

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, Member
Ralph I. Steeves, Associate Member



Dedham Town Hall
26 Bryant Street
Dedham, MA 02026-4458
Phone 781-751-9242
Fax 781-751-9225

Jennifer Doherty
Administrative Assistant
jdoherty@dedham-ma.gov

Jarret Katz, Town Planner
jkatz@dedham-ma.gov

PLANNING BOARD
MINUTES

August 9, 2018, 7:00 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
Ralph I. Steeves (Public Hearings only)

Staff: Jarret Katz, Town Planner
Jennifer Doherty, Administrative Assistant

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.

Applicant: New Cingular Wireless PCS, LLC
Project Address: 8 Industrial Drive, Dedham, MA
Zoning District: Limited Manufacturing A

The applicant has requested a continuation.

Applicant: Anjom, LLC
Project Address: 235-243 Bussey Street, Dedham, MA
Zoning District: Central Business
Representative(s): Kevin F. Hampe, Esq., 411 Washington Street, Dedham, MA

Mr. Bethoney stated that an amended agenda was posted on August 8, 2018. It had inadvertently been posted incorrectly, omitting the Public Hearing for Anjom, LLC, 235-243 Bussey Street, for a Special Permit for redevelopment of the property for a mixed-use development. The following is a continuation of the Public Hearing. The applicant will be asked to continue the Public Hearing to a date certain as mutually agreed upon between the Board and the applicant's attorney.

Mr. Hampe acknowledged the mix-up on the agenda. He agreed with the Board's request to continue the Public Hearing. Mr. Bethoney said that the Planning Department has corre-

sponded with each member of the Planning Board, and it is willing to hear this as a courtesy to the developer on the evening of Tuesday, August 14, 2018, at 7 p.m. Mr. Podolski said he would not be available because it is his anniversary; he will attend the meeting via conference call. Mr. Hampe agreed to this, and has explained the situation to his client, who has no issue with this.

Ms. Porter moved to continue the Public Hearing until Tuesday, August 14, 2018, at 7 p.m. Mr. Podolski seconded the motion. There was no discussion. The vote was unanimous.

Applicant: Delapa Plaza East
Project Address: 270-290 Bussey Street
Zoning District: Central Business
Representative(s):

- Peter A. Zahka II, Esq., 12 School Street, Dedham, MA
- Erik Immonen, Annino, Inc., Project Architect
- James J. DeVellis, P.E., Project Engineer (arrived late)

Town Consultant: Steven Findlen, McMahan Associates

The request is for redevelopment of an existing shopping plaza to a mixed-use development with approximately 24,646 square feet. Mr. Zahka said he was expecting a representative from the Delapa family.

The Public Hearing was formally closed at the last meeting subject to a couple of issues required further discussion. There have been numerous revisions from the initial presentation. As a result, Mr. Zahka and his client feel that it is a much better project than the initial submission. The Board's comments regarding the ATM area and adding an additional pocket park resulted in significant changes in the project, including making it more publicly oriented with the inclusion of benches and more open green space. There has been a number of building design issues. There was a lot of public comment; Rita Mae Cushman said she liked the initial project envisioned many years ago in terms of architecture. In general, the applicant was pleased to hear that most of the comments seemed to generally agree that this new project is light years ahead of what is on site now. There have been changes in materials and color, and a lot of discussion about the East Dedham Design Guidelines. Mr. Zahka said this is the only project that submitted a detailed written analysis of how these guidelines were applied to the project, and this improved the project. There was also discussion about tearing the building down and moving it forward; the guidelines do not require this. He said that the design guidelines do not replace the Zoning Bylaw; the difference between the two was discussed at length.

General safety issues for pedestrian and vehicular traffic were discussed at length; this is always done as part of the Planning Board's review process and by the peer reviewer. Mr. Zahka believes that this has been accomplished, i.e., sidewalks. It is safer in terms of getting from place to place from a vehicular and circulation viewpoint, as well as pedestrian. Mr. O'Brien had raised the issue of whether the building itself would be safe. A letter had been submitted during the initial review from a structural engineer and the architect, who knew that it must be safe. Per State law, the methods of construction are beyond the scope of any Zoning Bylaw and must follow the State Building Code. Mr. Zahka said they would gladly submit that they know they have to do test borings and a structural engineer must be brought in to convince the Building Commissioner that the building, as it is, can be augmented to be safe. This will be supplied to the Board as the project unfolds.

Mr. Zahka has drafted a Certificate of Action, which he explained to Ms. Porter, who is new to the Board. The real meat of the decision is the waivers and conditions. Many conditions are not unique to this project and have the standard language, i.e., modification methods, pre-construction conferences, Planning Board access during construction, etc. A construction management plan will be created, and the Order of Conditions and stormwater management permit from the Conservation Commission will be cited. There are specific conditions that relate specifically to this project. He asked that the Board review this and amend it as it sees fit.

At the last Public Hearing, they discussed the affordability component and access to behind the Fire Station for future municipal parking lot development. Mr. Zahka said that the access issue is not new. There had been discussion well over a year ago regarding the need or potential for a municipal parking lot behind the Fire Station. This is still in process and dialogue will be ongoing. Mr. Zahka said that he had cautioned everyone about what the bylaw says regarding mixed-use buildings and municipal parking lots. He worked with former town planner Richard McCarthy, and said there was an issue as to whether or how this area could be developed as a municipal parking lot. This is a special flood zone, and it is also in a water body that is classified as a river under the Rivers Act. If it is measured 200 feet from what the GIS shows is the bank, only about 50 feet of space is left for redevelopment before the Fire Department property is reached. The other question is that no one knows if there are restrictions on the development of that land. There had previously been a question of whether the State or the Town owned it. The applicant is more than willing to continue these discussions, but it is to be noted that the access point for a municipal parking lot would be on his property. If the access point is too high or too low, it would basically make his property not workable. There are also liability and other issues. There is access to this from the left of the Fire Station, but Mr. Zahka is not sure if the Fire Department uses this for parking. He said they are not opposing it, but they need to see the specifics. He does not think the Town would develop the area for a municipal parking lot if there were only four parking spaces; it makes no sense economically. Again, this is an open discussion.

