

**TOWN OF DEDHAM**  
COMMONWEALTH OF MASSACHUSETTS

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



Dedham Town Hall  
450 Washington Street  
Dedham, MA 02026  
Phone 781-751-9240

Jeremy Rosenberger  
Planning Director

**PLANNING BOARD**

**MEETING MINUTES**

**January 10, 2019, 7 p.m., Lower Conference Room**

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

Staff: Jennifer White Doherty, Administrative Assistant  
Eve Tapper, Interim Town Planner

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 recused himself from the first two agenda items due to a professional relationship between the agency at which he works and the applicants. He left the room and Mr. Podolski assumed the chair.**

**Applicant:** Supreme Development  
**Project Address:** Liana Lane Subdivision  
**Zoning District:** Single Residence B  
**Representative(s):** Peter A. Zahka II, Esq., 12 School Street, Dedham, MA

About a year ago, the final lot was released from the covenant at the applicant's request. Mr. Zahka was requested to hold \$80,000 in escrow pending Engineering and DPW determination that the infrastructure was completed. A letter was sent to the Board stating that this has been done. It is hoped that the road can be presented for acceptance as a town way at the next Town Meeting.

Mr. Podolski read the following letter into the record from the Engineering Department:

December 17, 2018

To the Planning Board:

Re: Liana Lane Right of Way.

Infrastructure installed within the right of way for the Liana Lane subdivision has been constructed per the definitive subdivision plans as approved by the Planning Board.

Jason L. Mammone, P.E.  
Director of Engineering

Mr. Podolski had no questions regarding this. The Board will vote to release the \$80,000 that Mr. Zahka has been holding in escrow since the final two lots have been released. The Board had no questions. Ms. Porter moved to release from escrow all monies held by Mr. Zahka on behalf of Supreme Development, seconded by Mr. O'Brien. The vote was unanimous at 4-0.<sup>1</sup>

**Applicant:** Edith and Frances Araby  
**Project Address:** 219, 221, and 225 East Street, Dedham, MA  
**Zoning District:** General Residence  
**Representative(s):** Peter A. Zahka II, Esq., 12 School Street, Dedham, MA

**Please see Mr. Bethoney's recusal as stated at the beginning of the meeting.**

The Applicants, who are twin sisters, own three lots on East Street. There is a single family dwelling on 219 East Street that is separately assessed, a two family dwelling on 225 East Street that is separately assessed, and a third lot on 221 East Street with two accessory buildings (barns). One barn was used by the single family dwelling, and the other by the two family dwelling.

The sisters no longer live in the house and are in senior living. They would like to sell the two-family dwelling. Instead of all the cross easements, they are seeking to subdivide the property. They would take the third lot and split it to go with each property. Everything there is nonconforming, and thus will not be grandfathered when the lots are touched. They have gone to the Zoning Board of Appeals and received 26 variances including lot width, lot size, setback, etc. This created less nonconforming lots. The lot with the single family dwelling in front, previously on a small lot of 1,400 square feet, would be larger. The plans showed how they would be divided and the results of the proposed ANR. The lots will require the Planning Board to grant a waiver of the frontage. The new Lot 1, which is the nonconforming two-family, will comply. The new Lot 2, which has the single family dwelling, will go from 1,400 to almost 2,800 square feet, but will still not comply because it does not have the requisite lot area; they are requesting that the Board waive the area on this. The frontages will remain the same. There will be a driveway easement. Mr. Zahka asked that the Board waive the area and frontage, even though the Zoning Board of Appeals has already granted a variance.

Ms. Tapper said that it is becoming more conforming, but not quite conforming. She made sure the plans are satisfactory and are the same as those presented to the Board. She is satisfied that it is eligible for endorsement. Mr. O'Brien asked if there are future plans for the site. Mr. Zahka said that if the

---

<sup>1</sup> As stated previously, Mr. Bethoney recused due to a professional relationship between the agency at which he works and the applicant, Supreme Development. He did not participate in any of the previous meetings or discussion of the proposals, nor was he present in the meeting room.

