

TOWN OF DEDHAM
COMMONWEALTH OF MASSACHUSETTS



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Scott M. Steeves, Chair
Sara Rosenthal, AIA, LEED AP, Vice Chair
J. Gregory Jacobsen
Jason L. Mammone, P.E.
Tom Ryan, Esquire

Associate Members

Norman Vigil, Esquire

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**ZONING BOARD OF APPEALS
MINUTES**

**Wednesday, June 16, 2021, 6:00 p.m.
Dedham Town Hall
450 Washington Street, Room 302**

BOARD MEMBERS:

Scott Steeves	Chair
Sara Rosenthal	Vice Chair
Gregory Jacobsen	Member
Jason Mammone	Member
Tom Ryan, Esquire	Member
Norman Virgil, Esquire	Associate Member

TOWN OF DEDHAM STAFF:

Jeremy Rosenberger	Planning Director
Michelle Tinger	Assistant Planning Director
Jennifer Doherty	Administrative Assistant

Minutes prepared by Mary-Margaret Scrimger of Minutes Solutions Inc. from an audio recording.

1. CALL TO ORDER

Mr. Steeves called the meeting to order at 7:00 p.m.

2. **PUBLIC HEARING**

98 Quincy Avenue—Inga Yaghubyan:

Request for a Special Permit for a Family Day Care (large). The +/- 7,515 sq. ft. property is located at 98 Quincy Avenue, Dedham, MA, Map/Lot 142-179, and is within the General Residence (GR) Zoning District. Town of Dedham Bylaw Sections 3.1, 9.2, 9.3, and Table 1. Continued from 5.19.21 was due to negative reception by residents.

Ms. Yaghubyan noted that they have all the permits and have done everything requested by the building department. Electric, plumbing, surveys regarding setbacks, energy rating evaluation, and other aspects have been completed. There have been many letters of both support and opposition regarding this proposal. A resident noted that parking is a concern during pick-up and drop-off. There will be a maximum of 10 children at this daycare.

A neighboring resident noted that there are issues with the volume of cars in the neighborhood. The applicant said that he regularly plows the area because of daycare liability issues. Ms. Peterson provided her address and noted her opposition to the project because the business has no dedicated parking. In addition, communication from the daycare to the community has been inadequate. It was suggested that daycare staff park in the back.

Ms. Jennifer a daycare employee, noted that if the daycare had known that they needed to communicate with the Zoning Board and the community, they would have done so earlier. They are willing to work with the neighbors. She pointed out that drop-offs and pick-ups are staggered and that the daycare is a great school that is invested in the community. Daycare staff are inside and unaware of where parents park but will be more mindful of that going forward.

Mr. Tom Banal has kids in the daycare. He noted that the staff are efficient during pick-up and drop-off. He is only there for a few minutes. A resident with kids in the daycare confirmed the efficiency of pick-up and drop-off. A benefit of cars parking on the side of the street is that it decreases the speed of vehicles passing by. Mr. Jim McKerick, a resident of a neighboring town, stated that he has picked up his grandchildren from the daycare. The daycare is a great school, and the staff is invested in the community.

A motion duly made, it was resolved to approve a special permit for a daycare with a maximum of ten children, with the staff parking in the driveway or back of the building, for 98 Quincy Ave. A roll call vote was taken:

Scott Steeves: Yes
Sara Rosenthal: Yes
Gregory Jacobsen: Yes
Jason Mammone: Yes
Tom Ryan, Esquire: Yes

Motion passed unanimously, 5-0.

187 Bridge Street—Thomas M. Piersiak & Sons, Inc.:

Requests a Special Permit to alter, extend, and enlarge an existing building on a nonconforming lot and convert and use the same as a two-family residential dwelling. The +/- 8,807 sq. ft. subject property is located at 187 Bridge Street, Dedham, MA, Map/Lot 24-114 and is within a Limited Business (LB) Zoning District. Town of Dedham Zoning Bylaw Sections 3.1, 3.3, 9.2, 9.3, Table 1, and Table 2. Representative: Peter A. Zahka, II, Esq. Continued from 5.19.21 and a request to continue to 7/21/21

A motion duly made, it was resolved to continue 187 Bridge Street at a later meeting. A roll call vote was taken:

Scott Steeves: Yes
Sara Rosenthal: Yes
Gregory Jacobsen: Yes
Jason Mammone: Yes
Tom Ryan, Esquire: Yes

Motion passed unanimously, 5-0.

56 Wentworth Street—Orville and Krystal Clarke:

Request for a Variance to construct a covered porch for existing uncovered porch; the proposed project would provide a 22 ft. front yard setback where 25 ft. is required. The +/- 8,000 sq. ft. subject property is located at 56 Wentworth Street, Dedham, MA, Map/Lot 139-73, within a Single Residence B (SRB) Zoning District. Town of Dedham Bylaw Section 4.1, 9.2, 9.3, and Table 2.

Ms. Molly Moran the architect, represented the applicant. Many residents supported this change.

A motion duly made, it was resolved to approve the covering an uncovered porched at 56 Wentworth Street. A roll call vote was taken:

Scott Steeves: Yes
Sara Rosenthal: Yes
Gregory Jacobsen: Yes
Jason Mammone: Yes
Tom Ryan, Esquire: Yes

Motion passed unanimously, 5-0.

