

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



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PLANNING BOARD
MINUTES
September 13, 2018, 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, Associate Member for Public Hearings

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.

Mr. Bethoney announced that the Public Hearing for the Public Safety Building has been taken off the agenda.

Town Planner's Activity Report

Update on software for Planning/Zoning Department: Mr. Katz is coordinating this with Building Commissioner Kenneth Cimeno. The Building Department is looking for new permitting software, and Mr. Katz is trying to ensure that the Planning/Zoning Department is taken into consideration. He does not have much information at this point since they are talking with some of the software companies, but will keep the Board updated. Mr. Bethoney asked him what this would accomplish. Mr. Katz said that it would streamline the application process by making it mostly electronic, although paper copies would still be needed for the files and the Board members. It would be easier to track and to pass around to other departments for their comments.

Mr. Katz presented two projects, both in very preliminary stages.

1. Neighborhood-by-neighborhood assessment of the housing stock in Dedham. Livable Dedham is interested in helping fund the project and to bring on a consultant to

collect the necessary data for a detailed assessment. The consultant will do most of the collection work, with supplemental help by John Sisson, Economic Development Director, and Mr. Katz. Mr. Bethoney asked how this would be done without an organization to fund it. Mr. Katz said it would either have to be funded by the Planning Board budget or he would have to do the work himself.

2. Creating a vision for the Dedham Highway Corridor. Mr. Katz is working with Mr. Sisson on this. The first part goes from Staples to Legacy Place. His assessment shows that it has a negative connotation with the traffic, upkeep of properties, connectivity, and walkability. He proposed visioning and design projects that will plan what the Town would like to see for the next 20-50 years. He described the area as having four to six lanes on Route One, which connects to Dedham Square, with various strip malls along the highway. The construction and zoning are circa 1950's, and many of the box stores are going out of business. Property upkeep is declining, and a number of property owners are looking to update their properties. About five owners have come forward, i.e., Stergis Way, and others have not yet submitted proposals. He proposes a preemptive planning and design project to help determine what should be done going forward.

There are a number of potential funding sources:

- a. In August 2018, the State passed an economic development law, Chapter 228, which is providing \$8 million for Providence Highway to be shared among Dedham, Norwood, and Westwood. He said that having a project in place would be wise, although it is not certain how the money will be allocated.
- b. Mr. Sisson is working on the District Improvement Financing and Technical Assistance Resource, and would like to discuss this with the Board at the next meeting on September 27, 2018.
- c. A traffic study was proposed by former Town Planner Richard McCarthy that allows \$60,000 to do an assessment of the traffic along the highway corridor.
- d. The Metropolitan Area Planning Council (MAPC) has technical assistance up to \$20,000, for which the Town would apply.
- e. A Central Transportation Planning Staff is a technical assistance resource that the Town can use; this is free and just requires an application.
- f. The last funding source is \$100,000 for a study of Wigwam Pond, obtained through Rep. Paul McMurtry and Virginia LeClair from the Environmental Department. This study would figure out how to use this natural resource since it is currently closed off and fenced in, and determine a way to connect it to the rest of the area. The project would consist of a number of different research points:
 - i. Existing conditions. This would research the history of the pond and the geography of the site, as well as the existing infrastructure.
 - ii. Lane Use Analysis. This would analyze the existing zoning and land use regulations, focusing on data and GIS for the site, figuring out how much retail and housing is currently located there.
 - iii. Actual Project. This would research areas of opportunity, different parcels, looking at crossings in an attempt to make everything more pedestrian friendly, and opening the connectivity of the entire highway. Currently it is not pedestrian or bicycle friendly, and there is no way to cross the highway. It would also look into providing public transit.

- iv. Parks and Natural Areas. This would investigate more “greening” and parks that could be added to make it a friendlier environment.
- v. Obtain funding.

Mr. O'Brien was happy about the potential review of the highway corridor. He believed there is a cultural change in the near future. Since there will be more children, it would be appropriate to have parks and pedestrian friendly initiatives to get across the highway. He said old-type buildings will be replaced, and storefronts will be lost due to on-line ordering of merchandise. He could see the area becoming more pedestrian and less commercial. Mr. Katz said they would be looking into the potential for mixed-use in the area.

Mr. Aldous said that most of the issues brought up have to do with the highway, but was more concerned about making Dedham Square safer. He went before the Board of Selectmen three months ago, requesting one small change that would cost next to nothing; they have done nothing about it other than to say they will have an engineer look at it. He does not have much faith in engineers who come in briefly to review and discuss the issues, then bill the Town a lot of money. There is no discussion with actual pedestrians. He would like to see more action on making the Square safer, and hoped that Mr. Katz would be involved with that if it ever comes up. Mr. Katz said this has come up a number of times, but he would like to discuss such a project separately from the other projects.

Ms. Porter was pleased with the State allocation. She wondered if Mr. Katz had thought about how to be strategic given that the Town has constraints in terms of how it can handle the crossings and traffic, and the greening of Route One. She is interested in how and when to involve the State so that it is on board with what the Town wants. Mr. Katz said there are some limitations because it is a State highway, but once they have a project, they can start the conversation. They will need to discuss how far to go and what is State and what is Town jurisdiction, and bring the Town's concerns to them.

Mr. Steeves said that there is a wonderful five-foot sidewalk on the west side that runs past the Dedham Plaza to the Gulf Station, but no one can see it because it is covered with garbage. He asked who takes care of that. Mr. Bethoney said this is a rhetorical question because the State is in charge of that. He questioned who is pressing them to clean this up. Mr. Aldous said Rep. McMurtry might want to be involved with that.

Mr. Bethoney said that Mr. Katz is fairly new to the Town of Dedham, and has come up with software initiatives, highway corridor initiatives, and housing stock initiatives, none of which the Board has discussed. He asked Mr. Katz who initiated his interest in the software. Mr. Katz said it was Building Commissioner Ken Cimeno, who wants to update the Building Department software. He asked if he could be involved with that so they can coordinate this. His interest in housing stock came from conversations with Livable Dedham and John Sisson. He also personally thought there was a need to work on that. His interest in the highway corridor was from his personal assessment of the area. Mr. Sisson had also brought “pockets” of this project to his attention, and Conservation and the Environmental Department were involved. He felt that bringing all these projects together, and then adding to them, would have a larger impact.

Mr. Bethoney said these are all noble and worthy initiatives, and he appreciated it. The people with whom he was discussing his initiatives have the best interests of the town, but no one is walking through the door to say they are interested in doing these. A few months ago, there was a meeting about Planning Board initiatives, and the Board highlighted many that they would like to see accomplished. He would like Mr. Katz to particularly concentrate on those issues and prioritize them.

Audience Comments

Jim Maher, 32 Sherman Road, member of the Parks and Recreation Commission: With regard to the \$100,000 for Wigwam access, it is his understanding that the developers abutting the pond are looking to provide recreational space for the two new communities that are potentially coming to the Legacy Place area. Parks and Recreation could work with the developers so that they can give them what they need over and above. Mr. Bethoney asked Mr. Maher if he believed that the Planning Board would allow the spending of allocated funds when a private developer is willing to do the same in return for consideration of their project. He said that would not happen. That money is saved and is to be used for purposes deemed necessary by the Planning Board if in fact the developer steps forward in return for his willingness to commit to that.

