

TOWN OF DEDHAM  
COMMONWEALTH OF MASSACHUSETTS

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James F. McGrail, Esq., Chair  
J. Gregory Jacobsen, Vice Chair  
Scott M. Steeves  
E. Patrick Maguire, MLA, RLA, LEED AP  
Jason L. Mammone, P.E.



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**ASSOCIATE MEMBER**

Jared F. Nokes, J.D.

ZONING BOARD OF APPEALS MINUTES  
July 18, 2018, 7:00 p.m., Lower Conference Room

Present: James F. McGrail, Esq., Chair  
J. Gregory Jacobsen, Vice Chair  
Scott M. Steeves  
E. Patrick Maguire, MLA, RLA, LEED AP  
Jason L. Mammone, P.E.

Staff: Jennifer Doherty, Administrative Assistant

Call to order 7:00 p.m. Plans, documents, studies, etc., referred to are incorporated as part of the public records and are on file in the Planning and Zoning office.

Applicant: T-Mobile Northeast, LLC  
Project Address: 5 Incinerator Road, Dedham, MA  
Zoning District: Highway Business  
Representative(s): Adam Brailard, Prince, Lobel, Tye, 1 International Place, Boston, MA  
Petition: Joseph Flanagan, Director of Public Works, Town of Dedham  
To be allowed a Special Permit and variances as needed to erect a temporary tower structure to house existing wireless equipment at the site of the soon-to-be demolished smokestack on the site of the Transfer Station. The time limit for the temporary tower is no more than two (2) years.  
Section of Zoning Bylaw: Town of Dedham Zoning Bylaw Sections 6.4, 8.3, 9.2.2, 9.2.3

Mr. Flanagan explained that the current smokestack is in unstable condition and will be taken down. The applicant will need to move its wireless equipment from the smokestack to a new temporary tower so that the smokestack can be demolished. Once it is taken down, nothing will change from the perspective of what T-Mobile provides; there will be no equipment upgrades, although Mr. Brailard will confirm that. He said the plan is to take what is existing and put it on the temporary tower. Mr. Flanagan said that the Town is working with T-Mobile, AT & T, and Verizon to determine who will pay for this. All three carriers will transfer their equipment to the temporary tower. The applicants will need to come back to the Zoning Board of Appeals for a permanent tower. The temporary tower will be about the same height,

and the carriers will be about the same height. *It was difficult to hear because the air conditioner was running and obscured the voices.*

William Herman, trustee of 125 Eastbrook Condominium Trust, spoke on behalf of the 20 and 30 Eastbrook Road buildings that directly abut the transfer station. He said that the structure was in disrepair and not taken care of, so this is an emergency situation, but T-Mobile could do a better review of the surrounding area and buildings that could meet conforming zoning for this type of antenna. He said that 30 Eastbrook Road has an antenna containing Sprint, and 20 Eastbrook Road had T-Mobile on the roof until about a year and a half ago; there is a dedicated room for their equipment and air conditioning. He understood that this is an emergency and that a temporary structure would be necessary. He wanted to be sure there was something in place that would not be intrusive and would only be temporary. Mr. McGrail asked if he was okay with it being on his property but not the Town's property. Mr. Herman said it is a pre-existing nonconforming structure that is 122 feet above, which he believes is out of compliance with the Zoning Bylaw. He said that once the tower comes down, they should not reconstruct it in the area. He said the Town should look at redeveloping the area so it would be part of a long-term redevelopment. Mr. McGrail reminded him that the petition is only for a temporary tower.

Elizabeth Gustin, 8 Walker Lane, said she objected because she believed that the existing tower is within 200 feet of Mother Brook. She said that Conservation needs to be consulted, and it would probably take two years for this. Mr. McGrail said the applicant will be going before the Conservation Commission, and this is not the purview of the Zoning Board of Appeals.

Mr. Steeves moved to approve a Special Permit and variances as needed to erect a temporary tower structure to house existing wireless equipment at the site of the soon-to-be demolished smokestack on the site of the Transfer Station. The time limit for the temporary tower is no more than two (2) years. Mr. Jacobsen seconded the motion. The vote was unanimous at 5-0.

Applicant:	Robert and Joanne Bogie
Project Address:	154 Bonham Road, Dedham, MA
Zoning District:	General Residence
Representative(s):	Robert and Joanne Bogie
Petition:	To be allowed a side yard setback of nine feet, two inches (9'2") to construct a second floor addition to a non-conforming single family dwelling.
Section of Zoning Bylaw:	Town of Dedham Zoning Bylaw Sections 3.3.4 and 4.1 Table of Dimensional Requirements

Mr. Bogie explained that they have been in the residence for about 14 years. They have three children and live in a three-bedroom, one bath single family dwelling, and would like to add a master bedroom and a bathroom. The addition would go straight up. He presented signatures from abutters in support of the petition; these are from 163 Bonham Road, 151 Bonham Road, 158 Bonham Road, 143 Bonham Road, and 157 Bonham Road. No one in the audience spoke in favor or in opposition to the petition. The Board had no questions.

Mr. Jacobsen moved to approve a side yard setback of nine feet, two inches (9'2") to construct a second floor addition to a non-conforming single family dwelling, seconded by Mr. Steeves. The vote of the Board was unanimous at 5-0.

Applicant:	Morais and Martins, LLC
Project Address:	250 Washington Street, Dedham, MA
Zoning District:	General Residence
Representative(s):	Peter A. Zahka II, Esq., 12 School Street, Dedham, MA Daniel Martins Ferreira (?), MF Engineering and Designs Thomas Martins (? - unintelligible)
Petition:	To be allowed such Special Permits and variances as required to construct an addition to a pre-existing nonconforming two-family dwelling on a pre-existing nonconforming lot, which addition will have a lot width through the rear building line of 71.9 feet instead of the required 90 feet
Section of Zoning Bylaw:	Town of Dedham Zoning Bylaw Sections 3.3.2, 3.3.3, 3.3.4, 3.3.5, 9.2.2, 9.3.1, Table 1, and Table 2

Mr. Zahka said that the Applicants want to construct an addition to a pre-existing nonconforming two-family dwelling with a lot width through the rear building line of 71.9 feet instead of the required 90 feet. The property is in the General Residence zoning district. The lot contains 6,350 square feet of land with frontage of 51 feet on Washington Street. It is occupied by an existing two-family house that, per Assessors records, was built in 1890. Two-family houses are allowed as of right in the General Residence zoning district. This lot is nonconforming in terms of frontage, area, and side line. An addition would be added to the house, which would be maintained as a two-family. Under the Zoning Bylaw, this can be done typically as a matter of right as long as current Zoning Bylaw dimensional requirements are met. The proposed addition meets all these requirements in terms of rear yard, side yard, lot coverage, etc. However, in the General Residence zoning district, there is a lot dimensional requirement that does not exist in any other zoning district, called "lot width through the rear building line." Evidently this part of the Zoning Bylaw was never eliminated from the General Residence zoning district. Mr. Zahka pointed the current rear building line; this has a lot width of 66.4 feet. In the rear, because of the shape of the lot, the width is 71.9 feet; the required amount is 90 feet, but this is not feasible.

Mr. McGrail said that, even though they are proposing an addition, the applicants are asking for what would be an improvement to what currently exists. Mr. Zahka said it would make it less nonconforming than the current situation. He said that the only part of the building that is coming down is a small square portion behind the house, pointed out on his map and on the picture of the building.

Mr. Maguire asked if there would be any house in the area that would meet this requirement. Mr. Zahka said it is a "weird" portion of Washington Street because there is a hodgepodge of zoning. Most of the lots, to his understanding, would be undersized lots. Mr. Maguire asked what the criteria would be for calculating the lot. Mr. Zahka explained this, and said that this was confirmed by Building Commissioner Kenneth Cimeno. He said that the widest spot of the lot is the rear portion, and this does not conform to the Zoning Bylaw dimensional requirements. He does not know why it was done this way in the past.

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

Mr. Steeves moved to approve such Special Permits and variances as required to construct an addition to a pre-existing nonconforming two-family dwelling on a pre-existing nonconforming lot, which addition will have a lot width through the rear building line of 71.9 feet instead of the required 90 feet, seconded by Mr. Jacobsen. The vote of the Board was unanimous at 5-0.

Applicant:	Elie on Bridge Street, LLC
Project Address:	22 Bridge Street, Dedham, MA
Zoning District:	General Business
Representative(s):	Peter A. Zahka II, Esq., 12 School Street, Dedham, MA Eddie Lakkis, Owner John Bielowski, Station Manager (? Spelling)
Petition:	To be allowed such Special Permits and variances as necessary to construct an approximately 528 square foot addition to a pre-existing nonconforming service station to be used as a bay for automotive inspections (i.e., an extension, alteration, and enlargement of a pre-existing nonconforming structure and use) at 22 Bridge Street, Dedham, MA
Section of Zoning Bylaw:	Town of Dedham Zoning Bylaw Sections 3.1.3, 3.3.2, 3.3.3, 9.2.2, 9.3, 10, and Table 1

The applicant is seeking Special Permits/variances to construct an addition that would create a third bay that would be dedicated to automobile inspections. The gasoline station is pre-existing nonconforming. It is in the General Business zoning district. Mr. Zahka showed the location of the building on his map. The surrounding property is owned by the Waterford's restaurant and the Charles River. There is 10,909 square feet of land with 136 feet of frontage on Bridge Street. The property is currently occupied by a gasoline/service station with two bays, three fueling stations, and a canopy. There has historically been a gasoline/service station at this location since prior to 1952, at which time it was known as Business; service stations were allowed as of right at that time. The land has been rezoned several times, including residential at one point, and it is now it is zoned General Business. Service stations are now required to have a Special Permit in the General Business zoning district, which what the applicant is seeking since it does not have one. A use that was started as of right now requires a Special Permit and is considered a pre-existing nonconforming use.

