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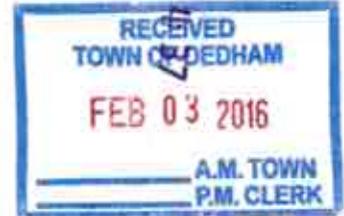
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2016 FEB 3 PM

**TOWN OF DEDHAM  
COMMONWEALTH OF MASSACHUSETTS**

**ZONING BOARD OF APPEALS**

**DECISION**



**Applicant:** Leanne Jasset d/b/a Dedham Pharmacy and Medical Supply

**Property Address:** 596 Providence Highway, Dedham, MA

**Case #:** VAR-11-15-2044

**Property Owner/Address:** Dedham Marketplace, LLC, c/o Acton Management, 69 Great Road, P.O. Box 2350, Acton, MA 01720

**Map/Lot, Zoning District:** 123/16, Highway Business

**Date of Application:** November 25, 2015

**Present and Voting:** James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, E. Patrick Maguire, LEED AP, Jason L. Mammone, P.E.

**Representative:** Leanne Jasset

**Legal Notice:** To be allowed a waiver from the town of Dedham Charter for an existing freestanding sign with an area of 122 square feet to add a sign panel that is 12" x 8', making the total sign area 130 square feet. The maximum size of a free-standing sign in the Highway Business zoning district is 100 square feet.

**Section of Sign Code:** *Town of Dedham Sign Code as noted in the Town of Dedham Charter, Section 237-17.A and B and Section 237-18E*

**Date Filed with Town Clerk:** February 3, 2016

The Zoning Board of Appeals ("ZBA") of the Town of Dedham, Massachusetts held a public hearing on Wednesday, January 20, 2016, at 7:00 p.m. in the Town Office Building, Bryant Street, Dedham, MA. Present were members of the ZBA, Chairman James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, Member E. Patrick Maguire, LEED AP, and Jason L. Mammone, P.E. This hearing and meeting of the ZBA was duly advertised in accordance with the

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

At 7:00 p.m., the Chairman called for the hearing on the appeal of Leanne Jasset d/b/a Dedham Pharmacy and Medical Supply, 596 Providence Highway, Dedham, MA, for a waiver from the Town of Dedham Sign Code as noted in the Town of Dedham for an existing freestanding sign with an area of 122 square feet to add a sign panel that is 12" x 8', making the total sign area 130 square feet. The maximum size of a free-standing sign in the Highway Business zoning district is 100 square feet. *Town of Dedham Sign Code as noted in the Town of Dedham Charter, Section 237-17.A and B and Section 237-18E*

The Applicant represented herself. The minutes from the hearing are the primary source of evidence and are incorporated herein by reference.

The subject property is known and numbered as 596 Providence Highway, Dedham, MA and is shown on Dedham Assessors' Map 123, Lot 16. The certified plot plan indicates that the Subject Property contains 6.5 acres of land and has 220.44 feet of frontage. According to the Dedham Zoning Map, the Subject Property is located in the Highway Business zoning district. Currently, the property is occupied by various retail stores. According to the records maintained by the Dedham Board of Assessors, the building was constructed in 1983.

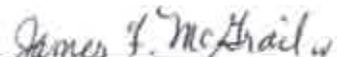
Ms. Jasset is opening a new pharmacy, and needs signage. She will be putting up a panel on the existing Providence Highway free-standing sign and a wall sign. In addition, she would like to add a panel to the small free-standing sign in the back of the property on Lechmere Road, and requires a waiver as noted above. Mr. Maguire asked why the owner of the property was not present. Ms. Jasset did not have an answer for that. She asked if she could put the sign there since there was an empty space, and the owner told her to go to the ZBA. She also noted that there is a letter of permission from the owner on file. Mr. Maguire said he is fine with the sign, but there is a greater issue in that the owner is over the allowed square footage for signs, and is sending her before the ZBA to fix that. He expected the owner to be present and to explain why he cannot make less square footage to meet the Zoning Bylaw and still supply her and the rest of the tenants with signs. Ms. Jasset said that from the interaction

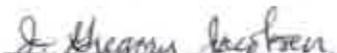
she has had with the property manager, if she cannot receive approval, she would have to go without a sign. Mr. Steeves agreed, saying that the owner of the property should be present. He suggested that a condition be made on the motion that if anyone closes its business, the sign has to come down.

Mr. Steeves moved to allow a waiver from the Town of Dedham Sign Code as noted in the Town of Dedham Charter for an existing freestanding sign with an area of 122 square feet to add a sign panel that is 12" x 8', making the total sign area 130 square feet. The maximum size of a free-standing sign in the Highway Business zoning district is 100 square feet. The condition of approval is that if any tenant vacates its space, its sign must be removed. Mr. Jacobsen seconded the motion. Vote was 4-1, with Mr. Maguire voting against.

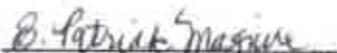
Upon motion being duly made by Scott M. Steeves and seconded by J. Gregory Jacobsen, the ZBA voted 4-1, with Mr. Maguire voting nay, to grant a waiver from the Town of Dedham Sign Code as noted in the Town of Dedham Charter for an existing freestanding sign with an area of 122 square feet to add a sign panel that is 12" x 8', making the total sign area 130 square feet. The maximum size of a free-standing sign in the Highway Business zoning district is 100 square feet. The condition of approval is that if any tenant vacates its space, its sign must be removed.

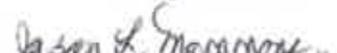
Dated: January 20, 2016

  
Chairman James F. McGrail, Esq.

  
J. Gregory Jacobsen

  
Scott M. Steeves

  
E. Patrick Maguire, LEED AP

  
Jason L. Mammone, P.E.

Attest by the Administrative Assistant

  
Susan N. Webster