

**TOWN OF DEDHAM
COMMONWEALTH OF MASSACHUSETTS**

John R. Bethoney, Chair
Michael A. Podolski, Esq., Vice Chair
Robert D. Aldous, Clerk
James E. O'Brien IV, Member
Jessica L. Porter



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**PLANNING BOARD
MINUTES**

Thursday, May 24, 2018, 7 p.m., Lower Conference Room

Present: John R. Bethoney, Chair
Michael A. Podolski, Vice Chair
Robert D. Aldous, Clerk
James E. O'Brien IV
Jessica L. Porter

Staff: Jarret Katz, Town Planner
Susan Webster, Administrative Assistant
John Sisson, Economic Development Director

The Pledge of Allegiance was recited. Plans, documents, studies, etc., referred to are incorporated as part of the public records and are on file in the Planning and Zoning office. The recording of the meeting was insufficient for transcription, so the meeting was transcribed based on the administrative assistant's notes.

Mr. Bethoney introduced the new town planner, Jarret Katz. He has a Master's degree in Planning Urban Design, and has experience in environmental studies. He had been a principle planner for Woonsocket, R.I. His goal is to bring a creative and encompassing method to planning short and long term.

**INTERVIEWS
ASSOCIATE PLANNING BOARD MEMBER FOR SPECIAL PERMITS**

Gregory Dignan

Mr. Dignan, who is originally from Arlington, has been a Dedham resident since 2004. His wife is a substitute teacher in the Dedham school system, and he has two daughters. He has been a volunteer in sports and PTO for the past 12 years. He applied for the associate member position because it was an opportunity to bring his professional skills to help the Town.

Mr. Bethoney Special Permit process can be long and arduous, and asked Mr. Dignan if he had the time to commit to being an associate member. There are 10-14 Special Permit proposals in the pipeline in the next 12 months. Mr. Dignan said that Dedham has been a prime location for this type of development, and it is very important. Mr. O'Brien noted that he has done a lot of travel in other states, and wondered what Dedham lacks in comparison. Mr. Dignan said that a lot of states lack what Dedham has, citing good leadership and good peo-

ple who care about the community. Mr. Bethoney asked him if he would want to be on another committee if he is not appointed, noting that the Planning Board has appointees on many of them. Mr. Dignan said he certainly would, and that he is always available for the Town. Mr. O'Brien said he sees a lot of evaluations of areas in which the Town does not have expertise. Mr. Dignan particularly noted Everett. He has only service on the PTO in town. Mr. Bethoney told him that the Board will discuss his application and let him know.

Applicant: TGN Associates, LLC
Project Address: 337 Washington Street, Dedham, MA
Zoning District: Central Business
Representative(s): Stephen Rahavy, Esq., 18 Norfolk Street, Dedham, MA
Rob Naser, Owner
Michael McKay, AIA, 35 Bryant Street, Dedham, MA
Anthony Brown, Dedham Savings
Town Consultant: Steven Findlen, McMahon Associates

This is a *scoping session* for a proposed Mixed Use Development.

Mr. Naser said he has participated in and followed a lot of groups focusing on Dedham Square's future over the last two years. There is a demand for housing, particularly with an aging population. The Livable Dedham survey said that 70% want to remain in Dedham. The trend is also for households to shrink in size, and many people want to downsize to single level homes. He said that Dedham needs to be more pedestrian-friendly in every part of town, and that people particularly want to be closer to the center of town, post office, and restaurants. This is what is driving this Mixed Use Development. He proposed multi-unit single level condominiums; these seem to foster a sense of community. He said apartments are more transient, and condos would give people the ability to stay invested in real estate in Dedham. People also do not want the burden of house maintenance, and those who traveled to warmer climates in the winter would like this option. The lot in question is an orphan lot between Washington Street and Maple Place. There will be one floor of commercial space with condos above. He believes it will enhance the vibrancy of Dedham Square.

Mr. Rahavy said the project will require a Special Permit. It will address the needs of the Town. They propose 11 condos, 10 of which would be two-bedroom and one would be three-bedroom. There would be parking for 16 vehicles; 11 is the requirement. The building would be attached to 339 Washington Street (Santander Bank), which is also owned by Mr. Naser. They have met with the Knights of Columbus and reviewed the plans. The project will be zoning compliant.

