

**TOWN OF DEDHAM
COMMONWEALTH OF MASSACHUSETTS**



Members

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

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ASSOCIATE MEMBERS

George Panagopoulos
Andrew Pepoli

Jeremy Rosenberger
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**ZONING BOARD OF APPEALS
MINUTES**

Wednesday, June 17, 2020

Present: Scott M. Steeves, Chair
Sara Rosenthal, AIA, LEED AP, NCARB, Vice Chair
J. Gregory Jacobsen
Jason L. Mammone, P.E.
George Panagopoulos, Associate Member
Andrew Pepoli, Associate Member

Staff: Jeremy Rosenberger, Town Planner
Jennifer Doherty, Administrative Assistant
Michelle Tinger, Community Planning and Engagement Specialist

The Chairman opened the meeting by reading the following statement:

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Town of Dedham's Zoning Board of Appeals is being conducted via remote participation by telephone conference call. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. A reminder that persons who would like to listen to this meeting while in progress may do so by dialing toll-free, 1-844-875-7777. The access code is 82695745. Again, the toll-free number is 1-844-875-7777. The access code is 82695745. The Town of Dedham will post a record of this meeting on the Zoning Board of Appeals website page as soon as we are able to.

The Chairman then asked for a roll call of the attendees. In attendance on the conference call were:

Vice Chair, Sara Rosenthal

Member, Jason Mammone

Member, Gregory Jacobsen

Associate Member, George Panagopoulos

Associate Member, Andrew Pepoli

Chairman, Scott Steeves

Planning Director, Town of Dedham: Jeremy Rosenberger

Planning Administrative Assistant: Jennifer Doherty

Community Planning and Engagement specialist for the Town of Dedham: Michelle Tinger

He then asked if there were any members of the public, or any other attendees, to please identify themselves as this was being conducted by telephone conference call.

The Chairman continued with the first applicant:

70 Hastings Road

Applicant:	Joseph Frederico
Project Address:	70 Hastings Road

Scott Henderson of Henderson Consulting was on the call to represent the applicant. The proposal had been continued from meetings at the beginning of the Covid crisis. Mr. Henderson explained the project to refresh the Board’s memory. He explained that during the ZBA continuances and delays, the applicant had attended two meetings with the Conservation Commission. As a result of these meetings they had revised their site plan to include a smaller house footprint that was reduced by about 12 and a half percent in area and proposed a permeable paved driveway so that they could have a total impervious lot coverage below the 25%; that would warrant the special permit in the aquifer protection overlay district. The applicant then realized that technically, in a zone two wellhand protection area which is promulgated by the Department of Environmental Protection under the drinking water regulations they were not allowed to use permeable pavement. In an attempt to stay below that 25% lot coverage limit, the technicality forced them to go back to a scenario of if they were going to have a driveway it would need to be a standard impervious driveway in a treatment system. That’s then routed to an infiltration system that provides that groundwater recharge.

Mr. Henderson went on to explain that they were caught somewhere in between in attempts to provide less than 25% impervious coverage and a technicality of a set of regulations that don't really apply typically to a single family home, but do because of Local Conservation regulations. They would need waivers for the 25% lot coverage. The site as designed provides more than ample stormwater infiltration to account for that impervious area, and they believed it met the standard of the special permit providing adequate groundwater recharge to not negatively impact the water supply.

The applicant wished to withdraw without prejudice the second waiver request for work within a floodplain overlay district.

Mr. Steeves asked if there were any other questions from the board or if there were any members of the public who wished to speak. There were none.

Vice Chair Sara Rosenthal made a motion to approve the special permit in a single family dwelling that would exceed the allowable maximum pervious coverage of the 25% required to the 32.19% proposed and then also remove the special permit work with the floodplain overlay that's right without prejudice for that 1681 square foot object property located at 70 Hastings road in Dedham, MA. The motion was seconded by Greg Jacobsen, and a roll call vote was taken:

- Sara Rosenthal - yes
- Greg Jacobsen - yes
- Andrew Pepoli - yes
- George Panagopoulos – yes
- Jason Mammone - yes
- Scott Steeves – yes

The motion passed 5-0, unanimous in favor.

909 Providence Highway

Applicant:	Sterling Signs for Autobahn USA
Project Address:	909 Providence Highway

Damon Irby for Sterling Signs was on the call. She represented Autobahn USA. request for waivers from the provisions of the Denham signed code to install a plus or negative 113 square foot internally illuminated wall sign for autobahn USA. Wall signs above the roofline are not permitted. The plus a negative 21,658 square foot subject property is located at 909 Providence highway and data map 149 lat 24 and is within a research development and office zoning district in a single residence B zoning district who is here representing

This application had been delayed due to Covid restrictions and was originally heard in January, scheduled to return in March of 2020. Mr. Irby explained that back in January a couple of residents had complained about the lighting that would occur from the new signs. However, they had a chance to speak and the residents now understood that the lighting would not be intrusive.

Mr. Panagopoulos asked about the lighting being on a timer, as it was discussed at the last meeting. It was agreed that yes, the lights would be on a timer set to turn off 30 minutes after the close of business.

Mr. Steeves asked if there were any other questions from the board or if there were any members of the public who wished to speak. There were none.

A motion was made by Andrew Pepoli, and seconded by Jason Mammone. A roll call vote was taken:

Sara Rosenthal - yes
Greg Jacobsen - yes
Andrew Pepoli - yes
George Panagopoulos – yes
Jason Mammone - yes
Scott Steeves – yes

The motion passed 5-0, unanimous in favor.