There are no dimensional requirements per se in the General Business zoning district, so they are not seeking any variances. The addition would be to the left of the building, and would be an additional bay dedicated solely to automobile inspections. Over the years, the regulations keep changing for inspections, and there are enough now that more and more stations will request such additions. One of the regulations is a timing regulation; however, there is a waiting time requirement in that, if someone is using the bay for automotive repairs, they have to be out of the bay in 15 minutes. This creates a problem when a car shows up for inspection. Mr. Zahka said this would be better for the site and satisfies all the requirements for a Special Permit. The bay complies with all the dimensional zoning requirements. The new bay would

help the existing business, and would be a convenience to the residents of the neighborhood who use this station. There is another service station on Ames and Bridge Streets, but this is the closest inspection station and is about a mile way. Mr. Zahka said that, as part of this, the applicant will need to go to the Planning Board. They have had a scoping session. They will be re-stripping the lot to lay it out better in terms of parking, and it will give the applicant the opportunity to add some (not a lot) of landscaping and further improve the aesthetics of the site. The Planning Board will need to approve this. They also believe that it will make the site more efficient in terms of the layout since they will not need to move cars around so they can use the bay.

Mr. Zahka received an e-mail from Waterford's engineer and they have had discussions with them. There is a dumpster at the rear of the property, and this is actually off the site and is not related to the applicant's property. They have discussed potential encroachment that may be going down to the back of the property. The applicant has removed anything that may be associated with their operation and cleaned up the area. All employees have been instructed not to use that dumpster; there is a dumpster located on the applicant's site. In addition, if the petition is approved, they have agreed to add a condition that the rear property line between the two properties be confirmed via survey, and will erect a stockade fence along the property line. They will also maintain all their apparatus and materials on the applicant's property. There are currently some vent pipes that go underground and come up. The survey will confirm that they are on the applicant's property. If they are not, the applicant will be required to relocate those 6'6" onto his property.

Should the petition be approved, since it is about 80 feet from the Charles River, it is Mr. Zahka's understanding that it is within the 200 foot zone from the river's edge. Accordingly, the project, because (a) it is a gasoline/service, (b) it is an increase in commercial space, and (c) because of the location of the river, will need to go before the Town of Dedham Conservation Commission for, at a minimum, stormwater management. Mr. Zahka thought they would actually have to have a full Notice of Intent. The applicant has already gone through meetings with Conservation Commission about the nature of the use being so close to the river. The applicant wants to make sure that, since his property is so close to the river, there is no potential run-off.

Mr. McGrail said that, in his opinion, from a better perspective than the hardship and that it was going to be better, even though the Zoning Board of Appeals is not the Conservation Commission, there are concerns about expanding a gas station and its operation right along the Charles River. The applicant has been before the Zoning Board of Appeals twice for relief on signage, and other things, and it has been favorable to him. He was concerned about the proximity to the river. From a hardship perspective, the applicant is able to provide inspections at the site now if he so chooses. It is not as though he cannot do something since it has been proven that he can. Regardless whether the Board votes yes or no, he can still continue to do inspections. Mr. McGrail said he was therefore not sure there was an actual hardship. The gas station at Ames and Bridge Streets has two bays, and the gas station on Washington Street across from the Fire Station has two bays. Inspections are provided at both locations, and they are very similar in size and scale to the applicant's station.

Mr. Zahka said that, for the record, the applicant is not seeking any variances. Since he is seeking Special Permits, hardship does not apply. In terms of expansion of a service station, he has been very specific that this bay would be used only for automotive inspection. No work

will be done in that bay other than changing a bulb. There would be no oil changes. Mr. McGrail said the applicant can do inspections in the site right now. Mr. Zahka said that, depending on how the Building Commissioner views this the bay has to be a certain length (they currently have an awning to accomplish this), and they may need to return to the Zoning Board of Appeals if it rules that the two-foot extension is a change to a pre-existing nonconforming use.

Mr. Bielowski said that he runs the station daily, six days a week, and there are two bays now, which does not give them a lot to work with, although it is enough to make a living. If, under today's new Registry laws, they apply for a Registry license, there would have to be a specifically dedicated bay that does nothing other than inspections. This would cut the volume of the service department in half. He said he has six children in the Dedham school system and is a life-long Dedham resident who makes his living at the station. He hoped to do that for the rest of his life. This would be a hardship for him and his family.

Elizabeth Gustin, 8 Walker Lane, lives down the street from the station. She is concerned that the station is so close to the Charles River; she disagreed with Mr. Zahka's estimate that it is 80 feet from the Charles River, and said it was probably 20 feet. Mr. McGrail chose to believe Mr. Zahka's statement. She said that as construction is started, there is a wall right behind the station and she would be concerned that the wall would collapse. She also said the intersection is very difficult to negotiate because of the traffic and the lights.

Michael Haggerty, Waterford's, said his main concern is pollution because the parking lot is right on the river. He said, that in 2013, they spent \$65,000 cleaning the parking lot. He said he is not against the bay being built, but he has to do it properly. He said that, as it stands right now, his (*unintelligible*) five feet off Waterford's property, so he wants that corrected. He also wants catch basins and a vent in case of an accident. Once something hits the soil, the whole process starts over again. He wants his property protected, and will not object if it is done properly. He also wants the fence moved. Mr. Lakkis said he had a contractor install the initial stakes – *he was difficult to hear*. He had an engineer on the property today, and presented information that was currently as of today. He will provide a copy to Mr. Haggerty. They will stake the line and then walk it with him. He said he wants to give him everything he needs to comply. Mr. Haggerty was satisfied with this.

Michael O'Connor, 45 Marlboro Street, said the residents of Riverdale need competition for mechanical services because there are not enough options at this time. Mr. Bielowski offers an important option for the residents who need ongoing mechanical repairs to their cars.

The Board had no further questions. Mr. McGrail said his concerns remain. Mr. Steeves echoed Mr. McGrail's concerns, and made a motion to deny a Special Permit for Elie on Bridge Street, LLC. Mr. Jacobsen seconded the motion. The vote of the Board to deny was 3-2 with three members supporting the denial and two members supporting the applicant.

Applicant: Robert Keogh and Michael J. Bellante, Trustees of Alibi Realty Trust  
Project Address: 100 Meadowbrook Road, Dedham, MA

Zoning District: Single Residence A  
 Representative(s): Peter A. Zahka II, Esq., 12 School Street, Dedham, MA  
 Robert Keogh, Applicant  
 Michael J. Bellante, Applicant  
 Petition: To be allowed such Special Permits and variances required to divide an existing lot occupied by a single family house into two separate lots, one lot with an area of approximately 94,827 square feet occupied by the existing single family house, and one lot with an area of approximately 40,093 square feet occupied by the existing two-family house  
 Section of Zoning Bylaw: Town of Dedham Zoning Bylaw Sections 3.1, 4.1, 4.7, 9.2, 9.3, Table 1, and Table 2

The applicants would like to divide an existing lot that is already occupied by two houses into two separate lots, each of which would be occupied by one house. They have the right to divide the property automatically if there are two houses. However, it does not give them any zoning relief. The property is in the Single Residence A zoning district, and currently contains a little over 135,000 square feet of land with 315 feet of frontage on Meadowbrook Road. The larger house in the rear is a single family house, and the house in the front is a two-family house. According to the Assessors records, the single family was built circa 1903 and the two-family was built circa 1905.

The proposal is to divide the property into two conforming lots in the sense that one lot will have over 90,000 square feet and the other will have over 40,000 square feet. They have worked with the Building Commissioner to make sure lot frontage is per the Zoning Bylaw. The tricky part was the regular lot width and trying to determine this. The Building Commissioner has confirmed that the lot width conforms. The only nonconformity is a 24.9 foot existing side yard setback. They are not adding to the houses, and they are not creating the 24.9 foot side yard; Single Residence A requires 25 feet. They are also before the Board because one of the houses is a two-family and will remain as a two-family. The Building Commissioner was not certain how to handle this and Mr. Zahka said the way to handle it is hopefully through the requested relief. At the end of the day, there would be three dwelling units on the site, and after the division, there will still be three dwelling units on the site.

After the Zoning Board of Appeals, they will need to go to the Planning Board for an ANR plan, and to the Board of Health because 90% of the houses on Meadowbrook Road and the area are on septic systems. There is a shared system between the two houses. The Board of Health will let them go in with an agreement between the owners of the two houses that there will always be shared and will allocate how repairs will be done. It will need to be approved by the Board of Health and there would be a recordable document that would run with the land as long as the properties are on septic. It will also tie in the fact that the existing system, when it was approved by the Board of Health, had x-number of bedrooms in the single family house and x-number of bedrooms in the two-family house. That will be locked in as long as they are on septic.

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



Mr. McGrail asked Mr. Zahka to confirm the relief requested. Mr. Zahka said it would be to (1) subdivide the lot, (2) to allow a variance to not change the 24.9 foot setback instead of 25 feet, and (3) to allow the two-family house to continue as a two-family house.

