

**TOWN OF DEDHAM
COMMONWEALTH OF MASSACHUSETTS**

James F. McGrail, Chair
J. Gregory Jacobsen, Vice Chair
Scott M. Steeves
Jason L. Mammone, P.E.
Sara Rosenthal, AIA, LEED AP, NCARB



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**ZONING BOARD OF APPEALS
MINUTES**

Wednesday, February 19, 2020, 7:00 pm, Lower Conference Room

Present: Scott M. Steeves, Acting Chairperson
Jason L. Mammone, P.E.
Sara Rosenthal, AIA, LEED AP, NCARB
George Panagopoulos, Associate Member
Andrew Pepoli, Associate Member

Staff: Jennifer Doherty, Administrative Assistant

Absent: James F. McGrail, Chair
J. Gregory Jacobsen, Vice Chair
Jeremy Rosenberger, Planning Director

The meeting was brought to order at 7:00 pm. The plans, documents, studies, etc., referred to are incorporated as part of the public records and are on file in the Planning and Zoning office. The hearings were advertised in *The Dedham Times* as required, and notices to abutters within 300 feet of each property were sent.

In the absence of Jim McGrail and Gregory Jacobsen, Mr. Scott Steeves was the acting Chairperson for the evening.

Applicant:	Blue Hill Fuels, LLC
Project Address:	31 Eastern Ave
Zoning District:	Central Business Zoning District (CB), Map 108 Lot 98
Legal Notice:	The petitioner requests any necessary waivers from the provisions of the Dedham Sign Code to install a new signage as part of rebranding effort (Gulf); signage would exceed the allowable total signage square footage, provide internal illumination (internal illumina-

	tion is not allowed) and exceeds allowable hours of illumination. The +/- 15,763 sq. ft. subject property is located at 31 Eastern Avenue.
Section of Zoning Bylaw:	<i>Town of Dedham Sign Code Section 237-18, 237-19 and Table 2.</i>

This was a continuance from the January 15, 2020 meeting. In attendance for the applicant were Suneet Sharma, and Greg McAllister of Blue Hills Fuels.

George Panagopoulos had met with the applicants since the last meeting to discuss the wishes of the Dedham Square Steering and Planning Committee. He felt it had been very positive. He said they addressed areas concerning landscaping, construction, site cleanup, snow removal, etc. The applicant reviewed the Dedham Square Design Guidelines, and had removed a lot of the signage in the windows already. They will be improving the landscaping, and remove snow from the adjacent sidewalks. Everything that the committee had asked Mr. Panagopoulos to discuss with the applicant had been discussed and the applicant was happy to comply.

George made a motion to approve the proposal with the following conditions:

- Installing raised planters along route one when the warmer months begin
- Remove snow from the sidewalks on Bryant Ave and their section of Eastern Ave
- Remove additional signage from the window areas
- Maintain site cleanup and replacement of dead landscaping

The motion was seconded by Sara Rosenthal, and all agreed. 5-0 Unanimous.

Applicant:	Philadelphia Sign Company for Bank of America
Project Address:	858 Washington Street
Zoning District:	Map 148 Lot 30, and is within a Research, Development & Office Zoning District (RDO
Legal Notice:	Request for waivers from the provisions of the Dedham Sign Code to install a +/- 60 sq. ft., internally illuminated wall sign (Bank of America) and new +/- 30 sq. ft. free-standing sign; wall signs above second floor window frame and more than one free-standing sign are not permitted. The +/- 90,605 sq. ft. subject property is located at 858 Washington Street, Dedham, MA,).
Section of Zoning Bylaw:	<i>Town of Dedham Sign Code Section 237-19(E) and Table 2.</i>

Heather Dudko from Philadelphia Sign Company was in attendance to represent Bank of America. She explained that these signs are currently in existence for Bank of America,

and had been granted a waiver a long time ago. Therefore, they needed to come back to the Zoning Board of Appeals for any changes. Bank of America was in the process of upgrading their logos.

There were four signs in total and she explained the proposal of each sign in detail for the Board. All of the signs would have an aluminum background with clear acrylic lettering, only the lettering would be lit. After she explained all of the signs the acting Chairman Scott Steeves asked if there were any questions from the Board.

Jason Mammone asked about a height waiver for the proposal, he did not see it in the agenda and there was a discussion as to if it had been included in the legal notice. The existing signs were already approved at a height of 18 feet and they were now being lowered, so it was decided the Board would vote on what they could that night, and upon the return of the Planning Director from vacation he would be asked if the applicant needed to return to the Board for additional approvals.

George Panagopoulos raised the issue of the signs being lit at night, and that it was a residential area. Some abutters had come before the Board on previous applications to complain about the lighting. He asked the applicant about measures to mitigate this, such as timers. Ms. Dudko explained that yes, they would be more than happy to put the signs on timers. He then asked how many signs were being illuminated in total. She explained that this proposal, if granted would change the existing of three non-illuminated signs and one illuminated sign, to four illuminated signs. Mr. Steeves felt it was important to know what time these signs would be turned off so as not to disturb the neighbors, giving there would be a lot more of them now lit. Sara Rosenthal stated that we had given a previous applicant at this address a cut off time of 9:00 pm to turn off the lights and we could make that a condition of this application as well. Jennifer Doherty, Administrative Assistant, explained that the Bank of America location was owned by the same person as the applicant Ms. Rosenthal was speaking of, and that therefore the signs were already mandated to be turned off at 9:00 pm. Ms. Dudko will inform her client of this. Mr. Steeves then asked if there was anyone in the audience who wished to speak on this matter, and there was no one.

