Town of Dedham
COMMONWEALTH OF MASSACHUSETTS

Dedham Town Hall
450 Washington Street
Dedham, MA 02026
Phone 781-751-9242

Economic Development Planner
Jayson Schultz

Office Manager
Kelli Leahy

Wednesday, April 17, 2024, 7:00 p.m.
Dedham Town Hall

Present: Scott Steeves, Chair
Sara Rosenthal, AIA, LEED AP, NCARB, Vice Chair
J. Gregory Jacobsen
Tom Ryan, Esq.
Norman Vigil, Esq., Associate Member
Allen MacDuffie, Associate Member

Regrets: Jason L. Mammone, P.E.

Staff: Jayson Schultz, Economic Development Planner
Kelli Leahy, Office Manager

Chair Steeves called the meeting to order at **7:00 p.m.** on the night of **Wednesday, April 17, 2024**.

Applicant:	47 Bayard Street LLC *(continued from 3.20.24)*
Project Address:	47 Bayard Street
Zoning District, Map/Lot:	General Residence (GR) Zoning District, Map/Lot 7/77.
Legal Notice:	Request for Variances to demolish an existing single-family dwelling and construct two (2) single-family dwellings; proposed new lot for each single-family dwelling would be 5,000 sq. ft where 7,500 sq. ft. is required.

Section of Zoning Bylaw:	Town of Dedham Zoning Bylaw Sections 280-2.1, 3.1, 4.1, 9.2, 9.3 and Table 1 and 2.

Attorney Keith Hampe and Member/Manager of 47 Bayard Street LLC, Edward Musto, were present on behalf of the application.

Don Reisner, 31 Cass Avenue, requested that the Public Hearing be postponed. Mr. Reisner stated that four documents were submitted to the Planning Office a short time ago and he has not had an opportunity to review them.

Lillian Simons, 37 Bayard Street, agreed with Mr. Reisner comments and requested that the Public Hearing be continued.

In response to a question from Vice Chair Rosenthal, Attorney Hampe recapped the four documents submitted to the Planning Office earlier in the afternoon:

1. A map created by the Town's GIS system depicting the number of homes in the neighborhood sitting on lots of 5,000 square feet or less. Approximately 76% of the homes on the street sit on lots that are 5,000 square feet or less based on the public information available through the Assessor's office. The current petition requests two single family homes be constructed on lots that are 5,000 square feet each, which is in keeping with the characteristics of the neighborhood.
2. A rendering of one two-family home on the lot. This rendering was not submitted previously because the petition was for two single-family homes on the lot. Attorney Hampe commented that a two-family home is not keeping with the characteristics of the neighborhood.
3. A rendering of one single-family home on the lot, which is what is there currently. Attorney Hampe commented that one large home on a 10,000 square foot lot does not keep with the characteristics of the neighborhood.
4. To address parking and design concerns raised by the neighbors, a rendering of two single family homes each with a two-car garage underneath the home for a total of four off-street parking spaces. This rendering also includes farmers porch.

Associate Member Vigil commented that because neighbor concerns were the reason for last month's Public Hearing continuance, he supports a second continuance to give abutters the opportunity to review the above referenced documentation. Associate Member MacDuffie expressed his agreement.

Attorney Hampe apologized to both the Board and the neighbors, adding that he was not provided with a submission timeline. These renderings were created at the request of the Board and were not in their petition. He and Mr. Musto have no objections to a continuance.

Upon a motion made by Associate Member Vigil and duly seconded by Associate Member MacDuffie, the ZBA voted unanimously to continue the public hearing to the May 15, 2024 meeting.

A roll call vote was taken.

Scott Steeves – yes
Greg Jacobsen – yes
Tom Ryan – yes
Norman Vigil – yes
Allen MacDuffie – yes

The motion passed unanimously, 5-0.

Applicant:	Florangel Melo *(continued from 3.20.24)*
Project Address:	75 Barrows Street
Zoning District, Map/Lot:	Single Residence B (SRB) Zoning District, Map/Lot 110/38.
Legal Notice:	Request for Variance for a Floor Area Ratio of .56 (.5 allowed) and a Special Permit for a +/- 744 sq. ft. accessory dwelling unit. Additionally, the Applicant is requesting waivers from the accessory dwelling unit provisions to allow for a total area exceeding the maximum allowable 33% of the total building size, and to allow a reduction in required lot size lot (3,865 square feet provided, 13,750 square feet required), and to provide zero off-street parking spaces (one space required).
Section of Zoning Bylaw:	Town of Dedham Zoning Bylaw Section 280-3.3, 7.7, 9.2, and 9.3.