Mr. Steeves moved to approve such Special Permits and variances required to divide an existing lot occupied by a single family house into two separate lots, one lot with an area of approximately 94,827 square feet occupied by the existing single family house, and one lot with an area of approximately 40,093 square feet occupied by the existing two-family house, and a variance for a side yard setback of 24.9 feet instead of the required 25 feet. Mr. Jacobsen seconded the motion. The vote of the Board was unanimous at 5-0.

Applicant:	Dedham Marketplace, LLC
Project Address:	95 Eastern Avenue/600 Providence Highway, Dedham, MA
Zoning District:	Highway Business
Representative(s):	Peter A. Zahka II, Esq., 12 School Street, Dedham, MA David Johnson, Norwood Engineering, Inc., Project Engineer
Petition:	To be allowed a Special Permit to re-grade, re-pave, add drainage structures, landscape, and perform other work in a parking lot located in the Flood Plain Overlay District
Section of Zoning Bylaw:	Town of Dedham Zoning Bylaw Sections 8.1, 9.2, and 9.3

Mr. Zahka apologized that the applicant's representative was unable to attend this hearing. The applicant is seeking relief to re-grade, re-pave, add drainage structures, landscape, and perform other work in an existing parking lot located in the Flood Plain Overlay District. The applicant has been before the Board for other issues, i.e., signage. The property, 95 Eastern Avenue and 600 Providence Highway, are shown as two separate lots on the Assessors maps, but for this purpose, they are combining them. It is in the Highway Business zoning district. A significant portion of the site and even some of the building may actually be in the Flood Plain Overlay District. The property contains over 11 acres of land, 220 feet of frontage on Providence Highway and over 320 feet of frontage on Eastern Avenue, and is currently occupied by two pretty good sized multi-tenanted buildings. '

The applicant desires to repair and upgrade his parking lot; no one called him in to do that. The parking lot has degraded over the years because the pavement has sunk. There are some structures are higher than the pavement. They went before the Planning Board with a new parking plan, and they proposed removing a significant portion of asphalt, and adding some new landscape islands and plantings. The proposal was very well received by the Planning Board. The only work that would be done is within the parking lot; they are not touching the existing buildings. However, the Building Commissioner said that, even though it is an existing parking lot and they are only maintaining, repairing, and improving it, because is in the Flood Plain Overlay District, any work required a Special Permit.

Mr. Johnson showed a proposed plan, a copy of which is in the applicant's file, that showed the flood zone and the area of renovation. They went to the Conservation Commission and have an Order of Conditions to work there. The original catch basins were all tied together, and water entering one went through all of them. As part of the Conservation Commission discussion, they removed all the basins off line, and now they all go through manholes, which improves the water quality for the runoff coming off the site. The discharge of the water is



under the right of way. Mr. Johnson spoke very softly and at times could not be understood. Because the site is so flat, they had to come up with a contour plan to create an exaggerated tilt. The design was shown to the Conservation Commission, and they have an order to do the work. They took the grading and existing conditions plan, which was done by instrument survey, and put it into AutoCAD for all these things; he showed the results on his map; a copy of this is in the file. They have about 161 cubic yards of fill going on the site and 311 cubic yards of cut. This will allow them to grade the property and improve the soil. There is no increase in fill close to the wetlands. This has been reviewed by Conservation Commission. It has been improved substantially. There is no displacement of water onto adjacent properties. He explained that the landscaped areas have been enlarged and moved around to reduce impervious areas.

Mr. Maguire said that, if this settled before, he thought that the pavement base was inadequate. He asked if they would excavate this out to a certain depth. Mr. Johnson said he understood that they would be removing the pavement and bringing it back in (*unintelligible*) and bringing the grade back up. The pavement has been there since 1985, so any settlement has already occurred. Further technical discussion took place with Mr. Maguire. He asked if the pavement would be excavated back down another 12 inches underneath, and Mr. Johnson said it is a re-paving job. Mr. Maguire expressed his concern over this and explained his thoughts. Mr. Johnson said the issue is that they are re-paving the parking lot. They are not talking about settlement. Again, he was very difficult to hear because he spoke so softly. Mr. Mamzone had some comments but was also very difficult to hear because he spoke so softly.

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

Mr. Jacobsen moved to approve a Special Permit to re-grade, re-pave, add drainage structures, landscape, and perform other work in a parking lot located in the Flood Plain Overlay District at 95 Eastern Avenue/600 Providence Highway, seconded by Mr. Steeves. The vote of the Board was unanimous at 5-0.

Applicant:	Petruzziello Properties, LLC
Project Address:	125 Washington Street, Dedham, MA
Zoning District:	Highway Business
Representative(s):	Peter A. Zahka II, Esq., 12 School Street, Dedham, MA Giorgio Petruzziello, Petruzziello Properties, LLC
Petition:	To be allowed a waiver from the Town of Dedham Sign Code for an off-premises sign (and on-premises signs/sign panels) on an otherwise conforming free-standing sign
Section of Sign Code:	Town of Dedham Sign Code Sections 237-4, 237-9, 237-15, 237-29, 237-30, and Table 1

The applicant is seeking a waiver from the Sign Code for an off-premises sign panels on an otherwise conforming free-standing sign. The property is on the corner of Washington Street and Eastbrook Road. There is over 330 feet of frontage on Washington Street and significant additional frontage on Eastbrook Road. There is over 41,000 square feet of land. It is currently occupied by a mixed-use building. The proposal is for a free-standing sign on the corner. This will meet, and in most cases, exceed, what is allowed in the Zoning Bylaw. A picture of the

proposed sign is in the applicant's file. It has a sign area of 50 square feet, and will be approximately 13 feet in height. There will be a 12 foot side yard setback and an 18 foot front yard setback. Under the Sign Code, the sign could actually be up to 100 square feet and have a height of almost 20 feet. As the height of the sign is reduced, the setbacks are reduced. The Design Review Advisory Board and the Building Commissioner reviewed this, and the sign complies in all aspects. The applicant owns many of the buildings on the right side of Eastbrook Road. It was the intent to put up some of the sign panels, i.e., Supreme Cabinets, Petruzzello Properties, etc., onto the sign as well instead of putting signs down Eastbrook Road; these would have had to be as high as they could be if anyone was to see them. It is a great idea from a directional perspective.

On-premises signs include Roadworthy and an insurance agency. The rest, including Supreme Cabinets, are off-site. Mr. Zahka said that the Sign Code, while there is a definition of off-premises signs, there is no prohibition in the Sign Code of off-premises signs. He believed that the applicant is before the Board because of the intent of the Sign Code. There was some prohibition in an earlier Sign Code, but this was eliminated, possibly inadvertently or in anticipation of replacement. However, the Building Commissioner suggested that they obtain a waiver to allow the sign panels. They are not looking to advertise anyone, but specifically the other buildings on Eastbrook Road that the applicant owns. Mr. McGrail questioned billboards, but Mr. Zahka said billboards are a different issue.

Mr. McGrail liked the idea that the sign would help people find their locations and that these buildings are at that location. Eastbrook Road is more of a driveway than it is a street, so it serves a purpose and addresses a public safety issue. No one in the audience spoke in favor or in opposition to the petition. The Board had no other questions.

Mr. Maguire moved to approve a waiver from the Town of Dedham Sign Code for an off-premises sign (and on-premises signs/sign panels) on an otherwise conforming free-standing sign at 125 Washington Street, seconded by Mr. Steeves. The vote of the Board was unanimous at 5-0.

Applicant:	Sean Woods
Project Address:	24 Madison Street, Dedham, MA
Zoning District:	Single Residence B
Representative(s):	Sean Woods, Owner
Petition:	To be allowed a front yard setback of 22 feet instead of the required 25 feet to construct a 4' x 6' portico over the front door
Section of Zoning Bylaw:	Town of Dedham Zoning Bylaw Section 4.1, Table of Dimensional Requirements

Mr. Woods and his wife are renovating their house on the outside with siding, etc. There is an existing pre-cast concrete step in the front, and they would like to replace it with a portico and wood step for protection from the weather. The Building Department said that since there is a roof involved, he would require a Special Permit. He presented renderings of the proposed portico.

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

Mr. Steeves moved to approve a front yard setback of 22 feet instead of the required 25 feet to construct a 4' x 6' portico over the front door, seconded by Mr. Jacobsen. The vote of the Board was unanimous at 5-0.

Applicant:	Walden Behavioral Care, LLC, and HCRI Massachusetts Properties Trust II
Project Address:	10 Carematrix Drive, Dedham, MA
Zoning District:	Research, Development, and Office (RDO)
Representative(s):	<ul style="list-style-type: none"><li>• Peter A. Zahka II, Esq., 12 School Street, Dedham, MA</li><li>• Stuart Koman, Founder, President, and CEO, Walden Behavioral Care, 51 Sawyer Road, Suite 510, Waltham, MA 02543</li></ul>
Petition:	To be allowed such variances and Special Permits as necessary for a (former) nonconforming nursing home in a nonconforming building on a nonconforming lot to be used as a hospital with (existing and continuing) lot area of approximately 2.8 acres, lot frontage of approximately 140 feet, lot width of zero, front yard setback of approximately 48 feet, side yard setbacks of approximately 43 feet, 78 feet, and 59 feet, lot coverage of approximately 20%, and floor area ratio of approximately 59%, and without 15% interior landscaping or landscape buffers along property lines. The property owner is HCRI Massachusetts Properties Trust II, One Seagate, Toledo, Ohio. The Applicant's address is 51 Sawyer Drive, Waltham, MA 02453. The property, 10 Carematrix Drive, is in the Research, Development, and Office zoning district.
Section of Zoning Bylaw:	Town of Dedham Zoning Bylaw Sections 3.1, 3.3, 4.1, 5.2, 6.2, 9.2, 9.3, Table 1, and Table 2

Mr. Koman is a clinical psychologist, and has been treating patients in behavioral/mental health for over 30 years. He has been involved mostly in an architect/designer of care systems for people with a variety of disorders, and has been involved in over 100 programs throughout Massachusetts. They now have behavioral care in Massachusetts, Connecticut, and Georgia.