A motion was made by Sara Rosenthal to approve the proposal as written, with the conditions that the lights be turned off at 9:00 pm, and that if the Planning Director determines the applicant needs to come back for the height waiver, they will. The motion was seconded by George Panagopoulos, and all were in favor, 5-0, Unanimous.

Applicant:	Xhemal Hima
Project Address:	73 Sunset Avenue
Zoning District, Map and Lot	Single Residence B Zoning District (SRB). Map 79, Lot 57
Legal Notice:	The petitioner requests a Special Permit to construct a one-story, +/- 432 sq. ft. side addition that will maintain the pre-existing front yard setback (20 ft.), where 25 ft. is required.
Section of Zoning Bylaw:	<i>Town of Dedham Zoning Bylaw Sections 3.3, 9.2, 9.3 and Table 2.</i>

Mr. Hima and his son James were in attendance representing themselves at the meeting. They explained that they wished to put on an addition to make more space for their growing family. The house was not traditional and it had two backs. There were two frontages and it was very odd but one of the streets was not formed and was all trees. The addition would be connected to the basement of the first floor if granted. Acting Chairman Steeves stated that he had spoke with Planning Director Jeremy Rosenberger before his departure for vacation, and Mr. Rosenberger did not see any issues with this Special Permit being granted. Mr. Steeves asked if the Board had any questions, and Mr. Pepoli did.

Mr. Pepoli asked the applicant if they had reached out to any of their neighbors regarding this proposal, and the answer was no. However, a member of the audience was in attendance and wished to speak. There were no other questions from the Board. The Acting Chair then asked if there were any members of the audience who wished to speak.

Joan C. Killala of 74 Sunset Avenue said she was a direct abutter of the property and she was in favor of the project. She saw no problem with it.

Andrew Pepoli made a motion to grant the Special Permit as proposed. The motion was seconded by George Panagopoulos, and all were in favor, 5-0.

Applicant:	Sterling Sign for Autobahn USA
Project Address:	909 Providence Highway
Zoning District, Map and Lot	Research, Development and Office (RDO) Map 149, Lot 24
Legal Notice:	The petitioner requests waivers from the provisions of the Dedham Sign Code to install a +/- 113 sq. ft., internally illuminated wall sign (Autobahn USA); wall signs above the roof line are not permitted. The +/- 21,658 sq. ft. subject property is located at 909 Providence Highway, Dedham, MA.
Section of Zoning Bylaw:	<i>Town of Dedham Sign Code Section 237-19(E) and Table 2.</i>

Damon Irby, Vice President of Business Development for Sterling Signs was in attendance for Autobahn USA. He explained the sign would be going on their roof line to increase visibility for the business. Acting Chairman Scott Steeves asked if there were questions from the Board.

Mr. Andrew Pepoli asked about the height of the sign. He indicated that the math was off between the application and the notice, however, it was still within the allowable amount due to the zoning district the applicant was located in.

George Panagopoulos stated that, as with other applications, even though the business was located in the RDO zoning district, there were still residential neighbors behind

them, and there was a mixed-use building to be constructed across the street. He wished to have a condition that timers be on the lights for the signs so as not to disturb the neighbors at night.

Mr. Steeves asked if there was anyone from the audience who wished to speak on this application.

Ms. Nora Costo of 38 Orchard Street, in back of the business wished to speak. She stated she had lived there for 23 years and she felt during that time the entire neighborhood had been degraded due to the commercial properties surrounding it. She was asking the Board to deny the application because she was opposed to the illumination and the height of the sign.

Acting Chair Mr. Steeves asked the applicant if they had spoken with any of the neighbors and he replied they had not. Mr. Steeves stated that they would be postponing the application until the next month and urged the applicant to get together with the neighborhood and work on coming to a mutually satisfiable agreement.

Ms. Sara Rosenthal made a motion to continue the application to March 18, 2020, at 7:00 pm. George Panagopoulos seconded the motion, and all were in favor, 5-0.

Applicant:	Joseph Federico
Project Address:	70 Hastings Street
Zoning District, Map and Lot	Single Residence B Zoning District (SRB) and Flood Plain and Aquifer Protection Overlay Districts. Map 182 Lot 91
Legal Notice:	The petitioner requests a Special Permit to construct a single-family dwelling that would exceed the allowable maximum impervious lot coverage (25% required, 37.2% proposed) and a Special Permit to construct said dwelling in the Flood Plain Overlay District (FPOD). The +/- 8,681 sq. ft.
Section of Zoning Bylaw:	<i>Town of Dedham Zoning Bylaw Sections 8.1, 8.2, 9.2, 9.3 and Table 2.</i>