Attorney Keith Hampe and homeowner Florangel Melo were present on behalf of the application.

Attorney Hampe reported that at the March meeting Ms. Melo requested a continuance to speak with a direct abutter about installation of a fence along their property line to mitigate noise and potential trespassing. The Applicant has agreed to install a fence, however for financial reasons, requests that the installation be delayed to November 2024.

Attorney Hampe reminded the Board and the public about the history of this petition. The initial contractor hired by Ms. Melo provided her with a contract that included the installation of a kitchen; however, the kitchen was not included in the Building Permit the contractor filed with the Town. If the kitchen had been included in the Building Permit, Ms. Melo would have come before the Board before construction began.

Building Commissioner Ken Cimeno confirmed that he reviewed the Building Permit in question. While the kitchen was mentioned in the description that accompanied the application materials, there were no plans submitted and there was no indication on the Building Permit application that the basement would be a separate dwelling unit.

Assistant Building Inspector Frederick Johnson completed all the inspections. He reiterated Mr. Cimeno's comments that the application and original plans did not mention an accessory dwelling or kitchen.

Mr. Johnson added that when he completed one of the inspections, he saw there was plumbing in place, but was under the impression it was for the installation of a laundry sink. Mr. Johnson does not think the applicant was trying to be deceptive about the basement being a separate unit because she called him to complete the final inspection.

Mr. Johnson went on to state that regardless of whether the petition is approved or denied, there are Building Code issues that must be resolved, and so construction must continue.

Chair Steeves asked if there were any members of the public who wished to be heard.

Nicole Smith, 80 Barrows Street, stated she is new to the conversation and does not have much context; however, is concerned about the precedent that would be set by requiring that an 'unrelated fence' be built on a neighboring property.

Ms. Smith added that two (2) $1.5 million homes were added to the neighborhood due to decisions made by the Board and with sky high housing costs, she understands what Ms. Melo is trying to accomplish with the ADU.

Elizabeth Tammaro, 71 Barrows Street, stated that she is the abutting neighbor and has lived in Dedham for more than 30 years. She commented that construction has been ongoing for more than three (3) years. Their properties are separated by an easement, and as a result, there is less than 12 feet between her property and Ms. Melo's property. During the construction she and Ms. Melo maintained a neighborly relationship, despite the disruptions to the neighborhood. Ms. Tammaro did not realize the basement would be a rented unit until she received notice from the Planning Department about the hearing.

Ms. Tammaro and Ms. Melo spoke on March 30, 2024 and again April 16, 2024, and reached an agreement about installation of a fence. They agreed that there would be quotes from three companies who could install a fence to create a barrier to provide relief from noise and trespassing on Ms. Tammaro's land. Ms. Tammaro agreed to the November fence installation timeline and requested that the fence company be licensed, insured, and provide a warranty. She requested that the Board consider the impact on her and her property when rendering their decision.

Juliet Simon, 49 Smith Street, Quincy is a close friend of Ms. Melo and spoke in support of her application. She has first-hand knowledge of the project, the financial burden, and the multitude of contractors that Ms. Melo hired to get the work done. Ms. Simon does not agree Ms. Melo should have to build a 6-foot fence for the neighbor.

Carmen Delloiacono is currently of **145 West Jersey Street,** and formerly of 67 Barrows Street. While Mr. Delloiacono is the Wiring Inspector for the Town, he is not speaking in an official capacity, he is speaking as a resident of the Town.

Mr. Delloiacono stated that the new unit in Ms. Melo's basement was advertised on AirBnB before the Building Code violations were identified. He added that Ms. Smith, the neighbor at 80 Barrows Street, cannot see the easement from her property and so does not understand what Ms. Tammaro might have to endure should a new tenant move in.

Mr. Delloioacono replied to Ms. Smith's comments about the recently constructed $1.2 million homes in the neighborhood. He stated that a multi-family home was originally proposed by the developer; however, members of the neighborhood expressed their strong opposition to this proposal because it is a single-family neighborhood. As a result of this feedback, the developer constructed two single family homes.