Mr. McKay showed a context plan, existing and proposed. The building would be connected to the bank on the second and third levels. The parking lot would be restriped. The existing trees would be supplemented, and landscaping redeveloped by adding plants. All zoning requirements would be met. The floor area ratio (FAR) would be .83 for the entire development; 2.4 is allowed. There are currently 30 parking spaces on the site, some of which are subject to Planning Board review due to dimensions. This will be updated as the project progresses. There will be some common use of the spaces at night. There would be first floor office/commercial space.

The condo units would be large and more upscale. There would be balconies on three units; the other condos will have outdoor space. An elevator would be in the corner. The first and second floor residential units would be identical. The third floor would be set back about 16 feet with a sloped roofline and a balcony in front and in back. Renderings were shown. The façade would have stone, rather than brick, on the lower level. There would be Hardie cement board and shingles, and an enclosed garage. The building square footage would increase by 19,000 square feet for a total of 26,300 square feet. It would be 39 feet tall for the living space, and 43 feet tall overall.

Mr. Naser did not think there would be any problems with traffic in the parking lot. The drive-thru hours are 9 a.m. to 5 p.m., and never queues in the lot. The existing drive-thru would be maintained at the same height. Circulation had been improved by the Planning Board in the past. Staging will be up to the contractor, who will manage construction and deliveries. The most impact will be to one of his tenants upstairs in the bank building. He will be renewing his lease and understands that there will be some interruptions to business.

Mr. Podolski asked about the price range. Mr. Naser said that the market sets the price. The proposal is just conceptual at this point, and there are no construction documents. He will be examining new comparable construction.

Mr. Bethoney asked what the average square footage would be. Mr. McKay said it would be 1,500 to 1,600 square feet. Ms. Porter asked about pedestrian access in the alleyway. Mr. Rahavy said the access road is a deeded right of way. She asked if there was bike storage in the garage, saying that covered bike storage is the future. Mr. Naser said that each unit will have a separate storage area. His vision is that people will not use cars as much once they move in. Bathrooms will be handicapped and wheelchair accessible per the building code. Mr. Bethoney said there are bike racks in the Square, and handicapped accessible facilities.

Mr. Podolski asked if there would be units over the drive-thru at the bank. Mr. Naser said there would be units with the elevation facing Maple Place. Mr. McKay will bring a rendering to the next meeting. He said there would be a series of gables six inches from the building. The roof will be asphalt, although no color has been chosen. The design will be like a series of houses with Hardie plank siding.

Mr. O'Brien said the Northeastern report called for this need, and he liked the residential feel. He said that the side facing Maple Place must look as nice as the front to appease the residents. Mr. Naser said it would be. There will be landscaping in back, but nothing for recreation. Mr. O'Brien was concerned about the sun being blocked on Maple Place. He asked if Mr. Naser had thought of any other strategy than a Mixed Use Development, and Mr. Naser said he gave it a lot of thought.

Ms. Porter asked if the top floor would be set back. Mr. McKay said the stair tower connects to the egress and steps down and back. Mr. Podolski wanted to see the elevation on the right side to see how high it would be above the Salem Foods building, which is two stories. The applicant will be subject to total reconstruction of the parking lot, which must totally comply with the Zoning Bylaw. An ATM will be inside the front door of the bank, not free-standing. Mr. Findlen asked if the bank and the drive-thru are open on weekends. The traffic numbers are only for weekdays. They would be open. Mr. Findlen said this will be a major site plan needing a traffic study, and he would look at the Washington Street traffic study.

Mr. Naser asked for Board feedback on the project. Mr. Bethoney said this meeting will give him broad-based guidance and as much to go on as possible, i.e., traffic study. Mr. Findlen asked about the connection between the bank and the condos, and if the bank could be accessed from the site. Mr. McKay said they are attached, but there is no connection. Mr. Findlen will look closely at that. Mr. Bethoney questioned the 6,900 square feet of commercial space. Mr. Naser said it is around 4,000, which is what the lease says. Mr. Rahavy said he copied the Bayside traffic study from the Petruzzello projects on Washington Street.