Mr. Zahka applauded the Town for raising the issue of affordable units. The Town usually raises it in terms of the 10% requirement. The applicant has not proposed any, and the Delapa family is not authorizing any to be proposed for a number of reasons. This was also discussed with Mr. McCarthy well over a year ago when he and Mr. Zahka were drafting language to go into the Zoning Bylaw. There is no bylaw that requires discussing an affordability component. When the mixed-use development bylaw was re-written, something was added saying that anything over 10-15 units would require the addition of a minimum of 10% affordable. The thinking at that time was that this was too radical a change, and it would be re-visited at a later date. Every developer Mr. Zahka talks with, not only in Dedham, goes through the bylaw. There are developers who will not propose a project if there is an affordable component. There are others who will propose a project, but clearly have to keep economics in mind in doing so. The applicant has met with the residents of East Dedham at Mother Brook Arts and Community Center on several occasions. As a result of that, they went from 39 units down to 26 units. In addition, they would like to see a mixture of the units, i.e., two bedroom and one bedroom units as well as studios. The response they received at the community meetings was that the neighborhood was not looking overly favorably at an affordable component, saying there were enough affordable units or public housing in the neighborhood and it should be distributed elsewhere.

Mr. Findlen performed peer review of the project on behalf of the Planning Board. This peer review was paid for by the applicant. He has had long, detailed discussions with the applicant going back to February 2018. He first identified 19 or 20 issues that were discussed in detail at the last meeting. The issues were related to the site itself including access, safety, and accessibility. The applicant has responded accordingly and addressed these. There are waivers included in the application that were discussed in the past. Some waivers have come from comments or may have been addressed. After a detailed review of the site, the plans, and the application, he said the plan before the Board is according to the Zoning By-law and they have done everything he has asked them to do. Ms. Porter asked Mr. Findlen if he had looked at the new pedestrian crossings. Mr. Findlen said this was brought up at the last meeting and there was discussion about making a direct connection from the building to the ATM, but he has not seen this. The audience had no questions for Mr. Findlen.

Mr. DeVellis said highlighted the two changes on the landscape plan since the last meeting. He identified the pocket park with a sitting area and landscaping. The second issue was how to get people from the street to the building without having to cross traffic. The kiosk area has been restructured and rebuilt, and the area has a new crosswalk perpendicular to the traffic. To get to the pocket park new curb cut, there will be a landscaped island that will go to a reconstructed sidewalk. At the pocket park, there is a new perpendicular sidewalk in There will be sidewalks at both corners and the middle, all of which are handicapped accessible. Mr. Findlen said this is what he asked for at the last meeting. He asked about signage, and Mr. DeVellis said there were no changes to the sign package.

Mr. Bethoney asked Mr. DeVellis if he had a rendering of what the landscaping will look like in the pocket park and in and around the kiosk. Mr. DeVellis did not. Mr. Bethoney asked how the Board would know what landscaping would be going in there and what it will look like. Mr. DeVellis explained that this from a bird's eye view on the plans. He said there will be low shrubs on the outside for traffic safety purposes. There will be eleven low shrubs and two street trees that will be mulched. The location of the American flag was shown. The pocket park was shown on the plans. As the sidewalk goes along, it dips toward the fire station. There is an existing tree, and they will have another tree in case it doesn't make it. Three medium-sized trees will go against the building so there will be no visibility issue, and there will be four low shrubs and mulch. As you come off the sidewalk, there will be cement concrete pavers, two benches, and the curb cut.

Mr. Podolski asked how they were calling out the crosswalk and whether it will be painted. Mr. DeVellis said it will be painted on the asphalt. Mr. Podolski asked about a speed hump to slow people down, and Mr. DeVellis said this has not been discussed much, but they have not had a lot of success with this. Mr. Podolski suggested a small hump or a rumble strip that would force cars to stop and slow down. Mr. DeVellis said they could cut it into the pavement with cement concrete. Mr. Bethoney suggested red pressed bituminous that rumbles a little bit. Mr. Podolski wanted to see this called out better. Mr. Bethoney and Mr. Podolski thought it would look better than paint because paint wears off and does not protect anyone.

Mr. Aldous was not happy about getting rid of more parking spaces, citing the pocket park and changing the kiosk. He realizes that Mr. Delapa does not need them, but he is "throwing away parking spaces," noting that the mixed use building across the street got in trouble for having very few. He said that people cannot see inside the kiosk because of the plants, and he wants it safe as there had been previous criminal activity. Mr. Zahka said that it would be

a safer area now that they have added benches and made it a public spot. The bushes have been designed to be low and not block anyone. He agreed with Mr. Aldous about the parking space issue, and said that Mr. Delapa has about what he needs, which is about 146 spaces. They ran the numbers and did a comparison, as did the peer reviewer, using the ITE handbook. They would object if someone suggested taking out any more spaces. The 146 spaces are actually an improvement over the existing conditions. There is currently a 34 space deficit, and they are actually reducing this by over nine spaces according to the Zoning Bylaw. By eliminating the commercial in the rear and adding residential, they bring this deficit down. The site will be monitored 24/7, and there will probably be some monitoring of the parking lot as well, so it will be safe. If in fact the lot is being used by too many other people, Mr. Delapa will take action. The 146 spaces works, especially with the mixture of the tenants; they hope that the Post Office will move to the front of the building. There will be businesses that will be closed when residents come home, and 22 residents will have parking under the building.

Mr. Podolski said he reviewed Mr. Zahka's decision, and it mentioned that the proposed parking under the building will not necessarily be up to standard size. Mr. Findlen looked at the architectural set, and it looks like the spaces are 9' x 18' with a 22 foot drive aisle, for which they are asking for a waiver and a condition that the under-building spaces can only be used by the residents. Mr. Bethoney said that they will review the waiver requests later. Mr. DeVellis said that the aisle will be one way.

Ms. Porter asked if all the tenants would be applying for underground spaces. Mr. Zahka said there have been preliminary discussions. What has been successful in other mixed use buildings in Dedham has been that residents are provided with a sticker. He said it can be gate-controlled by the residents. Ms. Porter asked if more than 22 cars would be able to use it. Mr. Zahka said no. The lease will specify if the tenant has rights to that parking. She asked about putting electric car charging in the underground lot or in the surface lot for the tenants, saying that if she was building a parking lot now, she would put one in. Mr. Zahka said they had not. Mr. Bethoney said that if she had brought this up earlier, he would have supported it and requested it be located somewhere. He also said it would be smart for the applicant to do it regardless. Mr. Zahka said he will run this by the applicant, but it does not need to be a site plan issue, however. Ms. Porter then asked about access to the site on the second floor. On the Sawmill Lane side of the building, it looks as though the parking spaces go right up to the building rather than having a sidewalk that would help pedestrians avoid the traffic aisle. Mr. Bethoney said that if they added five feet of sidewalk, there would be no drive aisle, so this cannot be done.