John Sisson, Economic Development Director: He clarified that the \$100,000 allocation for Wigwam Pond is a State allocation earmarked for that purpose, and cannot be used by the Town for another purpose. There are many access issues around Wigwam Pond, not just the two abutting properties, that would be of interest to the neighbors, both residential and commercial fronting the highway. There is access to the pond from a “mucky, muddy” area near A Tent for Rent; this is not a good portage for trying to carry a boat down to the water, and they want to improve on that. He said the money could be spent on an area around the pond not covered by Stergis Way. He would like to get recreation back to the pond in a way that benefits the Town.

Applicant:	Chris Timson, Dedham, LLC
Project Address:	769 East Street, Dedham, MA
Zoning District:	Single Residence B
Representative(s):	Kevin F. Hampe, Esq., 411 Washington Street, Dedham, MA James Toomey, P.E.

Mr. Bethoney recused himself from this ANR proposal because members of the agency at which he works have had a professional relationship with Mr. Timson in the distant past. Because of that, he did not think it was appropriate to participate in any discussion of the proposal, nor was he present in the meeting room. Mr. Podolski assumed the chair.

The property contains a very historic house built in 1695 that was sold recently. The parcel contains 25,316 square feet, and is located in the Single Residence B zoning district. The Zoning Bylaw requires a minimum lot area of 12,500 square feet and 95 feet of frontage for single family dwellings. The previous owner, Paul Corey, had gone to the Zoning Board of Appeals and obtained a side line variance for the existing house in order to subdivide the

parcel; a copy of the decision was submitted to the Board. This will allow subdivision without creating nonconforming lot. Mr. Hampe is requesting that the Board endorse the ANR plans to create one lot containing 12,711 square feet with 95 feet of frontage on East Street, and a second lot containing 12,589 with 15 feet on Madison Street.

Mr. Katz provided a report on the plan as submitted by the Applicant that the lots are located on qualified public ways. The property is located in the Single Residence B zoning district with the lot requirements as previously stated. A variance was granted by the Zoning Board of Appeals for a 13.1 foot side yard setback on the property with the existing single family dwelling.

Ms. Porter struggled with the orientation of the house facing Madison Street, because the 15 foot setback from East Street would be inconsistent with the rest of East Street, as most of the houses have 25 foot setbacks. She did not think it was ideal. Mr. Podolski said that how they place the house on the lot depends on the zoning. Mr. O'Brien asked how old the barn is. Mr. Hampe said it is very historic, probably from the 1700's. Mr. O'Brien said it was a shame that it appears to be removed on the plans. Mr. Hampe said that the Zoning Board of Appeals was concerned that the house would also be removed, making two building lots. This would be saving the house. Mr. Podolski said the Board's jurisdiction on an ANR plan is very limited, and all it can do is find proper access, setback, and area. The rest is up to the Building Department. As much as the Planning Board may not like the orientation of a building on a lot, it is not within its jurisdiction.

Mr. Aldous moved to endorse the ANR plan of 769 East Street, as engineered by Toomey Land Engineering, dated May 28, 2018, as presented. Mr. O'Brien asked what would happen if he voted "present." Mr. Podolski said the plan would be allowed by constructive allowance. The Board has no right to deny an ANR plan. It could quibble about where they would place a building, but if it has frontage and area, that is all the Board would determine. Ms. Porter seconded the motion. The vote was unanimous at 4-0.¹ The Mylar and the plans were signed by the Board.

Applicant:	Chris Timson
Project Address:	379 Sprague Street, Dedham, MA
Zoning District:	General Residence
Representative(s):	Kevin F. Hampe, Esq., 411 Washington Street, Dedham, MA James Toomey, P.E.

Mr. Bethoney recused himself from this ANR proposal because members of the agency at which he works have had a professional relationship with Mr. Timson in the distant past. Because of that, he did not think it was appropriate to participate in any discussion of the proposal, nor was he present in the meeting room. Mr. Podolski assumed the chair.

¹ Chairman John Bethoney did not participate in the discussion or vote on this application as noted in his recusal.

The ANR plan shows four lots at 379 Sprague Street. There is frontage on Sprague Street, and all lots meet the Zoning Bylaw requirements for frontage and lot size for the General Residence zoning district:

- Lot 1: 11,000 square feet, 90 feet of frontage
- Lot 2: 23,029 square feet, 90 feet of frontage
- Lot 3: 7,500 square feet, 87.25 feet of frontage
- Lot 4: 7,500 square feet, 89.38 feet of frontage

The Zoning Bylaw requirements for a single family dwelling are a 7,500 square foot lot with 50 feet of frontage, and for a two-family dwelling an 11,000 square foot lot and 90 feet of frontage. There are existing lots, and these will be divided into four lots. The existing house on one lot will be taken down, and the others are vacant. No zoning relief is necessary. There will be two single family dwellings and two two-family houses.

Mr. Katz submitted a report dated August 23, 2108, stating that the lots are located on a qualified way (Sprague Street), and each lot has the required amount of frontage and area.

James Maher, 22 Sherman Road: He said the existing house is probably the second oldest house in the neighborhood; the oldest one is on Hooper Road. He was surprised that there is no historical action on it, as it is significant for the neighborhood. He thought the Board should request that they make sure there is no significant Dedham historical feature to it, i.e., prominent people lived or slept there, etc. If a piece of history is torn down that cannot be replaced, people will not be happy.

Mr. Podolski said his point is noted, but the Planning Board's jurisdiction on an ANR plan is very limited. All it can do is to ensure that the proposed subdivision meets the requirements for an ANR: proper frontage and square footage. Mr. Toomey said the house is in poor repair and is current vacant. It had been the clubhouse for a racetrack. Mr. O'Brien was not happy with the proposal because it seemed that the developer is taking down old, historic houses to build subdivisions to make money.

Emily Cotellessa, 39 Bonham Road: Her property directly abuts the parcel, and the parcel with the soon-to-be-demolished house is next to her backyard. She asked how close the new houses would be to her land. Mr. Hampe said that all will have frontage on Sprague Street, but they do not know at this time where the houses will be sited. Lot 2 abuts Mrs. Cotellessa's property, and the applicant stated that this will likely be a two-family house with a driveway into the property. Mr. Podolski said that whatever the applicant decides to build is governed by the Zoning Bylaw, i.e., distance from lot lines, lot coverage, and setback requirements. Side yard requirements are 15 feet, so if the house was facing Sprague Street and next to her lot, it would be 15 feet from her lot line. He hoped that the applicant would take into consideration the abutting neighbors when siting the houses, but the Planning Board does not have jurisdiction of this. All it can do is to ensure that the proposed subdivision meets the requirements for an ANR. He advised Mrs. Cotellessa to keep in touch with the Building Department as it moves forward, and she can certainly keep in touch with the applicant. It is early in the process, as plans are probably not set in stone. She was given a copy of the approved plan. ANRs are a State statute, and would have to be changed there.

