

**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**



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**Jeremy Rosenberger**  
**Planning Director**

**PLANNING BOARD**  
**MEETING MINUTES**

**Thursday, March 28, 2019, 7 p.m., Lower Conference Room**

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

Staff: Jennifer Doherty, Administrative Assistant  
John Sisson, Community Development Director

The Pledge of Allegiance was recited. Plans, documents, studies, etc., referred to are incorporated as part of the public records and are on file in the Planning and Zoning office. Mr. Bethoney welcomed the members of the Board of Selectmen, Chair James MacDonald, Vice Chair Brendon Keogh, and Selectmen Dennis Guilfoyle, Michael Butler, and Dr. Dennis Teehan, Jr.

**Acceptance of Covenant and Endorsement of Plan, 219 Lowder Street, Dedham, MA**

Present: Peter A. Zahka II, Esq., 12 School Street, Dedham, MA

Mr. Zahka asked for acceptance of the covenant and endorsement of the plan for the Planned Residential Development at 219 Lowder Street. The Board has reviewed the Certificate of Action and found it to be acceptable. Mr. Zahka asked Mr. O'Brien to endorse the two plans at his leisure and will pick them up when they are ready. He will record the layout at the Registry and asked for endorsement so he can do that. Mr. Podolski moved to accept the covenant as presented, seconded by Ms. Porter. The vote was unanimous at 4-0. Mr. Podolski moved to accept the plan as presented, seconded by Ms. Porter. The vote was unanimous at 4-0. Mr. O'Brien endorsed the plans.

**Joint Meeting of Board of Selectmen and Planning Board**  
**Appointment of Interim Planning Board Member**

Mr. MacDonald called the meeting of the Board of Selectmen to order. The Planning Board and the Board of Selectmen heard applicants for the vacant Planning Board position with the intent of appointing a new member.

Andrew Pepoli, 56 Greenlodge Street: He had previously applied for the Associate Planning Board member position. He has worked in commercial real estate for the past 12 years in property and asset management, financial analysis, and real estate development. He has direct experience with and a strong understanding of commercial development, zoning laws, the project application process, and community involvement. He has covered projects in retail, multi-family, self-storage, and industrial products. He said his experience in planning projects in Massachusetts and other regions can bring a perspective on what has/has not worked well. He has seen how other towns view the planning process and has reviewed the various bylaws that they have in place. In his experience, a high percentage of applicants are commercial developers, and his experience would provide a unique perspective and deep insight into applicants. He understands their processes, how projects are analyzed, and the motives for specific actions and design. He has been in this position and understands the current development trends, e.g., mixed use development. He said it may be prudent to add someone who has a perspective that is missing from the Board since this would be of greater benefit.

Mr. O'Brien asked him what it is about Dedham that attracts or does not attract commercial groups. Mr. Pepoli said that Dedham's location is very beneficial, it is a great place to live and work, and it is only a 25-minute train ride into Boston. He cited Legacy Place and revitalization of Dedham Square. There are not a lot of cons to Dedham other than the restrictive zoning laws. Mr. O'Brien commented that many people think Dedham is overbuilt, but others want to take advantage of increasing commercial growth, which can ease the residential tax rate. Mr. Pepoli said that Dedham needs to be smartly built with the right kind of commercial development. He can provide insight into developers who just want to build for money, but not care about the Town. There need to be smart zoning rules and regulations to both build and manage what gets built. There were no other questions.

James F. McGrail, Esq., 82 Lowder Street: He has been a member of the ZBA for 16 years, currently serving as chair. He has a deep understanding of the Zoning Bylaw and is very qualified to serve on the Board. He has a long-standing law practice and represents a number of residents, contractors, engineering firms, and developers in commercial, retail, and residential developments. He is respectful of the city or town board that he goes before and knows both ends of the spectrum. The people who live in a town have to live with whatever project he represents, and he will not work for anyone who tries to abuse the public process for the sake of making money or who lies to neighbors. Working together as an applicant and a board is crucial to the best interests of both sides. He has been the Undersecretary and General Counsel for the Executive Office for Transportation, Chief of Staff for the MBTA, and Assistant Commissioner at the Highway Department. He was involved with PWED program, now MassWorks, and oversaw the program while at MassDOT. He knows how important this has been to Dedham, e.g., Dedham Square improvement, and knows the process and the people involved. He has direct understanding of how the MBTA and their real estate department operate, citing the Town commuter rail and Providence Highway, which are both under MassDOT. He has worked with MAPC and CTPS. He has worked in transportation for 32 years, and in his law office, working with planning, zoning, and commercial, residential, and retail development inside and outside Dedham. He believes his qualifications would be helpful to the Planning Board and the Town going forward. Neither the Planning Board nor the Board of Selectmen had any questions for Mr. McGrail.

Bruce Barnett, 10 Quaker Lane: Dr. Barnett has been a resident of Dedham for two years. He recently wrote a letter to *The Dedham Times* concerning sidewalks in Dedham. He was certain that the best person for the job will be chosen. He and his wife are physicians and his son is a

professor of medicine at Harvard. He also practiced law for ten years in the California prison system as a medical executive and continues to monitor the system here. He said that Newton planning includes sidewalks and snow clearing but does not see this in Dedham. He offered his help in making Dedham better. He is semi-retired and has plenty of time to help the community in any capacity. He understands legal ramifications of the work of the Planning Board. Mr. Bethoney said that, in the event that he is not chosen for the Planning Board, there are plenty of boards, committees, and Town Meeting on which to serve. He specifically mentioned the Master Plan 2020 committee and invited him to apply. Selectman Guilfoyle agreed, saying that the Town welcomes volunteers.