Mr. Bethoney said that if the applicant believes this is the right approach, he should propose it and the Board will discuss it. Mr. Findlen will decide on the recommendations. Mr. O'Brien liked the project but wanted to understand the connection between the two buildings. He asked if Mr. Naser had considered a stand-alone building, and Mr. Naser said that if this is allowed, they can do that.

Mr. Aldous said he is more interested in pedestrian traffic than vehicular traffic. Dedham Square is not safe for pedestrians, and Mr. Naser will be adding more people. Mr. Naser said the Town has done a great job in improving the Square, and it is up to people to leave their cars at home. Mr. Podolski said the crosswalks in the Square are not safe at all, and in fact are worse than they have ever been. Mr. Naser said this is a signal issue, but Mr. Podolski said the Board of Selectmen has done nothing about this. Mr. Aldous said he has asked for a no turn on red signal to make it safer. Steve Gardos of Maple Place said he has been unsuccessful with David Raftery, and hoped that Mr. Naser would work together with the neighbors. He said the height of the building is very high, and he is worried about the distance to Maple Place.

Mr. Bethoney asked Mr. Naser to promise that he will have answers when he returns. Housing availability in town is very important, and he should make sure to address this when he returns. He said that existing conditions photography is needed, as are scaled versions of the building on the site at various angles, how the building will look coming up the street, site circulation, and site management. He was concerned about having to go through the commercial use to get to the residential use. The applicant will return.

Applicant:	Panera Bread
Project Address:	Dedham Plaza, 687 Providence Highway, Dedham, MA
Zoning District:	Highway Business
Representative(s):	Graham Theodore David Webster, Federal Realty

Mr. Theodore said they would like to move the canopy and menu board five feet up the drive aisle. The transformer will not be relocated as they had planned. There will be no other change. There will be a separate application for the pylon sign. Mr. O'Brien move to approve the proposal as presented, seconded by Mr. Aldous. The vote was unanimous at 5-0. Mr. Theodore will get seven copies of the plan to the office.

Applicant:	Jodaan, LLC, 4 Corners Citgo
Project Address:	197 Milton Street, Dedham, MA
Zoning District:	Limited Manufacturing A
Representative(s):	Peter A. Zahka II, Esq., 12 School Street, Dedham, MA
Town Consultant:	Steven Findlen, McMahan Associates

Mr. Zahka explained that the owners of the gas station would like to discontinue the repair business and expand the building to create a larger convenience store. They would like to make travel one-way behind the building. No renderings were presented. Mr. Bethoney said that East Dedham is undergoing revitalization, and he is not interested in a convenience store unless it looks significantly better than it does today. Ms. Porter advised the applicant to look at the East Dedham Design Guidelines and to add open space.

Mr. O'Brien said that people frequently cut through the gas station despite signage. They also park in front and block the gas pumps, and this needs to be managed better. People seem to want more retail space in the station. A significant portion of the expansion will be for storage. The gas pumps will remain. Mr. Aldous asked if the vacuums would slow down traffic when in use. Mr. Zahka said they are up against the building, but will more than likely be removed. The air machine would be moved.

Mr. Bethoney said that upgrading the site and the building with landscaping and lighting, etc., would outweigh any negative impacts. Mr. Podolski suggested that they strongly consider a one-way exit; there are sufficient ins and outs. There are currently no curb cuts on River Street. Mr. Findlen suggested that they eliminate some of these.

Mr. O'Brien said he would consider redevelopment of the site with 2,500 square feet of retail space if it improves the site. There is no money in gas. If they follow the East Dedham Design Guidelines, create better control of the traffic, and enhance the appearance with plantings, he has no problem with the proposal. Ms. Porter said that pedestrian access safety measures and accessibility need to be improved. Mr. Bethoney said that if the site is significantly upgraded, the proposal is fine with the Board.

The Board took a short break.

Applicant:	Elie on Bridge Street, LLC
Project Address:	22 Bridge Street, Dedham, MA
Zoning District:	General Business
Representative(s):	Peter A. Zahka II, Esq., 12 School Street, Dedham, MA

Mr. Zahka said that the gas station has two bays. The applicant would like to add a third bay solely for vehicular inspections. The State is proposing that stations have a dedicated bay for this. A variance from the Zoning Board of Appeals will be required, although it is probably a grandfathered use. A restriping plan was presented that showed the bay. There will be nine parking spaces; five spaces per bay are required. Mr. Zahka said they are seeking guidance and input on the layout.