While Mr. Delloiacono understands there is a financial burden placed on Ms. Melo by installing the fence; however, residents on Barrows Street pay a great deal of money to live in a single-family neighborhood.

Attorney Hampe clarified that he and Ms. Melo are not objecting to the fence.

The owner of a three (3) family home on a nearby street expressed support for Ms. Melo's application. In his experience she is a good neighbor.

Chair Steeves asked if there were any members of the Board who wished to be heard.

Member Ryan commented that one of the hardest responsibilities as a Board member is granting an approval after construction has taken place and the applicant has incurred all the associated financial expenses. When these applicants come to the Board, members must make the decision as to whether the construction be removed because it is in violation of the bylaws or reach a consensus that considers the needs of the applicant and the feelings of the neighbors living under conditions that, per the bylaw, should not be there.

Member Ryan clarified there are no conditions required by the Board. He supports approving the application and getting this on the road to resolution; any discussions or agreements beyond that is between the applicant, their counsel, and the neighbor.

Associate Member MacDuffie commented that this is a classic ADU contained within the footprint of the existing building. He supports a vote in favor of the application.

Upon a motion made by Member Ryan duly seconded by Member Jacobsen, the Board voted unanimously (5-0) to approve the Request for a Variance for a Floor Area Ratio of .56 (.5 allowed) and a Special Permit for a +/- 744 sq. ft. accessory dwelling unit. Additionally, the Applicant is requesting waivers from the accessory dwelling unit provisions to allow for a total area exceeding the maximum allowable 33% of the total building size, and to allow a reduction in required lot size lot (3,865 square feet provided,

13,750 square feet required), and to provide zero off-street parking spaces (one space required), with the condition that a fence would be provided along the property line between the abutter at 71 Barrows Street and the 75 Barrows Street, with installation no later than November 30, 2024.

A roll call vote was taken.

Sara Rosenthal – yes
Greg Jacobsen – yes
Tom Ryan – yes
Norman Vigil – yes
Allen MacDuffie – yes

The motion passed unanimously, 5-0.

Applicant:	SkyGroup Investments LLC (iFly)
Project Address:	930 Providence Highway

For the record, Chair Steeves confirmed that voting members on this application would include himself, Vice Chair Rosenthal, Member Jacobsen, and Associate Member Vigil. Member Mammone voted on the original extension request, however, was unable to attend this meeting and vote on the new extension request.

Attorney Keith Hampe was present on behalf of the application. On October 19, 2022, the Board approved a Special Permit to demolish the existing building and construct a +/- 7,400 square foot indoor sky diving facility and a Variance for the building have a height of 55 feet. This decision was filed with the Town Clerk on November 4, 2022.

At a meeting on September 20, 2023, the Board unanimously voted to approve a request for a six (6) month extension for the Applicant to exercise their Variance rights in accordance with MGL, Chapter 40A, Section 10. The extension was requested due to the amount of time needed to obtain Planning Board site plan approval and a Conservation Commission Stormwater Management Permit.

Attorney Hampe explained that the Applicant is requesting another six (6) month extension to November 4, 2024, to exercise their Variance rights. Due to the unique design of the building, additional time is required to design the stormwater management system and receive the permit.

Additionally, the Applicant's engineers and general contractors are in the process of obtaining Building Permits for demolition of the existing building.

The Chair asked if there were any members of the public that would like to speak on the application, and there were none. The Chair asked if any Board members had questions or comments, and there were none.

Upon a motion made by Member Jacobsen and seconded by Associate Member Vigil, the Board voted in favor (4-0) to approve a six (6) month extension to the November 4, 2022 Variance granted to November 4, 2024.
A roll call vote was taken.

Sara Rosenthal – yes
Greg Jacobsen – yes
Tom Ryan – yes
Norman Vigil – yes

The motion passed unanimously, 4-0.

Applicant:	Michael C. Rizzo, Trustee of the Michael C. Rizzo Revocable Trust & Rajani M. Rizzo, Trustee of the Rajani M. Rizzo Revocable Trust
Project Address:	91 Fox Meadow Lane
Zoning District, Map/Lot:	Single Residence B (SRB) Zoning District, Map/Lot 188/106.
Legal Notice:	Requests a Special Permit to construct a +/- 1,111 sq. ft. two-story side addition; proposed project would intensify a pre-existing nonconforming rear yard setback where 20 ft. is required (14 ft. existing, 5.3 ft. proposed).
Section of Zoning Bylaw:	Town of Dedham Zoning Bylaw Sections 3.3, 9.2, 9.3, and Table 2.

