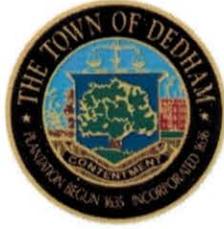


ZONING BOARD MEMBERS
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J. GREGORY JACOBSEN, VICE CHAIRMAN
SCOTT M. STEEVES
E. PATRICK MAGUIRE, LEED AP
JASON L. MAMMONE, P.E.

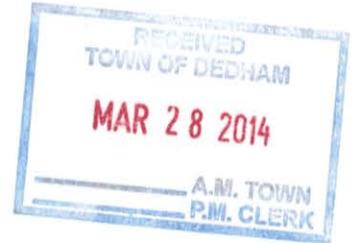
ASSOCIATE MEMBERS
JESSICA L. PORTER
JARED F. NOKES, J.D.



DEDHAM TOWN HALL
26 BRYANT STREET
DEDHAM, MA 02026
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SUSAN WEBSTER
ADMINISTRATIVE ASSISTANT
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TOWN OF DEDHAM
COMMONWEALTH OF MASSACHUSETTS
ZONING BOARD OF APPEALS
DECISION



APPLICANT:	S & G Express, Inc.
PROJECT ADDRESS:	2 Washington Street, Dedham, MA
CASE #	VAR-02-14-1801
PROPERTY OWNER/ADDRESS:	Hadbro 1997 Realty Trust, 10 Warren Road, Dedham, MA
MAP/LOT AND ZONING DISTRICT:	59/10, Local Business
DATE OF APPLICATION:	February 21, 2014
MEMBERS PRESENT AND VOTING:	James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, E. Patrick Maguire, LEED AP, Jason L. Mammone, P.E.
PETITION:	<p>The Applicant seeks to be allowed such variances, waivers, permits, or other relief as may be necessary from the Town of Dedham Sign Code as may be required for:</p> <ol style="list-style-type: none">1. The installation and internal illumination of a new fluorescent Gulf branding pylon sign (primary identification "Gulf" sign) consisting of 36 square feet, one digital LED price cabinet with two faces (20 square feet), a "Gulf Express" sign (8.33 square feet, and a programmable electronic message board (10 square feet, for a total of 74.33 square feet of pylon signage rather than the existing 80 square feet of signage, but 54.33 square feet more than the allowable square footage per Table 2 of the Sign Code.2. Internal illumination of the pylon sign pursuant to the <i>Sign Code, Section 7 Special Regulations c.5</i>3. Reduction in height of the pre-existing pylon

sign from the existing 17 feet to 16 feet, exceeding the maximum height of 8 feet allowed per *Table 2, Town of Dedham Sign Code* in the Local Business zoning district

4. Installation and internal illumination of a 21 square foot "Gulf" sign on the north side of the canopy
5. Installation and internal illumination of a 20.8 square foot "Gulf Express" sign on the building facing Washington Street
6. Total proposed signage of 137.1 square feet (pylon 74.3 square feet, canopy 42 square feet, and building 20.8 square feet)

SECTION OF SIGN CODE:

Town of Dedham Sign Code including Section 7.c.5, Table 2, Section 11.c, Section 8.f

REPRESENTATIVE:

Stephen P. Rahavy, Esq., 18 Norfolk Street, Dedham, MA
Sam Issa, S & G Express, Inc., 2 Washington Street, Dedham, MA (tenant)
Albert Whiting, Ready Imaging, Inc., 68 Loomis Street, Manchester, CT 06042 (signage)
Robert McConnell, Mutual Oil Co., Inc., 863 Crescent St., P.O. Box 250, Brockton, MA 02302 (supplier)
Glenn Hadayia (representing property owner)

DATE FILED WITH TOWN CLERK: **MARCH 28, 2014**

The Zoning Board of Appeals ("ZBA") of the Town of Dedham, Massachusetts held public hearings on Wednesday, March 19, 2014, in the Town Office Building, 26 Bryant Street, Dedham, MA. Present were members of the ZBA, Chairman James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, and Jason L. Mammone, P.E. The hearings were duly advertised for this meeting of the ZBA in accordance with the requirements of MGL Chapter 40A, Section 11. Mr. McGrail announced that he had to leave the hearing immediately. Because of this, there was no quorum. He asked for a motion to continue the evening's hearings to March 25, 2014. Mr. Steeves made this motion, and Mr. Jacobsen seconded it. The vote was unanimous at 4-0. Mr. McGrail left the meeting. Mr. Steeves made a motion to adjourn the meeting, seconded by Mr. Jacobsen. The vote was unanimous at 3-0. The meeting ended at 7:10 p.m.

The Zoning Board of Appeals ("ZBA") of the Town of Dedham, Massachusetts held public hearings on Tuesday, March 25, 2014, in the Town Office Building, 26 Bryant Street, Ded-

ham, MA. Present were members of the ZBA, Chairman James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, E. Patrick Maguire, LEED AP, and Jason L. Mammone, P.E.