Ms. Porter had a different opinion from Mr. Aldous regarding the parking. She would be fine losing some parking spaces and have more landscaping and better pedestrian access. She said the applicant may have a larger parking lot than they might require. Mr. Podolski asked whether all the compact spaces against the building were called out on the plan; Mr. DeVellis said they were. Mr. Bethoney made a recommendation that, when a plan is presented to the Board and there is anything less than standard, the applicant should state this to the Board in all cases so the Board does not have to delve into this. He did not recall discussing any of these things or hearing them throughout the meetings, and it should have been presented by the engineering experts. He was particularly talking about the aisle on the right side where the spaces are right up against the building. Mr. Zahka said this is 24 feet. He said they stated that they have within the 25% of compact spaces per the bylaw require-

ment. He submitted a written waiver for the garage and the aisle widths, but acknowledged that they could have done it more explicitly.

Mr. Podolski cited the plan near the proposed pocket park, and asked clarification on the five foot strip that goes along the boundary and then juts out. Mr. DeVellis said they have a five foot area on the property line before the pavement starts, and there is one area where the Fire Station encroaches onto the property. The area where it juts out will be landscaped.

Mr. O'Brien asked whether Mr. Delapa would proceed with a new building in front if all this is done and it is found that the building is not structurally sound, or whether he would not continue with the project. Mr. Zahka, speaking hypothetically, said they probably would not proceed. They are trying to anchor CVS, so there are ways around it, but he does not know the answer since it has never come up. Mr. Delapa has confidence that he will be able to do the project either as is or by augmenting whatever needs to be done to make it happen. He has spent a lot of money to date presenting this project as it is before the Board. Mr. O'Brien said he would feel more comfortable if he built it in the front, and said it could be called Delapa Square rather than East Dedham Square; that would be his legacy. Mr. Zahka said that the project, since Day 1 in 2007, has been a great project, and this is why it is still going. If it does not happen because of structural issues, he will encourage Mr. Delapa to look at exactly what Mr. O'Brien said.

Mr. O'Brien said he did not think the project is good or right for the neighborhood. He was tired of hearing the neighborhood told to "take what you we're going to give you or else there will be nothing." He said the building has been slowly sliding into the brook since 1968 and is ready to fall down. He had a three-page list, given to him by Norfolk County Commissioner Francis O'Brien who used to live where Dedham Savings is, of what the neighborhood used to be: five grocery stores, four shoe stores, two drugstores, three barber shops, two hardware stores, two dentists, plumbers, two social clubs, etc. He said the community was very vibrant until redevelopment. The applicant is now going to pile on what is already there, and this is not a legacy. Mr. Zahka did not understand how leaving the building as it is currently would be better than the proposal. Mr. O'Brien said that if Mr. Delapa wanted to do something for the neighborhood, he should have asked the neighborhood; it was not like Mr. Delapa did not have the money. Mr. Bethoney asked Mr. O'Brien to move on from this debate.

Mr. Findlen reviewed the project carefully and made multiple reports. Mr. Podolski had asked about snow storage, dumpster locations, how deliveries would be made, loading, etc. Mr. Findlen said the project has been extensively reviewed in great detail. His review letter in May asked in #14 about trash and loading operations, and circulation of the trash and delivery trucks. He touched on this at the last meeting. The applicant has provided those details with turning movement diagrams, and Mr. Findlen said they can adequately access the site. Issue #16 addressed snow storage, and the applicant showed the area where it will be, and said that excess snow will be removed from the site. Mr. Bethoney asked if he was satisfied that everything functions and works well on the plan. Mr. Findlen said that everything that they have provided that was not up front or not working at the beginning has now been addressed and conforms to the Zoning Bylaw. He said the review has been ongoing for several months, and the plan has evolved from the original to what it is today as a result of this.

Mr. Findlen did mention that this is the first time he has seen the new plan, however. He said that he did not want to clutter the site with signs, but given the vicinity and location of people coming into the site very close to the pocket park, he would like something to calm the traffic speed. Mr. DeVellis said they could put in a crosswalk with an arrow. Mr. Findlen was satisfied with that. All the crosswalks within the pavement will be stamped red bituminous.

No one from the board had any further suggestions on improving the site. No one from the community or the rest of the audience had any comments. Enis Mattozzi, 20 Emmett Avenue, said the Board does not have an easy job, and they have worked hard for this. She had every confidence in them. As for the project, she would like to see a little more clarity on what the applicant is actually doing. She does not feel comfortable enough to say they are going in the right direction. They are working hard, but they have got to make it work. As an aside, Mr. Zahka and Mr. O'Brien said they are very good friends and will always be very good friends.

Mr. Zahka went over the waiver requests. He said that this is a redevelopment site, and the Zoning Bylaw provides that everything be brought into conformity to the extent feasible. He believes they have done that.

1. Waiver from the aisle width requirement as shown on the plan to be less than 24 feet. He said that with minor exceptions, they are 24 feet. The primary exceptions are along the northern and easterly property lines because of the building location. In those areas, they have made it one-way. In addition, it looked like it was wider, but when the surveyor came out, it turned out that historically there had been five feet of pavement on the outside, which they are removing as part of the project. Anything new, especially the main parking field, meets the requirements.
2. Waiver to provide only 10% landscaping. Currently there is essentially no interior landscaping. There is no real frontage strip requirement in the Central Business district, but they are proposing five feet along all the sides where they can. This allows for the balancing of the parking required. It is very unique in the Central Business to have a lot of parking lots, so the issue of the 10% does not come up most of the time. He believes that they will have 10% plus. Perimeter parking is the same. They have provided it wherever they could. In the back, they removed five feet of pavement on the property. They will work with the Conservation Commission on off-site work by putting in a trail and cleaning it up; Conservation Commission did not want landscaping. Mr. Podolski asked if the five feet that is over the line is across the whole rear. Mr. DeVellis showed where it is on the plans, saying that in one area, they will pave right up to the property line, but not on it. Landscaping will be provided in one area noted on the plans.

Ms. Porter asked about the narrowest spot of 17 feet, and if it is right by the entrance to the residences, which it is. The elevation is not totally clear to her. There will be no sidewalk there. She asked, if someone parks in the front parking lot, how they would get to their apartment. She wondered if they needed to go around the back, but Mr. Zahka said there is a front entrance with a hallway.

3. Waiver of the scale of the plan.

4. Waiver for aisle width and parking space requirements for the spaces under the building. There will be a condition in the decision that it be restricted to residential tenants only. People will park there on a regular basis, and the size of the spaces and aisle will be sufficient for the use.
5. If the Board determines that an actual waiver from parking is required, he will request that. Under the Zoning Bylaw, the 26 units need to provide 26 spaces, and the Board will need to make a determination that the balance of the spaces that they have, 120 spaces, is sufficient for the commercial uses.

