

**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  
Ralph I. Steeves, Associate Member



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**PLANNING BOARD MINUTES**  
August 12, 2020, 7 p.m., Zoom Video Conference

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

Not Present: Ralph I. Steeves, Associate Member

Staff: Jeremy Rosenberger, Planning Director  
Michelle Tinger, Community Planning and Engagement Specialist  
Jennifer Doherty, Administrative Assistant

The Chairman of the Planning Board, Mr. John Bethoney, read a statement to open the Planning Board meeting:

“It being 7:00 pm, Wednesday, August 12, 2020, welcome everyone to the virtual public meeting of the Town of Dedham’s Planning Board.

Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor’s March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Town of Dedham’s Planning Board is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort has and will be made to ensure that the public can adequately access the proceedings as provided for in the Order.

Members of the public may access this virtual webinar by going to zoom.com, select Join A Meeting in the right-hand corner, and enter Webinar ID: 93021862082 In addition, Members of the public may phone into the webinar by dialing: 1-646-558-8656 and then enter Webinar ID:93021862082.

The virtual forum is also live streaming on the Town of Dedham’s Planning & Zoning Facebook page. Furthermore, the meeting is broadcast live Dedham TV. Visit dedhamtv.com to watch online or find your local TV channels.” The Chairman then went over remote meeting protocols.

The Chairman took a roll call attendance:

James McGrail – here

Jessica Porter – here

James O’Brien – here

Michael Podolski – here

John Bethoney - here

Having five members in attendance, a quorum was met.

**337-339 Washington Street**

**Applicant:** Garnett Realty Trust, Robert Naser Trustee

**Project Address:** 337-339 Washington Street

**Zoning District:**

*Request to continue a public hearing*

The public hearing had been continued from 6/10/2020 and the Applicant was asking for a continuance to 9/23/2020. Attorney McGrail asked if the Board was in any danger of constructive approval and Mr. Rosenberger answered no they were not. The extensions were by mutual action of the Board and the Applicant and the Governor’s order was still in place. No constructive approval was possible.

A motion was made by Attorney Podolski and seconded by Attorney McGrail. A roll call vote was taken.

James McGrail – yes  
Jessica Porter – yes  
James O’Brien – yes  
Michael Podolski – yes  
John Bethoney - yes

The motion passed unanimously 5-0 and the public hearing will be continued to September 23, 2020.

**75, 110-120, and 125 Stergis Way**

**Applicant:** Nordblom Company  
**Project Address:** 75, 110-120, and 125 Stergis Way  
**Zoning District:** Highway Business Zone (HB)  
*Request to continue a public hearing*

The public hearing had been continued from 7/8/2020 and the Applicant was asking for a continuance to 9/23/2020. A motion was made by Attorney Podolski, and a second was made Jessica Porter. There was no discussion on the matter. A roll call vote was taken.

James McGrail – yes  
Jessica Porter – yes  
James O’Brien – yes  
Michael Podolski – yes  
John Bethoney - yes

The motion passed unanimously 5-0 and the public hearing will be continued to September 23, 2020.

**Open Meeting Law & Public Records**

Lauren Goldberg, Esquire was on the remote meeting to review Open Meeting Law and public records with the Board, as well as social media, email, and related matters. Attorney Goldberg showed a PowerPoint presentation and spoke outlining the most up to date laws concerning the former topics. She answered questions by members and clarified any confusing topics.

**222 Ames Street**

**Applicant:** Newbury Corporation/The Norfolk & Dedham Group  
**Project Address:** 222 Ames Street  
**Zoning District:** General Business (GB)  
*Request to waive impact assessment(s) as part of future filing for a Special Permit for a Major Nonresidential Project.*

Representing the applicant was John P. Connelly, Esquire. The Chairman stated that the Board had received the letter from the Applicant requesting waivers and he asked them to summarize their request. Attorney Connelly gave a brief overview of the project. He then stated they felt this was a suitable project to waive the three impact assessments Traffic, Environmental, and Community and Fiscal Impact that would normally be required for a Major Nonresidential Project. The primary reason being that they were almost duplicating the project that had been in existence in the same location for close to 60 years without any detriment to the neighboring community. They had also met with MassDOT for the nearby street project and were planning on working together to coordinate construction timing and minimize impact to the neighbors.

