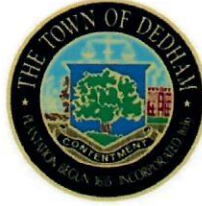


**MEMBERS**

JAMES F. McGRAIL, Esq., CHAIR  
J. GREGORY JACOBSEN, VICE CHAIR  
SCOTT M. STEEVES  
E. PATRICK MAGUIRE, LEED AP  
JASON L. MAMMONE, P.E.

**ASSOCIATE MEMBERS**

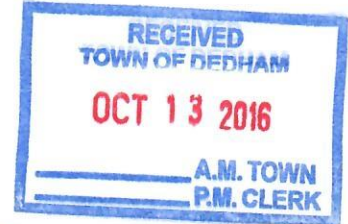
JESSICA L. PORTER  
JARED F. NOKES, J.D.



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



<b>Applicant:</b>	<b>Dunkin Donuts</b>
<b>Property Address:</b>	<b>36 Sawmill Lane, Dedham, MA 02026</b>
<b>Case #:</b>	<b>VAR-07-16-2111</b>
<b>Property Owner:</b>	Roma Realty Trust, Renato Reda, Trustee, 15 Felix Street, Dedham, MA 02026
<b>Zoning District and Map/Lot:</b>	General Business, Map 113, Lot 71
<b>Application Date:</b>	July 19, 2016
<b>Present and Voting:</b>	James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, Jason L. Mammone, P.E., Jared F. Nokes, J.D.
<b>Representative:</b>	<ul style="list-style-type: none"> <li>• Chris DaCosta, Legacy Donuts</li> <li>• Sean Donovan, ViewPoint Sign and Awning, 35 Lyman Street, Northborough, MA 01532</li> </ul>
<b>Legal Notice:</b>	To be allowed a waiver from the Town of Dedham Sign Code to install two free-standing wayfaring signs, one at the drive-thru exit on Sawmill Lane, and one at the entrance/exit on Milton Street.
<b>Section of Sign Code:</b>	Town of Dedham Sign Code Section 237-18E, Internal Illumination, and Table 2 Sign Dimensions and Location
<b>Date Filed with Town Clerk:</b>	<b>OCTOBER 13, 2016</b>

The Zoning Board of Appeals ("ZBA") of the Town of Dedham, Massachusetts held a public hearing on Wednesday, September 21, 2016, 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, LEED AP, was unable to attend the meeting, so Chairman McGrail appointed Associate Member Jared F. Nokes, J.D. 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 7:10 p.m., the Chairman called for the hearing on the appeal of Dunkin Donuts, 36 Sawmill Lane, Dedham, MA 02026, to be allowed a waiver from the Town of Dedham Sign Code as noted in the Town of Dedham Charter for two free-standing wayfaring signs, one at the drive-thru exit on Sawmill Lane, and one at the entrance/exit on Milton Street. The property is located at 36 Sawmill Lane, Dedham, MA 02026, and is located in the General Business zoning district. The owner of the property is Renato Reda, Trustee, Roma Realty Trust, 15 Felix Street, Dedham, MA 02026. *Town of Dedham Sign Code, Section 237/18E, Internal Illumination and Table 2, Sign Dimensions and Location*

The Applicant was represented by the owner, Chris DaCosta, Legacy Donuts, 360 Turnpike Street, Canton, MA 02021, and Sean Donovan, Viewpoint Sign & Awning, 35 Lyman Street, Northboro, MA 01532. The minutes from the hearing are the primary source of evidence and are incorporated herein by reference.

The subject property is known and numbered as 36 Sawmill Lane, Dedham, MA 02026, and is shown on Dedham Assessors' Map 113 Lot 71. The certified plot plan indicates that the Subject Property contains of 10,553 square feet of land and has 78 feet of frontage. According to the Dedham Zoning Map, the Subject Property is located in the General Business zoning district. Currently, the property is occupied by a Dunkin Donuts restaurant. According to the records maintained by the Dedham Board of Assessors, the building was constructed in 1960 and renovated in 2015-2016.

New renderings of the proposed signage were passed out to the Board. Mr. Donovan proposed two new wayfaring signs: one at the drive-thru on Sawmill Lane and one at the entrance/exit on Milton Street. The Design Review Advisory Board reviewed these and approved them. They are now seeking a waiver from the Town of Dedham Sign Code. Dunkin



Donuts has standard directionals. When they went to submit them, the Building Department discovered that it had never gone to the Zoning Board of Appeals, as the signs were not part of the original plan.

There have been some traffic concerns, so two "Do Not Enter" signs were installed at the exit, as there have been cars attempting to enter the exit. Another sign has come up. Instead of the Dunkin Donuts directional, a traffic style sign would be installed to guide vehicles to either the drive thru or the parking lot. It will indicate that the way to the store is straight, and the way to the drive thru is on the right. There are also traffic issues with a divided, double lane highway, and this should help people find what they need. They may take the existing sign down and replace it with the new one. It is to be noted that Robert Aldous of the Planning Board was at the last meeting, and spoke in favor of the application, saying that the Planning Board "screwed up."

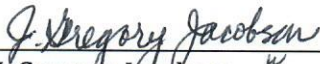
Mr. Steeves said the Dunkin Donuts is a huge improvement to the corner, and they did a beautiful job on the building. When the applicant first came to the ZBA, there was a discussion about a "Welcome to East Dedham" sign. Mr. DaCosta had agreed to a sign on the corner, but there were trees and an electrical box. This is not in his hands, and the location has not been determined. However, he is perfectly open to having it on his corner. Mr. Maguire said it is a busy corner, and some trees may have to be removed, and it may not get the visibility the residents want.

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 two free-standing wayfaring signs, one at the drive-thru exit on Sawmill Lane, and one at the entrance/exit on Milton Street.

Dated: September 21, 2016

Attest by the Zoning Board of Appeals:

  
James F. McGrail, Esq. "

  
J. Gregory Jacobsen "

Scott M. Steeves  
Scott M. Steeves

Jason L. Mammone  
Jason L. Mammone, P.E.

Jared F. Nokes  
Jared F. Nokes, J.D.

Attest by the Administrative Assistant

Susan N. Webster  
Susan N. Webster

**Materials Presented:**

- ZBA application
- Landlord authorization from Renato Reda, Trustee, Roma Realty Trust, 15 Felix Street, Dedham, MA 02026
- Renderings of proposed signage prepared by ViewPoint Sign and Awning, 35 Lyman Street, Northborough, MA 01532
- Photographs of existing conditions
- Site Location Map prepared by ViewPoint Sign and Awning, 35 Lyman Street, Northborough, MA 01532