Mr. O'Brien moved to endorse the ANR plan of 379 Sprague Street, as engineered by Toomey Land Engineering, as presented. Mr. Aldous seconded the motion. The vote was unanimous at 4-0.² The Mylar and the plans were signed by the Board. A copy of the plan was given to Jim Maher as well.

Chairman Bethoney rejoined the Board for the rest of the meeting.

Applicant: Robert Keogh and Michael J. Bellante, Trustees, Alibi Realty Trust
Project Address: 100 Meadowbrook Road, Dedham, MA
Zoning District: Single Residence A
Representative(s): Peter A. Zahka II, Esq., 12 School Street, Dedham, MA
Robert Keogh, Trustee
Michael J. Bellante, Trustee

The property is a single lot with over 136,000 square feet and two existing dwellings. The larger one is a single family dwelling at the rear of the property, and the other is two family dwelling. There is over 310 feet of frontage. They would like to divide the property so each dwelling is on its own lot. They have worked with Building Commissioner Kenneth Cimeno to make sure all the dimensional requirements were met. Both lots have sufficient area and frontage. The lot with the single family dwelling, shown as lot 101, has over 90,000 square feet with 150 feet of frontage, and the two family lot has over 40,000 square feet and 166 square feet of frontage. They have been to the Zoning Board of Appeals for the question of the two-family, even though it already existed, and the side line on the two-family says it is 24.9 feet instead of the required 25 feet. They were granted the necessary relief for it to continue as a two-family, and for the side yard setback. Everything else complies with the Zoning Bylaw. The dwellings are currently served by the same driveway, and have a shared septic system for which they will be going to the Board of Health. Most of the residents of Meadowbrook Road have formed and contributed to an association, particularly for roadway maintenance. They have been to the Conservation Commission and obtained the requisite permits. They have re-built and re-paved the road from one end to the other.

Mr. Katz submitted a report dated August 23, 2018, stating that the lots are located on a qualified way (Meadowbrook Road), and each lot has the required amount of frontage and area. He recommended that the Board endorse the plan.

There were no comments from the Board or the audience. Mr. Podolski moved to endorse the plan as presented, seconded by Mr. Aldous. The vote was unanimous at 5-0. The Mylar and the plans were signed by the Board.

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

² Chairman John Bethoney did not participate in the discussion or vote on this application as noted in his recusal.

The applicant is seeking minor site plan approval for parking spaces in front and in back of the Dedham Plaza. Federal Realty has proposed bringing the handicapped spaces into ADA compliance for the slopes. In order to do that, they have proposed relocation of some of the accessible parking spaces, creation of a couple of new ramps to access those spaces, and reduction of the number of accessible spaces from 32 to 28. They have 873 total spaces at Dedham Plaza under the existing waiver. The ADA requirement is 18, so they are over that requirement. The reason for reducing the spaces was that, because of the grade of the slopes of the parking lot, there are a couple of locations that would require installation of retaining walls, which would mean losing parking spaces. These locations are in both the front and the back of the Plaza as shown on the plan. Four spaces in two locations in the center of the Plaza on Providence Highway would be lost. There is a cluster of five spaces in the middle on Washington Street, and the applicant proposed pushing two spaces closer to the ramp and creating another ramp for the three spaces at the end of the ramp. There is a poorly constructed ramp by Keldara, and a new ramp on a flat surface is proposed.

Mr. O'Brien asked Mr. Webster if he had monitored the use of the handicapped spaces. Mr. Webster believed they have more than enough. The spaces are fairly evenly distributed across the Plaza, which will not change. This is based on their observation, and it is more than they are required to have by the ADA. Mr. O'Brien said, if this is approved, the Board should have the right to challenge it if it sees something different. Mr. Webster agreed. Ms. Porter said that, given the amount of investment they have been making into the property, would they see that all the tenants adhere to the Sign Code in terms of turning off their lights when it is required? Mr. Webster said it is a constant battle and asked if there is a specific tenant. She was given his contact information and will let him know who the businesses are.

Mr. Bethoney asked if Mr. Webster has requested that the Board consider not requiring peer review for this. The parking lot has more than 9 spaces which triggers review of the entire site and peer review since Federal Realty is seeking to modify it. A consultant is hired by the Town to review what the applicant is doing and report to the Board to give his opinion and guidance. Mr. Bethoney said the Board may not require that, but at the least, the Federal Realty should request that the Planning Board kindly consider this an insubstantial change, and relieve them of the obligation of having to hire an outside consultant at the applicant's expense.

Mr. Bethoney asked if Mr. Webster was guided this way; Mr. Webster said that he was guided by the Building Commissioner, who said he should go before the Planning Board to see what should be done. First, however, this has to be done in steps. Federal Realty has to make a request that it be considered an insubstantial modification. The Planning Board then has to discuss any real need of peer review. Insubstantial means that the Board would not look at the whole site. The Zoning Bylaw says that if an applicant modifies a portion of a site, it gives the Planning Board the opportunity to review the entire site unless it determines that the request is insubstantial. The Board also needs to determine that no peer review is required. The applicant then presents the request, and the Board makes a decision on whether it is insubstantial. Mr. Bethoney said that, although he saw no problem with what the applicant wants to do, it is incorrect procedurally. Mr. Webster said that he thought they were working under the site plan approval for Panera, which has already been approved.

Mr. Bethoney said that the Board reviewed the entire site for that application. Mr. Webster said there is a condition in the approval that anything on the entire property that is not compliant needs to be brought into compliance. He said this is what he was doing, and he was working under the Panera approval to bring the site into compliance. Mr. Bethoney said that anything done on the site after that approval is not part of that decision because the decision has been filed and the plans have already been signed as the plans of record.

Mr. Podolski asked if changing the handicapped spaces was triggered by any outside activity or groups coming to the Plaza saying it did not have adequate access. Mr. Webster said they have had discussions with an outside group, and were directed separately by the Building Commissioner during construction of Panera because he wanted to see changes in the handicapped parking. Mr. Podolski said the Board should ask the Building Commissioner to put a letter in the file stating that he requested that the applicant review and/or redesign the handicapped parking. Mr. Bethoney agreed, but did not think that relieved the applicant of the obligations as described. Mr. Bethoney asked the Board if anyone was significantly opposed to the proposal. Mr. O'Brien said he wanted to know the motivation from the Building Department. No one was opposed. Mr. Bethoney asked the audience if it had any comments about the reconfiguration of the handicapped parking spaces at the Plaza. No one did.

Mr. Podolski made a motion to consider the change insignificant, seconded by Mr. Aldous. Mr. O'Brien asked for discussion, saying he did not see any problem with the request, and there has been a long relationship with Federal Realty with a lot of give and take. He said he is willing to help them. Mr. Bethoney told Mr. Webster that any decision by the Board this evening will require supporting documents from the Building Department explaining the rationale behind moving the spaces. The vote was unanimous at 5-0.