Attorney Keith Hampe and Homeowner Rajani Rizzo were present on behalf of the application.

Attorney Hampe explained that the Applicant's family is growing, and they would like to construct a two (2) story addition to their home so they can remain in Dedham. Because the existing home is a non-conforming structure, zoning relief is needed to construct the addition.

The Applicant is requesting a Special Permit to extend their preexisting, non-conforming home, and a Variance for this home to have a rear yard setback of 5 feet instead of the required 20 feet in the SRB Zoning District.

Given the non-traditional shape of the lot and the topography, the proposed location is the best option and most cost-effective location for the addition. This addition will be both aesthetically pleasing and consistent with the architecture of the neighborhood.

Chair Steeves asked if there were any members of the public who wished to be heard. There were none.

Chair Steeves asked if there were any members of the Board who wished to be heard. There were none.

Upon a motion made by Member Jacobsen and duly seconded by Member Ryan, the Board voted in favor (5-0) to approve a Special Permit to construct a +/- 1,111 sq. ft. two-story side addition; the proposed project would intensify a pre-existing nonconforming rear yard setback where 20 ft. is required (14 ft. existing, 5.3 ft. proposed).

A roll call vote was taken.

Sara Rosenthal – yes
Greg Jacobsen – yes
Tom Ryan – yes
Norman Vigil – yes
Allen MacDuffie – yes

The motion passed unanimously, 5-0.

Applicant:	Eric and Rukhsaar Gregory
Project Address:	128 West Jersey Street
Zoning District, Map/Lot:	Single Residence B (SRB) Zoning District, Map/Lot 137/9.
Legal Notice:	Requests a Special Permit and/or Variance for a floor area ratio of 64.1% (50% allowed) to finish the third floor of a dwelling on a pre-existing nonconforming lot.
Section of Zoning Bylaw:	Town of Dedham Zoning Bylaw Sections 3.3(E), 9.2, 9.3 and Table 2

Attorney Peter Zahka and homeowners Eric and Rukhsaar Gregory were present on behalf of the application.

Attorney Zahka explained the existing single-family dwelling was constructed circa 2018 and has a gross area of approximately 3,972 square feet and a living area of 2,408 square feet. The third floor of the dwelling is not finished. The Applicants would like to add dormers to the dwelling and finish the third floor with a guest room, two (2) offices, and a bathroom. The Applicants, who have two young children, both work from home. The

proposed renovations will accommodate Applicants' work needs and provide accommodations for caretakers for their children.

According to Applicants' architect, there is ambiguity over the appropriate method for calculating the net floor area of the dwelling. Specifically, Applicants' architect indicates uncertainty as to whether interior load bearing walls are included or excluded from such calculation.

The Applicants' architect calculates the current net floor area of the dwelling as 2,949 square feet without deletion of the interior bearing walls, and as 2,899 square feet with deletion of the interior bearing walls; upon project completion, the net floor area of the dwelling is 3,767 square feet without deletion of the interior bearing walls and is 3,701 square feet with the deletion of the interior bearing walls.

Because the calculation of FAR is based on "net floor area", the above ambiguity with calculating the net floor area impacts the calculation of the FAR. Per Applicants' architect, the current FAR is 50.4% if the interior bearing walls are not deleted from the calculation of net floor area and is 49.5% if the interior bearing walls are deleted from the calculation. Upon completion of the proposed third floor, the FAR will be 64.1% without deleting the interior bearing walls from the calculation of net floor area and is 63.2% of the interior bearing walls are deleted from said calculation. Since the maximum FAR in the SRB Zoning District is 50%, the FAR for existing dwelling would be considered conforming or nonconforming depending on the method for calculating net floor area.

Upon completion of the project, the same will still be a single-family dwelling (but will allow the Applicants necessary space to work from home and for their children's caretaker). There will be no change to utilities, traffic flow, no impact on the environment, and the dwelling will be consistent with the neighborhood.