The property fits the care system extremely well. It allows for them to take some programs, which are currently housed at Children's Hospital in Waltham, to be brought together under one roof to provide 24-hour care primarily for people with eating disorders. These are individuals who suffer from anorexia, bulimia, binge eating disorders, and other related conditions. They intend to provide services to young adults, individuals aged 18-28, who have had difficulty getting treatment for eating disorders and other issues. They may be complex individuals who, for a variety of reasons, have struggles in their lives. Most of the patients are children, but they serve patients with in-patient care from ages 10 to whatever age. They are

looking at somewhere between 80-90 beds, of which two-thirds will be eating disorders. About half of that group will be adolescents, and the other half will be adults.

The Walden model is unique in many respects. They provide a system of care that means that they serve individuals through all levels of care. If they come in at a hospital level of care, they can stay in the system through a step-down program, another step-down program, another step-down program, etc. All the outpatient services are provided in other locations throughout Massachusetts; there are 12 clinics in total, two within a 20-minute drive, one in Waltham and one in Braintree. No outpatient services will be provided at this location; this is all for 24-hour care hospital level. There is a second level that they call residential. Individual stay within the hospital level program is for two to three weeks, and the next level is about the same, maybe a little longer at two to four weeks. Care could be for as much as six weeks for treatment for eating disorders and related conditions.

The program is very family-oriented, and families are an integral part of everything they do. They are also very community-oriented, and they hope, as they get settled, to provide services to Dedham through Walden Behavior Care Health itself and through their non-profit sister corporation, FREED (Foundation for Research and Education In Eating Disorders), which provides prevention services. They go into middle and high schools and provide education and awareness services to hopefully help make people more aware of the pitfalls and dangers of not getting treatment.

Specifics:

- 90 beds or less, which is about 40 less than the previous use.
- Two levels of care: 24-hour care, inpatient and subacute (residential).
- No outpatient services.
- General length of stay is 2-3 weeks in each level of care.
- Multi-disciplinary staff of doctors, nurses, social workers, psychologists, mental health counselors, and support staff.
- Shifts: 7-3, 3-11, and 11-7. Mostly off-hours, not during rush hour.
- Estimate of 80-90 staff members at peak (during the day), when all clinicians and nursing staff is working with patients.
- Visiting is primarily in the evenings and the weekends.
- Patients arrive via private transportation and sometimes by transport ambulance (not emergent situations).
- They do not provide emergency services on site. Patients come via referral from other hospitals or area clinicians.
- They will occasionally call for medical emergencies, but they have doctors on call 24 hours a day. They have a full staff of internists, pediatricians, and psychiatrists.

Eating disorders were defined for the Board. Related conditions include anxiety, depression, a small group with substance abuse disorders, but they do not admit people with primary substance abuse. This would be a secondary diagnosis in combination with an eating disorder. Other conditions include bipolar disorder. Age range is from 10 (by agreement with the Department of Mental Health) to any age. The typical age group is 14 to 35. The population is about 75% female. They have a relationship with Boston Children's Hospital clinically in that they refer to Walden. They are not part of Boston Children's Hospital.

Mr. Zahka said there will be no changes to the building or the parking lot. When the building was built, it was in the Limited Manufacturing zoning district, but it has subsequently changed to the RDO district. It was once a larger lot, but was split into an office building on the adjoining property (Lot 10). At that time, they came before the Zoning Board of Appeals three times and then the Planning Board. Nursing homes and hospitals are in the same use category and are allowed by Special Permit in almost every district, including residential. A whole set of regulations was adopted just for that category, including dimensional requirements that are different from the underlying RDO district is at this time. The prior approvals were more for the underlying RDO district, i.e., 141 feet of frontage in 2004, for which they ask for the same, floor area ratio in 2006, the same two variances and request for determination that the existing nursing home was still considered pre-existing nonconforming even though the lot was being split in 2007. This petition is for a Special Permit for the use and the variances as stated in order to have the site comply with the new regulations.

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

Mr. Steeves moved to approve such variances and Special Permits as necessary for a (former) nonconforming nursing home in a nonconforming building on a nonconforming lot to be used as a hospital with (existing and continuing) lot area of approximately 2.8 acres, lot frontage of approximately 140 feet, lot width of zero, front yard setback of approximately 48 feet, side yard setbacks of approximately 43 feet, 78 feet, and 59 feet, lot coverage of approximately 20%, and floor area ratio of approximately 59%, and without 15% interior landscaping or landscape buffers along property lines. The property owner is HCRI Massachusetts Properties Trust II, One Seagate, Toledo, Ohio. The Applicant's address is 51 Sawyer Drive, Waltham, MA 02453. The property, 10 Carematrix Drive, is in the Research, Development, and Office zoning district. Mr. Jacobsen seconded the motion. The vote of the Board was unanimous at 5-0.

Applicant:	Jordaan, LLC
Project Address:	197 Milton Street, Dedham, MA
Zoning District:	Limited Manufacturing A (LMA)
Representative(s):	Peter A. Zahka II, Esq., 12 School Street, Dedham, MA Yogesh (Yogi) Patel, Owner Brian Dunn, Project Engineer
Petition:	To be allowed such variances and Special Permits as necessary to close two automotive bays, to construct approximately 455 square feet of additional floor area, and to use approximately 2,585 square feet of floor area for retail of non-automotive product sales at a pre-existing nonconforming gasoline service station
Section of Zoning Bylaw:	Town of Dedham Zoning Bylaw Sections 3.1, 3.3, 4.1, 9.2, 9.3, Table 1, and Table 2

The applicant seeks relief to close two existing auto repair bays and to construct an approximately 455 square feet additional floor area, and to use approximately 2,585 square feet of floor area for non-automotive product sales. The building is a pre-existing nonconforming gasoline service station. It is located at Four Corners and is in the LMA zoning district at the

intersection of Milton and River Streets. There is approximately 17,243 square feet of land with frontage on both River and Milton Streets. There are two bays, fuel dispensers, and canopy.

Service stations with repair bays are allowed as of right in the LMA zoning district, but retail use requires a Special Permit from the ZBA, and a gasoline service station with more than 100 square feet of retail space requires a Special Permit. They want to close the bays and have a retail area for general products in just under 2,600 square feet. They had a long discussion with the Building Commissioner, and they were unable to convince him that it was a retail use with accessory gas pumps. The Building Commissioner has now taken the position that, as long as there are gas pumps, it must be considered a gasoline service station.

The applicant will also require parking plan approval from the Planning Board. They had a good scoping session with them, and it was allowed with a number of conditions. There is no definition of curb cuts at this time, so the Planning Board is looking for putting in curb cuts to give definition. It is wide open on River Street, and they would be required to make on an exit-only. There is an entirely new parking layout now. The Planning Board has asked for a crosswalk and a lot of safety things within the parking lot. They hope to introduce some landscaping. The Planning Board then said it wanted the building looked at with regard to the new East Dedham Design Guidelines. Mr. Zahka showed the Board a rendering, which will be similar to what they bring to the Planning Board. It shows a much cleaner site and much more aesthetically pleasing. The building would be converted to an A-frame with a pitched roof. It will clean up the entire corner. There would be no automotive repairs taking place if it is approved.

Mr. McGrail said this would be a major improvement to the area. Mr. Steeves lives around the corner and said he would be happy to see this change. No one in the audience spoke in favor or in opposition to the petition. The Board had no other questions.

Mr. Jacobsen moved to approve such variances and Special Permits as necessary to close two automotive bays, to construct approximately 455 square feet of additional floor area, and to use approximately 2,585 square feet of floor area for retail of non-automotive product sales at a pre-existing nonconforming gasoline service station. Mr. Steeves seconded the motion. The vote of the Board was unanimous at 5-0.

Applicant:	Mollie Blundell Moran
Project Address:	25 Boathouse Lane, Dedham, MA
Zoning District:	Single Residence B
Representative(s):	Mollie Blundell Moran
Petition:	To be allowed an extension of a previously approved Special Permit to construct a single family dwelling on a previously developed lot, of which approximately 80% is in the Flood Plain Overlay District
Section of Zoning Bylaw:	Town of Dedham Zoning Bylaw Section 8.1, Flood Plain Overlay District, Section 9.2, and Section 9.3

Ms. Moran is seeking an extension of a previously approved Special Permit to construct a single family dwelling on a previously developed lot, of which approximately 80% is in the



Flood Plain Overlay District. She received an extension about a year ago, thinking they were going to begin construction in the fall. However, there were some health issues, and hopefully they will begin this fall. The Conservation Commission has given them an extension to June 5, 2021. When she first received a Special Permit, she did not own the land. Under Conservation, it still shows the prior owner. She asked if there was some way that it would indicate that she now owns the property. Mr. McGrail said that the extension will be given to the original applicant. He believed that the permit runs with the transaction, but she should check on that. He did not think the Board would change anything as long as she has the back-up that shows that it was a seamless transaction. He did say that this was the last extension the Board could give, and it would be for one year. She would have to re-apply for the Special Permit.