Jessica Porter stated that she had no issue with waiving the Traffic Assessment and the Community and Fiscal Impact Assessment, however she had questions regarding the Environmental Assessment. She explained that she had been contacted by a member of the Conservation Commission regarding the previous claim by the applicant that they would certify for LEED even though they were not applying for it. The ConCom member had felt that may not be accurate due to the new construction. She felt that an Environmental Impact Assessment may be warranted. The Applicant replied that they were keeping in compliance with all State and Town codes and they were not looking to interfere with the waterways in any way. The Chairman then asked considering these concerns, and given that there were no objections to waiving the other two studies, would the Applicant be willing to perform the Environmental Assessment? The Applicant agreed they would review the requirements for the Environmental Assessment study and write a letter to the

Board outlining which of these requirements they would be willing to perform. The letter would be sent to the Board to be considered at a later meeting.

A motion was made by Attorney Podolski to waive the Traffic Impact Assessment, and the Community and Fiscal Impact Assessment. The motion was seconded by Jessica Porter. A roll call vote was taken.

James McGrail – yes

Jessica Porter – yes

James O’Brien – yes

Michael Podolski – yes

John Bethoney – yes

The motion passed unanimously 5-0 and the above assessments would be waived.

Ms. Porter raised a letter that was received from Ms. Beth Doris Gustin addressed to the Board. Ms. Gustin had asked if the gate for the former Two Rivers Estate currently on the property will remain after the new development. The Applicant answered that there were no plans to move or alter it and it was their expectation that it would remain.

### **8:15 pm**

Mr. McGrail had to depart the meeting at 8:15 pm, but before leaving stated that he supported Mr. Bethoney continuing as Chairman of the Planning Board, Attorney Podolski as Vice Chairman of the Planning Board, and Jay O’Brien as Clerk of the Planning Board.\* He had previously talked with Attorney Podolski about serving on the Open Space and Recreation Committee and was willing to serve as a Planning Board representative if the rest of the Board was in agreement.

### **Virtual Meetings**

Attorney Podolski made a motion to table the discussion of Virtual Meetings to the next meeting, the motion was seconded by Jessica Porter. A roll call vote was taken.

Jessica Porter – yes  
James O’Brien – yes  
Michael Podolski – yes  
John Bethoney – yes

The motion passed 4-0 unanimously.

### **Planning Board Re-Organization & Committees**

Attorney Podolski nominated John Bethoney for Chairman, and the nomination was seconded by Jay O’Brien. There were no other nominations for chairman. A roll call vote was taken.

Jessica Porter – yes  
James O’Brien – yes  
Michael Podolski – yes  
John Bethoney – yes

The vote was unanimous in favor of John Bethoney for Chairman, 4-0. \* Mr. McGrail had previously stated he supported Mr. Bethoney for Chairman.

Jessica Porter nominated Michael Podolski as Vice Chairperson, and Jay O’Brien seconded the motion. There were no other nominations, and a roll call vote was taken.

Jessica Porter – yes  
James O’Brien – yes  
Michael Podolski – yes  
John Bethoney – yes

The vote was unanimous in favor of Michael Podolski for Vice Chairperson 4-0. \* Mr. McGrail had previously stated he supported Michael Podolski for Vice Chairperson.

Mike Podolski nominated Jay O'Brien for Clerk, and the nomination was seconded by Jessica Porter. There were no other nominations. A roll call vote was taken.

Jessica Porter – yes  
James O'Brien – yes  
Michael Podolski – yes  
John Bethoney – yes

The vote was unanimous in favor of Jay O'Brien as Clerk 4-0. \* Mr. McGrail had previously stated he supported Jay O'Brien for Clerk.

The Chairman then handed over the Committee appointments to Planning Director, Jeremy Rosenberger.

Transportation Advisory Committee – A motion was made by Jessica Porter for John Bethoney to continue serving on this committee as the Planning Board representative. Mike Podolski seconded the motion. A roll call vote was taken.

Jessica Porter – yes  
James O'Brien – yes  
Michael Podolski – yes  
John Bethoney – yes

Motion passes 4-0.

Capital Expenditures Committee – A motion was made by Jessica Porter for Mike Podolski to continue serving on this committee as the Planning Board representative. The motion was seconded by Jay O'Brien. A roll call vote was taken.

Jessica Porter – yes  
James O’Brien – yes  
Michael Podolski – yes  
John Bethoney – yes

Motion passes 4-0.

Open Space and Recreation Committee - Mike Podolski had served on the committee for many years and made a motion to nominate Jim McGrail to now serve on this committee as the Planning Board representative. The motion was seconded by Jay O’Brien. A roll call vote was taken.

Jessica Porter – yes  
James O’Brien – yes  
Michael Podolski – yes  
John Bethoney – yes

Motion passes 4-0.

Special thanks were given to Stephanie Radner for her tireless efforts in completing the report for the Open Space and Recreation Committee. Her commitment to the committee was extraordinary.