The site is lacking in landscaping, but the owner has tried to increase this in a new area. Mr. Zahka said that Mr. Katz may perform the review as opposed to filing for site plan review because of the number of parking spaces. The site is what it is, but the owner has consistently tried to make improvements to make the site work as a gas station.

Mr. Bethoney asked if the new bay would blend with the other two. Mr. Zahka said it will look like it has always been there. Again, the new bay would be specifically for vehicular inspection, so no repair work would be done there. Currently no inspections are ongoing, but they would like to commence these. They improved the parking because of the impact on

traffic. Vehicles would get off the road and not queue onto Bridge Street. Mr. Podolski noted that there are two dumpsters; the owner said that one of them is owned by Waterford's.

Mr. Bethoney asked if the applicant is civically engaged. The owner said he has donated to the Town. Mr. Bethoney extolled the benefits of civic engagement and how it helps businesses. He said the site looks better than it ever did.

Applicant:	Federal Realty
Project Address:	725 Providence Highway, Dedham, MA
Zoning District:	Highway Business
Representative(s):	David Webster, Federal Realty

Mr. Webster said they would like to move one parking space south to coordinate with the existing handicapped space. Mr. Podolski moved to approve the parking space relocation, seconded by Mr. O'Brien. The vote was unanimous at 5-0. Mr. Webster then said they would like to relocate the pylon sign 30 feet south because it conflicts with the drive-thru. Mr. Podolski moved to approve relocation of the pylon sign, seconded by Mr. Aldous. The vote was unanimous at 5-0. Mr. Bethoney asked Mr. Webster where the flag is. He said it is on the approved plan and will be lit.

Discussion: Steve Gardos, 76 Maple Place re: 321 Washington Street

Mr. Bethoney recused himself from this discussion due to a professional relationship between the agency at which he works and David Raftery. He did not participate in any of the previous meetings or discussions, and was not present in the meeting room.

Mr. Gardos returned to discuss 321 Washington Street, which is owned by David Raftery. He has had issues with the lighting spilling over onto his property and poor landscaping. Mr. Raftery was supposed to screen the lighting. Building Commissioner Kenneth Cimeno agreed that there is a problem, and has talked with him many times to try to get his attention to the matter. Mr. Raftery has said he will get an electrician, but has never done that. The light spills onto Mr. Gardos' property enough to cast a shadow. There are light poles in the parking lot, but these are not to plan. The landscaping on his property has died from lack of water, but was also not to plan. He would like a visual barrier between his house and 321 Washington Street.

Mr. Sisson said that former town planner Richard McCarthy reached out to Mr. Gardos in November, and reviewed the plans and the Certificate of Action with Mr. Cimeno. Mr. Sisson will follow up with Mr. Cimeno, and will get Town Manager James Kern involved if necessary. He said the Building Department can probably fine Mr. Raftery.

Mr. Podolski will write a letter to Mr. Cimeno asking him to enforce all the conditions in the Certificate of Action, and to start fining him if Mr. Raftery does not comply in seven days. A copy will be sent to Mr. Gardos. Mr. Podolski asked Mr. Gardos if he wanted more arborvitae planted. Mr. Gardos said the plan calls for that, but they are too small and skinny. They do not live up to the plan.

Mr. Podolski said that the Board sympathizes with Mr. Gardos. The Building Department is the enforcement agency, and the Board unfortunately has no enforcement ability. Mr. Gardos asked what he should do about Mr. Naser's plan. He was advised to stay in contact with

Mr. Naser and involve the neighborhood. He will be notified when Mr. Naser formally files an application.

DELIBERATIONS/DECISION
ASSOCIATE PLANNING BOARD MEMBER FOR SPECIAL PERMITS

Mr. Bethoney returned to the Board to join deliberations for the appointment of an associate Planning Board member for Special Permits.