ANR is approved, they will be selling the two-family on Monday. They will retain the single family dwelling.

Mr. Podolski said this seems to be a sensible and reasonable solution for the properties. Ms. Porter moved to approve the plan dated November 3, 2018, as well as the variances for frontage and area. Mr. O'Brien seconded the motion. The vote was unanimous at 4-0.<sup>2</sup> The Mylar and plans were signed.

**Mr. Bethoney rejoined the Board at 7:20 p.m.**

<b>Applicant:</b>	Federal Realty
<b>Project Address:</b>	725-825 Providence Highway, Dedham, MA
<b>Zoning District:</b>	Highway Business
<b>Representative(s):</b>	Kevin F. Hampe, Esq., 411 Washington Street, Dedham, MA

Mr. Hampe presented an ANR plan that combines two lots into one. Federal Realty bought the Dalzell dealership property, and the plan will eliminate the lot line for that property, encompassing it into the entire property for the Dedham Plaza. The lot will be called Lot A and will have 18.19 acres. The dealership is 6.8 acres, but there is a larger amount of land that goes behind it into the wetlands toward Montague Road. They will return to the Board with any plans for the property. In reviewing the plan prior to coming to the Board, Mr. Hampe noted an error on the Mylar and asked that he be able to present a new Mylar to the Board. There is no closing on the property scheduled.

Ms. Tapper presented a memo to the Board dated January 3, 2019. This combines the lots to make them all one. She noted an issue due to waivers for parking. The developer does not know what they will do with the property, but they will return to the Board with any plans. They felt that it is easier to do the ANR at this time, and she agreed. She said that it is eligible for endorsement as an ANR by the Board.

Ms. Porter said she knew that Federal Realty is working with the ZBA on getting the Plaza tenants in compliance with the Sign Code and the lights. Mr. Hampe said they are working on this. Ms. Porter then said that they have received information from the Police that about 10% of accidents in Dedham have happened in the Plaza parking lot. Mr. Hampe asked if there was a particular area. Ms. Porter said that the location of Panera has no sidewalk connecting pedestrians from Route One to the plaza. People are walking on Route One across from TGI Friday's to the Plaza, and there is no sidewalk. She asked Mr. Hampe to discuss this with Federal Realty. Mr. Hampe was not sure if there had ever been a walkway, but said it should be addressed. Ms. Porter said there used to be a lot of space where Panera now is, and people would cross there. Mr. Hampe said this should be looked at so it can be connected to a crosswalk. Ms. Porter said there are a few different ways to do this. She said the entrance has a width that could be four lanes, but the entrance is only one and the exit is two lanes. She thinks there is room. Mr. Hampe will address this with Mr. Webster at Federal Realty. Mr. Bethoney reviewed this, and said that pedestrian access through the lot to the front stores would be helpful. Two people have asked about the sight distance at the drive-thru. He called Federal Realty to discuss this with the Dedham representative. When coming out of Panera's, people step out from the building and into the drive-thru lane on the side facing Route One. This is a significant safety concern, and needs to be addressed with signage or pavement markings.

---

<sup>2</sup> As stated previously, Mr. Bethoney recused due to a professional relationship between the agency at which he works and the applicant, Supreme Development. He did not participate in any of the previous meetings or discussion of the proposals, nor was he present in the meeting room.

With regard to the ANR, Mr. Podolski moved to endorse the ANR, seconded by Mr. Aldous. The vote was unanimous at 5-0. Mr. Hampe will return with the corrected ANR for signature at the January 24, 2019, meeting.

**Applicant:** Robert B. Aranow and Patricia Profeta  
**Project Address:** 210 Highland Street, Dedham, MA  
**Zoning District:** Single Residence A  
**Representative(s):** Edward J. Richardson, Esq., 339 Washington Street, Dedham, MA

Mr. Richardson submitted a CD from the engineer for the file. The property at 30 Woods End Road would receive Parcel A, 4,618 square feet, at a price of approximately \$37,000. Lot 2A, from which this is taken, would remain a fully conforming lot in the Single Residence A zoning district. There is no change in frontage. Parcel A would be fully owned by 30 Woods End Road. No construction is being contemplated.

