

**Town of Dedham**  
COMMONWEALTH OF MASSACHUSETTS

ZONING BOARD OF APPEALS

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

Associate Members  
Norman Vigil, Esq.  
Allen MacDuffie

Planning Director  
Jeremy Rosenberger



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Senior Planner  
Michelle Tinger

Economic Development Planner  
Jayson Schultz

Office Manager  
Kelli Leahy

**Wednesday, February 15, 2023, 7:00 p.m.**  
**Dedham Town Hall**

Present: Sara Rosenthal, AIA, LEED AP, NCARB, Vice Chair  
J. Gregory Jacobsen  
Tom Ryan, Esq.  
Jason L. Mammone, P.E.  
Norman Vigil, Esq., Associate Member  
Allen MacDuffie, Associate Member

Regrets: Scott Steeves, Chair

Staff: Michelle Tinger, Senior Planner  
Jayson Schultz, Economic Development Planner

The meeting began at **7:00 p.m.** on the night of **Wednesday, February 15, 2023**. Vice Chair Rosenthal conducted roll call:

Sara Rosenthal  
Greg Jacobsen  
Tom Ryan  
Norman Vigil  
Allen MacDuffie  
Jason Mammone

Vice Chair Rosenthal called the meeting to order.

## 61 Ledgewood Road

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| <b>Applicant:</b>                | <b>John G. Wagner and Danielle Wagner</b>  |
| <b>Project Address:</b>          | <b>61 Ledgewood Road</b>   |
| <b>Zoning District, Map/Lot:</b> | Single Residence B (SRB) Zoning District, Map 179, Lot 73.   |
| <b>Legal Notice:</b>             | Requests a Special Permit and/or Variance for the addition of a second floor with a side yard setback of +/- 5.94 ft. (10 ft. required). |
| <b>Section of Zoning Bylaw:</b>  | Town of Dedham Zoning Bylaws Section 280-3.3(A), 3.3(D), 3.3(E)(2), 9.2, 9.3, and Table 2.   |

Attorney Keith Hampe and John Wagner were present on behalf of the application. The existing residence is Cape-style; the Applicants are proposing to remodel the property and add a second floor. They are requesting a Special Permit to extend and alter a non-confirming structure with the addition of the second floor and a Variance with the side yard setback. Approval of the requests would increase nearby property values and is consistent with other residences in the neighborhood.

Vice Chair Rosenthal asked if there were any questions from the Board. Member Ryan inquired as to whether any input was received from abutters. Attorney Hampe received one call from an abutter seeking an explanation as to why he received the petition notification; however, did not express an opinion and there is no other record of opposition. Attorney Hampe noted that Mr. Wagner obtained signatures from the neighbors in support of his petition and provided a list of these names for the record. Member MacDuffie noted his support for the approval of the Special Permit and Variance.

Vice Chair Rosenthal then asked if there were any members of the public wishing to speak, and there were none.

Upon a motion made by Member Jacobsen and duly seconded by Member Vigil, the Board voted in favor (5-0) to accept and grant the requested Special Permit and/or Variance for the addition of a second floor with a side yard setback of +/- 5.94 ft. (10 ft. required).

Sara Rosenthal – yes

Greg Jacobsen – yes

Tom Ryan – yes

Norman Vigil – yes

Jason Mammone – yes

**The motion passed unanimously, 5-0.**

**95 Eastern Avenue**

|                                  |   |
|----------------------------------|---|
| <b>Applicant:</b>                | <b>Niamh O’Connell</b>  |
| <b>Project Address:</b>          | <b>95 Eastern Avenue</b>  |
| <b>Zoning District, Map/Lot:</b> | Wireless Overlay District (WOD), Flood Plain Overlay District (FPOD), and Highway Business (HB) Zoning District, Map 123, Lot 16. |
| <b>Legal Notice:</b>             | Requests a Special Permit for micropigmentation services.   |
| <b>Section of Zoning Bylaw:</b>  | Town of Dedham Zoning Bylaws 9.2, 9.3, and Table 1.   |

Niamh O’Connell and Julie Prisco were present for the application. They are seeking a Special Permit to perform micropigmentation services. Their target client base is people who have issues with hair loss, pigment loss, and scarring. Services will be performed on eyebrows, lips, and eyeliner.

Vice Chair Rosenthal asked if there were any questions or comments from the Board. Member Ryan stated that if the applicants are approved for a Special Permit, they are required to complete the permitting and approval processes with the Dedham Board of Health.