Mr. O'Brien said he will not approve the project. He asked how that would hold up with regard to the waivers. The applicant needs waivers for the parking lot according to the bylaw, and he asked how that would help the neighborhood. There may be some areas on the waivers on which he may agree, and asked if his disapproval would mean he said no to all the waivers. Mr. Bethoney said he would be voting no on the project, inclusive of the waivers. Mr. O'Brien asked, procedure-wise, how he would vote on that. Mr. Bethoney said the applicant needs four votes for a Special Permit. If the other four members vote yes, then the waivers will pass when taken up separately, and then the project would pass. He said that there will be a second on the motion and then discussion, at which time Mr. O'Brien could make his thoughts heard.

Ms. Porter is aware that the project has gone to the Design Review Advisory Board, but asked if the changes that have been made require them to review it again. Mr. Zahka said they were shown the changes. They made a change to the color, but were generally favorable to the project. There were comments that were well beyond their scope. They were specifically shown the kiosk. One of the things he listed on the record plans was the materials and color list that was submitted by architect Douglas Annino. This has the new color and elements were put in as a result of the DRAB meeting. Ms. Porter asked if they met with DRAB twice. Mr. Zahka said they had the changes when they went to them.

Mr. Bethoney asked Mr. Katz if there was a recommendation letter in the file from DRAB. Mr. Katz said he believed they voted on it. Mr. Bethoney said the Board should have that information and a letter for every project. Consideration from the Board should take into account the recommendations from Engineering, Design Review Advisory Board, etc. This should be available to the Board for consideration during deliberation.

Mr. Bethoney said that the Board received a letter from Carey Reid, asking the Board to consider the project from his perspective. This letter is in the applicant's file. He noted that there is no date on the letter, and asked Ms. Doherty to find out when it might have been received. Mr. Podolski said he received it via e-mail on August 7, 2018. He said that Mr. Reid is obviously invested in the project, and he agreed with Mr. O'Brien that if it is going to be renovated in the same area, he would encourage that it be checked. Mr. Podolski said he made some very good points, and he understood, but it was way beyond the East Dedham Design Guidelines to request that an owner demolish a building as opposed to renovating it. He did not think the guidelines have the legal ability to require it. If it comes down to allowing the applicant to renovate the existing building or it stays the way it is, he will vote to approve the renovation.

Mr. Bethoney asked if the Board was ready to make a determination on the project. Ms. Porter said she was, but had not had a chance to read the Certificate of Action. Mr. Bethoney

said the Board was not voting on that at this time. The vote will be subject to a mutually agreeable Certificate of Action if approved. Mr. Podolski, as an attorney, will give his guidance and expertise on that with the Board's input, and then it will be voted upon.

Mr. Bethoney said he would like to poll each member to see where he or she stands before seeking a motion. If the applicant does not have four votes, he wants to know why and then seek to come to resolution.

1. Ms. Porter said she was torn. She worried that it would be setting a precedent that gives property owners incentive to let their property fall into disrepair. That will lower the bar and expectations of the community. She said the community is desperate to have the property redeveloped because of the state that it is in. On the other hand, based on the research she has been doing to better understand the economics of redeveloping this property, it seems that it would be difficult to move the building closer to the street without adding significantly more units. She is not sure that (more apartment units) is what the community wants.
2. Mr. Podolski said his support of the project is in no way condoning the condition in which the building is now. He said that Mr. O'Brien's point that it should be torn down and rebuilt made him think about Dedham Plaza, which was built about the same time. It has become a beautiful building via renovation. The façade is nice, the parking lot is being improved with islands and walkways, and there will be nice activity in the Shaw's end of the plaza. If those owners came in now, having done nothing to the building for many years, would the Board tell them to tear it down and build something else? He said the Board does not have the authority to tell an owner to tear something down and rebuild it in a different spot. He would vote to approve.
3. Mr. Aldous said he has listened long and hard. He was on a committee to rebuild East Dedham last time. They worked very hard and they were in touch with all the residents, who came to the meetings because it was quite important to them. To be able to discuss it with the people who will have to live with it was wonderful. Right now, he is in favor of the proposal and would vote to approve it.
4. Mr. O'Brien said he is still voting no. He fully understood Mr. Podolski's comments, and he does not want to tell an owner what he should or should not do. However, he just thinks that this is not a legacy. He does not see any gain for the neighborhood. Instead of seeing a building in the state that it is in right now, they will get less commercial and something a little better than the way it looks now. He said that Mr. Delapa is the one gaining from this. If Mr. Delapa wants to leave a legacy, he should do a better job than this. He said that he may be too emotionally involved because he lived there and this is what he has seen. He had neighbors with the same opinion.
5. Mr. Steeves is not voting on the project, but he did make the following comments: "Mr. Aldous and those on the previous renovation did the best they could at the time. Now it will be renovated to make it look fine again. He thought this was a great proposal and will make East Dedham."
6. Mr. Bethoney said he will vote to support the project and move forward. He appreciated Ms. Porter's observation that this may be strategic and in fact well planned so

that “when it gets so bad, they’ll give me what I want.” This may be true. It was first before the Board in 2007; it is now 2018, and maybe the applicant thought “the folks in the Town of Dedham will wake up when the place rots around me.” That may be true. He has to weigh the benefits to the community overall, and he think the overall benefit is the development being proposed. It cannot be debated that it will be significantly better than what is there today, all around. He could have proposed a building that would be more in keeping with the guidelines. Unfortunately, the Planning Board does not have the regulatory power to demand this. It only has the ability to consider what the developer is ultimately willing to propose through the careful review that the Board has gone through. With the Board’s expertise, passion, and desire to make the project the best it can be, they have been informed by the developer that this is it. He said he is ready to move forward and approve the project based on those sentiments.

Mr. O’Brien commented (*unintelligible*). He wished Mr. Delapa a long life. Mr. Bethoney thanked the applicant for making this proposal.

Vote on the Waivers:

1. Aisle width
2. Interior landscaping
3. Perimeter landscaping
4. Scale of site plan
5. Aisle width and parking space
6. Additional parking space waiver

A detailed description of each waiver proposed by the applicant is in the file. Mr. Aldous moved to approve the waivers as presented. Mr. Podolski seconded the motion. The vote was 4-0-1, with Mr. O’Brien voting present.

Mr. Zahka said there were a number of Special Permits on which the Board needs to vote:

1. Approve the project as a major nonresidential project (MNP)
2. Approve mixed-use development as presented
3. Approve to allow the building height to be measured from Bussey Street subject to the condition that it not exceed 40 feet
4. Approve one existing free-standing ATM to remain on site as it exists and as shown on the plan, which will be improved and enhanced, and to not allow additional free-standing ATMs on site
5. Approve restaurants up to 5,000 square feet of floor area total and up to 200 seats total
6. Approve subject to all Special Permits being mutually agreed upon Certificate of Action

Ms. Porter said they did not talk about the restaurants (*unintelligible*). Mr. Zahka said he did mention it. The East Dedham residents had said that it would be great to have a full scale family restaurant in East Dedham. Ms. Porter saw this as a value to the community (*unintelligible*). Mr. Bethoney asked Mr. Findlen if this had been a consideration in the review as far as parking, etc. Mr. Findlen said he believed it was (*unintelligible*). It was determined that the applicant used ITE on shopping center, so that certainly includes a restaurant component in ITE. Mr. Zahka said that 5,000 square feet is not an unusual size. In his application,

there was an appended breakdown by store, including seats, which he reviewed with the Board.

