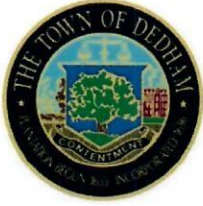


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TOWN OF DEDHAM
ZONING BOARD OF APPEALS
DECISION



Applicant:
Property Address:
Property Owner:
Property Owner Address:
Agent/Agent Address:

Marybeth Reddish
25 Eled Way, Dedham, MA
Reddish Properties, LLC, c/o Elsa H. Reddish
28582 La Caille Drive, Naples, FL 34119
• Kevin F. Hampe, Esq., 411 Washington Street, Dedham, MA
• Marybeth Reddish, 11 Drayton Road, Dedham, MA
• Matthew Bombaci, P.E., Bohler Engineering, 352 Turnpike Road, Southborough, MA 01772

Legal Notice:

The Applicant seeks to be allowed a waiver from the Town of Dedham Sign Code for a side yard setback of 2 feet, a front yard setback of 1.5 feet for placement of a pylon sign, and 70 square feet of signage (15 square feet for the pylon sign and 55 square feet for a wall sign) with no frontage in the LMA zoning district and the Flood Plain Overlay District.

Section of Zoning Bylaw:

Town of Dedham Sign Code Section 237-19 Computation of Sign Area and Height, Section 237, Table 2 Dimensions and Location

Zoning District, Map and Lot:
Date of Application:
Date of Public Hearing:
Date of Decision:
Vote:
Voting Members:

LMA, Map 129, Lot 144
March 20, 2017
April 19, 2017
April 19, 2017
5-0, unanimous approval
James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, Jason L. Mammone, P.E., Jessica L. Porter

Date Filed with Town Clerk:

May 2, 2017

The Zoning Board of Appeals ("ZBA") of the Town of Dedham, Massachusetts held a public hearing on Wednesday, April 19, 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, and Jason L. Mammone, P.E. Member E. Patrick Maguire, MLA, RLA, CLARB, LEED AP® was unable to attend the meeting, so Chairman McGrail appointed Associate Member Jessica L. Porter to sit in his stead.

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 7:47 p.m., the Chairman called for the hearing on the appeal of Marybeth Reddish, 25 Eled Way, Dedham, MA, to be allowed a waiver from the Town of Dedham Sign Code as noted in the Town of Dedham Charter to be allowed a waiver from the Town of Dedham Sign Code for a side yard setback of 2 feet, a front yard setback of 1.5 feet for placement of a pylon sign, and 70 square feet of signage (15 square feet for the pylon sign and 55 square feet for a wall sign) with no frontage in the LMA zoning district and the Flood Plain Overlay District. The property is located at 25 Eled Way, Dedham, MA, and is located in the Limited Manufacturing A zoning district. *Town of Dedham Sign Code Section 237-19 Computation of Sign Area and Height, Section 237, Table 2 Dimensions and Location*

The Applicant was represented by Kevin F. Hampe, Esq., 411 Washington Street, Marybeth Reddish, 11 Drayton Road, Dedham, MA, and Matthew Bombaci, P.E., Bohler Engineering, 352 Turnpike Road, Southborough, MA 01772. The minutes from the hearing are the primary source of evidence and are incorporated herein by reference.

The Applicant had submitted an application for such Special Permits and/or variances on February 8, 2017. This included:

1. Zoning Board of Appeals application
2. Letter of permission to install sign from The 23-27 River Street Condominium Association, 25 Eled Way, Dedham, MA
3. Petition statement prepared by Kevin F. Hampe, Esq.
4. Existing floor plans of complete building
5. Rendering and specifications of proposed signage

6. Existing conditions plan prepared by William J. Dorgan, Carver Road, Scituate, MA
7. Site Development plans prepared by 352 Turnpike Road, Southborough, MA 01772, and stamped by Matthew D. Smith, P.E.