Mr. Podolski said the Town is very fortunate to have three very worthy candidates, and it is tough to make a selection. Mr. Steeves has declined the position, which is sad to him because he has always enjoyed working with him. Mr. Steeves said that the reason for this meeting is that Mr. Aldous, who was a member of this Board and many others for many years, can never be replaced. He wished the Planning Board and the Board of Selectmen luck in choosing the right member. Mr. Bethoney, speaking for the Board, wholeheartedly agreed. Mr. Guilfoyle asked that there be a moment of silence in Mr. Aldous's honor.

Mr. Podolski moved to place all applicants into nomination, seconded by Ms. Porter, and voted unanimously 5-0. Dr. Teehan moved to place all applicants into nomination, seconded by Mr. Guilfoyle, and voted unanimously 5-0. Mr. Bethoney polled the members of the Planning Board; all chose Mr. McGrail. Mr. MacDonald polled each member of the Board of Selectmen; all chose Mr. McGrail. Mr. Bethoney thanked Mr. Pepoli and Dr. Barnett for their interest and asked them to remain active in the community. Dr. Teehan agreed.

Mr. MacDonald thanked the Planning Board for all its work and for the joint meeting, saying it is a sad occasion to have to do this, but the town's work continues. He wished the Planning Board well in making important decisions. Mr. Bethoney congratulated Mr. McGrail and welcomed him to the Board. Mr. McGrail said he would never forget Mr. Aldous in this process, reminding everyone that he had once served on the Zoning Board of Appeals. Town Clerk Paul Munchbach swore Mr. McGrail in as a member of the Planning Board at the conclusion of the joint meeting.

**The Board took a very brief break.**

#### **Continuation of Public Hearing**

<b>Applicant:</b>	Town of Dedham/Public Safety Building
<b>Project Address:</b>	26 Bryant Street, Dedham, MA
<b>Zoning District:</b>	Central Business
<b>Representative:</b>	<ul style="list-style-type: none"><li>• James Kern, Town Manager</li><li>• Brad Dore, Dore and Whittier</li><li>• Chip Heitcamp, Dore and Whittier</li><li>• Fayssal Hussein, P.E., traffic engineer, Nitsch Engineering, 2 Center Plaza, Suite 430, Boston, MA 02108</li><li>• Nick H. Havan, PE, PTOE, traffic engineer, Nitsch Engineering, 2 Center Plaza, Suite 430, Boston, MA 02108</li><li>• Jonathan Hedlund, P.E., civil engineer, Nitsch Engineering, 2 Center Plaza, Suite 430, Boston, MA 02108</li><li>• Ron Votta, Owner's Project Manager, Phase I</li></ul>

- Other Attendants:**
- Assistant Town Manager Nancy Baker
  - Fire Chief William Spillane
  - Police Chief Michael D'entremont
  - Deputy Police Chief Michael Buckley
  - James Sullivan, Chair, Building, Planning, and Construction Committee

**Town Consultant:** Steven Findlen, Senior Project Manager, McMahon Associates

Mr. McGrail, the interim Planning Board member, did not sit on this Public Hearing because he was new. Mr. Steeves, associate member for Public Hearings, sat on the meeting.

Mr. Dore reviewed the letter from Town Engineer Jason L. Mammone, P.E., but was unable to address all the issues. He asked that this be put on hold.

**Mr. Kern's Response to Mr. Steeves' Questions:**

Mr. Kern's responses are in italics.

*Phase I, Town Hall/Senior Center*

1. Did the construction job go out to bid based on detailed plans, specs, and subject to all building codes? *Yes; this is required under MGL 149. It went out in early summer of 2015, and was awarded in July 2015.*
2. Has the construction to date been built out from an approved plan and specifications to current building codes? *Yes. As in any construction project, there are changes that are re-approved by the architect and the design team. They have been done according to the current building codes and standards.*
3. What is the current build-out status? *It is approximately 95% complete.*
4. What is the expected completion date? *Substantial completion is early May 2019. Final completion is early July 2019.*
5. What is the total estimated cost of Phase I, i.e., acquisition cost, engineering cost, design cost, build-out cost, carrying cost, and financing cost? *Phase I: Acquisition cost was \$5.850 million, construction including soft costs (all in, OPM, architect, furniture, fixtures, and equipment) \$17.550, plus about \$900,000 in an extended period where the owner has been required to pay the OPM and the architect to manage the project through construction administration. Total is \$24.3 million.*
6. Who are the project manager and the Clerk of the Works for Phase I? *The State requires a municipality to hire an OPM for any project over \$1.5 million (a copy of Exhibit A in this regard has been provided). The OPM is Atlantic Construction Management, Inc.; Ron Votta was chosen by them. The Clerk of the Works (COW) is provided by the OPM; John Votta currently fills the role of what had been called the Clerk of the Works. Mr. Podolski asked if Mr. Kern saw any conflict between the project manager, Ron Votta, who is basically the face of the project, and his son, John. Mr. Kern did not. The COW is appointed based on qualifications as opposed to a low bid. The OPM and the COW report to the Town Manager and the BFCC. Updates have varied in different phases. It is currently a weekly written report. A number of recent updates have been given approximately monthly in Executive Session given that the project is subject to litigation.*