Mr. Podolski made a motion to consider not requiring a peer review since the Board has deemed it an insubstantial change, seconded by Mr. Aldous. Mr. O'Brien asked for discussion. He asked Mr. Webster if he realized that Federal Realty has saved a lot of money. Mr. Bethoney said that when Ms. Porter calls him, he is to be very welcoming, and is to make sure that the issues she brought up are addressed. Mr. Webster agreed to both comments. Mr. Bethoney said that Mr. O'Brien's statement is relative because the Board could send the project out for review and be started all over. However, he did not think that would be fair. The vote was unanimous at 5-0. Mr. O'Brien said the Board will reserve the right to challenge this if it sees something different.

Mr. O'Brien moved to approve the plans as presented subject to receipt of supportive information from the Building Department, and subject to the Planning Board's opportunity to review further if it determines that the approval has caused an issue with any of the handicapped parking on the site. Ms. Porter seconded the motion. The vote was unanimous at 5-0. Mr. Bethoney said that the flag on the property looks good.

Applicant:	Concinnitas Corp. and Collis, LLC
Project Address:	219 Lowder Street, Dedham, MA
Zoning District:	Single Residence A
Representative(s):	<ul style="list-style-type: none">• Peter A. Zahka II, Esq., 12 School Street, Dedham, MA

- **Greg Carlevale, Manager, Concinnitas Corp.**
- **Scott Henderson, P.E., Project Engineer, Henderson Consulting Services, Lexington, MA**
- **John Haven, RLA, ASLA, Landscape Architect, LeBlanc Jones Landscape Architects, Inc., 55 Albany Street, 5A, Boston, MA 02118-2500**
- **Brian Donahue, Project Architect, Donahue Associates, 21 Mayor T.J. McGrath Highway, Quincy, MA 02169**

Town Consultant: Steven Findlen, McMahon Associates

Mr. Steeves, the Associate Member for Public Hearings, joined the Board for this [continuation](#) of a Public Hearing from August 23, 2018.

The applicant is seeking approval for a Planned Residential Development at (PRD) 219 Lowder Street; it is not a Special Permit. There is a single structure at this address, and they propose seven dwelling units. At the first Public Hearing, there was a full and lengthy presentation that showed that the property could be divided into five lots for single family dwellings by an ANR plan as submitted on a concept plan. This is undergoing review. The PRD would have one single lot with one structure containing seven dwelling units.

Since the initial Public Hearing, the project has undergone peer review. McMahon Associates has issued a report raising some issues, and the applicant has responded. On the next response from McMahon, all but one issue was addressed satisfactorily; this issue is that the parking spaces in the under-building garage are shown as 9' x 18.' The Zoning Bylaw indicates that spaces should be 9' x 19,' so the applicant will be requesting a waiver since they do not want to make the building any bigger. This is similar to other under-building garages in which the parking spaces are designated to a particular group of users, not like a public parking lots. Residents will be familiar with the spaces, and the one foot in length should not be a factor to them. This has been done in other locations.

There is currently a concept plan before the Board. This is a three-step process:

1. The Board reviews the concept plan and hopefully gives a favorable recommendation to Town Meeting. Town Meeting then votes to approve the article.
2. The applicant comes back before the Board and resubmits more detailed development plans.
3. The waiver can be requested now, but Mr. Zahka felt that it would be more appropriate to request it with the development plans. The peer reviewer requests 9" x 18" plans, which should be noted in the application.

The Public Hearing was continued to this evening for a number of reasons. The Board requested more input on the character of the neighborhood; the applicant is ready to present this. Some abutters who were unable to be at the first Public Hearing contacted the Planning office, and requested a continuation it so they could be present. Several of the abutters were able to attend this evening.

Mr. Haven reviewed the landscape plan. A screen planting plan, which is the next level of the planting design from the concept plan, has been developed and circulated to the neighbor-

hood. Locations, species, sizes, and quantities of the screen plantings were shown. The amount of perimeter trees and vegetation that will be preserved was discussed at length at the last hearing. He has done two site walks with Mr. Carlevale, one with a certified arborist, to identify all the trees around the edge of the property, and to determine what diseased or dead trees will be removed. The new plan reflects the exact location of the trees that will be preserved, and where the new trees will be planted. This will be in an area where existing trees will be removed due to health issues and decline. They will also be planting in areas that currently do not have significant planting. They also talked about planting some evergreen and deciduous trees in the interior of the lot to enhance the existing landscape buffer; this is reflected on the plan of perimeter plantings. The interior of the lot has not yet been developed. An aerial plan was shown that reflects the neighborhood's appearance; they are trying to achieve a look that is compatible with this.

Mr. Aldous said there are two driveways coming out of Wampatuck Road. He wanted to be sure that the bushes do not grow too high (Aldous bushes). They should be low enough that a car can look up and down the road without obstruction. Mr. O'Brien asked about the architecture of the house. James Kaufman had raised concern about unique architectural features of the home. Mr. O'Brien asked if it was possible to incorporate some of those features in the architecture, either by saving them or copying them. He understood that taking features from one home and putting them on another is difficult, but it may be possible to do that. Mr. Carlevale said they have had some inspiration with some elements. Mr. Donahue said the concept is a vastly different style than the existing house. Other than some stone, there are not a lot of elements that fit the style of the design. Mr. Carlevale said they are attempting to save the stone at the main entry and re-use it elsewhere. Mr. O'Brien thanked him, saying it would be a memorial to the heritage that was there before. Mr. Bethoney asked if Mr. Carlevale would represent that he has passed the plan, building, and landscape design throughout the neighborhood. He said he has had extensive conversations with them and, when asked if they were favorable, said he believes the neighborhood is in favor.

Mr. Findlen, Senior Project Manager, McMahon Associates, performed peer review of the project on behalf of the Planning Board. This peer review was paid for by the applicant. Ms. Porter asked him if he had looked at the original amount of property and how it could be worked into five lots. He said he reviewed the application that was provided to him, which included the seven units. He had seen a plan showing the single lots, but this was not part of his formal review process; it would have to be filed under a separate application if they were to do that. The proposed application was reviewed to see if applied to the Zoning By-law with seven units in one building. Ms. Porter thought it was important that the Board make sure, in terms of the concept, that the basis is that there would be five lots as an alternative, that seven is the right number of units that they think is applicable, and that it accepts Mr. Henderson's word on that. Mr. Findlen said the application they filed includes the seven units, which he understands is the number of units that the applicant feels is applicable to the proposed project. Mr. Zahka said the five-lot plan is simply an ANR plan. Mr. Henderson worked closely with the Building Commissioner, Kenneth Cimeno, who has a policy to respond only to applications. A Form A application has not been filed. Mr. Zahka assumed that the Planning staff can get confirmation that he has worked very closely with the engineer to determine that the layouts satisfy the Zoning Bylaw for five buildable lots. Mr. Bethoney said that he was under the assumption that, in order to get the plan where it is today, a determination has to be made by the municipality, i.e., the Town Planner or Town

Consultant, that the five lots can actually be built, and not a developer's interpretation or representation. He felt comfortable that this would only be an ANR plan, and not a subdivision or a road built-out, but agreed with Ms. Porter that the Board needs verification. He requested that, prior to a vote, the Town Planner make a determination, in concert with Mr. Findlen and at the applicant's expense if necessary, the five lots comply with the criteria of lot size, frontage, and access, and can be divided into five buildable lots. A letter from Mr. Katz regarding this would be necessary for the file. Mr. Zahka said it might be quicker if they just talked with the Building Commissioner since he has already done this. Mr. Bethoney said the Building Commissioner does not report to the Planning Board per se; the Board has a hired consultant and the Town Planner. He was sure it would be the same outcome. Mr. Zahka agreed to this. Mr. Katz said he can coordinate with Mr. Cimeno on this.