At 7:00 p.m., the Chairman called for the hearing on the petition of S & G Express, Inc. (hereinafter referred to as the "Applicant"), 2 Washington Street, Dedham, MA for such relief or waivers from the Dedham Sign Code as required to allow such variances, waivers, permits, or other relief as may be necessary from the Town of Dedham Sign Code as may be required for:

1. The installation and internal illumination of a new fluorescent Gulf branding pylon sign (primary identification "Gulf" sign) consisting of 36 square feet, one digital LED price cabinet with two faces (20 square feet), a "Gulf Express" sign (8.33 square feet, and a programmable electronic message board (10 square feet, for a total of 74.33 square feet of pylon signage rather than the existing 80 square feet of signage, but 54.33 square feet more than the allowable square footage per Table 2 of the Sign Code.
2. Internal illumination of the pylon sign pursuant to the *Sign Code, Section 7 Special Regulations c.5*
3. Reduction in height of the pre-existing pylon sign from the existing 17 feet to 16 feet, exceeding the maximum height of 8 feet allowed per *Table 2, Town of Dedham Sign Code* in the Local Business zoning district
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6. Total proposed signage of 137.1 square feet (pylon 74.3 square feet, canopy 42 square feet, and building 20.8 square feet Town of Dedham Sign Code

The Applicant was represented by Stephen P. Rahavy, Esq. The minutes from the hearing are the primary source of evidence and are incorporated herein by reference. The plans, documents, studies, etc. referred to are incorporated as part of the public record and are on file in the Planning and Zoning office.

The subject property is known and numbered as 2 Washington Street, Dedham, MA and is shown on Dedham Assessors' Map 59, Lot 10. The certified plot plan indicates that the Subject Property contains 17,539 square feet of land and has 266.81 feet of frontage on two streets (the location is on a corner). According to the Dedham Zoning Map, the Subject Property is located in the Local Business (LB) zoning district. Currently, the property is occupied by an abandoned gas station. According to the records maintained by the Dedham Board of Assessors, the gas station was constructed in 1991.

The gas station, now abandoned due to eviction of the previous tenant, will be taken over by Gulf Oil, which plans to make extensive improvements and enhancements to the property. The station will be run by the tenants, S & G Express, Inc. On February 11, 2014, the Design Review Advisory Board met and unanimously voted to recommend that the ZBA grant the requested relief/waivers as noted. A copy of that letter is on file in the Planning and Zoning office. Attorney Rahavy said that the pylon sign will be reduced in height by one foot, thus reducing the square footage. There will be two signs, but the one facing Oak Street, which is residential, will not be illuminated. The one facing the northbound side will be illuminated. The canopy signs will fall within the square footage allowed. The rest of the signs will basically be re-faced. The Building Department was consulted about the signage prior to submission to the Zoning Board of Appeals. Mr. Rahavy noted that he sent a letter to all abutters on the Town of Assessors abutters list, but did not receive any calls in opposition. No one appeared before the Board to oppose or support the application. Mr. Jacobsen stated that this should be a vast improvement to the existing conditions, and would be a welcome addition to the neighborhood.

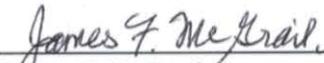
The Applicant respectfully submits that it satisfies the requirements and criteria for the issuance requirement of the requested relief or waivers. As required under the Dedham Sign Code, the Applicant has notified the Design Review Advisory Board (DRAB) of the intent to request the waiver/relief by submitting a complete application "package" to the Board (specifying the relief/waiver being requested).

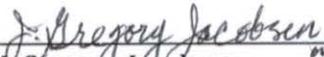
Upon motion being duly made by Scott M. Steeves and seconded by J. Gregory Jacobsen, the ZBA voted unanimously (5-0) to grant such waivers or relief from the Town of Dedham Sign Code:

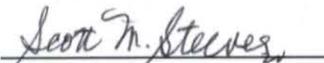
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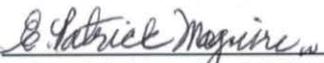
In granting this relief, the ZBA finds (1) that Applicant has satisfied the procedural requirements set forth in the Dedham Sign Code, (2) that the relief is recommended by DRAB, and (3) that the same may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Sign Code.

Dated: March 25, 2014


James F. McGrail, Esq.


J. Gregory Jacobsen


Scott M. Steeves


E. Patrick Maguire, LEED AP

Jason L. Mammone
Jason L. Mammone, P.E.

Attest, by the Administrative Assistant:

Susan N. Webster
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:

- Zoning Board of Appeals application
- Zoning Board of Appeals application for abutters list
- Site Renovation Concept Plan prepared by Sea-Coast Consulting, LLC, 115 Broadway, Taunton, MA 02780
- Architectural Imaging Photo-realistic color images of existing and proposed conditions, prepared by Blair Companies, 5107 Kissell Avenue, Altoona, PA 16601
- Photometric plans of existing conditions, exterior lighting, and proposed improvements, prepared by Red Leonard Associates, 5630 Bridgetown Road, Suite 2, Cincinnati, OH 45248
- Design Review Advisory Board recommendation letter dated February 12, 2014
- Product description specifications for lighting to be installed, prepared by Cree, Inc., 4600 Silicon Drive, Durham, NC 27703
- Site plan prepared by Sea-Coast Consulting, LLC, 115 Broadway, Taunton, MA 02780
- Letter from Stephen P. Rahavy, Esq., sent to all names on Town of Dedham Assessors abutters list