Vote:

1. Mr. Podolski moved to approve a Special Permit for a major nonresidential project (MNP) for revitalization of Delapa Plaza as proposed. Mr. Aldous seconded the motion. Mr. O'Brien asked for discussion regarding calling the project "nonresidential." He asked how much commercial square footage there is vs. residential square footage since the applicant is taking commercial space out in the back of the building. If the ratio is now more commercial than residential, it is a residential building, not a commercial building. Mr. Zahka said that, under the bylaw, you only need 10% of the building to be commercial. Mr. O'Brien said the first floor is 24,000 square feet, the second floor is 9,600 square feet, and the third floor is 9,134 square feet, so the residential is less than commercial. Mr. Zahka said that, according to the mixed-use development bylaw, it is a major nonresidential project because, overall, he counted everything over 25,000 is under the major site plan review provision.

Vote: Ms. Porter yes, Mr. Podolski yes, Mr. Aldous yes, Mr. O'Brien no, Mr. Bethoney yes. The vote was 4-1 to approve.

2. Mr. Podolski moved to approve a Special Permit as characterized as a mixed-use development as presented. Mr. Aldous seconded the motion.

Vote: Ms. Porter yes, Mr. Podolski yes, Mr. Aldous yes, Mr. O'Brien no, Mr. Bethoney yes. The vote was 4-1 to approve.

3. Mr. Podolski moved to approve a Special Permit for the applicant to be allowed to build a building with a height measured from Bussey Street, not to exceed 40 feet from the flat part of the roof. Mr. Aldous seconded the motion.

Vote: Ms. Porter yes, Mr. Podolski yes, Mr. Aldous yes, Mr. O'Brien no, Mr. Bethoney yes. The vote was 4-1 to approve.

4. Mr. Podolski moved to approve a Special Permit for one ATM to exist as is and as shown, and not more than one on the site. Mr. Aldous seconded the motion.

Vote: Ms. Porter yes, Mr. Podolski yes, Mr. Aldous yes, Mr. O'Brien yes, Mr. Bethoney yes. The vote was 5-0 to approve.

5. Mr. Podolski moved to approve a Special Permit to allow a total, and not more than, 5,000 square feet of restaurant space and not to exceed in total 200 seats within that 5,000 square feet of restaurant space. Ms. Porter seconded the motion.

Vote: Ms. Porter yes, Mr. Podolski yes, Mr. Aldous yes, Mr. O'Brien no, Mr. Bethoney yes. The vote was 4-1 to approve.

6. Mr. Podolski moved that the Certificate of Action proposed in draft form shall relate to and cover the Special Permits issued here tonight, #1-5, subject to a mutual agreement between the Planning Board and the applicant prior to execution. Mr.

Aldous seconded the motion. Ms. Porter asked for discussion regarding review. The applicant will agree that, based on standard operating procedures, the project, after it is fully up and operational, the Planning Board will have an opportunity to fully review the project for compliance and operation.

Mr. Zahka reviewed the standard language. The applicant agrees that, no later than one year from the date of approval, a written report with the planning director detailing the progress and where it stands. The planning director will be contacted by the applicant upon completion of the project to verify that the project has been completed in full compliance with the specifications. A report from the applicant's engineer will be submitted showing that it has been constructed in accordance with the plans, which will be reviewed, after which a certificate of compliance will be issued. As-built plans will then be submitted. Following construction and prior to issuance of the final Certificate of Occupancy, the applicant will provide an as-built plan to the Planning Board, Building Department, Board of Assessors, and Department of Infrastructure Engineering. The applicant will also pay the peer reviewer.

Ms. Porter was concerned about the people on Emmett Avenue regarding sound. She asked that precautions be taken to make sure the sound does not affect the neighborhood. She thought they discussed a review six months after the building was in operation to check in with the neighbors to see if they were satisfied. The architect had offered that there was one extra provision that they could do if there was a problem with sound. Mr. Bethoney said he believed the language covers everything, and Mr. Podolski agreed. This means that, after it is built and in operation, the Planning Board has a review. If there is any finding that is adverse or contradictory to the Certificate of Action, the applicant has an obligation to correct this. Mr. Zahka said that site lighting, which is in the Certificate of Action, will be checked by the Planning Board prior to any new occupancy permits being granted, to verify the adequacy of lighting on and off the site, as will sound. He will work that into the Certificate of Action. Ms. Porter said the residents will notice more than they did before (*unintelligible*). Mr. Zahka said a six-month review is fine. Mr. Bethoney said the language should be broad enough that if there is any detriment or negative impact to the neighborhood as a result of the project, it would be reviewed and the applicant would commit to addressing it.

Vote: Ms. Porter yes, Mr. Podolski yes, Mr. Aldous yes, Mr. O'Brien yes, Mr. Bethoney yes. The vote was 5-0 to approve.

Mr. Zahka said there was a lot of time and effort from everyone on this project, and he appreciated everyone's opinion and the fact that opinions could be expressed freely. Mr. Bethoney, on behalf of the Board, thanked the development team, and wished the Delapa family a lot of luck on the re-development of the property. He asked if they had any guess-timate on when the project would be started; Mr. Zahka did not. The decision has to be filed and there is a 20-day appeal period. Mr. Bethoney said the Board's concern is that this is done before the building falls down. Mr. Zahka assumed that it will be the spring because there is a lot of pre-work to do with the engineers and the architects. If there is any change to the plan, they will return to the Board.

Applicant: T-Mobile Northeast
Project Address: 123 High Street, Dedham, MA
Zoning District: General Business
Representative(s): Martin Cohen, Esq., Network Building and Consulting, LLC
Town Consultant: Steven Findlen, McMahan Associates

The applicant is requesting approval for modification of a building-mounted wireless communications link. Mr. Cohen said it is an existing on-air facility occupied by T-Mobile on the rooftop of the Mother Brook Arts and Community Center. Several years ago, the Board permitted the facility as a lessee of the Town, which gets monthly rent. There are existing antennae on the rooftop in three sectors. They would like to replace three of the six antennae with upgraded antennae. These new antennae are less than an inch longer than the existing ones. They would also like to add three cables connecting to the radio equipment on the ground behind the building. These will be in an existing cable tray that runs along the rooftop; it is not visible. They would like to remove two cabinets and replace them with just one upgraded cabinet. When it is done, it will look the same as it does now.