Ms. Tapper stated that the parcel is eligible for endorsement. Language should be added that Lot A will not be buildable, and cannot be merged because it is *unintelligible*. It has no frontage and has insufficient area. Mr. Bethoney said that the plan will reflect in the notes of Section 2, the parcel is to be combined with adjacent land owned by Tonya M. Hongsermeier, 30 Woods End Road, and is not to be considered a separate buildable lot as defined by the Subdivision Control Law.

Mr. Podolski moved to endorse the ANR as presented, seconded by Ms. Porter. The vote was unanimous at 5-0. The Mylar and the plans were signed by the Board.

The Board recessed for five minutes.

## **Old/New Business**

### 383 Westfield Street

Kelly Clerkin presented plans for an insubstantial modification in a letter dated January 8, 2019. She is seeking the modification due to a change in garage positioning because a septic tank needs to be relocated on the property. The site plan was previously approved by the Board.

When they were designing the construction detail and septic design, the septic location had to be relocated from the west side to the east side. This in turn caused them to reposition the garage layout. She asked the Board to approve this repositioning. The Building Department has required her to see the Board for modification or to determine that the change is insubstantial. The new location was shown on the plans. The number of units and building design remain the same. The driveway stays the same. Nothing other than the garage positioning is changing.

Mr. Podolski moved to determine that the two changes depicted on the revised site plan dated January 5, 2019,<sup>3</sup> are insubstantial changes. Ms. Porter seconded the motion. The vote was unanimous at 5-0. Mr. Podolski moved to approve the revised plan dated January 7, 2019, reflecting that the septic system has been moved and parking spaces positioned. Ms. Porter seconded the motion. The vote was unanimous at 5-0. Ms. Clerkin will bring in plans that reflect the correct date so the Board can sign them for the file and give copies to the Building Department. The Board will send a letter to Building

---

<sup>3</sup> The plans were dated incorrectly and should reflect the date of January 7, 2019.

Commissioner Cimeno tomorrow that it has deemed it an insubstantial change, and that it approves the revised plan.

### **Master Plan Implementation Committee**

W. Shaw McDermott, 580 Bridge Street, was present for this meeting, which will review recommendations by the Master Plan Implementation Committee, committee structure, etc. Ms. Porter prepared paperwork reflecting the discussions at previous meetings regarding dissolution of the current Master Plan Implementation Committee and the creation of the Master Plan 2020 Study Committee.

#### 2020 Proposed Committee Structure

Discussion took place in December to determine what the Master Plan 2020 Study Committee should look like. They focused in depth on at-large seats and how they would be appointed. They also discussed housing and housing subcommittee. The Master Plan Implementation Committee met on January 7, 2019 to discuss this in order to make proposals.

Mr. McDermott said the MPIC proposed the same number of members. In the prior draft, the Planning Board would appoint four members and the Select Board would appoint three. They reviewed the previous Master Plan and what came out of it. Ultimately, they decided that there should be two appointments by the Select Board. The MPIC also considered having the Planning Board appoint five members, in addition to the two Planning Board members. With regard to housing, several comments from the Board were discussed regarding participation from Council on Aging, Livable Dedham, veterans groups, Dedham Housing Authority, and Dedham public employees; these were found to be very valid and made sense. It should be stated in the document that it reflects the interest of those committees. Ms. Porter said that the only substantive change in the document since December is the first page regarding giving guidance to the Planning Board and Select Board about the characteristics to consider in making appointments. They added Section B, which states “an ability to commit to the expected responsibilities of the Dedham 2020 Committee.” This is to pre-empt people from not coming to the meetings; the MPIC had to be re-formed previously because of this. This will let people know up front that they are committing to an 18-month to two-year process with regular meetings.

