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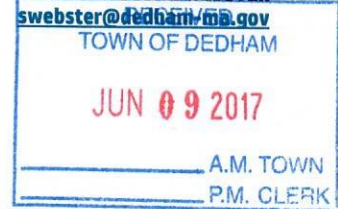
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**TOWN OF DEDHAM
ZONING BOARD OF APPEALS
DECISION**

Applicant: Christine Ryan for Oakdale Square Alliance
Property Address: 7 Sanderson Avenue, Dedham, MA
Property Owner: 77 Cedar Street, LLC
Property Owner Address: 23 DeFrancesco Circle, Needham, MA
Agent/Agent Address: Christine Ryan, 57 Oakdale Avenue, Dedham, MA

Legal Notice: The applicant seeks to be allowed a waiver from the Town of Dedham Sign Code for a public art mural on the wall of Tedeschi's (soon to be 7-Eleven) that will be greater than 10% of wall area.

Section of Sign Code: *Town of Dedham Sign Code Section 237, Table 2, and Section 237-19*

Zoning District, Map and Lot: Local Business, Map 127, Lot 33
Date of Application: April 14, 2017
Date of Public Hearing: May 17, 2017
Date of Decision: May 17, 2017
Vote: Unanimously 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: **June 9, 2017**

The Zoning Board of Appeals ("ZBA") of the Town of Dedham, Massachusetts held a public hearing on Wednesday, May 17, 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, MLA, RLA, CLARB, 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 7:11 p.m., the Chairman called for the hearing on the appeal of Christine Ryan for Oakdale Square Alliance to be allowed a waiver from the Town of Dedham Sign Code as noted in the Town of Dedham Charter for a public art mural on the wall of Tedeschi's (soon to be 7-Eleven) that will be greater than 10% of wall area. The property is located at 7 Sanderson Avenue, Dedham, MA, and is located in the Local Business zoning district. *Town of Dedham Sign Code, Section 237, Table 2 and Section 237-19*

The Applicant was represented by Christine Ryan, 57 Oakdale Avenue, Dedham, MA. The minutes from the hearing are the primary source of evidence and are incorporated herein by reference.

The Applicant had submitted an application for this waiver on April 14, 2017. This included:

1. Zoning Board of Appeals application
2. Photograph of building prior to the mural
3. Photograph of the mural
4. Owner signature approving the mural (on the ZBA application)

The subject property is known and numbered as 7 Sanderson Avenue, Dedham, MA, and is shown on Dedham Assessors' Map 127, Lot 33. The Town of Dedham GIS indicates that the Subject Property contains of 6,155 square feet of land and has 91.01 feet of frontage on Sanderson Avenue and 44.18 feet of frontage on Cedar Street (the building is on the corner of these two streets). According to the Dedham Zoning Map, the Subject Property is located in the Local Business zoning district. Currently, the property occupied by a store. According to the records maintained by the Dedham Board of Assessors, the building was constructed in 1940.

Ms. Ryan represented Oakdale Square Alliance regarding a mural that was painted on the wall of Tedeschi's (soon to be 7-Eleven) in Oakdale Square. It has been present for over a year. It is intended to celebrate the Oakdale neighborhood, and is sponsored by the neighborhood. Consultation with the Building Inspector determined that it is technically a sign. She has gone before the Design Review Advisory Board, who recommended the sign.

Mr. Maguire and Mr. Jacobsen both liked the mural. Mr. Jacobsen did not understand why, since the mural has been up for at least a year, it suddenly needed to come to the ZBA. Ms. Sullivan said that the conversion of Tedeschi's to a 7-Eleven triggered discussion with the Town. There was a discussion about what constituted public art. Planning Director Richard McCarthy is aware that guidelines for public art are necessary since there are no rules and regulations. Ms. Sullivan needs ZBA approval so Ziad Grieger, who owns Tedeschi's, can put up his new 7-Eleven sign. No one spoke in favor of or in opposition to the petition.

Mr. Maguire said the Board needs to be sure that the decision is worded in such a way that the building is not given huge additional signage. If it suddenly says 7-Eleven and not Oakdale Square, it will be a sign, and the Board needs to make sure that does not happen. Mr. McGrail said the request is for a public art mural on the wall. The condition can be that there is no commercial relationship. Currently, it says *Welcome to Oakdale Square*, and has no commercial connotation.

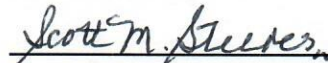
Upon motion being duly made by Scott M. Steeves and seconded by J. Gregory Jacobsen, the ZBA voted 5-0 to grant a waiver from the Town of Dedham Sign Code as noted in the Town of Dedham Charter for a public art mural on the wall of Tedeschi's (soon to be 7-Eleven), 7 Sanderson Avenue, Dedham, MA, that will read *Welcome to Oakdale Square only with no commercial relationship whatsoever* that will be greater than 10% of wall area.

Dated: May 17, 2017

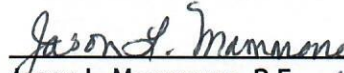
Attest by the Zoning Board of Appeals


James F. McGrail, Esq.


J. Gregory Jacobsen


Scott M. Steeves


E. Patrick Maguire, LEED AP


Jason L. Mammone, P.E.

Attest by the Administrative Assistant



Susan N. Webster