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

Mr. Steeves moved that Mollie Blundell Moran be allowed an extension of a previously approved Special Permit to construct a single family dwelling on a previously developed lot, of which approximately 80% is in the Flood Plain Overlay District, seconded by Mr. Jacobsen. The vote of the Board was unanimous at 5-0.

Applicant:	James Sullivan
Project Address:	31 Chestnut Street, Dedham, MA
Zoning District:	Single Residence B
Representative(s):	James Sullivan
Petition:	To be allowed a Special Permit to have 28% impervious lot coverage instead of the allowed 25%, to be allowed a variance to locate an accessory building five (5) feet from the left side and rear property lines with a height of one-and-one-half stories instead of the allowed single story, and to be allowed a variance to locate an accessory building that would be approximately eight (8) feet from an adjacent building instead of the required 10 feet
Section of Zoning Bylaw:	Town of Dedham Zoning Bylaw Section 4.1, Table of Dimensional Requirements and Section 8.2 Aquifer Protection Overlay District

Mr. McGrail noted that the above petition was the original application from the applicant. The applicant has since asked that the portion of the application for variances be withdrawn from the application. The Board will now discuss the Special Permit to have 28% impervious lot coverage instead of the allowed 25%.

Mrs. Doherty explained that the applicant would like to discuss the Special Permit with the Board, and they do not want the item heard until the next meeting because he will be going before the Conservation Commission and wants to make sure that he is approved by them before coming to the ZBA.

Mr. McGrail read the applicant's letter dated July 16, 2018, sent on his behalf by engineer, Paul Lindholm, P.E.:



*Dear Board Members,*

*As the applicant's authorized representative, the applicant respectfully requests to withdraw the portion of the application for variance. Further, the applicant requests to continue the matter of a Special Permit request with regard to the Aquifer Protection Overlay District bylaw. The applicant has a filing before the Dedham Conservation Commission to review the project with regard to a major stormwater permit. The hearing before the Conservation Commission is to be held this Thursday evening [July 19, 2018].*

*The applicant feels that the information that will be decided upon in the stormwater permit process will be critical to the merits of the request for the Special Permit with regard to the Aquifer Protection bylaw. Therefore, we are requesting this matter of a Special Permit to be continued until the next available Board of Appeals hearing date so we can submit the information that will come about with the Dedham Conservation Commission.*

*Thank you, and I look forward to presenting the information as collected as part of the stormwater bylaw major stormwater permit process to you then.*

*Very truly yours,*

*Paul Lindholm, P.E.*

Mary Anne Osborne, 32 Old Farm Road, said that in the postcard that came, it is not mentioned that the applicant would be going 27 feet high on his new garage and five feet instead of 20 feet from the back. Mr. McGrail said this information is there, but he is no longer looking for that. The only relief for which he is asking is a Special Permit to have 28% impervious lot coverage instead of the allowed 25%. Everything else, as stated in the letter, is off the table. He would have to re-apply if he wants the variances, and she would receive another postcard for that. The Board has no idea what he will be requesting from the Conservation Commission.

John Deblois, 1 Wampanoag Road, asked if, in terms of the proposed impervious lot coverage that was originally on file, was no longer correct. He wondered what the increase would be on the lot. Mr. McGrail said the plans may no longer be accurate, but the percentages may. The Board does not know what the applicant is doing. He could be doing something less than what he originally planned to do, but it could still impact the impervious surface nonetheless. Mr. Deblois asked if that plan would come to light at the Conservation Commission. Mr. McGrail said it probably would, but he does not know.

Bruce Bauman, 25 Chestnut Street, said he was opposed to the change in the permeability of the property because it would be below the requirement of the zoning regulations. Mr. McGrail said, respectfully, that other than the percentages, he cannot really know what he is opposed to because he does not know what the applicant is proposing. Obviously the application has caused some concern, but it seems to him that the applicant has pulled back what appeared to have been the most controversial aspects of the application. However, he still has a Special Permit request, but the Board does not necessarily know what he is proposing that would require a Special Permit. Mr. Bauman could find out a lot more by going to the Conservation Commission meeting on July 19, 2018. In addition, the Zoning Board of Appeals will take this up at its next meeting on August 15, 2018, should it be held. Mr. McGrail said the applicant did ask to move his hearing, but in fairness, he should have let his neighbors know

that he did that. No action will be taken at this meeting. The Special Permit will require approval by the Zoning Board of Appeals and the Conservation Commission. He is better off going to Conservation Commission first to see what he can do. If the applicant wants relief for anything over 28%, he has to submit a new application. Mr. Bauman was strongly encouraged to go to the Conservation Commission meeting to see what they say. Mr. McGrail said the applicant does not have to provide notice to the continuation, and the Zoning Board of Appeals will not provide this either.

Edgar Yucel, 43 Chestnut Street, asked if there would be a vote on the impervious aspect. Mr. McGrail said the only thing the Board will vote on is a motion to continue the matter until August 15, 2018. The variances are now off the table per the letter from Mr. Lindholm, and the only thing that will be before the Board on August 15<sup>th</sup> will be the impervious surface percentage request. Mr. Yucel asked if there would be plans at that time. Mr. McGrail said there probably will, and there should be plans at the Conservation Commission meeting on July 19<sup>th</sup>. He believes there have been some changes, but he is not certain about that. Mr. Yucel said he is opposed to the impervious aspect, saying it is a huge increase in what is there now. He said there would be a huge impact on the neighborhood, and the entire neighborhood has always held strictly to the limits. Mr. McGrail said the Board has granted relief on some requests, although he is not saying it will in this case. As stated, he does not know what the applicant will request, but the Board will listen to him and the neighbors, and discuss it as a board, and then make a decision.

Mr. Steeves moved to continue this hearing until August 15, 2018, seconded by Mr. Maguire. The vote was unanimous at 5-0.

Applicant:	Anna Haluch, ProSign Graphics
Project Address:	694 Washington Street, Dedham, MA
Zoning District:	Local Business
Representative(s):	Anna Haluch, Representative for ProSign Graphics Alexander Nesterenko, Owner of Fabian Gas Station
Petition:	To be allowed a waiver from the Town of Dedham Sign Code to remove the manual gas price changer and replace it with an internally illuminated 41" x 46" digital gas price changer on the existing 10 foot high pylon sign that will remain at 10 feet high
Section of Sign Code:	Town of Dedham Sign Code Sections 237-18 Illumination, 237-19 Computation of Sign Area and Height, 237-4 Definitions, Off-Premises Sign, Table 1 Permitted signs by Type and District

This is a **continuation** of a hearing held on June 20, 2018.

Ms. Haluch is from ProSign Graphics, and is the representative for Fabian Gas. The property is at the corner of Washington Street and Montague Road, which is a private way. At the last meeting, it was determined that they needed to get abutter approval of the sign since it was off-premises and on the private way. She said they had no problem with the sign, but there are issues with the cleanliness of the site and bees; one of the abutters is allergic to them. The

owner of the gas station, Alexander Nesterenko, was not present at the last meeting. Ms. Haluch said the abutters will agree to the signage, but they want to discuss the issues. Mr. McGrail said that it is within Ms. Haluch's domain to discuss the sign, but not the land ownership issues. The Board asked that the owner come to this meeting to answer some of the issues that the neighbors have regarding their concerns.

One of the residents has a problem with the bees due to an allergy. The property also needs to be cleaned up, i.e., remove the junk cars and mice. Paul Pisano, 7 Montague Road, would like to have the fence put back up the way it was because the current fence is in poor condition. Mr. McGrail said these do not have anything to do with the sign. He said the owner could call pest control to take care of the bees, and the property should be cleaned up.

Alexander Nesterenko, the owner, said that the property is clean, and there are no junk cars on site. He also said there is no issue with mice, saying that the property is on the border of conservation land and woods. There are three cars, one of which is their truck, and there are two or three that they move in and out; these are from his biggest clients who keep the vans for spare parts. *Mr. Nesterenko was difficult to understand due to his heavy accent.* If the vehicles stop working, they are junked; they are not sitting there forever. He said his fence, is fine, and if the gentleman does not like what it looks like, that is unfortunate but it is his. He also said that the bees are great for the environment and are not an issue. He said that if the neighbor ate the honey from the bees, he would lose all his allergies.

Mr. McGrail told Mr. Nesterenko that these are his neighbors, and his answers are not the approach he would have taken. The Board will make a site visit and then meet on August 15, 2018. The hearing will be continued because his answers conflict with those of the neighbors. If the Board sees that the fence looks lousy, the site is not clean, and there are bees everywhere, it will tell him to repair the fence, eradicate the bees, and get rodent control. Mr. Nesterenko disagreed, saying it was his fence and he keeps the bees for the honey. *Again, he was difficult to understand due to his heavy accent.* Mr. McGrail said he is not doing anything illegal, but if he was next door to the site and he was allergic to bees, he would not be happy. Mr. Nesterenko said that if someone is worried about shark attacks, would he go to the ocean and cut his hand? If he is worried about bees, would he put a lot of flowers on the porch? Mr. McGrail said this is not akin to going to the ocean. It is akin to a neighbor next door building a pool and putting a shark inside.

Ms. Haluch told Mr. Nesterenko that if the neighbors do not agree to the sign, there can be no sign because it is not on his property. Mr. Nesterenko said this is "if you do this, you get this." He will not bend to the neighbors. Ms. Haluch tried to explain this further, showing him the site plan and where his property is. Mr. Nesterenko said he would check to see if the plan is correct. Mr. Steeves told him that Ms. Haluch is trying to help him.