Vice Chair Rosenthal then asked if there were any members of the public wishing to speak, and there were none.

Upon a motion made by Member Ryan and duly seconded by Member Vigil, the Board voted in favor (5-0) to accept and grant the requested Special Permit for micropigmentation services, with the condition that the Applicant complete all permitting and approval processes required by the Dedham Board of Health.

- Sara Rosenthal – yes
- Greg Jacobsen – yes
- Tom Ryan – yes
- Norman Vigil – yes
- Jason Mammone – yes

**The motion passed unanimously, 5-0.**

## 116 Pratt Avenue

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| <b>Applicant:</b>                | <b>Daurin Arias</b>  |
| <b>Project Address:</b>          | <b>116 Pratt Avenue</b>  |
| <b>Zoning District, Map/Lot:</b> | Single Residence B (SRB) Zoning District, Map 142, Lot 128.  |
| <b>Legal Notice:</b>             | Requests a Special Permit to allow for the space between the existing deck and existing garage to be a minimum of 8.2 ft (10 ft required). |
| <b>Section of Zoning Bylaw:</b>  | Town of Dedham Zoning Bylaws Section 3.3, 9.2, 9.3, and Table 2.   |

Member Vigil recused himself from this discussion and vote. Member MacDuffie voted in his stead.

Daurin Arias and Lisa Peguero were present on behalf of the application. At the last meeting, the Board requested they hire a land surveyor to obtain accurate measurements of the existing deck from the existing garage. When the measurements were provided to the Planning Department, it was determined that the dimensions were non-conforming. As such, they are returning to the Board to seek approval for a Special Permit.

Vice Chair Rosenthal asked if there were any questions from the Board. Member MacDuffie noted his support for the issuance of the Special Permit.

Vice Chair Rosenthal then asked if there were any members of the public wishing to speak, and there were none.

Upon a motion made by Member Jacobsen and duly seconded by Member Ryan, the Board voted in favor (5-0) to accept and grant the requested Special Permit to allow for the space between the existing deck and existing garage to be a minimum of 8.2 ft (10 ft required).

Sara Rosenthal – yes  
Greg Jacobsen – yes  
Tom Ryan – yes  
Norman Vigil – yes  
Jason Mammone – yes

**The motion passed unanimously, 5-0.**

**408 Whiting Avenue**

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| <b>Applicant:</b>                | <b>Courtney Mahoney</b>  |
| <b>Project Address:</b>          | <b>408 Whiting Avenue</b>  |
| <b>Zoning District, Map/Lot:</b> | Limited Manufacturing A (LMA) Zoning District, Map 128, Lot 116.                   |
| <b>Legal Notice:</b>             | Requests a Special Permit for the manufacturing and retail sale of floral designs. |
| <b>Section of Zoning Bylaw:</b>  | Town of Dedham Zoning Bylaws Section 3.3, 9.2, 9.3, and Table 2.                   |

Courtney Mahoney was present on behalf of the application. She is the owner and proprietor of SoulFlora LLC and currently provides flowers for events and weddings. She is requesting a Special Permit to expand her services to include retail flower and gift sales.

Vice Chair Rosenthal asked if there were any questions or comments from the Board. Member Ryan inquired about parking with this new client base. Ms. Mahoney replied that she has been assured by the broker and proprietor that there is ample parking for residents of the building and the two commercial units below. Parking is available on a first come first serve basis.

Vice Chair Rosenthal then asked if there were any members of the public wishing to speak, and there were none.

Upon a motion made by Member Jacobsen and duly seconded by Member Ryan, the Board voted in favor (5-0) to accept and grant the requested Special Permit for the manufacturing and retail sale of floral designs.

**Meeting Minutes**

A motion was made by Member Jacobsen to approve the minutes of the January 18, 2023 meeting. The motion was seconded by Member Vigil and a roll call vote was taken.

- Sara Rosenthal – yes
- Greg Jacobsen – yes
- Tom Ryan – yes
- Norman Vigil – yes
- Jason Mammone – yes

**The motion passed unanimously, 5-0.**

**Old Business/New Business**

Member Ryan requested that Building Commissioner Ken Cimeno attend an upcoming meeting to review the permitting process. Ms. Tinger will invite Mr. Cimeno to attend the March meeting to give a brief presentation. She will also request that he create a one page permitting overview document for Board members they can keep on file and reference when needed.

**Adjournment**

A motion was made by Member Mammone and seconded by Member Vigil to adjourn the meeting at 7:21 p.m. A roll call vote was taken, all agreed, and the meeting was adjourned.