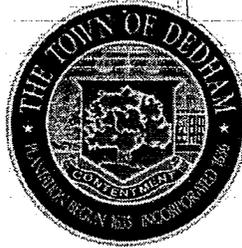


ZONING BOARD MEMBERS
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J. GREGORY JACOBSEN, VICE CHAIRMAN
SCOTT M. STEEVES
E. PATRICK MAGUIRE, LEED AP
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JESSICA L. PORTER
JARED F. NOKES, J.D.



TOWN OF DEDHAM

JAN 06 2015

A.M. TOWN
P.M. CLERK

DEDHAM TOWN HALL
26 BRYANT STREET
DEDHAM, MA 02026
PHONE 781-751-9242
FAX 781-751-9225

ADMINISTRATIVE ASSISTANT
SUSAN WEBSTER
swebster@dedham-ma.gov

TOWN OF DEDHAM
COMMONWEALTH OF MASSACHUSETTS
ZONING BOARD OF APPEALS
DECISION

2015 JAN -6 PM 2:19

APPLICANT: T-Mobile Northeast, LLC
PROJECT ADDRESS: 123 High Street, Dedham, MA
CASE # VAR-10-13-1901
PROPERTY OWNER/ADDRESS: Town of Dedham, 26 Bryant Street, Dedham, MA
MAP/LOT AND ZONING DISTRICT: 96/112, General Residence

DATE OF APPLICATION: October 29, 2014
MEMBERS PRESENT AND VOTING: James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, E. Patrick Maguire, LEED AP, Jessica L. Porter

PETITION: To be allowed an extension of variances granted on December 18, 2013, for wireless installation at Mother Brook Arts and Community Center, 123 High Street, Dedham, MA

SECTION OF ZONING BYLAW: *Section 4.2.3 Height of Buildings and Structures, Section 8.3.6(1) Wireless Communications Services Overlay District, Dimensional Requirements, and 9.2(2) Board of Appeal, Powers*

REPRESENTATIVE: Martin Cohen, Network Building and Consulting, LLC, 153 Northboro Road, Southborough, MA 01772

DATE FILED WITH TOWN CLERK: January 6, 2015

The Zoning Board of Appeals ("ZBA") of the Town of Dedham, Massachusetts, held public hearings on Wednesday, December 3, 2014, in the Town Office Building, 26 Bryant Street, Dedham, MA. Present were members of the ZBA, James F. McGrail, Esq., Chairman, J. Gregory Jacobsen, Vice Chairman, Scott M. Steeves, and E. Patrick Maguire, LEED AP. Member Jason

L. Mammone, P.E., was unable to attend this meeting. In his absence, Chairman McGrail appointed Associate Member Jessica L. Porter to sit in his stead.

The hearings were duly advertised for this meeting of the ZBA in accordance with the requirements of MGL Chapter 40A, Section 11. Legal ads were placed for two consecutive weeks in *The Dedham Times*. In addition, abutters within 300 feet of the property in question received notification of the hearings. In addition, abutters within 300 feet of the property in question received notification of the hearings, and notification regarding each hearing was sent to the neighboring towns (Boston, Needham, Canton, and Westwood).

The subject property is known and numbered as 123 High Street, Dedham, MA, and is shown on Dedham Assessors' Map 96, Lot 112. The certified plot plan indicates that the Subject Property contains 3.8 acres of land and has 231.4 feet of frontage. According to the Dedham Zoning Map, the Subject Property is located in the General Residence zoning district. Currently, the property is occupied by Mother Brook Arts and Community Center. According to the records maintained by the Dedham Board of Assessors, the building was constructed in 1921.

Mr. Cohen gave a history of the previous variance request and decision. The variance is good for one year, and he has just applied to the Building Department for permits. He wants to make sure the variance is valid, so he is asking for an extension for six months. Mr. Steeves made a motion to grant the extension of the previously granted variance dated November 18, 2013, for six months, seconded by Mr. Jacobsen. The vote was unanimous at 5-0. This hearing ended at 7:36 p.m.

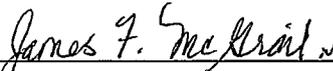
On a motion duly made by Scott M. Steeves and seconded by J. Gregory Jacobsen, the ZBA voted unanimously, 5-0, to grant a six-month extension of the variances granted on November 18, 2013.

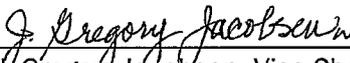
The Board was of the opinion that the Applicant meets the requirements of MGL Chapter 40A, Section 10, specifically that the Applicant would incur a hardship if extension of the variance was not granted. There is no detriment to the public good or derogation in the intent of purpose of the bylaw. In granting of said extension, the ZBA finds that, after consideration of the criteria Dedham Zoning By-Law, the adverse effects of the Applicant's proposal will not outweigh its beneficial impacts on the Town and neighborhood and will not be substantially more detrimental to the neighborhood.

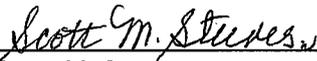
The Applicant is advised that, in accordance with MGL Chapter 40A, Section 11, a copy of this decision bearing the certification of the Dedham Town Clerk that twenty (20) days have elapsed after the decision has been filed with the Dedham Town Clerk and no appeal has been filed or that has been filed within such time shall be recorded in the Norfolk County Registry of Deeds or the Land Registration Office of Norfolk County. Applicant is further advised that no waivers/variances will be issued by the Building Department until evidence is presented that this decision has been recorded in the Norfolk County Registry of Deeds. The Applicant should furnish the Zoning Board of Appeals with a receipt from the Registry of Deeds indicating that the decision has been filed.

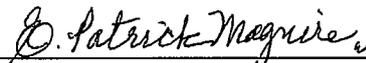
Dated: December 3, 2014

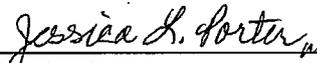
Attest, by the Zoning Board of Appeals:


James F. McGrail, Esq., Chairman


J. Gregory Jacobsen, Vice Chairman


Scott M. Steeves


E. Patrick Maguire, LEED AP


Jessica L. Porter

Attest, by the Administrative Assistant:


Susan N. Webster

Copies of this decision are filed in the Dedham Town Clerk's office. Copies of all plans referred to in this decision and a detailed record of the Zoning Board of Appeals proceedings are filed in the Dedham Planning Department.

Materials Submitted:

- ZBA Application
- Petition letter from Martin Cohen, Network Building and Consulting, LLC, 153 Northboro Road, Southborough, MA 01772