

TOWN OF DEDHAM
COMMONWEALTH OF MASSACHUSETTS

Members

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



Dedham Town Hall
450 Washington Street
Dedham, MA 02026
Phone 781-751-9240

Planning Director
Jeremy Rosenberger

Associate Members

Norman Vigil, Esquire
Allen MacDuffie

Senior Planner
Michelle Tinger

ZONING BOARD OF APPEALS
MINUTES

Wednesday, June 15, 2022, 7:00 p.m.
Dedham Town Hall

Present: Scott Steeves, Chair
Sara Rosenthal, AIA, LEED AP, NCARB, Vice Chair
J. Gregory Jacobsen
Tom Ryan, Esq.
Norman Vigil, Esq., Associate Member
Allen MacDuffie, Associate Member

Regrets: Jason L. Mammone, P.E.

Staff: Jeremy Rosenberger, Town Planner
Michelle Tinger, Senior Planner
Jennifer Doherty, Administrative Assistant

The meeting began at **7:00 pm** on the night of **Wednesday, June 15, 2022**. The Chair conducted roll call:

Sara Rosenthal
J. Gregory Jacobsen
Tom Ryan
Norman Vigil
Allen MacDuffie
Scott Steeves

The Chair called the meeting to order.

93 Madison Street

Applicant:	Robert and Nancy Dunn (Representative: Peter Sachs)
Project Address:	93 Madison Street
Zoning District, Map/Lot:	Single Residence B (SRB) Zoning District, Map 141, Lot 59
Legal Notice:	Request for Special Permits for a two-story rear addition and to replace an existing detached garage; proposed project would intensify the pre-existing nonconforming front yard setback (+/- 9 ft. proposed, 25 ft. required) and intensify the pre-existing nonconforming left yard setback (+/- 4.3 ft. proposed, 10 ft. required).
Section of Zoning Bylaw:	Town of Dedham Zoning Bylaw Section <i>3.3.D, 4.3.2, 4.8, 9.2, 9.3, and Tables 1 and 2.</i>

Architect Peter Sachs and Mr. and Mrs. Dunn were present representing the application, revised from the application from the May 18th meeting which was denied by the Board. Mr. Sachs explained that the Dunns seek to renovate their home so that they can continue to reside there comfortably. The project would add a two-story addition to the rear of the house, intensifying the existing 4.3-foot left side setback by 16 feet. The applicants also seek to replace the current one-car garage which would be the same approximate footprint as the existing garage (instead of building a new two-car garage as previously planned, which required variances).

The Chair asked if any board members wished to speak, and there were none. The Chair asked if any members of the public wished to speak. Andrew Sullivan of 99 Madison Street, abutter to the immediate left of the property, expressed strong opposition to the project and felt the side wall that the extension would create would be unsightly in their yard. Rachel Buday of 89 Madison Street spoke in support of the applicants. Dorothy Folsom of 103 Madison Street expressed opposition to the project and felt that the neighborhood has become overbuilt in the more than 60 years she has resided in her home. Nancy Dunn mentioned that 82 Madison Street is building an even larger addition to their home than she and her husband are requesting. Ginny Sullivan of 99 Madison Street believed that those who signed in support of the project were just being neighborly and might regret their decision once the expansion is built. Peter Sachs clarified that the expansion would not intensify any shadows on abutting properties. The Chair mentioned for the record that abutters at 75, 78, 80, 85, 86, 89, 98, and 106 Madison Street wrote to the Board in support of the applicant. Sara Rosenthal asked Mr. Sachs if he had conducted a sun study, which could put abutters at ease, and he had not. She also clarified that the variances that were previously requested were no longer being requested and this project was just requesting a special permit for the home addition.

A motion was made by Sarah Rosenthal and seconded by Greg Jacobsen to approve the Special Permits, with a condition that the applicants must plant a landscaping barrier between the property line and the new addition. A roll call vote was taken.

Norman Vigil – yes

Sara Rosenthal – yes

Tom Ryan – yes

Greg Jacobsen – yes

Scott Steeves – yes

The motion passed unanimously, 5-0.

121 Chickering Road

Applicant:	Daniel J. Colarusso
Project Address:	121 Chickering Road
Zoning District, Map/Lot:	Single Residence B (SRB) Zoning District, Map 146, Lot 12
Legal Notice:	Requests a Special Permit and/or Variance to construct a +/- 728 sq. ft. 2-car garage that would exceed the maximum allowed height of 15 ft. (+/- 25 ft. 10 in. proposed).
Section of Zoning Bylaw:	Town of Dedham Zoning Bylaw Sections 4.1, 9.2. 9.3, and Table 2.

Mr. Colarusso was present representing his application. He seeks to build an approximately 728 square foot two-car garage to store his cars that he works on as a hobby.

The Chair asked if any board members wished to speak. Greg Jacobsen asked about the above-ground pool that appeared to be located right in front of the proposed garage. Mr. Colarusso explained that there was about 25 feet between the pool and the proposed garage, and there would be no driveway leading towards it, but the garage would be accessible from the existing driveway. The existing garage would be where the family’s everyday vehicles will be stored.

Tom Ryan asked about the setback of the garage, and Mr. Colarusso explained that it was within the setback requirements for detached accessory buildings (6 feet in the back and 10 feet on the side, where 5 feet is required).

The Chair then asked if there were any members of the public wishing to speak, and there were none. The Chair mentioned for the record that abutters at 114, 115, 122, and 129 Chickering Road wrote to the Board in support of the applicant.