Mr. Findlen stated that he has not seen the application and therefore has not reviewed it. Mr. Podolski said he had no issue with this going forward without peer review.

Mr. Aldous asked why he sent two of the same picture. Mr. Cohen said that one is an existing conditions photo, and the other is the proposed. This shows that they look the same. Mr. Aldous asked that in the future, these be labeled for clarity. He asked that the ground wire be checked; Mr. Cohen said it was 2AWT all the way to the ground. Mr. Aldous was satisfied. No one else on the Board had any questions.

Mr. Podolski moved to approve as presented, seconded by Ms. Porter. The vote was unanimous at 5-0.

The Board took a five-minute recess.

Applicant: Renato Reda, Trustee of Motherbrook Realty Trust and Trustee of Roma Realty Trust
Project Address: 20-30 Milton Street and 36 Sawmill Lane, Dedham, MA
Zoning District: Central Business
Representative(s):

- Peter A. Zahka II, Esq., 12 School Street, Dedham, MA
- Michael McKay, AIA, McKay Architects
- Antonio Reda
- James J. DeVellis, P.E., Project Engineer

Town Consultant: Steven Findlen, McMahan Associates

Mr. Bethoney recused himself from this Public Hearing due to a professional relationship between the agency at which he works and the applicant. He did not participate in any of the previous meetings or discussion of the proposal, nor was he present in the building.

Mr. Podolski assumed the chair. In the absence of Mr. Bethoney, Associate Member Ralph Steeves joined the Board for this Special Permit project.

Mr. Aldous moved to open the Public Hearing, seconded by Ms. Porter, voted unanimously 5-0. Notice of the Public Hearing was published in the Dedham Times on July 20, 2018, and July 27, 2018. Abutting towns and abutters within 300 feet were notified on July 9, 2018. Mr. Aldous moved to waive the reading of the Public Hearing notice, seconded by Mr. O'Brien, voted unanimously 5-0.

The application is relative to 20-30 Milton Street and 36 Sawmill Lane. The property at 36 Sawmill Lane contains a Dunkin Donuts, which was approved separately through site plan review. However, the two properties share driveways and a common parking lot that are combined for zoning purposes. The total site has in excess of 45,000 square feet, of which about 35,000 square feet is on the Milton Street side. There is 380 feet of frontage on Milton Street and 78 feet of frontage on Sawmill Lane. The property is in the Central Business zoning district and contains a two-story office building with a little over 12,000 square feet of gross floor area. On the Sawmill Lane side is a Dunkin Donuts that has about 1,776 square feet of building with a drive-thru. There are approximately 60 parking spaces on the site.

The proposal is to convert the existing office building at 20-30 Milton Street into a mixed-use building. There have been two scoping sessions. In October 2017, a three-and-a-half story building was proposed with 16 apartments on two upper floors. After listening to the Board and the neighborhood, they returned in February 2018 that reduced the project. The new proposal would have about 6,000 gross square feet and about 4,500 net square feet of commercial space on the first floor, and ten one-bedroom apartments on the upper floor, six of which will have bedrooms on a partial third floor. The project will be served by 47 parking spaces. The application was formally submitted on April 20, 2018, including all requisite drawings, forms, plans, landscape plan, stamped lighting plans, site plan, and architectural renderings. The application requested a Special Permit for the mixed-use building as required, Special Permits for uses requiring common victualler license (to cover the existing Dunkin Donuts, which already has a Special Permit), and a Special Permit for a drive-thru for the existing Dunkin Donuts. Due to the size of the project, it was subject to minor site plan review; this is not a Special Permit, but is wrapped into the Special Permit process.

The project was sent for peer review to McMahon Associates on May 31, 2018, and they identified 12 issues. The applicant responded on July 12, 2018. They received a response back earlier today that had three issues. Mr. Zahka hoped to discuss these and possibly eliminate them tonight. The Engineering Department requested AutoTurns for the Fire Department, and e-mails from the Fire Chief were sent approving access to the project for the fire engines. The project is currently before the Conservation Commission for a full Notice of Intent, which includes stormwater management.

It was very difficult to hear Mr. DeVellis because the air conditioning was running. Mr. DeVellis showed the site plan they submitted, and oriented the Board as to the location and boundaries of the sites. Existing conditions show that there is a little over an acre. Mother Brook is at the rear of the site and is a regulatory river with wetlands. There are three curb cuts giving access to the site. You can enter and exit using the Milton Street cuts. There is parking along the sides. There is a one-way drive to the drive-thru, or the parking lot can be accessed. There is an exit only from the Dunkin Donuts drive-thru. Both buildings are served with underground sewer, water, and drainage. When the property was developed in 2013, there was a rain garden with a grade change. Infiltration went through that. About a year ago, the applicant was asked to come before the Board because of issues with the rain garden, and it has been redesigned as part of this project. They are currently working with

the Conservation Commission on this, and have already had several meetings. There are 47 parking spaces, some allocated to Dunkin Donuts. This was approved by the Board in 2013.

Mr. DeVellis showed the work area for the proposed mixed-use building. The parking accesses were shown on the plan. There is two-way traffic with parking along the side; this has been pulled away from the building to allow for a landscape buffer. He showed where vehicles travel to go to the drive-thru. Some parallel spaces were changed to conform to a lot of different standards, i.e., a handicapped accessible space. The rain garden is, for lack of a better word, a hole in the ground that vehicles have difficulty backing around. This area will be filled in with a landscaped area. The drainage would go into a new, substantial rain garden that is about two-and-a-half times larger in volume than the existing. The impervious surface will remain the same. He explained the stormwater system to the Board, and said it is similar to the system put in at 19 Court Street. The number of parking spaces will remain at 47 as previously approved. The handicapped spaces conform, as do the aisle width and parking space sizes, with the exception of those that received relief in 2013.

Mr. DeVellis said they are a little short on the required 15% landscaping and will have 10%. Unless they lose parking spaces, they cannot fulfill the 15%. As stated, they are working with the Conservation Commission for the river area. They added a walkway to go from one spot, all the way along the back, and onto the sidewalk where the sidewalk is on Sawmill Drive onto the bridge. It will be tough on the site because retaining walls need to be constructed. The fence on Sawmill will be removed when the walkway goes in to allow for full access.