AUDIENCE

Mr. Bethoney noted that the Beckwiths were not present at this hearing. He asked if the Epker, Hooper, and Upton families were present, and Mr. Epker said he was representing them.

Kevin Slayne, 199 Lowder Street: He showed pictures of the side view of his property. He said that he has the biggest frontage facing 219 Lowder Street, and Mr. Epker is behind it. The neighborhood is very quiet with single family houses, and he did not think anyone would choose to have a seven-unit condo there because it is really not a good fit. He said that Mr. Carlevale has been very forthcoming, honest, up front, and engaging with the neighborhood. The alternative of five residential lots was put to them up front; he said it was "like this is a gun to your head, this is your alternative. If you don't want that, of course, you want a seven-unit condo as the alternative." He said the design is wonderful and it is "the least worst alternative." It will be a significant change to the neighborhood. He would characterize it as a zoning failure, saying that it is a shame that the neighborhood is not zoned as single family houses, but the law is what it is. He was very willing to work with Mr. Carlevale on the best alternative for the neighborhood, but thought they would need significant screening, traffic management, controls on setting residential units in an all-single-family neighborhood. His property is open lawn, and he has spoken with Mr. Carlevale about help with screening. There will be more traffic and cars going in and out. If the alternative is five houses, he would prefer the condos. He said he would rather it be a house, but he was satisfied with the design.

Mr. Bethoney said the property is zoned Single Residence B, which requires a lot of 12,500 square feet and 95 feet of frontage. If the lots pan out, there will be five residential lots requiring a Form A, but there is no obligation to build roads. They would have frontage and access only. He agreed that it should not be zoned Single Residence B, and said the Board would look at that. Mr. Slayne said there are big lots all around, and asked if the Board could make sure this does not happen on the next lot that is sold. Mr. Bethoney personally felt that this proposal was not the intent of the bylaw, but it is in the Zoning Bylaw. Mr. Podolski said that in order for Mr. Slayne to get what he wants, he would have to go through a pretty elaborate procedure. This is only the beginning because it ultimately has to be approved by Town Meeting. Mr. Slayne said he supported Mr. Carlevale given the alternatives. Mr. Bethoney said the reality is that if he attends Town Meeting and says no to the proposal, there will be five houses instead. Mr. Slayne understood.

Mark Epker, 950 High Street: He presented a letter of conditional support signed by 16 neighbors. This is based on six-plus months of meetings, a lot of cooperation, constructive conversation, and primarily on the merits of the proposal, which they really like. They identified key areas of concerns that have been addressed and met by Mr. Carlevale, including:

1. Height of the building
2. Size and overall massing of the building
3. Location of the building in the center of the property
4. Sufficient landscaping, especially around the perimeter
5. Design is respectful of the overall residential neighborhood
6. Under-building parking provides a lot of green space

Not all neighbors have signed the letter. Others have sent their own letters of support. Based on the proposal and the conditions listed in the letter, they request approval of the proposal, saying it meets the above conditions. He believed the concern from the neighbors is that the plan over time will not be sensitive to the above issues, but the current plan is, so they support it.

Mr. Bethoney had a letter dated September 13, 2018, from Amy and David Beckwith, 2 Wampatuck Road, with the following concerns:

1. The neighborhood is zoned as Single Residence B. Mr. Bethoney will ask the Board to review this.
2. Guarantees regarding outside lighting and noise abatement, and how this will be handled, i.e., air conditioner compressors, etc.
3. How to handle waste removal.

Mr. Zahka said that this will be handled during the full review of the project. The Planning Board will put conditions into the Certificate of Action. A polar diagram will be submitted that shows the intensity of the light and where it is going, and that the light is not leaving the site, unless it is requested for public areas. The Board and Mr. Findlen will review this. The air conditioning/HVAC will be within the roof, which will be in a cavity below the roof-line, forcing noise to go straight up. There is typically a condition in the approval that the Planning Board will review the project within six months after full occupancy (so the system is working) to make sure it is not bothersome to any neighbors beyond what would be typical from a residential house. Waste disposal will be discussed after determining from the Town that it qualifies for pick-up. Mr. Carlevale said the intent will be to have shared barrels in the basement in enclosed spaces and have the Town pick it up. He did not foresee any problem with this since the units will be for two people, and they would generate a minimal amount of trash. Mr. Epker said they do not want to see 18 barrels out on the street on trash day, so he will want clarity on that. Mr. Bethoney said this will be reviewed if the project is approved by Town Meeting, and put into the Certificate of Action as a condition.

Mr. Zahka said there has only been one other Planned Residential Development, so the process is still very new, and there is nothing that really requires a Public Hearing on the concept. He asked the Board to close the Public Hearing subject to receipt of any additional information that is needed to verify that the project is a true five-lot ANR plan. He then would

like to discuss the Planning Board giving a favorable recommendation to Town Meeting. There is a warrant article, and the Board needs to make its recommendation on that article.

Mr. Bethoney asked the audience if everyone supported the project. Basically everyone was in support assuming the ANR plan comes back with five legitimate lots.

Mr. O'Brien moved to close the Public Hearing, seconded by Mr. Podolski. The vote was unanimous at 5-0.

Mr. Aldous moved to consider the project in a favorable light and recommend that it be so voted at Town Meeting to allow the PRD at 219 Lowder Street. Ms. Porter asked if another public hearing would be held on the project once the warrant is published. Mr. Bethoney said the Board's recommendation goes in the warrant. He did not know if there needed to be a second Public Hearing on the consideration of recommendation to Town Meeting, and would contact Town Counsel. Mr. Zahka said that last time, they took a vote at the end of the Public Hearing for the concept review. It was then put on the agenda for a Public Hearing on the Town Meeting zoning articles. Mr. Bethoney said there are no other zoning articles for November. This will be discussed at the warrant Public Hearing. It is not a zoning article, but is a recommendation to Town Meeting.

Mr. Zahka would like the Board to consider voting on a favorable review this evening and to have a Public Hearing for a formal vote for Town Meeting to avoid any challenges. Mr. O'Brien said they still have not received the report on the ANR. Mr. Bethoney said they can vote subject to receiving it. If it is determined that they only have four lots, the Board will have to revisit the site. There is no issue with this; the applicant has agreed to the condition. Mr. Bethoney said he would support the neighborhood, as that is what they would like to see rather than the alternative. Mr. O'Brien agreed.

