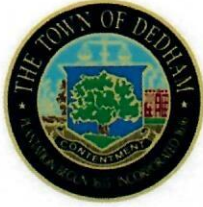


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E. PATRICK MAGUIRE, LEED AP
JASON L. MAMMONE, P.E.

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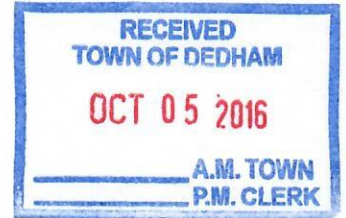


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ADMINISTRATIVE ASSISTANT
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2016 OCT -5 PM 3:06

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



Applicant: NTB
Property Address: 900 Providence Highway, Dedham, MA
Case #: VAR-08-16-2118
Property Owner: Ronald J. Priore, Sr., R & R Realty Associates, 32 Tamarack Road, Westwood, MA 02090
Map/Lot, Zoning District: 149/13
Application Date: August 12, 2016
Present and Voting: James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, Jason L. Mammone, P.E., Jared F. Nokes, J.D.
Representative:

- Robert Nitishin, AIA, 2265 Roswell Road, Suite 100, Marietta, GA 30062
- Peter A. Zahka II, Esq., 12 School Street, Dedham, MA

Legal Notice: To be allowed a waiver from the Town of Dedham Sign Code to erect three new wall signs on new parapet walls above the existing roof line.
Section of Sign Code: Town of Dedham Sign Code Section 237/19E Computation of Sign Area and Height
Date Filed with Town Clerk: **October 5, 2016**

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*. 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 7:01 p.m., the Chairman called for the hearing on the appeal of NTB, 4300 TBC Way, Palm Beach Gardens, Florida, to be allowed a waiver from the Town of Dedham Sign Code as noted in the Town of Dedham Charter for three new wall signs to be placed on a new parapet on three sides above the existing roofline. The property is located at 900 Providence Highway, Dedham, MA, and is located in the Highway Business zoning district. *Town of Dedham Sign Code, Section 237/19E Computation of Sign Area and Height*

The Applicant was represented by Robert C. Nitishin, AIA, 2265 Roswell Road, Suite 100, Marietta, Georgia. 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 900 Providence Highway, Dedham, MA, and is shown on Dedham Assessors' Map 149, Lot 103. The certified plot plan indicates that the Subject Property contains of 39,166 square feet of land and has 106.01 feet of frontage. According to the Dedham Zoning Map, the Subject Property is located in the Highway Business zoning district. Currently, the property is vacant, but will be occupied by a service shop and retail space. According to the records maintained by the Dedham Board of Assessors, the building was constructed in 1967.

The applicant went to the Design Review Advisory Board (DRAB), which recommended approval to re-do both the inside and outside of the building. A tower is being built with higher parapet walls on the front and sides. DRAB recommended a three-sided tower, putting the signs on the tower and getting rid of the pylon sign. A waiver is needed to be able to put these signs above the existing roofline according to the Town of Dedham Sign Code, Section 237/19E:

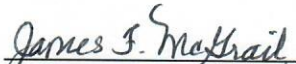
“No wall sign, except window signs which identify a business occupying space in a level above the ground floor level, shall extend higher than the lowest of (i) 25 feet above grade; or (ii) the top of the sills of the first level of windows above the first story; or (iii) the lowest point of the roof.”

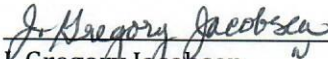
The tower will be the only addition. These will be the only signs, and they will conform to the amount of square footage required in the Sign Code. The exterior will be renovated with paint and stones. Mr. Zahka, who represents the landlord, said Mr. Priore is in agreement with removal of the pylon sign, as is his brother, who is an abutter. Mr. Nitishin said that once the construction documents are finished, they will apply for a building permit get started right away.


The Board had no questions, and no one in the audience spoke in favor or in opposition to the petition.

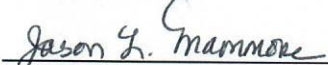
Upon motion being duly made by J. Gregory Jacobsen and seconded by Scott M. Steeves, the ZBA voted 5-0 to grant a waiver from the Town of Dedham Sign Code as noted in the Town of Dedham Charter for three new wall signs on new parapet walls that will be above the existing roof line with the condition that the existing pylon sign be removed.

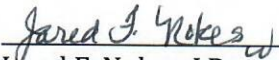
Dated: September 21, 2016


James F. McGrail, Esq. "



J. Gregory Jacobsen "


Scott M. Steeves


Jason L. Mammone, P.E. "


Jared F. Nokes, J.D.

Attest by the Administrative Assistant


Susan N. Webster

Materials Presented:

- ZBA application
- 900 Providence Highway Signage Plan prepared by Allen & Major Associates, Inc., 100 Commerce Way, P.O. Box 2118, Woburn, MA 01888-0118
- Renderings of existing and proposed signage