Mr. Bethoney discussed making the committee a cross-section of representation. Ms. Porter said that the five at-large appointments and the two at-large appointments are encouraged to have the defined qualifications. The clear understanding of what is entailed should be stressed. In the time the MPIC was working, they reviewed the 2009 Master Plan for areas in which the Town is exceeding or falling short. Governance was an area that kept coming up, i.e., looking for a consistent pattern among all the boards for reorganization every year and considering committee appointments. The Planning Board makes a practice of reorganizing immediately after elections, reviewing committee structure, reviewing every appointment, and making goals. This is a role model for other committees, and should be included in the 2020 Study. Mr. Bethoney said this cannot be dictatorial.

Mr. McDermott hoped that, given the success of the Master Plan in the past and other initiatives that have come before boards in Town that have been a product of volunteer activity, there would be a substantial number of people who are interested in being involved. It will be challenging to make the appointments. The applicants are to be informed that there are multiple opportunities for engagement. Mr. Bethoney agreed and noted that this happened when the Planning Board interviewed for the Associate Member position. He said there should be documentation available for participation in other committees and subcommittees.

Mr. Bethoney asked if the Board was satisfied regarding seven at-large members, five to be appointed by the Planning Board and two by the Select Board. There would be two Planning Board members, one Select Board member, one Parks and Recreation member, and one School Committee member. It does not indicate “designee” as requested by the Planning Board. Everyone agreed. People with specific abilities will be encouraged to apply, outlining the significant commitment it will require. The importance of transportation, housing, and public health committees should be defined. Appointment of members with a wide range of views across Dedham was stressed. Mr. Bethoney asked if the MPIC or the Planning Board will choose the consultant. Ms. Porter said the MPIC recommended that they choose the consultant because they would be working closely with him/her. Mr. Podolski noted that this is different from the 2009 Master Plan. Mr. Bethoney said the consultant is paid through the Planning Board budget. He was not opposed to the MPIC choosing the consultant, but said the committee and the consultant should come before the Board for approval. The Board agreed. This should be added to the Master Plan.

### Proposed Timeline

Mr. McDermott hoped that the Board would vote to establish the Master Plan committee, begin writing the RFP, and begin the posting process this month. Mr. Podolski asked if Ms. Tapper could assist in this. She said she has worked on Master Planning, but has not written an RFP. However, John Sisson, the Economic Development Director, has written one and will assist in this. Mr. Podolski suggested that she look at the previous RFP as to how to do this. She said that the draft job posting for the town planner says that the town planner should work with the Master Plan Implementation Committee. She is confident that the new town planner, whenever appointed, would be able to do that. She will work on it while she is here. The Board agreed with her. Ms. Porter said they have been collecting Master Plan RFPs, as this is how they gather some data. They will try to do a lot of the work going into the RFP, i.e., setting the context and discussing Dedham’s issues.

Mr. McDermott said that one of the members, who is also on the Finance and Warrant Committee, suggested February 8, 2019, and that there be a placeholder; Mr. Bethoney said the Planning Board has an automatic placeholder. Mr. McDermott asked if this could be included in the discussion. Interviewing and appointing applicants will take place in March, and the RFP would be published in April. May and June will be for evaluation and hopefully a consultant will be chosen then. The Master Plan Implementation Committee will begin meeting in July.

Mr. O’Brien asked how to get the notice of opportunity out to the broadest base of people for appointments. Ms. Porter said they have not identified specifics, but there would be multiple ways including newspaper ads, press releases, electronic newsletters from schools, social media, and library postings. Mr. Podolski suggested contacting Town Meeting members, who can then pass it along to constituents. Mr. O’Brien said that it should be made exciting to everyone, particularly people with the largest gripes, as they should be the ones most interested in serving. Ms. Porter agreed. Ms. Tapper suggested putting notices in the water bills; Mr. Bethoney said this is a private company and suggested other bills, i.e., sewer bills. Mr. McDermott said the Planning Board should ask *The Dedham Times* to publish a public service announcement and perhaps interview members of the Board. Mr. O’Brien thought that it is most important to get “the people underneath” who want to be involved but do not want to spend too much time. Mr. McDermott thought this was a good idea and should be part of the presentation, as there are subcommittees that need members as well.