Mr. Jacobsen moved to continue the hearing to August 15, 2018, seconded by Mr. Steeves. The vote was unanimous at 5-0.

Applicant:	63 Colonial Drive, LLC
Project Address:	63 Colonial Drive, Dedham, MA
Zoning District:	Single Residence B

Representative(s): Stephen Clifford, Owner  
Petition: To be allowed a front yard setback of 10 feet instead of the required 25 feet to construct a new single family dwelling.  
Section of Zoning Bylaw: Town of Dedham Zoning Bylaw Section 4.1 Table of Dimensional Requirements

This is a continuation of a hearing held on June 20, 2018.

At the last meeting, the Board asked the applicant and the neighbors to meet and discuss the proposal. There had been some concern about blasting, utility tie-ins crossing other people's properties, putting a house on the lot with the curve in the road, and how many trees would be taken down. The Board wanted to know if there was a meeting, what was discussed, and if there was any agreement or progress.

Mr. Clifford said that immediately after the last meeting, he and a good portion of the neighbors met and talked for 15-20 minutes. At the Board's suggestion, he reached out to 11 residents who signed the petition with a letter, a copy of which is in the file. In this letter, he addressed the four issues as stated above. At the end of the letter, he asked them to meet with him, either as a group or individually. He did not hear from anyone. With the letter, he passed out the strict Massachusetts General Law. Mr. McGrail asked the residents if they received the letter. One resident said he received the letter, but had questions. Mr. Clifford said that he feels that the application meets the strictest interpretation of the request for a variance, which is the shape of the land, the topography, and the soil conditions. In addition, he is asking to be 10.5 feet from the road, and all the houses on the right side of Colonial Drive are 10 feet or less. He said he would not be closer to the road than anyone on the street; he will basically model the whole street. As far as the curve is concerned, Colonial Drive curves on both ends, and from the mid-point of the lot to the easterly side is over 280 feet. He believes that is plenty of room to observe, stop, and be careful. To the westerly side, it is a little less than 160 feet, which he again thinks is plenty of room.

Kevin Scollan, 70 Thomas Street, felt that this piece of property is not going to benefit the neighborhood at all. He thought it would cause traffic disruptions on the corner. He said that clearing and cutting the land would cause a lot of water issues for a lot of neighbors. It is on top of a mountain under the ground. Mr. Clifford dug down five feet, and he could have been in the valley of the mountain. If he had gone over three or four feet further, he might have been able to only go down six inches. He did not think this would be of benefit for the neighborhood, and thought it was a bad idea. He wished Mr. Clifford had come to the neighbors before he ever bought the land. It has been sitting there for 150 years. Mr. Clifford said the Church was on the land for 50 years.

Steve Mellen, 65 Colonial Drive, a direct abutter, said that the way the land goes, it cuts through his driveway, and he will lose this if he decides to build the house. This means that he will lose access to his garage, which will de-value his house. He said the zoning laws were changed for a reason so that houses would not be put onto properties just because they could be put there. He feels that this is what Mr. Clifford is doing. He said Mr. Clifford can put a house on there that is a decent size and he does not need a variance. In his opinion, he is just being greedy by trying to get more. He asked why the laws should be changed just because of that. Mr. McGrail said something could be built there as a matter of right. Mr. Clifford said it is a

legal building lot. Because of the shape of the lot, which is the only lot like this in the neighborhood, the strict interpretation of the Zoning Bylaw is that it is the classic reason for granting a variance. The further back into the lot you go, the more variances would be needed; he is only asking for one variance and meets every code. The front of the house would be no less than every house on that side of the street. Mr. McGrail said he provided a plan of what he proposed to build, but asked if there was a plan of what he could build as a matter of right. Mr. Clifford thought this was shown on the application plot plan with a 10 foot setback and a 25 foot setback.

Mr. McGrail explained that Mr. Clifford could build something as a matter of right. He did not buy the property subject to the Board giving him approval. The point is that he owns the property, and it is a buildable lot and he could build something on that property without coming to the Board. He has proposed something that requires the Board to get engaged. If the Board says no, he can still build something. The reason why the Board asked him to go back to the neighborhood is that the process gives the neighbors an opportunity to play a role and have an impact on what he builds. The Board is trying to show them that they have that opportunity so they can have an impact on what is built there. His point is that they need to understand that Mr. Clifford can do something tomorrow without needing any relief. He said he was discouraged that the applicant reached out to the neighbors and no one met with him. Mr. Scollan said Mr. Clifford did not reach out to the neighbors until the Board told him to do so. Mr. McGrail had not hoped that they just talked to him in the parking lot. A letter was sent about 48 hours after the meeting saying that he would meet with them if they wished, and provided a phone number to do so. No one did that. He gave them the opportunity to meet, so he did reach out. Mr. Scollan argued that there are different ways to reach out to someone, and Mr. McGrail agreed. His point is that he did reach out to them.

Susan Mellen, 65 Colonial Drive, said that Mr. Clifford did reach out to them in the parking lot. The neighbors did not meet with him further because they did not feel that they needed to reach out to him because he already knew what their issues were. Mr. McGrail said they now the issues, but she said they have a separate issue. She said her main issue is the driveway, which has been there for over 80 years. She has lived there for 22 years. Mr. Clifford said he offered a solution, but he only verbally offered this and has not gone any further than that.

Mr. Mellen again said the laws were changed for a reason. Mr. McGrail said he was trying to impress upon the neighbors that the applicant can build a house there without talking with anyone. He asked if he would rather have him to that or go through a process that potentially gives the neighbors the opportunity to have an impact on what he builds. He said he personally would prefer to have an impact. If the applicant and the neighbors agree on certain things, the Board can make them conditions of the approval. Mr. Mellen said this makes sense and he agreed with that. If they had something they could see, some plans for the house, it would help the neighbors with their decisions. Mr. McGrail asked if it would make sense to the neighbors to actually sit down with Mr. Clifford and try to figure it out. He said they did not give it a good try. The point is that they need to give themselves the opportunity to at least talk to him. Discussion took place regarding whether Mr. Clifford actually reached out to them. Mr. McGrail again said the Board suggested that he reach out to them, and he sent a letter to them with his contact information. His point is that he did what the Board suggested, and the neighbors, who are still upset because he did not reach out to them before he bought the property, did not meet with him. Mr. Scollan said it was summertime with vacations. There was not enough time for him to reach back to Mr. Clifford.

Mr. Steeves said they still have the opportunity to discuss this. They still have easement and green space issues to deal with and they can sit down and discuss this with Mr. Clifford and resolve them. Mr. Mellen asked how many houses Mr. Clifford has built in town; Mr. Clifford said about 20. Mr. Mellen said he knows the rules ahead of time about buying property and what he can get away with and what he cannot; Mr. Clifford said he is not trying to get away with anything. He spoke with the neighbors specifically about the easement. Mr. Mellen said he has built many projects in town and knows the rules; Mr. Clifford said he is complying with the rules. Mr. Mellen asked why he did not do his due diligence; Mr. Clifford said he did. He said he is requesting an easement, not expecting it.

Mr. McGrail said that (1) Mr. Clifford bought a buildable lot, and (2) he has come to the ZBA for relief to do something outside of what he has a right to build on the lot. In fairness, that gives the neighbors the opportunity to weigh in. The third issue is that he has been before the ZBA before. He has not had approval every time he has been here, so there is no rubber stamp. The Board has the benefit of being many of these, and Mr. McGrail's experience is that things work best, especially when someone can do something as a matter of right, when the neighbors get engaged and try to shape the project, as opposed to having something they hate and had no opportunity to have an impact. He said the hearing will be continued to August 15, 2018. He said he believed that Mr. Clifford made a good faith effort to sit with the neighbors, and they chose not to. He said it would not be in their best interest to do that again because a decision needs to be made.

Mr. Clifford said that he felt that two meetings are plenty of time. He said he complies with the strictest interpretation of the State law. The neighbors had an opportunity to reach out but did not do so. Mr. McGrail said this is a fair point, and he thought they made a mistake but they live there, and should have the opportunity to be more involved. He said that the neighbors have his phone number, and he suggested that they reach out to him. He did not think Mr. Clifford needed to reach out since the neighbors already have his information and he followed up on the Board's suggestion. The neighbors are upset, and hopefully this meeting will have put some light on why it makes sense for them to meet with him. Mr. Clifford said he reached out to everyone and they understand what he is doing. There are people at the meeting that may never agree with what he wants to do. Mr. McGrail said he wants to be comfortable in knowing they gave themselves a fair shake. Mr. Clifford said the building season is only so long, as is the permitting process, and now the project will not start until spring. This is a hardship for him. Mr. McGrail understood.

Carey Reid, 55 Emmett Avenue, asked if there was anything to prevent a date being set for the neighbor meeting. Mr. McGrail said that is not the Board's purview, which is why he suggested at the last meeting that they should meet; he had hoped that this would happen.

Mr. Steeves moved to continue the hearing to August 15, 2018, seconded by Mr. Jacobsen. The vote was unanimous at 5-0. Mr. Clifford went on record as strongly objecting to the motion.

