section 9.3.5 Special Permits Conditions*

This hearing was originally on January 18, 2017, but no one appeared to present the petition. The petition was rescheduled for March 1, 2017, but again no one came to the meeting. This is the third continuation. Ms. Davis said the family moved in and did not realize that the Special Permit for the accessory dwelling unit needed to be renewed. Her parents live in the accessory dwelling unit. Mr. Mammone asked how she found out that this needed to be renewed, and Ms. Davis said she found out when she went to the Building Department to check on a permit. Mr. Steeves moved to allow a Special Permit for an existing accessory dwelling unit that has lapsed, seconded by Mr. Jacobsen. The vote of the Board was unanimous at 5-0.

Mr. Steeves moved to adjourn, seconded by Mr. Jacobsen. The vote was unanimous at 5-0. The meeting ended at 7:30 p.m.

Respectfully submitted,



Susan Webster
Administrative Assistant