*The responsibility for paying bills primarily falls on the architect. The OPM is more involved in this than the COW. He said characterized the number of changes are fewer in comparison to projects of this size. He could not give the cost off the top of his head, but said it would compare*

*favorably to most construction projects of this size, and particularly renovation projects of this size and scope. The issue with the project is not changes; it is doing what was called for in the contract, e.g., lack of progression as called for in the contract. A building of this size and condition when initially purchased typically has expected changes occurring throughout the progression of the redevelopment. These unexpected changes/roadblocks were not to an extraordinary degree or even greater than normal. The typical degree for expanding a change order depends on the size of an individual change order and the size of the total change orders and other ways that contracts like this are changed. He said that the \$24 million included acquisition of the property, so the project is actually \$17 million. He did not want to characterize what is normal for renovation of a 120-year-old building, but there are people who could. He believed that the number of change orders is below what would be expected.*

7. What is the project manager's job description? *The project manager is not an employee of the Town. He provided the State statute and material from the Inspector General that assists towns in understanding what an OPM is. This has not been an issue in Dedham.*
8. What is the job description for the Clerk of the Works? *See above.*
9. Who hired the project manager and the Clerk of the Works? *They were appointed by the Selectmen through the Town Manager's office and Acting Town Manager Nancy Baker after consideration of various people. A price proposal was then opened. This was done in the summer of 2014.*
10. Who do the project manager and the Clerk of the Works report to? *The Town of Dedham through the Building, Planning, and Construction Committee, Town Manager, and Board of Selectmen.*
11. How many total parking spaces are required in Phase I? *245 in Phase I.*
12. How many parking spaces are provided for Phase I? *143.*
13. How many parking spaces are smaller than required by regulations for Phase I? *Mr. Kern does not believe any are smaller than regulation. There are 18 compact spaces that meet the Zoning Bylaw. He provided the State law in this regard.*

Mr. Steeves asked Mr. Kern to explain Chapter 44A.5, Sections 38D and 38K, which details the requirements for choosing an OPM. Any municipal project in the Commonwealth over \$1.5 million is required to have an OPM representing the owner. This is subject to the designer selection process, which is a qualifications-based selection process. A price is then negotiated. There are a number of responsibilities and requirements based on experience that must be met. Mr. Steeves asked if the parking spaces were all legally measured by the Town according to its rules and regulations. Mr. Dore said that the way that they are specified in Phase II is in accordance with the Zoning Bylaw. The spaces on the ground measure 9' x 19' with the exception of compact spaces and spaces in the parking garage; he did not know about Phase I because he did not work on it. Mr. Kern said they are, but not all the spaces have been marked. Mr. Dore was asked to send the information in Sections 38D and 38K to the Board. Chapter 149 details the requirements for contractors.

### **Traffic**

Mr. Husseini has been involved with the project for two years. He reviewed the improvements to the site, the data, the program, and the traffic generated by the site, and the steps involved in performing a traffic study. A locus map was shown to orient the Board. The Fire Department has 24-hour operation with 15 firefighters on staff for each shift; 20 parking spaces are provided. The Police Department has 24-hour operation with 23 officers, two dispatchers, and 10 administrative staff; 55 parking spaces are provided.

Numbers were taken from a traffic study done for Phase I in 2015 and a study in 2016 associated with 360 Washington Street, and observation was added and projections made for the future. About seven intersections were studied and assigned a level of service from A (best) to F (fail). Existing conditions and their level of service were explained in detail. If the level of service is D or better in an urban area, it is fine. If it is below that, they research options for improvement. Most of the intersections are graded as A. Mr. Findlen has reviewed the report and responded accordingly. Mr. Podolski did not agree with the grades. Projecting the volumes to 10 years showed no change. Mr. Hussein said this takes into account the entire municipal campus. For specifics, please see the formal traffic report. The focus of any design has to do with the complete street approach, i.e., pedestrians, bicycles, vehicles, and green space need to be considered. The distance that a pedestrian has to cross causes potential accidents; they tried to make them shorter to improve safety and operation.

The design for the intersection of Bryant Street/Washington Street showed wheelchair ramps and sidewalks on all corners. Crosswalks will possibly be stamped or painted for more visibility. Because of the width of the roadway, bicycles will share the roadway with vehicles. A traffic signal at the fire station will flash until a button is pushed in the station to stop the traffic. Accommodation for large turning vehicles will be based on live tests. The intersection will be more controlled and crosswalks will be shorter. Pedestrians wanting to cross will push a button to stop traffic; it will return to flashing after crossing. There will be a stop bar in front of the fire station. He showed the signal operation and the timing on the plans. Mr. Findlen reviewed the report and the summary. There are movements that worsen, but some get better; they try to have the intersection work the best it can. Mr. Findlen supplied the methodology for the volumes and how they have been reported.

Mr. Bethoney specifically asked if anything has been done about traffic mitigation at Bryant Street/ Eastern Avenue. Mr. Hussein said the solution is not traffic signals. They studied the control and proximity of the intersection to other intersections; this is more than just looking at the intersection, i.e., the direction of traffic, controls, etc. The Route One intersection is congested and problematic, the Bryant Street/Eastern Avenue intersection is very close, and there is no signal, so a more area-wide solution is needed. Mr. Bethoney said the proximity to Route One to the intersection is a major issue going both ways, and asked if anyone had studied it to make it better, either the intersection itself or globally. Mr. Hussein said they only looked at the intersection. An immediate solution would be to block left turns to eliminate conflicts, particularly when a vehicle is turning left onto Bryant Street. This would avoid accidents at the intersection, and drive more people through Dedham Square to turn left on Washington Street and left onto Bryant Street. Mr. Bethoney asked what the applicant's obligation would be when the level of service is decreased as a result of the project. Mr. Hussein said that if the level of service of the intersection is decreased to below the acceptable rating, they need to find ways to address this. Mr. Bethoney said that if the applicant decreases the level of service, there is an obligation to fix it. However, the applicant says that nothing major changes in the project based on his analysis.

