

TOWN OF DEDHAM
ZONING BOARD OF APPEALS
26 BRYANT STREET, DEDHAM, MASSACHUSETTS 02026



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DECISION

Applicant: Federal Realty Investment Trust
Project Address: 725 Providence Highway
Property Owner: Federal Realty Investment Trust
Case #: VAR-05-12-1525
Map/Lot: 122/1
Zoning District: Highway Business

Date of Application: May 16, 2012
Date of Hearing: June 13, 2012
Members Present and Voting: J. Gregory Jacobsen, Scott M. Steeves, E. Patrick Maguire, LEED AP, Jason L. Mammone, P.E., Jessica L. Porter

Applicant Representative: Kevin F. Hampe, Esq.
Jeffrey Kwass, ViewPoint Sign and Awning
David Joss, Federal Realty
Stephen Vincent, AIA

Petition: To be allowed a sign permit to install a 42 inch x 38 foot parapet wall sign on the façade of the building and waivers from the Town of Dedham Sign Code that will allow the sign to have external illumination of red halo lit letters instead of white external illumination, and to be 26 feet above grade.

Section of Sign Code: *Town of Dedham Sign Code Chapter 27, Section 7d (5) and 7(c) (12)*

Material Submitted:

- ZBA application
- Petition statement from Kevin Hampe, Esq.
- Rendering of proposed signage on building
- Specifications for proposed signage

Date of Filing with Town Clerk: June 26, 2012

The Zoning Board of Appeals (“ZBA”) of the Town of Dedham, Massachusetts held a public hearing on Wednesday, June 13, 2012, at 7:00 p.m. in the Town Office Building, 26 Bryant Street, Dedham, MA. Present at the hearings were members of the ZBA, J. Gregory Jacobsen, Scott M. Steeves, E. Patrick Maguire and Jason L. Mammone, P.E. Chairman James F. McGrail, recused himself from this hearing due to a professional relationship with the applicant and left the hearing room. J. Gregory Jacobsen assumed the role of Acting Chairman, and appointed Associate Member Jessica L. Porter to sit in Mr. McGrail’s place. The hearings and meetings of the ZBA were duly advertised in accordance with the requirements of MGL Chapter 40A, Section 11.

At 7:08 p.m. on Wednesday, June 13, 2012, the Acting Chairman called for the hearing on the request of Federal Realty Investment Trust, 1626 E. Jefferson Street, Rockville, MD 20852 for a Special Permit to install a 42 inch x 38 foot parapet wall sign on the façade of the building and waivers from the Town of Dedham Sign Code that will allow the sign to have external illumination of red halo lit letters instead of white external illumination, and to be 26 feet above grade. *Town of Dedham Sign Code Chapter 27, Section 7d (5) and 7(c) (12)*

The one-and-one-half page minutes from the hearing are incorporated herein by reference.

The Applicant was represented by Kevin F. Hampe, Esq. Also present at the hearing were David Joss of Federal Realty Investment Trust, Jeffrey Kwass of ViewPoint Sign and Awning, and Stephen Vincent, AIA.

The Subject Property, a/k/a Dedham Plaza, is known and numbered as 725 Providence Highway, and is shown on Dedham Assessors’ Map 122 Lot 1. The certified plot plan indicates that the Subject Property contains approximately 18.01 acres land and has 1,225.05 feet of frontage. According to the Dedham Zoning Map, the Subject Property is located in the Highway Business (HB) Zoning District. Currently, the Subject Property is occupied by a shopping plaza. According to the records maintained by the Dedham Board of Assessors, the building was constructed in 1959.

Mr. Hampe stated that the Applicant is upgrading the property to make it more attractive for both tenants and patrons. The sign will go to the height of the parapet stations, but no further. They also would like the lettering to have red silhouette external illumination rather than the usual white. They feel that customers cannot pick up where the Dedham Plaza is until they pass the entrance. There will be no other advertising on the sign other than “Dedham Plaza,” nor do they intend to request this in the future. The lighting will not spill into the neighborhood. The hours of illumination will be the same as the rest of the shopping center. They went before the Design Review Advisory Board (DRAB) on June 6, 2012, and a copy of their recommendation has been given to the Board. DRAB did suggest that the font on the sign be the same as that on the pylon sign, and they are considering that.

No one appeared before the Board to either support or oppose the application.

Upon motion duly made by Scott M. Steeves and seconded by Jason L. Mammone, P.E., the ZBA voted unanimously to grant the requested special permit to be allowed a sign permit to install a 42 inch x 38 foot parapet wall sign on the façade of the building and waivers from the Town of Dedham Sign Code that will allow the sign to have external illumination of red halo lit letters instead of white external illumination, and to be 26 feet above grade.. In granting said special permit, the ZBA, based upon the testimony before the ZBA and after consideration of the various factors set forth in the Dedham Zoning By-Law, finds that the proposal satisfies the criteria and standards for a special

permit in Chapter 40A, Section 9, to wit: that the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or neighborhood.

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/variance 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: June 26, 2012

J. Gregory Jacobsen, Acting Chairman

Scott M. Steeves

E. Patrick Maguire, LEED AP

Jason L. Mammone, P.E.

Jessica L. Porter