In addition, Applicants will suffer a substantial hardship economically (in having to potentially relocate) if the Variance is not granted. It is further submitted that the desired relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Zoning By-Law.

Carmen Dello Iacono, 145 West Jersey Street, spoke in favor of the proposal. In addition, Applicants submitted a petition in support of the Application signed by twenty (20) residents in the vicinity of the Subject Property including all direct abutters to the Subject Property. No one appeared in opposition to the application.

Upon a motion made by Member Ryan duly seconded by Member Jacobsen, the Board voted unanimously (5-0) to approve requested Special Permit and Variance required to allow the finishing of the third floor of a dwelling on a pre-existing nonconforming lot which results in a floor area ratio of 64.1% (50% maximum allowable) at 128 West Jersey Street, Dedham, MA. In granting of said Special Permit, the ZBA finds that Applicants satisfies the specific requirements of said Section 280-3.3.E(2), 9.2, 9.3 and Table 2 of the Dedham Zoning By-Law, and that after consideration of the criteria in Section 280- 9.3.B of the Dedham Zoning By-Law, the adverse effects of Applicant's proposal will not

outweigh its beneficial impacts on the Town and neighborhood, and determines that proposed modification will not be substantially more detrimental than the existing nonconforming structure to the neighborhood. In granting said Variance, the ZBA finds that a literal enforcement of the Zoning By-Law will involve a hardship to the Applicant and determines that that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or by-law.

A roll call vote was taken.

Scott Steeves – yes
Sara Rosenthal – yes
Greg Jacobsen – yes
Tom Ryan – yes
Norman Vigil – yes

The motion passed unanimously, 5-0.

Applicant:	Dedham 800 LLC
Project Address:	750 Providence Highway
Zoning District, Map/Lot:	Highway Business (HB) Zoning District, the Flood Plain Overlay District (FPOD), the Aquifer Protection Overlay District (APOD), and the Wireless Overlay District, Maps/Lots 136/14 and 136/22
Legal Notice:	Requests a Special Permit to perform work in the Flood Plain Overlay District and a Special Permit for the construction and maintenance of retaining walls with a maximum height of 12.9 feet (4 feet allowed).
Section of Zoning Bylaw:	Town of Dedham Zoning Bylaw Sections 6.5(B), 8.1, 9.2, and 9.3.

Attorney Peter Zahka was present on behalf of the application. At the hearing, Applicant was afforded an opportunity to make full presentation.

Attorney Zahka explained that the Subject Property is currently occupied by a 7,115 gross/6,445 net square foot building and is accessed via a common driveway shared with the adjacent Best Buy/BJ's property to the north. In addition, there is an "access road" between the Subject Property and the abutting property (occupied by Dunkin Donuts and other uses) to the south.

In 2016, Applicant proposed the construction of a new one-story 9,362 gross/8,718 net square foot building at the Subject Property. (The existing TGI Friday's building is to

remain.) On or about October 14, 2016, the Dedham Planning Board issued a "Certificate of Action – Application for a Major Site Plan Review" approving the construction of this new building as well as major upgrades and improvements to the site and parking area, and replacement of the existing "access road" with a new "access road".

Attorney Zahka commented that as approved by the 2016 COA, the re-developed site had 174 parking spaces. The Dedham Conservation Commission had issued an Order of Conditions for the 2016 project. In addition, the Dedham Zoning Board of Appeals previously approved Special Permits for work within the FPOD relating to the 2016 project. The proposed new building and other improvements approved in connection with the 2016 project never progressed due to the filing of appeals of the Dedham Planning Board site plan approvals and the Dedham Conservation Commission's Order of Conditions for the Project by the owner of the abutting property (688 Providence Highway).

The appeals of the Dedham Planning Board site plan approvals have been dismissed in 2019 by the Land Court for lack of standing. Relative to the appeal of the Dedham Conservation Commission's Order of Conditions, the Massachusetts Department of Environmental Protection (DEP) issued a Superseding Order of Conditions on or about September 25, 2023. Since the Massachusetts DEP issued a Final Order of Conditions under the Massachusetts Wetland Protection Act, the Applicant recently applied to the Dedham Conservation Commission for an Order of Conditions under the local Wetland by-law only.