Mr. Podolski said that before he would recommend this, the neighborhood needs to recognize that they do not have to agree with this. If they do not agree, however, they might get involved in a game of chance. As a resident who lives fairly close to the property, it bothers him that the applicant would construct a building with seven residential units in an otherwise purely single residence district. If it was not for the quirk of zoning, there would be 40,000 square foot lots and 125 feet of frontage. He wondered if they should call Mr. Carleval's bluff and say no, they will not agree, and that he cannot build houses on lots of 12,500 square feet because they will not fit the character of the neighborhood. He would probably build two houses, one on Wampatuck Road and one on Lowder Street. He said this is a chance they have to take if it goes through and is approved. The Planning Board has a great track record of approvals at Town Meeting, so if it is recommended by the Board, Town Meeting usually goes along with it. He felt that the neighbors are being forced to do this and he sympathized with them. Mr. Aldous agreed with Mr. Podolski. He would rather see five houses, and is more interested in single family dwellings than apartments in an area that is all single families. He said the applicant should build apartments in an area where there are other apartments. If it was up to him alone, he would vote for the houses rather than the condos. Ms. Porter said she is not a gambler, and found the concept plan preferable to the five houses. It is important to the neighbors, and she thought it was the best way to continue the character of the neighborhood. Mr. O'Brien said that the Board's wording of the recommendation is very important. Mr. Bethoney wondered if they could give a conditional rec-

ommendation. Mr. Podolski said they could vote to hold it over to the Public Hearing to vote to support or not support.

Mr. Zahka said this is a new entity that has only come to the Board once. The Board's recommendation to Town Meeting is simple: that it be so voted or that it be indefinitely postpone. There is time between now and Town Meeting to discuss this further. He requested that the Board hold a Public Hearing as though it was a warrant article. Mr. Bethoney agreed. If the Board is uncomfortable with making a blanket statement of support for the motion at this meeting, it would not carry anyway until they have the Public Hearing. It would be fine for the Board and the abutters to think about it between now and the Public Hearing, and then discuss their thoughts.

Mr. Steeves, as a developer, asked if anyone had seen the previous Planned Residential Development on Cottage Circle in Precinct 1. He said it is very nice, and no one has said a bad word about it. If you did not know where it was, you could not find it. He thought this project would be the exact same thing.

Mr. Carlevale was upset with a comment made earlier that he essentially "put a gun" to the neighborhood. He asked the Board to ask the each member of the audience specifically what actions it took that amounted to "putting a gun" to the neighborhood's head. He said this was absolutely not the case. He presented the various options, of which there were half a dozen, one of which was the five building lots. He actually represented that he was unlikely to build five houses if he was to build single family houses, but would probably build four houses. He said the characterization that he put a gun to anyone's head is inflammatory, inaccurate, and insulting. Mr. Bethoney said he would not question the audience. He knows that Mr. Carlevale is a man of integrity. He gave him the courtesy of one question to the audience. He asked, by a show of hands, if anyone in the audience felt that he put a gun to his/her head, figuratively speaking. No one raised a hand.

Mr. Slayne regretted making that metaphor and apologized to Mr. Carlevale. The first option presented to the neighborhood was how five houses would look. Assuming that no one would like that, the option for condos was presented. He said that Mr. Carlevale, who is his neighbor, is a good man, transparent, and honest. The neighborhood is electing to support a seven unit condominium because the alternative that he presented was five houses on the lot. Mr. O'Brien thought that when the ANR comes back, it will confirm the worst possibility. He cited earlier meetings this evening, in which the Board heard what someone is willing to do in other neighborhoods. The applicant would tear down a historic building that was originally a clubhouse for the Dedham race track. At another meeting, an old, historic barn would be demolished for profit over historical integrity and neighborhood character. He said Mr. Carlevale is doing a good job to balance that.

Mr. Steeves said this should go to Town Meeting and it over with. Mr. Podolski said the Board needs to recommend it, and Mr. Steeves said it should. He asked if the Board will do that. Mr. Podolski said he is wrestling with whether this truly what a Planned Residential Development was meant to address.

Mr. Bethoney asked for a future date to meet, and what the deadline was for a Public Hearing and recommendation to cover the warrant requirements. Mr. Zahka said they will have

to wait until the warrant is printed, which will be on September 28, 2018. Mr. Katz will talk to Nancy Baker, who will let the Board know the last date they can give their recommendation. He asked for a list of neighbors so Mrs. Doherty can contact them about the date.

Applicant: Restaurant Service Company (Uno's Restaurant)
Project Address: 270 Providence Highway, Dedham, MA
Zoning District: Highway Business
Representative(s):

- R. Shawn Coelho, Facilities Maintenance Contractor, Restaurant Service Company
- Ann Shuley, Senior Facilities Manager, Restaurant Service Company

Uno's Restaurant is requesting that the Board consider modification of an existing site plan for ADA modifications to be an insignificant modification. Mr. Coelho said that the business would like to add a four-foot wide sidewalk directly in front of existing parking spaces to allow handicapped people to access the restaurant without rolling through the traffic and parking area. The ADA requires the sidewalk to be three feet wide, so this is one foot larger than required. This would be an extension of the sidewalk on the other side of the business. The elevation would remain the same, and there is no slope. The location is in front of a planting area that will be turned into a walkway with a curb all the way around.

Mr. Podolski asked if they are doing this as a result of a court procedure, as the Dedham Mall was told "at the end of a gun" to make their sidewalks more ADA compliant. The Dedham Plaza also had this situation as noted in the earlier meeting with an outside group coming to them and saying it did not have adequate access. Ms. Shuley said yes. Mr. Podolski felt that this was a justified reason to make this change. Mr. O'Brien asked how long this change was put off because it was too expensive. He said now they have to do it, they are trying to do it the cheapest way they can by asking for an insubstantial change and not paying the fee. Ms. Shuley said this was brought to her attention by the Dedham Mall management company and the Building Department. She met them on site to discuss this as soon as she was made aware of it. She said she already had plans made by an engineer. She said that money is not the issue; they just want to make it right. They were given until December to do this, and she wanted to do it as soon as possible.

Mr. Aldous moved to consider the request an insignificant modification, seconded by Mr. Podolski. The vote was unanimous at 5-0. Mr. Podolski moved that the Planning Board determine that no peer review is required, seconded by Mr. Aldous. The vote was unanimous at 5-0. Mr. Podolski moved to approve the insignificant modification to put a sidewalk into a portion of the landscape bed as shown on the proposed plan, seconded by Mr. Aldous. The vote was unanimous at 5-0. Mr. Podolski asked when this would be done; Ms. Shuley said as soon as possible. Mr. Podolski amended the motion to add that the insignificant modification be approved subject to it being done as soon as possible, seconded by Mr. Aldous. The vote was unanimous at 5-0.

Mr. Bethoney asked if Uno's had an American flag on its property. Ms. Shuley said there is one at their corporate office in West Roxbury.

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 meeting room. Mr. Podolski assumed the chair for this meeting.