Mr. Bethoney said that it should be added that the MPIC and its choice for consultant should come before the Board to discuss the consultant’s role and for ratification. Ms. Porter thought this should be added to the timeline. The Board was pleased with the committee structure.

Motion: Mr. Podolski moved to adopt and approve the proposed twelve-member Dedham 20/20 Master Plan Committee. Mr. O'Brien seconded the motion.

Discussion: Mr. O'Brien, who was a member of the first committee, said this committee will learn a lot from them. The first committee won an award for small town planning. He felt that the new proposal is better than the first one in that it is more thorough and will reach out to more people. He commended the committee for its work to reorganize, saying it is very impressive.

Vote: The vote was unanimous at 5-0.

With regard to the timeline, Mr. McDermott said they finished their work on the 2009 Master Plan in 18 months, but this was hard driving. They want the best product, and if it slips into the New Year before it is finished, that would be fine. He thought it is good to aim for 18 months, although it could be a little longer. His objective is to have it ready, printed, and published for Town Meeting in May 2020. Mr. Podolski said the tentative completion date would be December 2020. Ms. Porter said that March 2019 will be to interview and appoint committee members, assuming the posting is correct. This may be aggressive. It can be amended to March/April 2019. Mr. Bethoney said they could have an extra meeting in March for this.

Motion: Mr. Podolski moved to approve the timeline of January 2019 to July 2019. Mr. Aldous seconded the motion.

Vote: The vote was unanimous at 5-0.

Ms. Porter will re-issue the paperwork with these changes, and it will become a public document. Mr. McDermott said the seven-page memo has the timeline in it. It is an historic record document designed to alert the potential consultant and the members of the Master Plan Implementation Committee as to what was done, what the reasoning was, and what the priorities might be. Ms. Porter said that discussions with planning consultants and the MAPC showed that the more context and guidance they could provide in the RFP, the easier it will be to select the consultant. Mr. Bethoney said that anyone reading this would see just how serious the Town is about the master plan process.

Mr. O'Brien asked if \$150,000 is enough to do this. Mr. McDermott said that they had \$100,000, but after discussion with Mr. Podolski, \$150,000 made more sense due to inflation. Any excess money can be returned to the Town. The main drivers for master plans are traffic studies and community engagement. Traffic in town in general and Dedham Square and Route One in particular are huge issues. In addition, the more rigorous community engagement is, the better it is, but the more it costs. This was discussed in detail.

Mr. McDermott commended the Master Plan Implementation Committee for the engagement, quality of thinking, and the update authorized by the Planning Board. Mr. Bethoney said they will be formally recognized once the process is completed. Ms. Porter said she would suggest that the previous Master Plan Implementation Committee not be dissolved yet because they will meet in February to approve the final minutes. In addition, it may be of assistance in drafting, mailings, advertisements, etc. The Board will discuss this.

## Dedham Square Planning Study Committee

In December 2018, it was voted to establish the Dedham Square Planning Study Committee; this was reformed from the original committee but with a different structure. The reason for the change in structure was to research and advise the Town on the potential use/re-use of the present Dedham Police Station building and property. This was an addition to the scope, over and above looking at the entire Square. This was added at the request of the Select Board, who requested representation from every precinct. Ms. Porter started drafting letters to get the postings going. In order to get the precinct representation, the Board approved a two-stage appointment process. The first stage would be to request appointments from various boards and committees (non-at-large members). Once the neighborhood representation was determined, the next stage would be to post for at-large members, with precinct specific representation as needed. Letters could be sent to the Board of Selectmen, Finance and Warrant Committee, and Council on Aging asking them to appoint representatives. A letter would also be sent to the Dedham Square Circle. The representatives for a business owner and a developer would have to be posted; whether they are Dedham residents was not specified previously. This would need to be in the posting. Ms. Tapper said it would be good to have a developer who lives in Dedham, but not necessarily a business owner. Mr. Bethoney said the posting should say that a Dedham resident is preferable. Ms. Tapper said this may also apply to Dedham Square Circle. A letter will be written and sent out by the middle of next week.