Applicant is now further modifying the previously approved Site Plan. Specifically, Applicant is reducing the proposed new building from 9,362 gross/8,718 net square feet to 7,162 gross/6,670 net square feet. This new proposed building will also be relocated approximately 27 feet to the northeast. As a result of this relocation, ten (10) parking spaces will be eliminated. The existing restaurant building will remain. With this Project, 161 total parking spaces are required, and 163 parking spaces are provided. There will also be minor regrading and new lighting for the Project and replacement of the "access road". In March 2024, the Dedham Planning Board unanimously voted approval of Application for Site Plan Modification for the Project as Modified.

A number of "sustainable strategies" have been incorporated into the design of the proposed new building and the upgraded and improved site/parking area. The new building will include a "green roof" and solar panels, and an electric charging station will be incorporated into the parking lot. The Project will also result in a major improvement of water quality through upgrades to the existing drainage system from direct wetland discharges to low impact drainage design with two constructed pocket wetlands and two rain gardens. There will also be improved wetland habitat value and functionality by the construction of a new wetland which will promote a dispersed water flow between Land Under Water Body and the existing Bordering Vegetated Wetland.

As noted above, portions of the Subject Property are located in the FPOD and APOD. The APOD is north of the proposed construction and no work is proposed in this area. However, work is proposed in the FPOD. The Project will reconfigure the existing site to

increase wetland resource areas including an increase in flood storage. There will be 7,001 cubic feet of flood plain filled. However, there will be 44,152 cubic feet of flood plain created. The net increase in flood storage will be 37,151 cubic feet representing a 6.3:1 ratio (45,152/7,001 = 6.3). The drainage system has been designed in accordance with the Massachusetts Stormwater Regulations and has been approved by the Massachusetts Department of Environmental Protection. Public utilities are not proposed in the flood plain. The proposed new building will not be for residential purposes and will be on "pilings". The lowest proposed floor elevation is 96.5 feet, and the 100-year flood elevation is 91.7 feet. There are no proposed structures that will impede the flow of water.

In addition, the Project includes the construction of retaining walls with variable heights from 4 feet to a maximum of 12.9 feet. The retaining walls were designed on the site in order to allow the proposed wetland and pond to go right up the edge of the wall. This maximizes the amount of new wetlands and new pond area on the site. This Project was extensively reviewed by DEP, and they were satisfied with our design to create additional wetlands and pond.

Attorney Zahka added that the Applicant submits that the requirements and criteria for the issuance of the requested Special Permits for work in the FPOD and for retaining walls is excess of 4 feet in height are satisfied. Specifically, the beneficial impacts of Applicant's proposal outweigh any adverse effects and the proposed change is not substantially more detrimental to the neighborhood than the existing non-conforming use. In fact, Applicant will be significantly improving on the existing conditions. The Project will satisfy the Dedham Zoning By-Law dimensional and parking requirements. In addition, this Project was extensively reviewed by DEP which was satisfied with our design to create additional wetlands and pond. Applicant has also submitted the Project to the Dedham Conservation Commission under the local Wetlands By-Law.

Further, Applicant submits that the requirements and criteria for the issuance of the requested Special Permits for retaining wall in excess of four feet (i.e., maximum height of 12.9') are satisfied. As noted above, the retaining walls are proposed to allow the proposed wetland and pond to go right up the edge of the wall.

No one appeared in support or in opposition of the application.

Upon a motion made by Member Jacobsen duly seconded by Member Ryan, the Board voted unanimously (5-0) to approve and grant the special permits as required to perform work in the Flood Plain Overlay District and for the construction and maintenance of retaining walls with maximum heights of 12.9 feet (4 feet allowed) at 750 Providence Highway, Dedham, MA, in the Highway Business (HB) Zoning District, Flood Plain Overlay District (FPOD), and Aquifer Protection Overlay District (APOD). In granting of said Special Permits, the ZBA finds that Applicant satisfies the specific requirements of said Section 280-6.5.B, 8.1, and 9.3 of the Dedham Zoning By-Law, and that after consideration of the criteria in Section 280- 9.3.B of the Dedham Zoning By-Law, the adverse effects of Applicant's proposal will not outweigh its beneficial impacts on the Town and neighborhood, and determines that proposed modification will not be

substantially more detrimental than the existing nonconforming structure to the neighborhood.

A roll call vote was taken.

