**DEDHAM TOWN HALL**

**26 BRYANT STREET**

**DEDHAM, MA 02026-4458**

**PHONE 781-751-9242**

**FAX 781-751-9225**

***ADMINISTRATIVE ASSISTANT***

**SUSAN WEBSTER**

[**swebster@dedham-ma.gov**](mailto:swebster@dedham-ma.gov)

***MEMBERS***

**JAMES F. McGRAIL, Esq., CHAIR**

**J. GREGORY JACOBSEN, VICE CHAIR**

**SCOTT M. STEEVES**

**E. PATRICK MAGUIRE, LEED AP**

**JASON L. MAMMONE, P.E.**

***ASSOCIATE MEMBERS***

**JESSICA L. PORTER**

**JARED F. NOKES, J.D.**



**TOWN OF DEDHAM**

**ZONING BOARD OF APPEALS**

**DECISION**

|  |  |
| --- | --- |
| **Applicant:** | **Mattress Firm** |
| **Property Address:** | **385 Providence Highway, Dedham, MA** |
| **Property Owner:** | Providence Highway Trust, John A. Hanna, Jr., et all, Trustee |
| **Property Owner Address:** | 180 LaGrange Street, West Roxbury, MA 02132 |
| **Agent/Agent Address:** | Jess Ramsperger, Pro Sign Service, 110 Forge River Parkway, Raynham, MA 02767 |
|  |  |
| **Legal Notice:** | The applicant seeks to be allowed a waiver from the Town of Dedham Sign Code for internal illumination of wall sign. |
| **Section of Zoning Bylaw:** | *Town of Dedham Sign Code Section 237-18* |
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| **Zoning District, Map and Lot:** | Central Business, 92-55 |
| **Date of Application:** | December 12, 2016 |
| **Date of Public Hearing:** | January 18, 2017 |
| **Date of Decision:** | January 18, 2017 |
| **Vote:** | Approved 5-0 |
| **Voting Members:** | James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, E. Patrick Maguire, MLA, RLA, CLARB, LEED AP,® Jason L. Mammone, P.E. |
|  |  |
| **Date Filed with Town Clerk:** | **January 30, 2017** |

The Zoning Board of Appeals (“ZBA”) of the Town of Dedham, Massachusetts held a public hearing on Wednesday, January 18, 2017, at 7:00 p.m. in the Town Office Building, 26 Bryant Street, Dedham, MA. Present were members of the ZBA, Chairman James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, E. Patrick Maguire, LEED AP, and Jason L. Mammone, P.E.

The hearings were duly advertised in accordance with the requirements of MGL Chapter 40A, Section 11. Legal ads were placed for two consecutive weeks in *The Dedham Times*. In addition, abutters within 300 feet of the property in question received notification of the hearings, and notification regarding each hearing was sent to the neighboring towns (Boston, Needham, Canton, and Westwood). Copies of all plans referred to in this decision and a detailed record of the Zoning Board of Appeals proceedings are filed in the Dedham Planning Department.

At 7:50 p.m., the Chairman called for the hearing on the appeal of Mattress Firm to be allowed a waiver from 385 Providence Highway, Dedham, MA, and is located in the Central Business zoning district. *Town of Dedham Sign Code, Section 237/18*

The Applicant was represented by Jess Ramsperger of Pro Sign Service, 110 Forge River Parkway, Raynham, MA 02767. The minutes from the hearing are the primary source of evidence and are incorporated herein by reference.

The Applicant had submitted an Application for a Special Permit on December 12, 2016. This included:

1. Zoning Board of Appeals application
2. Letter of authorization from Julie Hannah, owner
3. Design drawings prepared by Coast Sign, Inc., 1500 West Embassy Street, Anaheim, CA 92802

The subject property is known and numbered as 385 Providence Highway, Dedham, MA, and is shown on Dedham Assessors’ Map 92 Lot 55. The certified plot plan indicates that the Subject Property contains of 14,017 square feet of land and has approximately 247 feet of frontage on Providence Highway. According to the Dedham Zoning Map, the Subject Property is located in the Central Business zoning district. Currently, the property is occupied by a commercial store. According to the records maintained by the Dedham Board of Assessors, the building was constructed in 1950.

Mr. McGrail told Mr. Ramsperger that, in the future, a representative of the company should accompany him to Zoning Board of Appeals meetings. The company is changing its name from Sleepy’s to Mattress Firm. They would like to illuminate the sign internally. The color scheme is very similar, white on a black background. The square footage of the sign is well within the requirements of the Zoning Bylaw. Mr. McGrail said the sign can be kept on until one hour after closing.

Upon motion being duly made by Scott M. Steeves and seconded by J. Gregory Jacobsen, the ZBA voted 5-0 to grant a waiver from the Town of Dedham Sign Code for internal illumination of wall sign at 385 Providence Highway, with the condition that the lights be turned off one hour after closing.

Dated: January 18, 2017

Attest, by the Zoning Board of Appeals: James F. McGrail  **J**ames F. McGrail, Esq., Chairman

**J**. Gregory Jacobsen

J. Gregory Jacobsen, Vice Chairman

Scott M. Steeves

Scott M. Steeves

E. Patrick Maguire

E. Patrick Maguire, LEED AP

Jason L. Mammone Jason L. Mammone, P.E.

Attest, by the Administrative Assistant:

Susan N. Webster

Susan N. Webster