118 Bridge Street

Applicant:	David Flynn
Project Address:	118 Bridge Street

Request for a special permit to convert a preexisting five-unit residential building to a six unit residential building with the new dwelling unit in the existing basement area, and 10 off street parking spaces. The subject property is located at 118 Bridge Street, Town of Dedham Assessors Map 25, Lot 6 six, the limited business and general residents zoning districts in the floodplain overlay district.

David Flynn was the applicant and was on the call representing himself. Mr. Flynn explained that he was the owner of 118 Bridge Street. He had bought the property in 2017 and had completely renovated it down to the studs and brought it up to 100% code. He had previously attended the Conservation Commission meeting for this property due to the wetland in the area, and was approved to take down the existing two car garage and put in a paved area for 10 parking spaces.

Andrew Pepoli had a question about accessing the rear parking. Mr. Flynn answered there was a driveway on the left side of the building. He explained by the map on screen where cars would enter and exit, and that it was up to code.

Mr. Steeves asked if there were any other questions from the board or if there were any members of the public who wished to speak. There were none.

A motion was made by Greg Jacobsen, and seconded by Andrew Pepoli. A roll call vote was taken:

Sara Rosenthal - yes
Greg Jacobsen - yes
Andrew Pepoli - yes
George Panagopoulos – yes
Jason Mammone - yes

Scott Steeves – yes

The motion passed 6-0, unanimous in favor.

142 Oakdale Avenue

Applicant:	Adam Maislen
Project Address:	142 Oakdale Avenue

The Chairman Scott Steeves recused himself for this hearing as he was an abutter to the property. Sara Rosenthal, Vice Chair, acted as Chair for this application.

Representing himself, Adam Maislen was on the call for this application. Mr. Maislen explained that he and his wife bought the house and wish to construct a dormer to move into the attic since they lived there with their two small children. The front dormer was the only one of the four that would need a waiver as it was setback 21 feet from the road instead of the required 25 feet. He further explained that prior to Covid he had talked to his two abutting neighbors and they had been in favor of the proposal.

Sara Rosenthal asked if there were any questions from the Board members, and Andrew Pepoli asked if this were going to be used as a two-family house. Mr. Maislen answered it was currently a two-family house and it would remain a two-family house. They wished to extend into the third floor to have more room for their family. There were no further questions from the Board, nor the public.

A motion was made by Andrew Pepoli to approve the proposal as presented. The motion was seconded by Jason Mammone, and a roll call vote was taken.

Sara Rosenthal - yes
Greg Jacobsen - yes
Andrew Pepoli - yes
George Panagopoulos – yes
Jason Mammone – yes

The motion passed 5-0, unanimous in favor.

56 Greenlodge Street

Applicant:	Andrew Pepoli
Project Address:	56 Greenlodge Street

Andrew Pepoli recused himself from the Board for this application.

Peter Zahka, Esquire was on the call representing the applicant. Creation of an accessory dwelling unit, reality add cooking facilities to the property that was already there. Currently lower level

has everything except the cooking facilities. Ashley’s parents reside there. Pre-existing conforming. He then listed the requirements for an accessory dwelling as stated in the bylaws. The applicant met all of the requirements. A support petition signed by over 20 abutters in favor had been submitted to the Board prior.

Chairman Steeves asked if there were any questions from the Board or from the public. There were none.

George Panagopoulos made a motion to accept the proposal as presented. Greg Jacobsen seconded the motion, and a roll call vote was taken.

- Sara Rosenthal – yes
- Jason Mammone – yes
- Scott Steeves – yes
- Greg Jacobsen – yes
- George Panagopoulos – yes

The motion passed unanimously 5-0.

110, 200, 210, and 214 Elm Street and 119 Quabish Road – Legacy Place, LLC

Applicant:	WS Development, Legacy Place, LLC
Project Address:	<u>110, 200, 210, and 214 Elm Street and 119 Quabish Road</u>

Peter Zahka, Esquire was representing the applicant, and Chris Boyce from WS Development was also on the call. Legacy Place wanted to update and improve all of their signage, including the highway corridor, the freestanding sign, and their wayfinding signs. Attorney Zahka mentioned that the Design Review Board has unanimously approved recommendation to the Zoning Board of Appeals for approval.

Chris Boyce explained the new signage in detail. Changes to the pylon sign would be monochromatic, and the name Legacy Place would be higher on the sign. The monument sign on the retaining wall will be internally illuminated, and there will be a white lettering with a black background. They were also looking to increase the size of the wall.

Chairman Steeves asked if there were any questions from the Board. Andrew Pepoli asked if there was a specific reason for height increase in the monument sign. Mr. Boyce explained that the font would not be as legible without an increase, and this was part of the less cluttered, cleaner look. They also wished the sign to be more prominent on Providence Highway. Ms. Rosenthal had a question as to the digital screen on the retaining wall. Mr. Boyce said that although Citizens Bank was the only one showing there, it would be two anchor tenants displayed as digital on the wall.

Chairman Steeves asked if there were any members of the public that had any questions, and there were none.

Greg Jacobsen made a motion to approve the proposal as presented. The motion was seconded by Sara Rosenthal, and a roll call vote was taken.

Sara Rosenthal – yes
Jason Mammone – yes
Scott Steeves – yes
Greg Jacobsen – yes
George Panagopoulos – yes

The motion passed unanimously 5-0.

Sara Rosenthal made a motion to adjourn at 8:10 pm, and George Panagopoulos seconded the motion. A roll call vote was taken.

Sara Rosenthal – yes
Jason Mammone – yes
Scott Steeves – yes
Greg Jacobsen – yes
George Panagopoulos – yes

The meeting was adjourned at 8:10 pm.