Applicant:	Kevin Costello
Project Address:	35 Roosevelt Road, Dedham, MA
Zoning District:	Single Residence B
Representative(s):	Peter A. Zahka II, Esq., 12 School Street, Dedham, MA

Petitioner: Kevin Costello, Owner  
To be allowed such Special Permits and variances as required to construct a single family dwelling on a lot with an area of 7,500 square feet instead of the required 12,500 square feet, lot frontage and width of 75 feet instead of the required 95 feet, and with a resulting impervious surface of 25% of the lot area, including the area to the center line of any new street in the Single Residence B zoning district and the Aquifer Protection Overlay District

Section of Zoning Bylaw: Town of Dedham Zoning Bylaw Sections 8.2, 9.2, 9.3, and Table 2

This is a **continuation** of a hearing held on June 20, 2018.

A full presentation was made at the last hearing. The suggestion was that the applicant discuss the proposed type and size of house with the neighbors. The plans were given to the Board and the neighbors. Mr. Zahka proposed discussing the height and footprint of the proposed house, saying he did not want to mislead anyone when talking about square footage of a house. One of the neighbors to whom Mr. Costello had talked about one of the plans, had an objection to there being a garage under the house. Typically, when discussing square footage of a house, that room is excluded. The square footage actually goes up when the garage is eliminated. The original footprint of the house was 48' x 38,' or 1,820 square foot footprint. The new footprint was 40' x 38,' so the house was shrunk. Mr. Zahka said that every house in the neighborhood is approximately the same size and were all subdivided at the same time. Depending on what Building Commissioner one talks to, it was or was not a buildable lot, including one of the lots that came to the Board in 2017 with the same representation that it was a buildable lot in the same way several of the houses built in the 1960's, 1970's, and one in 2017, that were granted building permits because the lots were determined to be buildable lots. The one in 2017 is interesting because they said they had a buildable lot, and it was lost because they changed the lot line; this was the only reason they came before the Board. They were granted a variance at that time, however.

They attempted to reduce the size of the house. The roofline was 27 feet of the existing house, which is well within the Zoning Bylaw requirement. They have asked for no relief from side or rear yard or any setbacks, so they will have to follow the regular building footprint. They did different levels of roof on the right so it will be 24 feet. He provided a listing of what the gross square feet of all the houses in the area are. The new house will be approximately 2,556 square feet. The houses on Roosevelt run from 2,156 to 3,000 square feet. The purpose of this was to hopefully come up with a house upon which the neighbors could agree. A petition was presented saying that the plans are fine, signed by several neighbors. This is in the applicant's file.

Scott Mulholland and Kelly Whelan, 29 Roosevelt Road, said that Mr. Costello stopped by three times and showed them a few different variations of the plans. Mr. Mulholland has not had a chance to get the copy. He is concerned because every time he sees plans, they are different. The markings on the plans change, and he does not really know what is what. He understood that, from what the applicant said, this is as big as it can get, and it will only get smaller, but his concern is that he really does not have a firm grasp of what the house will



look like. He is not in favor of any house being built, and they were told that it was an unbuildable lot when they moved in three months ago. Ms. Whalen said there was no neighborhood meeting, which she thought would happen after the last meeting. The applicant did come by with the blueprints, but it was not helpful. She had asked for the plans that would be submitted prior to this meeting, but he did not do that.

Michael Andrews, 434 Greenlodge Street, an abutter to the property, said several of his neighbors were all told several years ago that this was an unbuildable lot. It could be used for their lawns or yard waste. As a result, they did not bid against the applicant for the property, which was selling for \$2,000. If he had known he could build a house on the lot, he would have bid for it. He said his neighbor would have also bid because the property is right behind him; he wanted to put a shed there. They were all told that it was an unbuildable lot because it was undersized and not grandfathered. Mr. Maguire asked him who told them it was unbuildable. Mr. Andrews said it was the people who were selling it; he did not recall if the Building Department told him that. He then asked if it is a buildable lot, and he was told it is not, and this is why the applicant is before the Board. Mr. McGrail said it is not buildable as of right because of the dimensions. However, in situations like this, the Zoning Bylaw is set up to allow for people to come to the Board for relief from it. Mr. Andrews asked if the neighbors had any say. Mr. McGrail said that the Board weighs the feelings that the neighbors have regarding the application. At the last meeting, he said Mr. Andrews supported the application, but Mr. Andrews denied that. This was discussed at length with much shouting and yelling. One of the neighbors said that Mr. Andrews said he supported anyone building on a lot that they own, but not this lot. Mr. McGrail said he was not here to argue with Mr. Andrews.

Mr. McGrail said the neighbors were told that no one could do anything on the property. However, Mr. Costello is not doing anything outside of what is allowed, i.e., seeking relief. The Board attempts to see if there can be common ground between the neighbors and the applicant. If they cannot, then the Board has a decision to make; there is no rubber stamp. At the last meeting, he heard people in the room say that “everyone seems to think that Kevin is a good guy.” He has not heard anyone say that did not happen. The point is that most of the neighbors wanted to know what the size of the house would be. Mr. Andrews asked if they were abutters. Mr. McGrail said that some were, but would not point people out. Again, there was much shouting and yelling.

Mr. McGrail said people were burned by the “monstrosity” that was built, which came before the ZBA. That owner lied and did not build what he told the neighbors he would build. A lot of the concern that the neighbors have with Mr. Costello is because of that. Mr. Andrews said not all of it is. At the last meeting, Mr. McGrail told the applicant and his attorney that they need to be really clear about what they propose to build and how high it will be if a foundation could not be built. The Board is trying to determine what exactly the applicant is proposing to build and how high it will be. He met with two neighbors immediately next door; they are still concerned about height and that things are changing. It was hoped that there would be a more global meeting, rather than meeting with individual neighbors.

Mr. McGrail is trying to get a sense of where everyone is coming from and if there are any developments between the last meeting and this meeting. David DiDonato, 440 Greenlodge Street, which is right behind the property in question, said his house is only 24' x 40,' and he said he is barely on his lot. The applicant has sewer from the street, which runs underneath his property. He asked how the applicant could even think about a 30' x 40-something house.

Mr. McGrail said this was discussed at the last meeting. The applicant has to go to the Conservation Commission for this. Mr. DiDonato said the law shows that it is unbuildable. Mr. McGrail said it is not unbuildable.

Mr. Steeves said there is confusion. When the neighbors were told that it was not a buildable lot, it was not by any authority. Again, multiple people were speaking and interrupting at the same time. Mr. DiDonato said that Fred Civian told him that there was no way a house could be put there. Mr. Maguire said that Mr. Civian, a member of the Conservation Commission, was speaking strictly from a conservation perspective, not a zoning perspective. Mr. Steeves said this may not even be an issue. If the Conservation Commission is doing what it is supposed to do, there will be a good chance that they will tell Mr. Costello that he cannot build there.

Mr. DiDonato then moved on to zoning. Mr. Steeves said that if he goes to the Building Department, tells them there is an empty lot behind his house, and asks if there is a potential to build on it, the Building Department would say that it is a nonbuildable lot but there is language in the Zoning Bylaw that will allow someone to go to the Zoning Board of Appeals. It is a nonbuildable lot as of right, so anyone would have to come before the ZBA, Planning Board, and Conservation Commission. That process can happen. Again, multiple people were speaking and interrupting at the same time.

Mr. Zahka said there cannot be a formal filing until the zoning is resolved. Again, multiple people were speaking and interrupting at the same time, so nothing could be understood. The lots were taken by the Town of Dedham for conservation purposes. Lot 16 is owned by Mr. Laughter and Lot 17 is owned by Mr. Costello; they are not owned by the Town. The lots further down are. There are conservation and wetland regulations that say that the applicant has me, unofficially or informally, on the site with the Conservation Agent, who made a determination as to the location of the wetlands. It is his understanding that the flags for the wetland lines are not on Lot 17. Again, multiple people were speaking and interrupting at the same time, so nothing could be understood. If in fact, wherever the wetland line is, there are then regulations. Lots 16 and 17 are considered privately owned property. If the flags are where he was told they are, Lot 17 is just land. If Lot 16 has flags where he believes they are, it would be considered a wetland. The house that is proposed would be in the wetland buffer, which means that the Conservation Commission still has jurisdiction. The wetland buffer is 100 feet, and part of it could be called an Undisturbed Buffer Area (UBA), which means that you may not be able to build there. This has to do with the slope of the land. A formal filing would determine where the UBA is. The Conservation Commission would then regulate how someone builds in the area so the actual wetlands are not disturbed. Mr. DiDonato said there is no way that the size of house that Mr. Costello wants to build could be built in the flag zone. Mr. Maguire said it would be rejected by the Conservation Commission.

Sandro Gelfusa, 462 Greenlodge Street, said that when he bought his house eight years ago, he asked the previous owner if he could build going back, and he said no; he had gone to the Town and they said they could not. Mr. Gelfusa brought his plans to the Building Inspector, who said no because it was conservation land. He said he could not even put up a fence on his property without Conservation approval. Now the applicant wants to build a house that would affect the whole area. He asked how far Mr. Costello would be from conservation. He said that if he builds, it will affect his lot because he gets flooded every time there is a rainstorm. This will all trickle down to the other houses. He complained that he did not receive

notice of the meeting, and only found out when he ran into Mr. Andrews while walking his dog.

Mr. McGrail said that the problem is that, in order for the applicant to get to Conservation, he has to go through the ZBA, which he thinks is kind of backwards. It should be that he goes to Conservation first to see what land on his property is buildable, and then he would come to the ZBA and show where he can and cannot build. It would be a lot easier to discuss if this was the procedure. Again, multiple people were speaking and interrupting at the same time.