Mr. Zahka said that, through their process and the review process, they have eliminated some spaces that were questionable. However, the site as proposed has 47 spaces, which meets the Zoning Bylaw requirements. There will be a 1,700 square foot Dunkin Donuts with 16 seats, 10 residential units, and 4,500 net square feet of first floor commercial space. Under the Zoning Bylaw, Dunkin Donuts requires 14 spaces based on seating count and the size of the building. The residential units require 10 spaces, and the 4,500 net square feet of commercial space requires 23 spaces. This is how the 47 spaces are distributed under the Zoning Bylaw. It is a shared parking lot because there are no signs designating parking.

The applicant is seeking two waivers:

1. Interior landscaping. This is a redevelopment site, and they are developing to the extent feasible. There is a balance between parking spaces and landscaping. They are maintaining the interior at 13%. The “rock garden/rain garden” should be green and is not. They are working with Conservation Commission to shrink this in size and to develop it as a landscaped area.
2. Five-foot perimeter landscaping. They had previously been granted a landscaping waiver. Along the back abutting conservation land, they do to have 5 feet of perimeter landscaping on their site. The Dunkin Donuts project used town property that was paved, so they reduced the aisle widths because they removed the pavement on town property. Because of the width needed, they do not have the perimeter landscaping; however, they are working with Conservation Commission. It is well buffered to the water, and they will hopefully put in at least part of the walking trail.

Mr. DeVellis said they have been working with McMahon regarding the three outstanding items. One of the comments is very minor. Mr. McMahon had asked one of the sidewalks to be brought to the site. Mr. DeVellis (*unintelligible*) Mr. Zahka said the landscape plan needs to be updated. The second item was loading. They are not doing anything with the Dunkin Donuts. There is no set loading space needed. Small drop-offs and pick-ups can be done in a regular parking space. Most of the uses are smaller offices, i.e., architects, lawyers, real estate broker, so there are no deliveries other than UPS or FedEx. The third item was a question of sight distance at the southern drive. Mr. DeVellis took photographs, and there is plenty of sight distance both ways, and the entrance will not be moved. Mr. Zahka said that Mr. Findlen raised this question when Dunkin Donuts was being reviewed. There is a STOP line coming out. They cannot do anything about the sight distance unless it was a bush or tree that they could trim. This is municipal parking, and eliminating parking spaces in East Dedham will not be looked at favorably. The only way the sight distance issue is resolved is to eliminate parking spaces on the street, and the applicant does not have that right. If the Planning Board requests it, a letter could be sent to the Board of Selectmen asking them to remove spaces. However, Mr. Zahka understands that adding a fog line, which alerts cars that there is parking on the street and to not go over too far, has been done in the East Dedham area. He was not sure of any other way.

Mr. McKay showed renderings of the proposed mixed-use building. There had been suggestions during the scoping sessions, and many were incorporated into the design. The back of the site is currently a mess with dumpsters and transformers; they will be removing these. Parking spaces along the edge will be removed because they do not conform to the Zoning Bylaw. He showed the existing building as approved as a medical office building in the 1960's-1970's. They will be adding a partial third floor, and showed the rendering, which is the same one presented at the scoping session. There will be new windows on the first and second floors, and will add EIFS or stucco paneling at other windows. Some stucco will be against the brick, and others will be paneling. This will give dimension and detail. He showed colors of the building. The roof will be a shingled roof with a double gable roof structure. This is where the second floor of the apartments will be. Access to the building will be from the retail and residential areas, with a separate entrance on one end. There will also be access at the higher end, there would be handicapped access with a ramp, as well as stairs providing access to the residences. The mechanicals will be on the commercial floor. The existing second floor would be subdivided into 10 one-bedroom units. The two at each end are flat one-level units. The units in the middle will have living space on the first level and stairs to a bedroom above. Mr. McKay brought samples of the panels and cement board shingles. All the detail in the middle, i.e., cornices, gutter lines, will be made from that. They have elevations the design on all four elevations. In the back, they are creating new window openings. *A lot of what Mr. McKay described could not be heard because the air conditioner was running.*

Mr. Findlen performed peer review of the project on behalf of the Planning Board. This peer review was paid for by the applicant. This is minor site plan review. It was previously reviewed extensively in 2013. A traffic study was done at that time, but the Board did not require one for this application. He said he determined the following issues:

1. Vehicular Site Circulation. This was extensively reviewed in 2013. The aisle widths were shown at that time, and have not changed. He asked that this be called out on the plans.

2. Missing Signs. STOP signs and DO NOT ENTER signs were missing on the plans. These have been added to the plan.
3. Emergency Access. They were asked to provide turning templates for fire engines going in and out of the site. They have done this. They were also asked to pass the information to the Fire Chief, who provided a letter saying he was satisfied.
4. Sidewalk. They will update the plans for the sidewalks going from the building to the sidewalks.
5. Parking Requirements. They were asked to verify what is exists and what is proposed. This is now shown on the site plan.
6. Calculation of Parking Spaces. Mr. Zahka provided information on how the calculations were done. They comply with the Zoning Bylaw.
7. Turning Templates. They provided a trash template. They will not need a template for deliveries as discussed.
8. Lighting. They originally did not include a stamped plan originally, but it has now been received and is acceptable. Overflow lighting is acceptable.
9. Locus Plan. This has been added.
10. Legend. This has been added.
11. Clarification of Parking. This has been called out on the plan.
12. Sight Distance. As stated, this was extensively reviewed in 2013, and there was a lot of discussion about the right driveway on Milton Street. They are proposing a two-way driveway. It had been IN ONLY, and it helped. A letter went out today. They had talked about the Board of Selectmen reviewing this again. Mr. Findlen felt that the solution would be to make that driveway in-only. The parking now comes off the street at a diagonal angle, so they are cleaning it up and making it more parallel, which will help with two-way access. There is currently a sign saying NO LEFT TURN, but cars can turn right. Mr. DeVellis said that if Mr. Reda had no problem keeping it that way, cars could go in and go out the second driveway. They would just put a sign saying DO NOT ENTER.

Mr. Findlen said that all of these issues have been resolved.

Mr. Steeves asked if there is enough room in the drive-thru to allow someone to go out to Sawmill Lane. Mr. Zahka explained this on the map. The only way to get to Sawmill Lane is through the drive-thru. There will be two entrances (Sawmill and Milton) and two exits (Sawmill and Milton).

Mr. Podolski asked Mr. McKay if he considered East Dedham Guidelines. He said they did not when they first designed the building because the guidelines were not available. They have since read them and the design is consistent with them. Mr. Podolski asked about the right elevation. The existing picture shows that it is the first floor of the building with windows. He asked if they would be removed. Mr. McKay said the lower level windows are going away on the right elevation. It will be renovated for entrance and handicapped accessibility.