The Public Hearing was closed on August 9, 2018. In the absence of Mr. Bethoney, Associate Member Ralph Steeves joined the Board for this Special Permit project. The Applicant is seeking Special Permits for:

1. Redevelopment of an existing two-story office building into a mixed-use development (Zoning Bylaw Section 7.4) containing approximately 6,000 square feet of gross floor area, net 4,500 square feet of commercial space on the first floor, and ten apartments on the second floor, with six apartments having a bedroom on a new partial third floor (requiring site plan review according to Zoning Bylaw Section 9.5)
2. Use requiring common victualler license (for the existing Dunkin Donuts)
3. Drive-thru establishment (for the existing Dunkin Donuts)

Mr. Zahka said that initially the apartments were to all be one-bedroom units, but after discussion, they now have two two-bedroom units. A new rear elevation showing the floor plan was supplied to the Board. A new rendering of the proposed rain garden was also supplied to the Board, as was an example at 19 Court Street that showed how lush and vegetated it can look. They responded in writing to McMahan's three outstanding issues. McMahan responded on September 12, 2018, stating that all issues have been resolved. The main entrance on Milton Street for the drive-thru has now been labeled one-way. They enhanced the pocket park at the corner of Milton Street and Sawmill Drive; this is shown on the landscaping plan. The park has pavers and two oval benches surrounded by small shrubs and an existing 8" caliper pear tree. The sidewalk is four feet, but Mr. Aldous asked if it could be made wider; Mr. DeVellis said it could be five feet. Mr. Aldous said he meant six or seven feet, as wide as possible, but Mr. DeVellis said that all the landscaping would be lost. Mr. Zahka said the physical sidewalk around the perimeter of the property is much wider, about ten feet wide. They are adding four feet to get to the benches.

The new architectural plan submitted this evening has a slight change. Mr. McKay said that they found a solution that might be a bit better than the first presentation. Originally they had to add more shed dormer, but one area is all roofline, which has plenty of room to extend a unit in the middle. The front of the building does not look any different, but inside the roofline is where the bedroom and bathroom will be. The rear will remain exactly as originally designed. He showed this on his plans. The building as measured from Milton Street will be 35 feet to the ridge.

Mr. Findlen performed peer review of the project on behalf of the Planning Board. This peer review was paid for by the applicant. There were several outstanding issues (sight distance on Milton Street, one-way in only going into the drive-thru, sidewalk landscape plan, and dumpster), but these have now been resolved. Mr. Podolski asked if he had seen the raingarden. He has seen the landscape plan. Mr. Aldous asked who would be responsible for trash in the rain garden. Mr. Zahka said Dunkin Donuts will be responsible. Mr. Podolski said a paragraph should be added to the Certificate of Action that it is the obligation of the owner to maintain the rain garden and clean it routinely. Mr. DeVellis said they have been to the Conservation Commission, who performed a separate review of this. This is now in the Operations and Maintenance plan. The Planning Board always incorporates this into the decision. Mr. Podolski asked what will go into the rain garden. He said they look like perennials. Mr. DeVellis said it is a copy of the rain garden at 19 Court Street. It is a shallow depression with river stones at the bottom for infiltration. There will be perennials on the side to prevent erosion. In the winter, there will be a mix of shrubs. There will be a different effect for all four seasons. Ms. Porter asked if they were able to expand the space for the pocket park. Mr. DeVellis said they lost one space from the expansion.

Mr. Zahka had given the Board a decision, which was reviewed by Mr. Podolski and Ms. Porter. A few corrections were made and sent to Mr. Zahka, and he presented the revised decision to the Board. He gave them a new Exhibit B, and the dates will need to be changed to reflect the new architectural plan. Otherwise, everything is the same.

Mr. Aldous moved to approve the Certificate of Action as amended, seconded by Ms. Porter. The vote was unanimous at 5-0. Mr. Zahka will provide extra copies of the decision.

Mr. Bethoney rejoined the Board for the remainder of the meeting.

Applicant: Town of Dedham/Public Safety Building
Project Address: 26 Bryant Street, Dedham, MA
Zoning District: Central Business

The applicant is seeking a Special Permit for a Major Nonresidential Project for a public safety facility to meet the needs of the Town of Dedham Fire and Police Departments. Mr. Podolski moved to re-open the Public Hearing, seconded by Mr. Aldous. The vote was unanimous at 5-0. Mr. Podolski moved to waive the reading of the notice for the Public Hearing, seconded by Mr. Aldous. The vote was unanimous at 5-0. Notices were mailed to abutters as required, and the Public Hearing was duly advertised in *The Dedham Times* as noted at the

last Public Hearing. The Public Hearing was opened at the last hearing, and future agendas will be noted as “continued.”

The applicant was not present. Mr. Bethoney said that there was a letter on the door of the Planning Board office this morning from James Kern, Town Manager, notifying the Board as follows:

As of this date, the analysis by McMahon Associates for review of the Public Safety Building has not been finalized. The design team feels that the beginning of the Public Hearing without that review would be less than optimal, so I am requesting a continuance of the hearing to a later date set on your [the Planning Board] schedule. Thank you for your consideration.

*[signed]
James Kern*

Mr. Bethoney said that McMahon’s review is not ready, and he would therefore like the Board to continue the Public Hearing. He said he would like the record to reflect that a letter as received on September 5, 2018, addressed to him as chair of the Planning Board, stating that, on August 29, 2018 [with today being September 13, 2018], they received authorization to be engaged in the review from the Town of Dedham. Mr. Kern signed the authorization to hire McMahon as town consultant on August 29, 2018; the application was filed on August 8, 2018. On August 29, 2018, Mr. Katz sent an e-mail stating “Here is the signed contract from the Public Safety Building. Please see attached by Jim Kern. Jenn is putting the Public Safety Building on the September 13th agenda, so we would like the review completed by then.” Mr. Katz was asked Mr. Findlen to have a review by September 13th on an e-mail dated August 29th.

Mr. Bethoney asked that the record reflect that the Board has asked the consultant to review a major development, consisting of 49,500 square feet, a police station, a fire station, its connectivity to the Town Hall, a pocket park, parking facilities, an underground parking facility, and Mr. O’Brien’s proposed fountain. The Board needs to determine a date to which the hearing will be continued, and asked Mr. Findlen when he would be ready to sufficiently and adequately address the review. Mr. Findlen said they have begun the review and the information provided to them. At this point, there is a lot of work that needs to be done. He has spent three pages of initial findings on just traffic volumes, how they were presented, how they were completed, and how they were submitted in their traffic study. They are moving forward with the review, but as the Board knows, the foundation of any traffic study is the data, including traffic volumes. He said it is flawed, and the approach they used was “interesting.” They took a lot of information and volumes obtained in 2015 when the Ames School was done. They also took information from the 360 Washington Street project, compiled everything together, and told the peer reviewer to look at it as a whole. Mr. Findlen said that the 2015 data is getting old; it is 2018 now. The study sent to McMahon was from 2017, so it has been almost a year since the data was obtained. Mr. Bethoney asked him if the traffic lights and Dedham Square improvements were done before the 2015 study. Mr. Findlen said that Dedham Square was implemented prior to that study.