5 Bryant Street—Citizens Bank:

Request for a waiver to install two (2) internally illuminated wall signs (27.3 sq. ft. and 15.1 sq. ft.); internally illuminated signs are not allowed. The +/- 13,542 sq. ft. subject property is located at 5 Bryant Street, Dedham, MA, Map/Lot 108-99 and is within a Central Business (CB) Zoning District. Town of Dedham Sign Code Section 237-18 E.

Mr. Jim Souza of Bisbano and Associates requested to upgrade the sign to be illuminated. He confirmed that he has gone before DRAB. DRAB asked they return after specifics items were satisfied. These items were satisfied. The Chair requested that DRAB approve this before proceeding with the Zoning Board.

A motion duly made, it was resolved for a continuous regarding 5 Bryant Street until next month. A roll call vote was taken:

Scott Steeves: Yes
Sara Rosenthal: Yes
Gregory Jacobsen: Yes
Jason Mammone: Yes
Tom Ryan, Esquire: Yes

Motion passed unanimously, 5-0.

322-326 Washington Street & 25-27 Harris Street—Jason Parillo:

Request for a waiver to install a time and temperature digital display sign (12.22 sq. ft.); proposed signage is prohibited. The +/- 2,484 sq. ft. subject property is located at 322-326 Washington Street, Dedham, MA, Map/Lot 108-63 and is within the Central Business (CB) Zoning District. Town of Dedham Sign Code Section 237-15.

Mr. Jason Parillo of Back Bay Sign explained that DRAB had approved these signs. The signs will be illuminated during hours of operation. The applicant is open to restrictions. The bylaws allow for signs to be on an hour after a business closes. The Board requested the time and temperature be always lit.

A motion duly made, it was resolved to approve the waiver to install a time and temperature digital display sign with conditions to turn off the internally illuminated signs an hour after closing. A roll call vote was taken:

Scott Steeves: Yes
Sara Rosenthal: Yes
Gregory Jacobsen: Yes
Jason Mammone: Yes
Tom Ryan, Esquire: Yes

Motion passed unanimously, 5-0.

259 Washington Street—Recovery Centers of America:

Requests a Special Permit for a proposed 1,125 sq. ft. Substance Abuse Treatment Clinic. The +/- 23,212 sq. ft. property is located at 259 Washington Street, Dedham, MA, Map 93, Lot 8, and is within a Highway Business (HB) Zoning District. Town of Dedham Bylaw Section 3.1, 9.2, 9.3, and Table 1.

Chairman Steeves asked the applicant if they would be open to conditions. Mr. Ben Ferrero, the applicant's legal counsel, noted that he is on a Zoning Board for a nearby town and has been on both sides of the table. Many decisions, such as this one, are controversial and have significant pushback from residents. He stated that there are different forms of treatment. For this clinic, suboxone is the treatment form. Only specially qualified doctors may prescribe suboxone. This drug is not distributed at the facility, only prescribed. Appointments must be made, as this is not a drop-in. The building's façade will not change. It is not a not-for-profit and taxes will be paid.

Mr. Brier explained that these centers open slowly. It will only be opened two days a week to assess demand. Employees have other jobs. A hindrance to treatment is transportation access. This location addresses this. With this model, there is a 20% no-show rate. There is a substance abuse problem in Dedham. COVID-19 has caused an increase in opiate dependency, and access to treatment has been reduced. Mr. Brier noted that he is diligent about his work. Each clinic he opens is specific to the area. Administrative and management staff will be in the office for approximately 40 hours per week, similar to other businesses, but will only have clients at specific times.

There was clarity regarding medication. Some clients will have medication administered onsite. However, no drugs will be leaving the site. Clients will not need to be driven home. The function of the drug is to suppress addiction symptoms. They are not inebriated when they leave the site. There is no high associated with the treatment, so there is no incentive to break in. There is a short shelf life for this suboxone. Mr. Ryan asked that more information on suboxone be included in future presentations, as it was missed in the last presentation. The applicant noted that police frequently support this type of treatment. Mr. Brier pointed out that it is unlikely that there will be morning appointments, especially due to the traffic on Washington Street. The Board wondered if Mr. Brier would be amenable to a discussion after being open for one year.

The Town council summarized that the Board is looking to approve with conditions. Once these are established, the applicant can return to the Board. Mr. Brier asked that this be expedited as he suspects residents may appeal this.

3. MEETING MINUTES

A motion duly made, it was resolved to approve the minutes from April 21, 2021, and May 19, 2021. A roll call vote was taken:

Scott Steeves: Yes
Sara Rosenthal: Yes
Gregory Jacobsen: Yes
Jason Mammone: Yes

Tom Ryan, Esquire: Yes

Motion passed unanimously, 5-0.

4. NEW/OLD BUSINESS

Mr. Rosenberger asked if the Zoning Board would like to be on Dedham TV. Overall, the Board was not supportive of this.

5. ADJOURNMENT

A motion duly made, it was resolved to adjourn the meeting at 8:20 p.m. A roll call vote was taken:

Scott Steeves: Yes
Sara Rosenthal: Yes
Gregory Jacobsen: Yes
Jason Mammone: Yes
Tom Ryan, Esquire: Yes

Motion passed unanimously, 5-0.

DISCLAIMER

The above minutes should be used as a summary of the motions passed and issues discussed at the meeting of the Zoning Board of Appeals. This document shall not be considered a verbatim copy of every word spoken at the meeting.