Mr. McGrail said that notice was provided for the first meeting, and Mr. Gelfusa may not live within the 300 feet or may be on the line. Once the meeting is continued, there are no more notices. Mr. Gelfusa said it would be courtesy to notify for all meetings. Again, multiple people were speaking and interrupting at the same time. Mr. McGrail explained that a lot of applications come before the Board. Mr. Costello seems to have talked with a lot of neighbors, and there are many petitions. He is not doing this in a vacuum. Mr. McGrail said he did not think he is trying to do anything behind anyone's back. Mr. Gelfusa said he should have had more courtesy.

Jack Whalen, father of abutter Kelly Whalen, spoke, but *was difficult to hear because he either spoke softly or was too far from the microphone*. He asked for an explanation of what impervious surface is. Mr. McGrail said that 25% of the lot has to be impervious, which means that rain or water cannot go into the ground. He asked if this took into consideration the driveway. Mr. McGrail said he assumed that this would not be paved. Mr. Whalen asked if this would be considered part of the 25%. Mr. McGrail said that it depended on what the applicant is proposing. Mr. Whalen kept interrupting Mr. McGrail when he was trying to talk. Mr. Whalen said he does not know what plans Mr. Costello is proposing. Mr. Maguire said that if the Board allowed the language that he proposes and then he went to the Building Department with plans to build and it was over 25%, it would be rejected and he either would not be able to get a building permit or told to return to the ZBA and file another variance. This was discussed at length with multiple interruptions.

Mr. Zahka said they are allowed to go for 25% impervious, but if they go in excess of that, they will require relief; this is what he is asking for. It would include any new roadway. If the pavement of the road ends prior to the lot, which he thinks it does, the road has to be extended. This is why they have asked for relief in excess of the 25%. Mr. Whalen continued to interrupt. He again asked what plans they are looking at. Mr. McGrail said they are not looking at any plans. Someone spoke but could not be heard.

Mr. McGrail said that this is not the first time it has seen this. Mr. Costello is asking for much less than the person on the other side did. There was not as much opposition for that petition as there is to this one. Unfortunately, the other applicant lied, and this is what has wound everyone up. Mr. Costello has gone to people's homes to discuss this. If they do not like the methods by which he has delivered his proposal, that is one thing. He asked what the neighbors want. He thinks they are opposed. He asked if a presentation to the neighborhood would make a difference; he did not think so. He did not believe that the neighbors care if he came to their house or not. Mr. Andrews said that there is a lot of square footage for a house if it is detrimental to what he will build.

Mr. McGrail said having a plan with all the walkways and driveways is not typically done. This is not what the ZBA does. Mr. Andrews said that the Board will then approve this on 5,000 square feet of land. Mr. McGrail said the applicant is asking for relief and show what he is considering; what is out there now is nothing. He will give the Board renderings, and the assumption will be that walkways and driveways will make up a piece of the property. He is making a determination, just to be safe, that he might be going outside the impervious surface by up to 3%. He had neighbors who originally supported him; one has asked to be taken off that list. He has come again with neighbors who support him. The couple who lives next door is a direct abutter, and they are concerned about height and other issues, and do not want anything built there. Mr. McGrail said he is not really hearing the issue of them being told that "it was not a buildable lot," "we would have bought it but," "we would have done this but," "we were told..." etc. He said it is not really relevant to why they are here. The neighbors countered by saying "it's not relevant to you, but it is to us." Mr. McGrail said that someone gave them wrong information. There were multiple interruptions and shouting. Mr. McGrail said the Board cannot operate like that.

Mr. Maguire said that this is related to Conversation. There have been a lot of tiny lots from many years ago, and zoning gets changed. There is a process that must be followed by going to the ZBA. *Someone was talking in the background, so Mr. Maguire was very difficult to hear.* Mr. Maguire asked the neighbors how big their lots are, and asked if they would have an issue with this if there were houses up and down the street on all the lots and he asked to build this house. He advised them to take this up with Conservation. There was much heated discussion that could not be understood.

Mr. Zahka said that in terms of the impervious surface, you take 7,500 square feet, multiply it by 25%, and you end up with what you can put on the ground, which is 1,875 square feet. The proposed house has a footprint of 1,500 square feet. That leaves approximately 300 square feet. If the applicant wants to put in a driveway, he can do it with pervious pavers. They added the 25% in because of the fact that they will include any new road. If a new road is put in, as well as the house, forget Conservation; stormwater management must be put in to take care of any run-off on the road. Secondly, none of the houses built in the 1970's or 1980's is grandfathered. They are lots that were issued building permits after being told they were buildable lots; these were not any more buildable than Mr. Costello's lot. Mr. Andrews disagreed, saying that the square footage is now 12,500. Mr. Zahka said that in 1986, there was a lot built that was 12,500. It has been 12,500 since houses were built in the 1970's; he told him to check with the Building Commissioner. He will say that he would never have issued a building permit for Mr. Andrew's house at that time; he was not the Building Commissioner at that time. All those houses are nonconforming. Finally, when Mr. Costello first met with Mr. Zahka, he asked how he could do the house since he was told, like everyone else in the neighborhood, that it was not a buildable lot. He assumed it was buildable from a zoning perspective, but that the primary issue with the lot would be a conservation issue. Mr. Zahka did the legal research, and told him he did not know how the other people got building permits. He went to the Building Commissioner, who told him that the 1970's and 1980's houses should not have gotten building permits, but there is a statute of limitations. Mr. Zahka said to him that there were two ways of doing it. One is that the neighbors would have a lot of input on what the house would look like and the size of the house, and they would need to go to the ZBA. The other way is, based on the applicant's meeting with the Conservation Agent and where the flagging is, the next adjoining parcel, which is still in private ownership, was totally in the wetlands. He could show them where the flags are, and show them that he has nothing to file

with Conservation if the Conservation Agent thinks that is where the flags are, and put the two lots together, making it 15,000 square feet. This would be the biggest buildable lot from a zoning perspective, although he would still have to go to Conservation. He could then build the biggest house he could if he so desired, and would not need relief from impervious surface or the ZBA. Mr. Costello chose to go to the Zoning Board of Appeals, knowing there would be a lot of neighborhood input. Mr. Zahka said he may revisit that between now and the next meeting. There was hope that there would be some kind of meeting of the minds, but this did not happen. There was much hostility involved in the discussion.

Mr. McGrail said the easy thing for Mr. Costello to do, from a practicality perspective, would have been to own Lot 17 and Lot 16. Instead, he chose to go through this process, which has given the neighbors the ability to say how big the house would be, how high it would be, and what the square footage would be. If he buys the lot next door, no one will have a say and he can build whatever he wants. He can make the decision as to whether he wants to stay in the process or try to do something else.

Mr. Steeves said it is important for the neighbors to know that the Board listens to both sides, and is concerned about everyone's concerns. Again the audience interrupted, and comments could not be understood.

Mary DiDonato, 440 Greenlodge Street, asked how this would affect the Aquifer Protection. Mr. Zahka said this is the 25%. Mr. McGrail said they would have to get relief if they outside of the 25%. Mr. Zahka said that the engineering answer is that it will not affect it because at the time the Aquifer Protection Overlay District bylaw was written, there was no stormwater management bylaw. The purpose of the stormwater management bylaw is to force recharging into the ground to the extent possible with captured clean water. Mr. McGrail said that sometimes there are flooding issues in neighborhoods, and sometimes these types of developments or applications provide an opportunity to fix those. *Another neighbor had a comment, but spoke far too softly and too far from the microphone to be understood.* Mr. Zahka said that if you look at the original plan showed a side yard setback to the Whalen property was actually 12 feet; in fact, they did not ask for relief. The Zoning Bylaw requirement in that area is 15 feet, so the house would have to be 15 feet off the property line. No relief was asked for that. The rear yard is 25 feet, and the front yard meets the requirement. What they are proposing to build does not require any relief for any of the setback requirements.

A petition from the neighborhood was presented to the Board from a neighbor at Lot 7, signed by several neighbors. This petition stated was in opposition to the relief requested by Kevin Costello. In addition, a letter was presented from the Elizabeth Craig, 446 Greenlodge Street, stating that she was unable to attend the meeting, but was in opposition to the petition. The applicant also submitted a petition signed by several neighbors who approved the plans. Mr. McGrail said that everyone's opinion matters, not just direct abutters. Mr. Andrew disagreed, saying he could get signatures from all over Dedham if he wanted. He said it is irrelevant if people do not live close by. Again, multiple people argued and interrupted, and there was much shouting and disrespect.

Mr. Zahka asked that the hearing be continued to the next meeting. He will notify the Board prior to that time if they withdraw. He said that the two direct abutters, the Mulholland/Whalen and DiDonato families, know how to reach Mr. Costello. If he hears from them within the next few weeks and say they simply do not want anything there, Mr. Costello will

have to go in a different direction and they will withdraw the application. Mr. DiDonato said his mind is made up and he is opposed.

Mr. Jacobsen moved to continue the hearing until August 15, 2018, seconded by Mr. Steeves. The vote was unanimous at 5-0.

### **Old/New Business**

**Review of Minutes:** Mr. Jacobsen moved to approve the minutes of June 20, 2018, seconded by Mr. Steeves. The vote was unanimous at 5-0.

Mr. McGrail noted that this is Mrs. Doherty's first meeting. He welcomed her to the Zoning Board of Appeals.

Mr. Steeves moved to adjourn, seconded by Mr. Jacobsen.

Respectfully submitted,

Jennifer Doherty  
Administrative Assistant