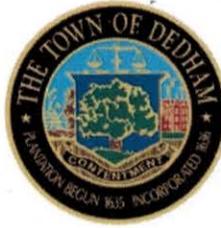


**ZONING BOARD MEMBERS**  
JAMES F. McGRAIL, CHAIRMAN  
J. GREGORY JACOBSEN, VICE CHAIRMAN  
SCOTT M. STEEVES  
E. PATRICK MAGUIRE, LEED AP  
JASON L. MAMMONE, P.E.

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



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**TOWN OF DEDHAM**  
**COMMONWEALTH OF MASSACHUSETTS**  
**ZONING BOARD OF APPEALS**  
**DECISION**

<b>APPLICANT:</b>	<b>Connecticut Sign Service, LLC, and John Morrison, 25 Saybrook Road, Essex, CT 06426</b>
<b>PROJECT ADDRESS:</b>	<b>580 Providence Highway, Dedham, MA</b>
<b>CASE #</b>	<b>VAR-04-14-1834</b>
<b>PROPERTY OWNER/ADDRESS:</b>	The Pep Boys Manny Moe & Jack, 3111 West Allegheny Avenue, Philadelphia, PA 19132
<b>MAP/LOT AND ZONING DISTRICT:</b>	108/4, Highway Business
<b>DATE OF APPLICATION:</b>	April 23, 2014
<b>MEMBERS PRESENT AND VOTING:</b>	James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, E. Patrick Maguire, LEED AP, Jason L. Mammone, P.E.
<b>PETITION:</b>	To be allowed a waiver from the Town of Dedham Sign Code for a sign above the roofline at Pep Boys <i>Town of Dedham Sign Code Section 7.D.5</i>
<b>SECTION OF SIGN CODE:</b>	
<b>REPRESENTATIVE:</b>	John Morrison, Connecticut Sign Service, LLC Bill Mottin, Project Management & Service, CIMA Network, 210A Progress Drive, Montgomeryville, PA Allison Mathern, P.E., Architectural Project Manager, Pep Boys, 3111 West Allegheny Avenue, Philadelphia, PA
<b>DATE FILED WITH TOWN CLERK:</b>	

The Zoning Board of Appeals ("ZBA") of the Town of Dedham, Massachusetts held public hearings on Wednesday, May 21, 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, E. Patrick Maguire, LEED AP, 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. 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.

At 8:05 p.m., the Chairman called for the hearing on the petition of Connecticut Sign Service, LLC, and John Morrison, 25 Saybrook Road, Essex, CT. The Applicant is seeking a waiver from the Town of Dedham Sign Code for placement of a sign above the roof line at Pep Boys, 580 Providence Highway, Dedham, MA. *Dedham Sign Code Section 7.D.5*

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 580 Providence Highway and is shown on Dedham Assessors' Map 108, Lot 4. The certified plot plan indicates that the Subject Property contains 3.4e acres of land, and sufficient frontage. According to the Dedham Zoning Map, the Subject Property is located in the Highway Business zoning district. Currently, the property is occupied by a retail store and automobile garages. According to the records maintained by the Dedham Board of Assessors, the building was constructed in 1996.

The Applicant is rebranding its stores, and proposes installation of the new Pep Boys logo on the front entrance elevation of the store. However, it extends above the roof line, which is not within the Zoning Bylaw. They are requesting a waiver so that they can keep the corporate logo as it has been designed. The Design Review Advisory Board supported all other new signage with the exception of this one. Illumination is proposed to be 60 watt LED. The hours of illumination would be from 9 a.m. to 9 p.m., Monday through Friday. Weekend hours are not known. The lights typically stay on one hour past closing, and are set on an energy management system. Several abutters presented pictures taken from their homes that show the brightness of the sign at night.

Mr. McGrail advised the Applicant to meet with the neighbors to discuss their concerns. He did say that the lights should be shut off earlier, and this would be a condition of any approval. He realizes that Pep Boys needs their sign, but asked them to discuss ways to minimize their light pollution.

Mr. Mammone made a motion to continue this hearing to June 18, 2014, seconded by Mr. Jacobsen. The vote was unanimous at 4-0.

The Zoning Board of Appeals ("ZBA") of the Town of Dedham, Massachusetts held public hearings on Wednesday, June 18, 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, E. Patrick Maguire, LEED AP, 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. 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.

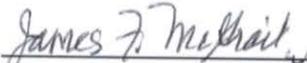
At 9:09 p.m., the Chairman called for the continuation of the hearing on the petition of Connecticut Sign Service, LLC, and John Morrison, 25 Saybrook Road, Essex, CT. The Applicant is seeking a waiver from the Town of Dedham Sign Code for place a sign above the roof line at Pep Boys, 580 Providence Highway, Dedham, MA. *Dedham Sign Code Section 7.D.5*

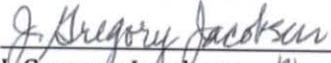
The minutes from the hearing are the primary source of evidence and are incorporated herein by reference. The plans, documents, studies, etc. referred to are incorporated as part of the public record and are on file in the Planning and Zoning office.

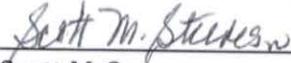
The Applicant met with the abutters affected by the Pep Boys sign. Prior to meeting with them, they had decided to move the sign so that it did not go above the roofline. They have provided one of the neighbors with contact information should there be an issue that arises. By virtue of the fact that the sign no longer goes above the roofline, the applicant is asking to withdraw his petition without prejudice. Mr. McGrail made a motion to withdraw the pe-

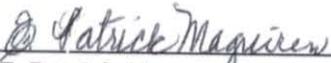
tition without prejudice, seconded by Mr. Steeves. The vote was unanimous at 5-0. This application is therefore withdrawn and is no longer necessary.

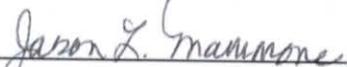
Dated: April 16, 2014

  
James F. McGrail, Esq.

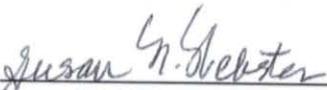
  
J. Gregory Jacobsen

  
Scott M. Steeves

  
E. Patrick Maguire, LEED AP

  
Jason L. Mammone, P.E.

Attest, by the Administrative Assistant:

  
Susan N. Webster

**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
- Petition statement
- Letter of Authorization from The Pep Boys Manny Moe & Jack
- Design Review Advisory Board letter of support dated April 8, 2014
- Photographs of existing conditions
- Renderings of proposed signage
- Landscape plan from 1995, prepared by VHB, 101 Walnut Street, Watertown, MA
- Existing Conditions Plan of Land from 1996, prepared by VHB