Mr. Findlen agreed with Mr. Hussein, but asked him to look at crash data, which shows a problem as stated in his letter. He has not seen the response yet, but removing the left turn does reduce the number of crashes. However, the issue is still a "No" on Mr. Findlen's review, and he is still looking for a solution that will reduce the number of crashes and the operation of the street as a whole. Ms. Porter asked if there was a study showing the level of service (delay time) plus crash data. She understood the need to look at Bryant Street/ Eastern Avenue despite its designation of an A level of service. She noted that the crash data shows eight times

as many crashes at Bryant Street/Washington Street, three times as many at Spruce Street/Washington Street, and six times as many at High Street/Washington Street. She asked if he had a concept or a map to see the whole picture. Mr. Husseini explained the reasoning behind this in detail. However, if one intersection is fixed, it may cause multiple problems at other intersections. A comprehensive study is warranted to determine the impacts of removing the left turn. Mr. Findlen said they are looking at that as well. Mr. Dore said they do not feel that they are negatively impacting the level of service at these locations, but suggested that it is worthy of a discussion to have a town-wide study done to look at this. It is not necessarily exacerbated by the project. Mr. Bethoney explained why he asked Mr. Husseini to explain what triggers the requirement of the applicant to provide mitigation their existence, e.g., level of service change.

Ms. Porter said that pedestrians can trigger a signal, and Mr. Husseini said there would be a countdown. Cars would have to wait for a blinking red signal facing the driveway to exit the gas station. Mr. Bethoney said that the radii are very tight at Bryant Street/Washington Street, especially on the right turn, and asked how an emergency vehicle would make a right turn. Mr. Husseini said they did not study this but they could. Chief Spillane said the trucks make that turn, but not on a regular basis because 90% of the calls turn left out of the station. The signals on Route One are not controlled through the Opticom system, so they avoid going that way, and access Route One by going down Union Place to go southbound; this will not change. Mr. Husseini said that they will provide Opticom in all directions, with the exception of Route One, so any signal can be controlled to give them the right of way. Chief Spillane said the department's system cannot make a direct hit to Opticom on Route One until they already make the turn; this will not change. Mr. Findlen said the Fire Department has provided templates of all the movements, as well as a video of the truck taking a turn from Bryant Street onto Washington Street. There had been concerns about parking along Washington Street, but there were no conflicts, and the engine did not cross the center line.

Mr. Findlen, who has been working with the applicant for the past two years, performed comprehensive peer review of the site plan and the traffic study on behalf of the Planning Board. The peer review was paid for by the applicant (the Town of Dedham). His role is to make sure everything is in compliance with the Town's bylaws and the regulations in place to ensure a safe and efficient project. The traffic study is very comprehensive. He explained the areas that he studied and identified 32 issues, some of which were in site plan review that carried over to the traffic study and the supplemental mitigation.

Mr. Findlen's discussed his overall review and assessment of what was provided. A few preliminary issues were raised in the original traffic study, including some intersections that were not included as part of the report. The applicant was asked at the scoping session to address the preliminary comments. Existing conditions and traffic volumes were reviewed. They were asked to look at the various studies done for the new Town Hall, and there were some inconsistencies. They reviewed this and other issues with the traffic studies as requested and made sure that they were accurate. Out of 32 issues identified, there are still ten issues remaining related to the traffic study. There has been a lot of progress in the past two weeks, and they have responded to Mr. Findlen. Mr. Bethoney asked the public if it had any questions or comments. No one did.

Mr. Dore said that a number of site plan issues raised at the last meeting have been resolved, e.g., green space, parking, charging stations, and a potential water feature in the landscaped

area. There were also some questions about a potential mid-block crosswalk to the parking lot on Eastern Avenue. He asked that the Board let him know if anything was missed.

Mr. Heitcamp showed a plan to improve the most challenging issues of green space and parking. The plan as previously presented showed the existing curb line at Town Hall. The drive would be expanded and three more parking spaces added. However, this cannot be done on the initial phase of the project while the current fire station is in place because regrading would be necessary due to the difference in grade.

1. Option 1A would leave the site as it presently is. Once they regrade, they will bring in soil and plantings and add the three spaces. This would add about 1,300 square feet of green space and reduce the cost to the project because they would just add dirt, seed, and plantings. The sidewalk would be moved to the back side of the curb. This would be a good compromise by adding three parking spaces.
2. Option 1B would change the angle of the sidewalk along Washington Street and push a part of the sidewalk into the spaces. It will add about 500 square feet of green space. It does not bump out into the road, as they believe that a bump out would not calm the intersection. Mr. Bethoney asked if they would get on-street parking with Option 1B. Mr. Heitcamp said that there would still be three spaces on the street. There would be no street parking with Option 1A.