Building, Planning and Construction Committee – Jessica Porter made a motion for Mike Podolski to continue representing the Planning Board on this committee. Jay O’Brien seconded the motion. A roll call vote was taken.

Jessica Porter – yes  
James O’Brien – yes  
Michael Podolski – yes  
John Bethoney – yes



Motion passes 4-0.

Dedham Square Study Committee - Mr. Podolski mentioned that Jessica Porter was the heart and soul of this committee and that she was doing a tremendous job. He made a motion to re-appoint her as a Planning Board representative to this committee. The motion was seconded by Jay O'Brien. A roll call vote was taken.

Jessica Porter – yes

James O'Brien – yes

Michael Podolski – yes

John Bethoney – yes

Motion passes 4-0.

Jessica Porter made a motion to have Mike Podolski be the second appointment to this committee. She felt that they worked together very well and wished to continue doing so. Jay O'Brien seconded the motion.

Jessica Porter – yes

James O'Brien – yes

Michael Podolski – yes

John Bethoney – yes

Motion passes 4-0.

Master Plan 2030 Committee - Jay O'Brien made a motion to re-appoint Jessica Porter to the committee as the Planning Board representative. The motion was seconded by Mike Podolski. A roll call vote was taken.

Jessica Porter – yes  
James O’Brien – yes  
Michael Podolski – yes  
John Bethoney – yes

Motion passes 4-0.

Mike Podolski made a motion to re-appoint Jay O’Brien to the committee as the second Planning Board representative. Jessica Porter seconded the motion. A roll call vote was taken.

Jessica Porter – yes  
James O’Brien – yes  
Michael Podolski – yes  
John Bethoney – yes

Motion passes 4-0.

East Dedham Revitalization Committee – Jay O’Brien had previously been the representative to this committee. The Chairman asked if this committee was still active. Mr. O’Brien answered that it had not been lately, but he felt with the current activity happening in East Dedham that it was important to reactivate it. A motion was made by Jessica Porter to re-appoint Jay O’Brien to the committee as the Planning Board representative. The motion was seconded by Mike Podolski. A roll call vote was taken.

Jessica Porter – yes  
James O’Brien – yes  
Michael Podolski – yes  
John Bethoney – yes

Motion passes 4-0.

Chairman Bethoney wished to put on the next agenda goal setting for the Board.

### **Minutes**

Chairman Bethoney made a motion to table the approval of the minutes from June 24, 2020 to the next meeting so that Mr. McGrail could be present. Jessica Porter had previously sent edits to Jennifer Doherty and requested she redistribute the minutes with these edits for next time. The motion was seconded by Jessica Porter and a roll call vote was taken.

Jessica Porter – yes

James O’Brien – yes

Michael Podolski – yes

John Bethoney – yes

Motion passes 4-0.

### **Performance Bonds**

Planning Director Jeremy Rosenberger had been approached by the Finance Department about existing performance bonds and wished to review them with the Board. All the bonds in question were prior to Mr. McGrail’s time on the Board so it was decided it was ok to continue without him being present. Performance Bonds are financial incentives that are implemented to ensure that developers complete the required and agreed upon work.

**Legacy Place** - Existing bond and Mr. Rosenberger recommended maintaining it as Legacy Place had not completed all the development at the site.

**719 Washington Street** – he believed this was a Conservation bond and had been attributed to the Planning Department mistakenly.

**Presidential Estates** – There were two bonds for these properties and in connection with Frank Gobbi and were not allowed to be retained by the town. These had to be maintained due to existing litigation.

**Sampson Circle** – Steven David, Chairman Bethoney said this one predated his tenure on the board and only the Town Engineer could determine if it should be relinquished or maintained.

**Fairfield Development** - This had not been under the Planning Board and had been under the jurisdiction of the Zoning Board of Appeals. Mr. Rosenberger will consult with them.

**Continuum Care** – A project that never came to fruition. Mr. Rosenberger will investigate this further and get the address.

**Rustcraft Road Solar** – This was for landscaping that had not been completed. Mr. Rosenberger and John Sisson had gone out to the site recently and inspected the landscaping. They felt it was in compliance and the bond could now be released.

### **Old Business/New Business**

Michelle Tinger, Community Planning and Engagement Specialist described the Sign Code Study that was being done with Harriman. She explained that they would be conducting a virtual open house. It would be for all age groups, would include a bingo game, a coloring book, and prizes.

A short discussion on meeting dates ensued.

A motion was made by Attorney Podolski to adjourn the meeting. The motion was seconded by Ms. Porter, and a roll call vote was taken.

Jessica Porter – yes

James O'Brien – yes

Michael Podolski – yes

John Bethoney – yes

The meeting adjourned at 9:02 pm.