Mr. Aldous said the applicants do not know what is going on at the Planning Board and building levels, so there is not enough information for the Board to decide. He also said the applicants did not impress him as much as they should. Mr. Podolski agreed. He appreciated the applications, but obviously, Mr. Steeves has by far the best credentials and extensive experience with Special Permits compared to the others. Ms. Porter agreed with Mr. Steeves' experience. She did like Andrew Pepoli and, with the number of Special Permits coming up, the process will require mitigation, in which he has experience. Mr. Bethoney agreed that his resume was good in that regard. Mr. O'Brien, surprised by Mr. Steeves' application, said his experience was fortunate for the Board. Mr. Bethoney suggested that the Board engage with the applicants to get them involved and active in some way. There are appointments coming up, so the Board can consider them. He also recommended that the applicants seek appointment to other boards or committees.

Mr. O'Brien moved to nominate Mr. Steeves, seconded by Mr. Aldous.

Discussion: Mr. Podolski said it would be very difficult to overlook Mr. Steeves' tremendous knowledge and experience. Mr. Bethoney said the Special Permit process is discretionary and not a matter of right. He agreed with Ms. Porter that negotiating with developers is wise so the benefits outweigh the negative aspects. He agreed that Mr. Steeves would do a fine job.

With the motion on the floor, the vote was unanimous at 5-0. Letters will be sent to Mr. Dignan, Mr. Pepoli, and Mr. Curran thanking them for their interest, and encouraging them to serve in some capacity in some way. Mr. Steeves will be notified of the decision via phone and a formal letter. He will be notified when Special Permits are heard. He will be made aware of the obligations of an associate member, and that he needs to be present for all Public Hearings for Special Permits.

ANNUAL REVIEW
PLANNING BOARD APPOINTMENTS TO TOWN COMMITTEES

This discussion was continued, having been tabled previously due to Mr. Podolski's illness.

Master Plan Implementation Committee: This has been resolved.

Transportation Advisory Committee: Mr. Bethoney has been on this committee since its inception. The Board of Selectmen formed this committee to address traffic issues before coming to them. The committee vets whether complaints have merit. Criteria have been set by Jason L. Mammone, P.E., Director of Engineering, who studies the issues and determines if there is a problem. Most problems are perceived, not real; only one has had merit to date. The committee meets very infrequently, perhaps every three to four months. There will be

three vacancies, one of which will probably be filled by Dan O'Neil. Mr. Bethoney said that Mr. Katz should send letters to committee members to see if they are still interested in remaining on it. He noted that James Antonizick will become the chair.

East Dedham Revitalization Committee: Mr. O'Brien is the Planning Board appointee. He said the committee is slowing down, but will resume for the East Dedham Plaza (Delapa) project. Mr. Bethoney said that representatives are needed from precincts 3 and 5, and the Planning Board is the appointing authority for at-large members. Mr. Bethoney said he wants members of districts that are impacted.

Finance and Warrant Committee: The Planning Board has no authority on this committee. Members are appointed from each precinct, along with two at-large members.

Bylaw Review Committee: There is no Planning Board member on this committee. Town Meeting would need to change this. If anyone on the Board believes there should be a voice on this committee, perhaps the Planning Board should lobby for a position.

Historic Districts Commission: There is no Planning Board member on this committee. Town Meeting would need to change this. If anyone on the Board believes there should be a voice on this committee, perhaps the Planning Board should lobby for a position. Mr. Podolski thought the Planning Board should definitely have a member on this, as did Mr. Bethoney. He is not sure that a Planning Board member can be appointed, but Town Council will be consulted. He offered to serve on this.

School Building and Rehabilitation Committee: There is no Planning Board member on this committee. The Board agreed that it should be represented.

Sustainability Committee: The Board of Selectmen appoints all members. There is no Planning Board member on this committee. The Board agreed that it should be represented.

The Master Plan Steering Committee will need a cross-section of representation, as will the Dedham Square Steering Committee, and Fire/Police Rehabilitation and Reuse Committee. Mr. Bethoney asked the Board to think about this. Mr. Podolski voiced his opinion regarding all of this, but the recording was faulty and he could not be heard. He apologized for his outburst.

Mr. Podolski move to adjourn, seconded by Mr. Aldous. The vote was unanimous at 5-0.

Respectfully submitted,

Robert D. Aldous

/snw