In summary, Mr. Findlen said they have started the review. A request to meet with the applicant was made to discuss several findings. In an effort to be efficient with their time and money, McMahon did not think it was efficient to have this meeting. As the Board knows, he likes to get his information together to get a good sense of what they are looking at before giving anything to the Board. Mr. Bethoney said this hearing needs to be continued to a date certain, and this needs to be determined this evening. Mr. Findlen said that if the Board would like to target a date for them to be ready, he would do everything in his power to be ready. Mr. Bethoney asked if this would be two weeks, four weeks, six weeks, and Mr. Findlen said a month would be better, but they are not even through with the traffic study yet. If this could be scheduled in four weeks, they would be at a better place to discuss some of the initial comments that they have.

Mr. Podolski asked Mr. Findlen when he actually started getting information from the applicant after he was retained. He did not know the date that the application was filed; it was August 8, 2018, and he was retained on August 29, 2018, after submitting a proposal on August 24, 2018. Mr. Podolski asked if he received any documents between the August 8th filing and August 29th when he was retained. Mr. Findlen said no. Mr. Podolski asked on what date he actually started receiving the information required from the applicant. Mr. Findlen said that the project has been talked about for a year, maybe two years. There was a draft report in 2017, and he provided initial comments to be incorporated in the traffic study. A traffic summary had been submitted with the application on August 8th, but this was not an actual traffic study, just a summary of their findings. He said he received a traffic study shortly thereafter; Mr. Katz said this was around August 18, 2018. On August 24, 2018, the proposal was submitted to the Town, signed by Mr. Katz and Mr. Kern. Mr. Podolski asked about other information. Mr. Findlen said that site plans were included in the application.

Mr. Aldous was not at the last meeting for the Building, Planning, and Construction Committee (he was notified too late), but received a report from the committee stating that very little is going on at the Ames Building (site of the new town hall), and that one of the three contractors is taking the Town to court. If that happens, nothing will happen there for about two years, and nothing can be done at the Public Safety Building before then. He said this is what is slowing things down.

Mr. Katz has no new updates on the new town hall, and has received three different answers including maybe January 2019 or summer 2019; it depends on who he talks to. Mr. Bethoney asked him to speak with Mr. Kern. Mr. Katz said he has spoken with him about this, and Mr. Kern said he will discuss this when he spoke about the Public Safety Building. Mr. Bethoney asked him to tell Mr. Kern that the Board would like to discuss this with him at the next meeting, which will give him a month to prepare. Mr. Podolski said, that driving by the new town hall, the front parking lot looks terrible. He asked Mr. Katz to ask Mr. Kern if it would be possible to have the DPW clean it up so it does not look totally neglected. Ms. Porter agreed that maintaining the vegetation and lawn mowing should be done. In addition, there is a section of sidewalk that is open dirt. Many neighborhood children use that to walk to school. She asked that it be repaired so that there will be working sidewalks. Mr. Podolski said it should be public pride to maintain this property, and it is a total disgrace. Mr. Steeves said the contractor will not do this or any part of the project. Mr. Bethoney said the Board will see Mr. Kern at the next Public Hearing, and his remarks will be given then.

Mr. Podolski said he should be told before then. Mr. Bethoney said Mr. Kern should be approached whenever he is seen, i.e., parking lot, gas station, or hallways.

Mr. Bethoney asked for a date certain for the Public Safety Building to come before the Planning Board. Mr. Katz suggested October 25, 2018. Mr. Podolski made a motion to continue the Public Hearing to 7:00 p.m. on October 25, 2018, seconded by Ms. Porter. The vote was unanimous at 5-0.

OLD/NEW BUSINESS

There was no old/new business.

Mr. Bethoney said that Mr. Cimeno has asked the Board to ask Frank Gobbi to come in regarding the Route One property. Mr. Cimeno said the new grading of the property has caused concerns by the Conservation Commission, and has potentially triggered a parking plan review. He suggested that the Board have a conversation with Mr. Gobbi, and then make a determination as to whether it triggers a parking plan review. Mr. Bethoney asked Mr. Cimeno if he felt it did, and Mr. Cimeno said that it at least deserves a discussion and consideration of what the Conservation Commission's concerns are. He requested that this be put on the October 25, 2018, agenda; Mr. Podolski suggested that it come after the Public Safety Building Public Hearing. Mr. Katz will speak with Mr. Gobbi about coming in and then the Board will figure out a date that works for him as well.

Mr. Katz wanted to discuss the last minute submission of information from applicants. This has caused a problem in supplying the Board with information on the night of the meeting. Mr. Podolski said this is a common problem for the Board. Mr. Bethoney said that applicants are not supposed to be placed on the agenda or considered being placed on the agenda unless they have submitted all the information that the Board and the office needs. The exception to this is if the request is insubstantial or minimal. Mr. Katz asked if there is a time frame for submissions. Mr. Bethoney said there are time frames and deadlines that should be held to firmly. The former administrative assistant, Susan Webster, is a valuable resource. He suggested that they call her, and she would be happy to discuss this. He also said that, since Mr. Katz and Mrs. Doherty are new, they should put together questions about department procedures. They could then meet with Mrs. Webster and a board member or two to figure out the answers to their questions. He said that nothing should go on the agenda unless a complete submission is received.

Mrs. Doherty agreed that Mrs. Webster is extremely helpful, but she did not think the problem is applicants submitting the proper documents in their applications, but instead is the amount of changes that they receive up until the last minute. Mr. Bethoney said that if they have any changes, they should bring them to the meeting and present them to the Board, but this is what the Board is going to consider up until the meeting. If they want to present substantive changes, they should do it at the meeting and see what happens, or request to be taken off the agenda, give the Board the documentation, and then request to be put on the agenda at a later date so that the Board has the entire documentation it needs. This needs to be done so that the Board can efficiently process the applications and so that the office can run more efficiently. Mr. Bethoney said that Mrs. Doherty and Mr. Katz have the Board's full support on this. They thanked the Board for its support.

Mr. Steeves has discussed and recommended a document, which he calls a menu, that gives clear guidance on what, how, and when things need to be done. If the boxes are not all checked, the Board will be unwilling to hear the request. If everyone is treated the same way, there should be no problem. Mr. Findlen said everything needs to be in on the Friday before the meeting so the packages can be delivered on Monday. He noted that there was a project that he received on Monday. He was able to do the review and get it back to the office and the Board before Thursday. He did not think this was fair to anyone. He suggested that the Board be strict on the requirements, and tell applicants that if they want to be heard at the meeting, all information needs to be submitted by Friday or else they cannot come in. Mr. Bethoney said that when Mr. Katz was hired, he expressed the Board's views on the department, and its desire that it be run smoothly and professionally. The Board will be fine with whatever procedures and policies are put in place to ensure that it runs smoothly, efficiently, and professionally. Mr. Katz thanked the Board for its guidance.

Mr. Bethoney asked the members of the Board to review the minutes before the next meeting so they can be ready to vote on them. This will be scheduled for early at the next meeting.

Mr. Podolski moved to adjourn, seconded by Mr. O'Brien. The vote was unanimous at 5-0. The meeting concluded at 10:05 p.m.

Respectfully submitted,

Robert D. Aldous, Clerk

/snw