Mr. Heitcamp believed that Option 1A is the best choice because it keeps the three parking spaces on the street. Parking in front of the Town Hall was not discussed because it is not in the applicant's purview. Mr. Sisson has discussed this with the Town Manager and Jason L. Mammone, P.E. There are two fire hydrants near the entrance and exit of the Ames Building, plus a bus stop. They have calculated that road is wide enough to get five parallel spaces in front of the Town Hall; he said he was parked there right now. Ms. Porter agreed and said there are other cars parked there tonight, and none spill over into the roadway. Mr. Bethoney asked whether there could be parking almost to the intersection of Bryant Street if the street is the same width from the Town Hall to Bryant Street. Mr. Heitcamp said that they would have to adjust the plan because they planned to have an additional lane for turning the Town Hall. This was discussed in detail and will be discussed in the future. Mr. Bethoney asked if they looked at the design of the gathering space. Mr. Dore brought this up to the BPCC, and after discussion, they wanted to maintain what is currently proposed. The two options were discussed in detail.

The Board had many questions about the additional lane going onto Town Hall. Ms. Porter said it is very dangerous for bikes and asked if there would be bike lanes. Mr. Hussein said there is not enough room for that, saying that the third lane is necessary to separate left-turning vehicles from the thru traffic and prevent thru vehicles from trying to squeeze by. Ms. Porter asked if the third lane could be removed to provide a bike lane. Mr. Bethoney did not think there was enough traffic to make a left turn lane necessary. Mr. Findlen said it would prevent queuing issues and allow for thru movement. Mr. Bethoney said this would eliminate on-street parking and a bike lane(s). Ms. Porter said that cars currently speed up as soon as they pass the Town Hall, and she liked the idea of traffic having to wait until a car makes a left turn. Mr. Dore said that having the left turn lane would help facilitate site circulation since the two parking lots will be connected.

Mr. Hussein said the volume generated by the site is estimated to be 100 vehicles per hour during peak hours; the Board questioned this number. Mr. Hussein said if the volume was



less than 100 per hour, there would only be one lane. However, the number is based on the expected volume coming to the site in peak hour. Ms. Porter said the Senior Center does not think it will have more than 50 people at one time for a class unless there is an event, in which case they would use off-site parking. She asked how he calculated 100 per hour. Mr. Husseini said this was calculated and applied using standards published by the Institute of Transportation Engineers based on the use, not by what the traffic engineers think. Mr. Bethoney said there are 15 firefighters and 23 police officers staff during a 24-hour period, or 38 people in a building with 50,000 square feet. He asked what the ITE standards are for this number of people. Mr. Heitcamp said it is 135 spaces. Calculations and standards were extensively discussed. Mr. Podolski asked Mr. Findlen if the applicant is allowed to ignore certain amounts of square footage for this project under ITE standards. Mr. Findlen said the building is typically looked at as a whole and discussed land use codes. He has not reviewed a public safety building, however, but said that codes must be followed. Mr. Podolski said that if they are bound by certain codes, they cannot ignore them.

Ms. Porter said this is a unique situation. She did 15 observations at the current Town Hall over a period of two weeks during the day and in the evening, and there were only two times when there were no spaces available other than those designated for handicapped use. Ms. Porter prepared and distributed a memo describing her observations and compiling information provided by the Assistant Town Manager, Senior Center Director, and Police and Fire Chiefs, and went on to describe the data. There is a lot of turnover of spaces. There are currently 49 Town Hall employees, eleven of whom are frequently on the road for their jobs, so it is rare that all 49 employees are parked at the same time. Mr. Kern had projected the increase in employees to about 57, and the Senior Center has six staff including the drivers. Vehicles and the driver would park off-site. She said that it is unlikely that 145 spaces will be filled for the next several years, leaving 65 spaces for daytime visitors. There is also an opportunity for shared parking. She would have no problem going to 209 spaces. She is happy with Option 1A but is curious to know more about Option 1B because she feels that there is a real need for traffic calming. On-street parking to her is an imperfect traffic calming strategy. She said the highest traffic volumes are from 6:30 a.m. to 8:30 a.m., and there would not be a lot of cars parked on the street. She did not think it would be sufficient for calming traffic.

Mr. Steeves also observed the fire and police stations and counted the vehicles. There are 12 pickup trucks at the Police Station and 8 at the Fire Station. He asked where they would park. Mr. Dore said underground. Mr. Steeves asked about the size of the spaces. Mr. Dore said they have 86 spaces in the garage, 40 of which are nonconforming in size, most by one or two inches. They can accommodate pickup trucks even with a three-inch lift kit. Chiefs Spillane and D'entremont agreed that this is sufficient.

Mr. Bethoney asked if anyone in the audience wanted to speak regarding the green space. Fred Civian, 24 Spruce Street, asked for clarification about the number of current off-street spaces at the Fire and Police stations. Mr. Heitcamp said that the police use on-street parking currently, so moving to the Public Safety Building will free up approximately 12 on-street parking spaces for the public. Mr. Sisson said the average number of spaces used at the Fire station is 15; he believed there is room for more. Mr. Civian agreed with Mr. Podolski about paying attention to standards. He said the Police and Fire Chiefs have been very patient in waiting for approval for their new location. He asked the Board to take the following comments into account.