Mr. Aldous was concerned about the four or five parking spaces to the right of the building. If someone goes in that way, they can easily back out, see the street, and go out the IN side. He asked what would prevent that. Mr. DeVellis said they could put DO NOT ENTER signs facing Milton Street, as well as striped arrows on the pavement that go in. Mr. Aldous said this will require a lot of signage. He was also concerned that people would not pay any attention to the sign and still go out that way. Mr. Findlen understood Mr. Aldous' concerns,

but now that they are taking away 12 feet of travel, there may be something geometrically that the applicant can do to show people not to do that, i.e., an island with landscaping to show only one lane. Mr. Zahka said they would look at this.

Ms. Porter said it sounds as though they get regular deliveries from FedEx and UPS, and asked Mr. Findlen if he was concerned about that. Mr. Reda said there are currently no issues. They receive regular mail, and UPS trucks park there without a problem. She asked how many spaces are being used during a regular workday. Mr. Reda said that in peak tax season, accountants are there doing taxes and clients come and go, and there is no problem with parking. During off season, there is plenty of available parking.

Ms. Porter said this is a key intersection in East Dedham. On the corner of Sawmill is a nice green space area, and she wondered if they considered taking up a parking space or two and put in some benches. Mr. Reda said they are consulting with Conservation Commission about putting in some trees to make a small park. Ms. Porter said her sense is that there is more than sufficient space, and she knows there is no waiver request. She felt that there would be ample parking and that this is an opportunity, given the goals and of the Town and community, to build more of a park there by asking for a waiver of a couple of spaces. Mr. Zahka said that he was not objecting to this, but currently there are two levels of offices and the need is for closer to 55 parking spaces. They have already eliminated several spaces in an attempt to increase the landscaping, and they are now down to 47 spaces. He said that one space would be probably be okay. Mr. Reda noted that there is a flagpole in that area as well. Ms. Porter said she would not be concerned about the loss of spaces because of increase in the mix of uses. She said there would probably be more shared parking at different times.

Ms. Porter then asked if they had considered any two-bedroom units, saying she was concerned that it discriminated against people with children. Mr. McKay said they would have to make the third floor bigger by extending the roofline out and creating dormers; he said it would be easy to do. Ms. Porter said the bylaw was changed because it was discriminatory. She was thinking about reducing the number of units, thus reducing the need for more parking. She thought it would be nice to consider doing this to one or two units. Mr. Zahka this would impact the project from a more practical perspective. Mr. McKay said it will also impact it from an economic standpoint, and cutting two units would be significant. Ms. Porter asked if there is covered bike storage for the tenants. Mr. McKay said this would be outside at ground level. There will be pedestrian access on the street on both sides.

Mr. Aldous asked how high the building would be. Mr. McKay said it is 35 feet from the top of the peak, well under the Zoning Bylaw. Mr. O'Brien had no comments or questions. Mr. Katz also had no comments or questions.

Mr. Podolski called for audience comments. Charlie Krueger, 11 Stafford Street, has been an advocate for the revitalization of East Dedham for 15 years. He said that Mr. Reda has been a great neighbor and has never let his property become run down. He just wants to improve the property. It conforms to the guidelines, and he has no problem with the proposal. He believed it would be a great asset to the community, and hoped that the Board would vote favorably.

Mr. Podolski asked if the building would be torn down or renovated. Mr. McKay said it would be renovated. The existing tenants would leave, and the building would be gutted

and restructured for third level. The brick would remain and the new façade would cover it. He discussed a system that goes over the brick. Mr. Podolski asked if the project would be staged so that Dunkin Donuts can remain open. Mr. McKay said that the drive-thru will probably remain open. There is parking behind the building, and that will be removed and provide enough room for staging with a construction fence.

Mr. Podolski asked for clarification on the current “rain garden,” which had previously been a problem for cars. Mr. DeVellis said they went before Conservation Commission because it was too tight for cars. They wanted to fill it in and put in landscaping, taking the volume and putting it somewhere else on site, whether it is underground or not. This will have more volume. Mr. Podolski asked to see a picture of what this will look like, and Mr. Aldous agreed. Mr. DeVellis said he will work with the architect to make sure the colors complement the building and it is not obtrusive.

Mr. Podolski asked if there will be four spaces along the side of the left side of the building. Mr. DeVellis said there will be spaces including a handicapped space. This is at the lower ground level. He also said that the island in the middle of the parking lot is new; Mr. Podolski liked that because it will direct traffic. Mr. DeVellis said the spaces along Milton Street are 17 feet with a two-foot overhang, so they are compliant. He did not believe there are any compact spaces. There were a couple of spaces along the back that were nonconforming on the 2013 approval, but these are gone. He said all the spaces are conforming. There will be two handicapped spaces for the building, which is what is required by the Zoning Bylaw.

Ms. Porter asked if they had gone to the Design Review Advisory Board. Mr. McKay said they have been there twice, and have another meeting with them in September to discuss the landscape plan. They were fine with the building itself. Mr. DeVellis confirmed that they will be putting in a walkway along the back out to Sawmill Lane. They are working with the Conservation Commission on this. Mr. Podolski said this is a great idea and commended the applicant for doing this.

Snow removal will be within the landscaped areas as noted on the plans. The dumpsters in the right corner will be on a pad and will be enclosed. Mr. Aldous reviewed the lighting plan. Mr. DeVellis again described the Milton Street entrance on the right, which will be tightened to prevent cars from using it as an exit. There will be arrows striped on the pavement and signage saying DO NOT ENTER. There will also be signage on the façade of the building as the handicapped ramp comes up and around saying DO NOT EXIT.

Mr. Podolski asked Mr. Zahka what he would like to do. He said the Public Hearing could be closed if the members wanted. Mr. Zahka said it would be subject to the requests that the Board has made. The only one that will take a little consideration is getting two bedrooms in there without losing units. He did not think it will change the parking, although they would probably lose a parking space for the pocket park with benches. They will give the Board a picture of the rain garden as requested. He said that, subject to those being discussed by the Board, they would request that the Public Hearing be closed.

Mr. Steeves moved to close the Public Hearing, seconded by Mr. Aldous. The vote was unanimous at 5-0. Mr. Zahka will draft a decision. He asked what the Board’s meeting schedule was. Ms. Doherty said it was September 13, 2018. Mr. Zahka said that was fine. Mr. Podolski asked that the responses to the issues be submitted prior to that time. *Mr. Krueger spoke, but could not be heard because he was too far away from the microphones. It appeared that it*

was regarding the location of the pocket park, but the transcriptionist could not be sure. Mr. Podolski said there is a flag on site already. The applicant will return on September 13, 2018.

Ms. Porter moved to adjourn, seconded by Mr. Aldous. The vote was unanimous at 5-0.

Respectfully submitted,

Robert D. Aldous
Clerk

/snw