Ms. Porter went over the objectives and scope including research and evaluation of options for use/re-use of the Police station, development of a strategic plan for the Square that builds on the design guidelines by identifying the areas that would be the most transformative, community assets, key intersections and improvements for accessibility of pedestrians, cyclists, and bus riders, improvements to public infrastructure, community vision, build out analysis, and municipal regulations that might be impeding development or business expansion consistent with that vision. The responsibilities for committee member would include the knowledge that the committee would be in existence for 12-14 months, monthly committee meetings, two to four public meetings or public listening sessions, and work outside of meetings by reviewing reports or visiting other town centers, and meeting with consultants.

Mr. Bethoney was satisfied with the results of the meetings discussing the process. Mr. Podolski agreed.

Motion: Mr. Podolski moved to adopt the structure and scope subject to the revision citing preference for Dedham residents for developer, business owner, and Dedham Square Circle. Mr. O'Brien seconded the motion.

Vote: The vote was unanimous at 5-0.

Mr. Bethoney will work with the Planning office on the proposed letter and get it out to the chairs of the appointing committees. He will also assist on the posting for the developer and the business owner.

Mr. Bethoney asked the Board if they had thought about the committees. Nothing will be decided this evening; it will take place at the next meeting. Two members of the Planning Board would need to sit on the Master Plan 20/20 Committee. Mr. O'Brien and Ms. Porter expressed their interest. Two Planning Board members need to sit on the Dedham Square Planning Study Committee. Mr. Podolski would like to sit on this since he works in Dedham Square. Ms. Porter said she has an interest and willingness, but would be willing to defer if there was someone with a stronger interest. The Board will think about this. Nominations will be called at the next meeting.



**Old/New Business (continued)**

Minutes: Mr. Podolski moved to table the review of minutes until the next meeting, seconded by Mr. Aldous. The vote was unanimous at 5-0.

Job Posting, Town Planner:

This was not on the agenda, but since the Board wanted to discuss it, it was considered as new business. Mr. Bethoney said he would not like to discuss this tonight; he wanted to keep Ms. Tapper in her temporary position as long as possible. Ms. Tapper said she does not know how long she will stay, but she has enjoyed working with the Board. She hoped that she could overlap her stay when the new planner comes on board. She appreciated the accolades, and has enjoyed the position. She said the Board should move forward with finding a planner.

Mr. Bethoney asked the members to carefully review the town planner posting. Mr. Podolski said that the current people who will hire this person are the Town Manager James Kern, Assistant Town Manager Nancy Baker, and Economic Development Director John Sisson, but there needs to be a member of the Board involved in this. Ms. Tapper said they have asked her to screen applicants, and she and Mr. Bethoney have discussed how to publicize this and target people in their own networks. She said it should be someone with municipal planning experience and wants to grow in his/her career. Mr. Bethoney said this is what they had wanted previously, but it did not happen. They want someone with vast experience in running the day-to-day operations of the department, someone who knows long-term planning, as well as the rules and regulations and laws for municipal applications, i.e., Zoning Bylaw, and state regulations and state zoning code. Ms. Tapper said they will attempt to screen out people who do not have the experience, and then form a larger committee to interview and recommend two or three people for the final choice.

Mr. Aldous asked if the applicant should be a Dedham resident, as he preferred someone who lived in Town. Ms. Tapper said they can add that as preferable but did not know if there are any qualified people in town.

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

Respectfully submitted,

Robert D. Aldous, Clerk

/snw