1. The Board must make a decision about whether there will be adequate parking, and standards, Zoning Bylaw, and actual numbers all play roles in that. He asked that the Board take this into account when making a decision; waivers will need to be requested anyway. He estimated the current number of spaces to be 100-105 for Police, Fire, and Town Hall, and that the Senior Center would need about 50 spaces. He calculated that there will be about twice the number of parking spaces as there are now, which is a significant increase. He is a land use manager by trade and said that the accuracy of the traffic numbers needs to be considered. He did not agree that there would be 100 people coming to the site per hour and questioned the model on which this is calculated. He asked that the Board examine this further.
2. Usable open space should be increased because it is critical for Dedham Square. He asked that some plans be developed to do that.
3. He questioned the design of the proposed open space, noting that the BPCC prefers the current one. He asked that the developer to look at this to see if a re-design with more intimate seating would be better; he cited the open space at Natick Center. He said the design professionals should be consulted to see what would work best for the space, and gave examples of what they could look for.

Mr. Dore said a number of different designs were presented in consideration of multiple target uses, i.e., gathering around the edges, a small public market on the weekend, a water feature. Ultimately the BPCC preferred the current option. James Sullivan, Chair of the Building, Planning, and Construction Committee, explained the vote, particularly with regard to Option 1A. The major concern is lack of parking and removing parking to add green space. This is why there will be an underground garage. At their last meeting, the vote was 2-2 on Option 1A; because of the tie, they said that there should be no change to the plans. Mr. Dore said there was another discussion and vote on the seating area and whether a water feature should be considered. This was separate from the Option 1A vote. In summary, the BPCC voted to leave things as presented.

Ms. Porter asked if there had been discussion about smaller tables and chairs, i.e., a chess table, or whether the vision is to have just hardscape. Mr. Dore said this is it. The BPCC might be willing to consider the tables, etc., but in the discussion, it was determined to eliminate the water feature. However, Mr. Dore said he could return to BPCC for them to consider an alternative to a water feature.

Mr. Podolski agreed with Mr. Civian's statement that the Fire and Police Chiefs have waited a long time to get to this point, and now it seems like it is backing up because people want to change the middle of the park. He had no problem looking at this as long as it is understood that this will delay the project even more. There has already been a long delay to get to this point. No one will ever agree on what to do, so it should just be done as presented.

Elizabeth Martin, 50 Village Avenue, said the circle with the benches on the outside is "the most off-putting place" she could imagine as a public gathering space. People cannot talk to each other when lined up in a row across a large circle. She said that if it remains a large circle, there should be a water feature to make it a restful, peaceful place to relax. A large circle will discourage conversation. She did not think there would be many people using it.

Mr. Civian agreed that there can be no agreement and continuing the conversation will make things more difficult for the Board. Developers do not always provide things that are best for a town. He asked the Board to request that the developer engage landscape professionals to

come up with a design for usable open space that provides intimate places for people to sit. He said a different answer will be given than asking BPCC, Mrs. Martin, or anyone else what they want. Mr. Bethoney said the Board asked the BPCC for comments on what was submitted, not what it wanted. They have every right to explain what they want if they provide what they would like to see. Mr. Sullivan said there are still benches along the walkways. With regard to the water feature, it is a very loud, busy stretch of roadway, and the water will not be heard. The design of the front wall was to block the noise. The project was not designed just for intimate gatherings, but also for large gatherings. How it is used in the future will determine if they need to adjust the design and add things if necessary. They can always add things, but if something is built into it, it cannot be taken out.

Mr. Steeves agreed with Mr. Podolski that the project needed be moved forward. He said that the Town Hall project was “pushed down our throat to push that through for the Senior Citizen Center, and look what we got up there.” Mr. Dore should be asked to put everything together again and then the Board can make the choice. He did not think it should be pushed through under any circumstances like the Town Hall project was. [Note: Mr. Bethoney made the following statement: *“I would like to inform everyone that, due to the unfortunate passing of Mr. Aldous, my dear friend, Mr. Steeves is the Associate Member here at the Planning Board. His presence and his appointment was [sic] just for this reason. So anyone who may be interested in thinking [that] Mr. Steeves is playing an active role in this, [it is] because he is an active member on the Police and Fire proposal, on this public safety proposal. Mr. Steeves is an Associate Member who is here during Special Permit projects so that if, in the event that a member becomes incapable of serving for one reason or another, the applicant has the opportunity to have five members review their project because they need four votes. If we did not have an associate member in this instance, the applicant would have to have four out of four members vote to approve their project. Because the Planning Board chose to put in place an associate member, we have a full complement of five members to review this project. One of those members includes Mr. Steeves. I just wanted to make everyone aware of his role here. He is a fully capable Planning Board member regarding this project.”*

Mr. Bethoney said renderings are insufficient for him. He asked if the design team had provided photography of other communities’ gathering spaces, saying that he prefers to see photographs and replicate them if they look good and function well. He asked Mr. Dore to look at Wilmington, Tewksbury, and Billerica as examples, and that these gathering spots/passive recreational areas would be good to mimic. Mr. Dore said the landscape architect on the team was not present due to illness. They reviewed other examples of other landscaped areas, and tried to take the ideas and make them fit the site. They had 3D imagery of the proposed gathering space. Mr. Bethoney asked if they provided anyone with photography; Mr. Dore said they did but the challenge is that they can provide many examples, but they are not the decision makers. Mr. Bethoney said the Board is only interested in consensus; Mr. Dore said the proposed gathering space was the consensus of the BPCC, to whom they report. He believes that he has done what Mr. Civian has asked. Mr. Podolski said that the BPCC has been shown the renderings, but now the Planning Board has them and there are competing opinions. The Planning Board is caught in the middle, and it needs to be resolved. Mr. Bethoney said that, at the end of the day, there are five lines for signatures on the plan; the Planning Board signs these. When the townspeople ask who approved the plan, only the Planning Board signatures come up, not those of the Town Manager, Dore and Whittier, the BPCC, or anyone else.