Scott Steeves – yes
Sara Rosenthal – yes
Greg Jacobsen – yes
Tom Ryan – yes
Norman Vigil – yes

The motion passed unanimously, 5-0.

Applicant:	Paul Pisano
Project Address:	7 Montague Road
Zoning District, Map/Lot:	Single Residence B (SRB) Zoning District, Map/Lot 136/6
Legal Notice:	Applicant requests a Special Permit to install an 8 ft. tall fence (6.5 ft. allowed).
Section of Zoning Bylaw:	Town of Dedham Zoning Bylaw Sections 9.2, 9.3 and 10.1

Homeowner Paul Pisano was present on behalf of the application.

Mr. Pisano explained that his property abuts a grocery store, and despite the 6' fence he currently has, the store's roof is still visible from his property. He would like to install a new 8' fence to completely screen the store from view.

Chair Steeves asked if there were any members of the public who wished to be heard. There were none.

Chair Steeves asked if there were any members of the Board who wished to be heard. There were none.

Upon a motion made by Associate Member Vigil and duly seconded by Member Jacobsen, the Board voted in favor (5-0) to approve the request for a Special Permit to install an 8 ft. tall fence (6.5 ft. allowed).

A roll call vote was taken.

Scott Steeves – yes
Sara Rosenthal – yes
Greg Jacobsen – yes
Tom Ryan – yes
Norman Vigil – yes

The motion passed unanimously, 5-0.

Applicant:	Noble & Greenough School
Project Address:	10 Campus Drive
Zoning District, Map/Lot:	Single Residence A (SRA) and Single Residence B (SRB) Zoning Districts, Map/Lot 38/43.
Legal Notice:	Requests a Special Permit for the construction of retaining walls with maximum heights of 10.3 feet (4 feet allowed).
Section of Zoning Bylaw:	Town of Dedham Zoning Bylaw Sections 6.5(B), 9.2 and 9.3.

Civil Engineer Paul Avery from Oak Consulting Group, Landscape Architect Benjamin Gleason from Activitas, and Director of Building and Grounds Mike McHugh from Noble & Greenough were present on behalf of the application.

Mr. Avery explained that the applicant is proposing to construct a permanent parking and play space on McLeod Field and the adjacent gravel car park. The areas have long been used for event and student parking, and the Applicant would like to convert it to permanent perking. The existing gravel area will be converted into a play space for middle school students.

Due to the existing topography of the area, the Applicant must install two retaining walls that are more than four (4) feet tall.

Mr. Gleason added that there are two different kinds of retaining walls proposed. The first is a modular block retaining wall to resolve the elevation difference between the proposed turf field and sloped wooded area. This wall will not exceed approximately 8.3 feet in height and will have an elevation of approximately110.29.

The second wall is a stone veneered wall that separates the sidewalk along Campus Drive from the proposed parking spaces. This wall will not exceed approximately 6.5 feet in height and on the opposite side of the wall, a portion of the wall facing Campus Drive reaches approximately 4.5 feet in height.

Chair Steeves asked if there were any members of the public who wished to be heard. There were none.

Chair Steeves asked if there were any members of the Board who wished to be heard. There were none.

Upon a motion made by Member Jacobsen and duly seconded by Member Ryan, the Board voted in favor (5-0) to approve the request for a Special Permit for the construction of retaining walls with maximum heights of 10.3 feet (4 feet allowed).

A roll call vote was taken.

Scott Steeves – yes
Sara Rosenthal – yes
Greg Jacobsen – yes
Tom Ryan – yes
Norman Vigil – yes

The motion passed unanimously, 5-0.

Meeting Minutes
A motion was made by Member Jacobsen and seconded by Member Ryan to approve the minutes of the February 21, 2024 and March 17, 2024 meetings.

Old/New Business
As the ZBA designee, Associate Member MacDuffie provided a brief update and overview on the recent meeting of the Cannabis Working Group.

Vice Chair Rosenthal commented that the Planning Board is scheduled to discuss ADUs at an upcoming May meeting. She suggested the Board attend this meeting if possible, to provide their feedback an experiences with these applications.

Vice Chair Rosenthal also commented that she reached out to Town Clerk Paul Munchbach regarding Board member reappointments for the next term.

Adjournment
A motion was made by Member Jacobsen and seconded by Member Ryan to adjourn the meeting at 8:33 p.m.