A motion was made by Greg Jacobsen and seconded by Sara Rosenthal to approve the Special Permit and/or Variance. A roll call vote was taken.

Greg Jacobsen – yes

Sara Rosenthal – yes

Tom Ryan – yes

Norman Vigil – yes

Scott Steeves – yes

The motion passed unanimously, 5-0.

110 Stergis Way

Applicant:	Stergis Lots 3, 4 and 5 Owner LLC (Representative: Kevin F. Hampe, Esq.)
Project Address:	110 Stergis Way
Zoning District, Map/Lot:	Highway Business (HB) Zoning District and Flood Plain Overlay District (FPOD), Map 149, Lot 3B
Legal Notice:	Requests a Special Permit to alter, change and reduce the size of the existing non-conforming office building and warehouse (+/- 24,894 sq. ft.) by demolishing a section of the existing building and to be allowed to reconstruct a smaller office building (+/- 18,809 sq. ft.) located on the lot within the original footprint and a Special Permit for work within the Flood Plain Overlay District (FPOD). The +/- 55,321 sq. ft. subject property is located at 110 Stergis Way, Map 149 Lot 3B and is located within a Highway Business (HB) Zoning District and Flood Plain Overlay District (FPOD).

Section of Zoning Bylaw:	Town of Dedham Zoning Bylaw Sections 3.3, 4, 9.2, 9.3, and Table 2.
---------------------------------	---

The applicants request a continuance of their application to next month’s ZBA meeting. A motion was made by Greg Jacobsen and seconded by Sara Rosenthal to continue the application to the July 20, 2022 meeting. A roll call vote was taken.

Greg Jacobsen – yes

Sara Rosenthal – yes

Tom Ryan – yes

Norman Vigil – yes

Scott Steeves – yes

The motion passed unanimously, 5-0.

21 Crowley Avenue

Applicant:	Dan and Raelee Giacalone (Representative: Henry MacLean)
Project Address:	21 Crowley Avenue
Zoning District, Map/Lot:	General Residence (GR) Zoning District, Map 109, Lot 31
Legal Notice:	Requests a Special Permit and Variances to construct a one-story, +/- 476 sq. ft. addition; proposed project would intensify the preexisting non-conforming front yard setback (9.5 ft. proposed, 20 ft. required) and exceed the required left side yard setback (8.2 ft. proposed, 10 ft required) and maximum lot coverage (31.2% proposed, 30% allowed).
Section of Zoning Bylaw:	Town of Dedham Zoning Bylaw Sections 3.3, 4, 9.2, 9.3, and Table 2.

Dan Giacalone was present representing the application. The applicants seek to add a family room and mudroom to their home (totaling approximately 476 square feet) in order to support their growing family. The project would intensify the preexisting nonconforming front yard setback (9.5 feet proposed where 20 feet are required), would exceed

the required left yard setback (8.2 feet proposed where 10 feet are required), and would exceed the maximum lot coverage (31.2% proposed where 30% is allowed). He noted that his neighbors were all in support of the project.

The Chair asked if any board members wished to speak, and there were none. The Chair then asked if there were any members of the public wishing to speak, and there were none.

A motion was made by Norman Vigil and seconded by Sara Rosenthal to approve the Special Permit and Variances as presented, and a roll call vote was taken.

Tom Ryan – yes

Greg Jacobsen – yes

Sara Rosenthal – yes

Norman Vigil – yes

Scott Steeves – yes

The motion passed unanimously, 5-0.

59 Bayard Street

Applicant:	Martin Grealish, Phoenix Holdings LLC
Project Address:	59 Bayard Street
Zoning District, Map/Lot:	Highway Business (HB) Zoning District, Map 122, Lot 1
Legal Notice:	Requests a Special Permit to modify previous Zoning Board of Appeals decision dated February 16, 2022 to increase total seating capacity of restaurant (interior and exterior) from previously approved 60 seats to 88 seats.
Section of Zoning Bylaw:	Town of Dedham Zoning Bylaw Section Tables 1 and 2.

Planning Director Jeremy Rosenberger presented track changes of the decision at 59 Bayard Street from the April 20, 2022 meeting. The amendments directly address the re-

lief requested in the original legal ad, added “approximately” to the 430 square foot addition, and eliminated the phrase “pursuant to plans of record” as the retaining wall was voted on but not fully addressed in the submitted plans.

A motion was made by Sara Rosenthal and seconded by Greg Jacobsen to amend the decision from April 20th as presented, and a roll call vote was taken.

Tom Ryan – yes

Greg Jacobsen – yes

Sara Rosenthal – yes

Norman Vigil – yes

Scott Steeves – yes

The motion passed unanimously, 5-0.

Meeting Minutes

A motion was made by Sara Rosenthal to approve the minutes of May 18, 2022. The motion was seconded by Allan MacDuffie and a roll call vote was taken.

Allan MacDuffie – yes

Greg Jacobsen – yes

Sara Rosenthal – yes

Norman Vigil – yes

Scott Steeves – yes

The motion passed unanimously, 5-0.

Old Business/New Business

Tom Ryan suggested providing maps of the neighborhood surrounding the properties of interest so the location of abutters’ properties in relation to the project site could be easily located and understood.

Adjournment

A motion was made by Greg Jacobsen to adjourn the meeting at 7:58pm. A roll call vote was taken, all agreed, and the meeting was adjourned.