W. Shaw McDermott, 580 Bridge Street, asked the Board if they can approve the just the functional aspects of the site and make sure that the Public Safety Building and Town Hall are in good order, but sever a decision on the gathering space so that the rest of the project is not

hung up. The BPCC is stymied, voting 2-2; he said this is basically a decision not to decide. He urged the Board to sever the issue if it is possible to do so. The current police station will be coming down in due course, and there may be some other space available for public use. There should be dialogue on how to use each open space, perhaps in different ways. Mr. Bethoney said it is a reasonable thought. The Board could say that the area is to be used as green space in a design and a way to be determined in future hearings; future review procedures would be undertaken to reach a conclusion. Mr. Podolski asked if Dore and Whittier would be agreeable to that. Mr. Dore said there were two votes at the BPCC. Option 1A was for the additional green space with a change in the parking number. This was a 2-2- tie. This should be decided upon to lock down the proposal so that the footprint of the green space and the number of parking spaces could be locked in. Mr. Bethoney said they are not going to look into putting anything on hold until the geometry is locked down. Mr. Dore said that his landscape architect and reasonable people could come up with several options, and look at adjacent towns as well. Mr. Bethoney said Mr. McDermott's suggestion is a solid one. The Board needs to move on as long as the size of the green space is determined before the project is done.

Amy Haelsen, Director of Dedham Square Circle, was in support of a practical approach to parking, and seeing what the uses will be while keeping in mind that there will be a Senior Center, rather than adhering to the ITE regulations. A walk audit last spring was quite eye-opening and showed the various challenges in Dedham Square. She has worked with the Council on Aging about bringing seniors into the Square, and is working with John Sisson on parking. Traffic calming with green space is an excellent idea. She supported making the green space as large as possible and getting rid of the parallel parking in front of Town Hall. Mr. Dore said there is no parallel parking there currently. Mr. Bethoney said that Option 1A will lose three parking spaces, and Option 1B will lose three parking spaces and the parallel parking on the street. This was discussed in detail.

Ms. Porter asked at what stage they would add the third lane in front of Town Hall. Mr. Husseini clarified the number of cars that would access the site, saying the formula is complicated. The average is half of that, but the thru movements are pretty heavy. Ms. Porter said the study area is largely commercial, but there is a neighborhood there that is connected to the Library and a bus stop. The left turn frightens her as a pedestrian and a cyclist. She wanted to see what the volume would be before committing to a left turn lane. Mr. Bethoney agreed. Mr. Dore said they could hold off on that for the time being; if needed, it could be added. The project will be reviewed again in a year for traffic and circulation. The Certificate of Action will have conditions, including that a traffic study be performed to see how it is working. If it is worse, the applicant is obligated to improve it. If it is equal or less, it would be fine. Doing the least right now is more practical.

Mr. Dore was asked if he wanted to have the Board make a determination on the geometry of the green space in order to move on to other site matters. He said he cannot do that because the BPCC has voted to retain what is currently there. Mr. Bethoney said the Board can take any action it wants to because the BPCC is an advisory board. He polled the Board on either Option 1A or Option 1B. Mr. Steeves said he had no preference. Mr. O'Brien agreed, as did Ms. Porter and Mr. Podolski. Therefore, the Board will table this, and asked Mr. Dore to look at design features from other communities for passive recreation. Ms. Porter understood that

whatever the features are, the community wants it to be placemaking,<sup>1</sup> which is different from a park or landscaping. Mr. Dore will consult with the landscaper.

Mr. Dore will return to the BPC to discuss this. There are also outstanding issues with traffic and they need to review other areas that are outstanding, e.g., the review by the Town Engineer. Mr. Podolski moved to continue the Public Hearing to 7 p.m. on 4/25/19, seconded by Ms. Porter, and voted unanimously, 5-0. Mr. Bethoney asked Mr. Findlen to send him a memo before then on the ten outstanding items on his review, the engineering report and landscape component so he can set up a game plan to get through these to get to an end result. Mr. Dore also asked for that list as soon as possible. Mr. Bethoney said this information is not for 4/25/19. He wants to set up a time frame for the outstanding issues so they can determine what needs to be done and when.

### **337-339 Washington Street, Rob Naser and Garnet Realty Trust**

Mr. Bethoney announced that this Public Hearing was scheduled as a continuation of a Public Hearing on 12/11/18. The applicant was unable to appear at this meeting and requested continuation of the Public Hearing to 4/11/19. Mr. Podolski moved to continue the Public Hearing to that date, seconded by Mr. O'Brien. The vote was unanimous at 5-0. Ms. Doherty will inform the applicant.

### **Dedham Square Planning Study Committee (DSPSC): Discussion of Appointments and Posting of At-Large Members**

A memo was given indicating who has been appointed by the appointing authorities:

1. Ms. Porter and Mr. Podolski (Planning Board)
2. Brendan Keogh (Board of Selectmen) until the Town elections, after which a new member will be appointed
3. Michelle Persson-Reilly, Precinct 7 (Finance and Warrant Committee)
4. Diane Barry-Preston, Precinct 2 (Council on Aging)
5. Ryan McDermott, Precinct 7
6. Two members from Precinct 1
7. Member from Dedham Square Circle
8. They are missing people from precincts 3, 4, 5, and 6.