The subject property is known and numbered as 25 Eled Way, Dedham, MA, and is shown on Dedham Assessors' Map 129, Lot 144. The certified plot plan indicates that the Subject Property contains of 70,298 +/- square feet of land and has 197.2 feet of frontage on Paradise Lane. According to the Dedham Zoning Map, the Subject Property is located in the Limited Manufacturing A zoning district. Currently, the property is occupied by a service shop/industrial building. According to the records maintained by the Dedham Board of Assessors, the building was constructed in 1981.

Mr. Hampe described the site, which is located off River Street near Four Corners. There is an approximately 225 foot right of way to the proposed location for Xchange Leasing, LLC, a subsidiary of Uber. This will be a location where Uber will store cars for leasing purposes for drivers who do not want to use their own cars. Leasing will be for two, four, six months, or more. There will be an office for Xchange Leasing, LLC, in 4,000 square feet, and storage of cars in the parking area, which is located behind Curtis Newton Lumber and away from the residential area. The Applicant will be going before the Planning Board for site plan review on 4/28/17.

The Applicant is seeking waivers from the Town of Dedham Sign Code for a free-standing sign located on River Street in an area that is owned by the property owners of Pizzadoro's. Mr. Hampe presented a signed letter from the 23-27 River Street Condominium Association that gives permission to the Applicant to locate the proposed sign on the property. They have gone before the Design Review Advisory Board and made the suggested changes, including a slightly larger pole for the 3' x 5' free-standing sign and color. There would also be a wall sign on the building that measures 3' x 10;' it had originally been 55 square feet, but DRAB suggested a smaller sign with the same colors as the free-standing sign. The building is in the back, and no one can see it from the street, do DRAB thought a smaller sign was more appropriate.

Ms. Porter asked what is allowed by right on the building. Mr. Bombaci said it is generally calculated based on frontage in the LMA district. There is also frontage on Paradise Lane, which is a residential district, but their frontage will be in the LMA zoning district. Ms. Porter also asked how

the proposed sign compares in height and overall size to the other signs on the street. Mr. Bombaci said their sign is probably the same size as the Maaco sign. Ms. Porter's concern is to try to improve the signage in the area to bring more consistency. Adding something taller than the existing signs is not great in terms of the visual affect, but also for wayfinding. It is easier for drivers if there are uniform signs. Mr. McGrail asked if the Applicant would agree not to make the sign any higher, and she agreed.

Mr. Mammone said that it looks like the numbers 1.5' and 2.0' are reversed on the plans. Mr. Bombaci said the side yard is shown as 1.5' and the front yard 2'. Mr. Hampe said that they asked for a 2' side yard setback, but it shows as 1.5' on the plans. They also asked for 1.5' on the front yard setback, but it shows as 2.' They will be able to work with that. Mr. Mammone said that approval will be conditioned on submission of a plan stamped by a professional land surveyor. Ms. Porter asked if there would be illumination, and there will be none. No one in the audience spoke in favor or against the petition.

Upon motion being duly made by Jason L. Mammone, P.E., and seconded by Scott M. Steeves, the ZBA voted 5-0 to grant a waiver from the Town of Dedham Sign Code as noted in the Town of Dedham Charter for a waiver from the Town of Dedham Sign Code under *Section 237-19 Computation of Sign Area and Height and Section 237, Table 2 Dimensions and Location* for a side yard setback of 2 feet and a front yard setback of 1.5 feet for placement of a pylon sign, with no frontage in the LMA zoning district and the Flood Plain Overlay District. The request for 55 square feet of signage was withdrawn and replaced by 30 square feet of signage. Conditions of this approval are the following: (1) that the Applicant submit a stamped plan signed by a professional land surveyor, (2) that there be no illumination of the sign, (3) and that the sign not be higher than any of the other signs in the general area.

Dated: April 19, 2017

Attest by the Zoning Board of Appeals


James F. McGrail, Esq.


J. Gregory Jacobsen


Scott M. Steeves



Jason L. Mammone, P.E.



Jessica L. Porter

Attest by the Administrative Assistant



Susan N. Webster