Letters of Interest have been received from a building owner, developer, and business owner, all to be appointed by the Planning Board. Mr. Bethoney was under the assumption that the developer, business owner, and property owner criteria remained the same as it was for the Design Guidelines Committee. He asked the Board about adding a position to the DSPSC for a property owner. He apologized if this had been discussed previously, saying that his work during the period without a town planner has been "overwhelming." Mr. Podolski agreed. Mr. Bethoney asked Mr. Sisson to find out if the structure of the committee could be changed by a simple vote. Pending Mr. Sisson's research, Mr. Podolski moved to restructure the committee to include one Dedham Square property owner on the committee. Ms. Porter seconded the motion. The vote was unanimous at 5-0. Ms. Bethoney said they need to post, alert, or advertise to make the public aware that a Dedham Square property owner has been added to

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<sup>1</sup> According to definition in *Project for Public Spaces*, "placemaking" [is a] process [that] capitalizes on a local community's assets, inspiration, and potential, and it results in the creation of quality public spaces that contribute to people's health, happiness, and well being."

the committee and that letters of interest are requested. The positions for the developer and business owner could be included in this notice. Mr. Sisson said he did not think there was anything improper about adding a member, but would find out. Mr. Bethoney said the Board could vote to restructure the committee and then repost. Posting for one member of the committee from Precincts 3, 4, 5, and 6 was discussed. Ms. Porter said there were originally five at-large appointments to be made by precinct; she wondered if this should be changed to add an at-large member to the posting. Mr. Bethoney agreed.

Mr. Bethoney spoke with the chairs of the Board of Selectmen, Parks and Recreation, and School Committee about the necessity for them to appoint two members. The Board will send them a letter with the request, and a letter stating the Board's desire to come before them to discuss the merits of the initiative. He read a draft of the letter going to the School Committee; this will include attachments for them to review. Ms. Porter said the Superintendent asked that the Board appear before them on April 3, 2019. The Board of Selectmen asked that this wait until after the election and restructure of the board. Parks and Recreation asked the Board to come in prior to their reorganization and while Mr. DelloIacono was chair. They will let the Board know when their meeting dates will be.

### **Discussion on Spring 2019 Town Meeting Warrant Articles**

Mr. Sisson reviewed the articles:

1. Article 19, moratorium and study of Mixed Use Developments),
2. Article 20, written by Brian Keaney regarding adding a word to the existing article
3. Articles 21 and 22, both written by Carmen DelloIacono regarding Mixed Use Developments. This will only go forward if Article 19 does not pass. He will make that representation before the Board at a Public Hearing. If Article 19 passes, Mr. DelloIacono will withdraw Articles 21 and 22 at a Town Meeting.
4. Article 23, submitted at the request of the Animal Control Officer Jayson Tracy. The town presently pretty much prohibits dog kennels. This article would amend the language. This is being studied by Town Counsel and will be modified prior to the Public Hearing on 4/25/18.

Ms. Doherty sent out notices regarding the upcoming Public Hearing to the required people and the newspaper.

### **Old/New Business**

1. Mr. Sisson updated the search for a town planner. An offer was extended today to Jeremy Rosenberg, who is the most experienced candidate, having about 15 years of experience in Planning and Zoning. His references were excellent.
2. Mr. Sisson has been working with Mass. Development on a project to evaluate a financial structure called "District Improvement Finance" through which a municipality can leverage new growth into infrastructure improvements. He has been working over the past year with Finance, Assessing, Engineering, and other departments to determine if this would be good for Dedham. A grant was received from Mass. Development to work with an economic development consulting firm. He has an extensive report for the Board to review, and asked to come before the Board between now and Town Meeting, as it is a warrant article to establish the district. It will have no financial consequences to the Town; it is simply moving a process forward. If the Town does decide to establish the district, the community would be engaged over the following

months to discuss what infrastructure changes the Town would like to see would be for the Route One corridor and whether they would be capital improvements or design. There is a great deal of flexibility in the financial structure; he cited Assembly Square, which has been quite successful. Mr. Podolski said he would like to see the report. He asked if this is on the upcoming Town Meeting. Mr. Sisson said it is. Mr. Podolski and Mr. Bethoney said it is the first they have heard of this. Mr. Sisson said it is an economic development article, not a zoning article. He would like to know if the Board would like to take a position on it. He said he has been spread so thin that he is surprised that he has not broken between hiring and keeping things going. Mr. Bethoney said it will be put on the 4/11/19 agenda for discussion.

3. Mr. Podolski said he spoke with each Planning Board member individually requesting that he be the Planning Board appointee to the BPCC. Mr. Bethoney said he spoke with Assistant Town Manager Nancy Baker about procedures for appointments. In this case, when the Board appoints a member to a committee, that member being nominated for consideration can vote for himself/herself. There is a vacancy for a Planning Board member on the BPCC because of Mr. Aldous' passing, so the Board needs to appoint a new one. Mr. Podolski has shown interest in the committee. No one else is interested. Mr. Steeves nominated Mr. Podolski, seconded by Mr. O'Brien. The vote was unanimous at 5-0. Mr. Podolski said he would report back to the Board after every BPCC meeting. Mr. Steeves said he should make sure they have his address and phone number, as Mr. Aldous did not always receive notifications of the meetings.

Motion: Mr. Podolski moved to adjourn, seconded by Mr. O'Brien.

Vote: The vote was unanimous at 5-0.

Respectfully submitted,

James E. O'Brien IV, Clerk

/snw