

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
Andrew Pepoli, Associate Member



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

Jeremy Rosenberger
Planning Director

**PLANNING BOARD
MEETING MINUTES**

**TOWN OF DEDHAM
450 WASHINGTON STREET
DEDHAM, MA**

**FRANCIS W. O'BRIEN MEETING ROOM
JUNE 9, 2021, 6:00 P.M.**

BOARD MEMBERS:

John R. Bethoney	Chair (until 8:40 p.m.)
Michael A. Podolski, Esq.	Vice-Chair
James E. O'Brien IV	Member
Jessica L. Porter	Member
James McGrail	Member
Andrew Pepoli	Associate Member

PLANNING DEPARTMENT STAFF:

Jeremy Rosenberger	Planning Director
Michelle Tinger	Assistant Planning Director
Jennifer Doherty	Administrative Assistant

Minutes prepared by Mary-Margaret Scrimger of Minutes Solutions Inc. from an audio recording.

1. CALL TO ORDER

Mr. Bethoney called the meeting to order at 6:00 p.m. There was a moment of silence to honor Mr. Francis O'Brien, a lifelong Dedham resident.

2. PUBLIC HEARING

146, 188, and 216 Lowder Street and 125 Stoney Lea Road—Old Grove Partners, LLC:

Review and approve draft Certificate of Action (COA) for a Planned Residential Development (PRD), as shown on a detailed site development plan submitted per Section 7.1 of

the Dedham Zoning By-Law. The proposed PRD shall have a maximum of twenty-six (26) dwelling units on +/- 62 acres. The properties are located at 146, 188, and 216 Lowder Street and 125 Stoney Lea Road, Dedham MA, situated within a Single Residence A Zoning District, and shown on Dedham Assessors' Map 105, Lots 17, 19, 23 and Map 118, Lot 31. Representative Peter A. Zahka, Esq.

Mr. Rosenberger noted that on May 28, a resident asked for Saturday construction times to start at 8:00 a.m., not 7:00 a.m. There were other requests for open space. He noted that this is version four of the certificate of action. The Board confirmed receiving the certificate and communications.

Mr. Bethoney reviewed Mr. McGrail's June 8 memo. The Board was supportive of the majority of proposed edits. The Board discussed the town meeting vote, which had a majority. Mr. Zahka recalled that the vote was 98% in favor at the November town meeting, while only a majority was required. It was requested that the 98% vote be included in the certificate of action.

ACTION — Mr. Zahka will confirm what the majority of the vote was for this project.

The Board addressed Paragraph 12, which discusses the land donation to the town. Mr. Bethoney confirmed that all vehicular access to the land would be restricted to the ECEC. The Board confirmed. The Board discussed pedestrian and cyclist access and if it should be limited to only via the ECEC. Mr. Podolski felt there should be no restriction access for pedestrians and cyclists. He believed it was outside of the Planning Board's jurisdiction.

Mr. McGrail noted that if access deviates from the public hearing, he would recommend that the applicant withdraw the land donation. Ms. Porter was concerned that precedents would be set that may negatively impact other projects. She suggested going to the Select Board with a memo outlining these concerns. The process regarding this application has been vigorous. Mr. McGrail noted that the job of the Planning Board is to plan.

Mr. Bethoney synthesized the issue down to if public access can be restricted to public land. He recommended tabling the access issue and accepting the land donation. He did not want to hold up Mr. Joyce, the applicant, with this decision any longer and felt the Planning Board was at an impasse. It was concluded to proceed with approving the application, except for section 12 regarding access, so that Mr. Joyce may move forward. Various ways to proceed were discussed, such as going to the conservation commission, town council, and the Select Board.

Mr. Zahka noted that the applicant would be going to the conservation commission soon. Additionally, he said that if this were a gift outside of the PRD, Mr. Joyce could include restrictions. In the initial request, all access was restricted to be through the ECEC. Mr. Zahka recommended removing the land gift from the PRD. It could then be negotiated and would not hold back the process. Mr. McGrail asked the Board to confirm that Mr. Joyce would have the final say on access with this scenario. The Board agreed to remove section 12 from the certificate of action.

A motion was made by Mr. McGrail to approve the certificate of action for 146, 188, and 216 Lowder Street and 125 Stoney Lea Road with Mr. McGrail's amendments, the removal of section 12, and revisions to ensure acreage is appropriately indicated as 48 acres. The motion was seconded by Mr. Podolski. A roll call vote was taken:

James O'Brien:	Yes
Jessica Porter:	Yes
Michael Podolski:	Yes
James McGrail:	Yes
John Bethoney:	Yes

Motion passed unanimously, 5-0.

ACTION — Mr. Zahka will provide a memorandum of understanding that the land will be donated after donation conditions are established.

95 Eastern Avenue—SREG Management, LLC:

Request for a Special Permit for a Major Nonresidential Project, Special Permit for a hotel use in a Flood Plain Overlay District, Special Permit to exceed the allowable building height, Major Site Plan Review, and associated waivers to construct a six (6) story, 120 room hotel and 144 off-street parking spaces. The subject property is located at 95 Eastern Avenue, Dedham MA, Assessors Map/Lot 123-16 and 123-22, and is located within a Highway Business (HB) Zoning District and Flood Plain Overlay District (FPOD). Dedham Zoning By-Law Section 3.1, 4.1, 4.2, 5.1, 5.2, 8.1, 9.2, 9.3, 9.4, 9.5, Table 1, Table 2 and Table 3. Representative: Kevin Hampe, Esq.

Mr. Rosenberger summarized the last meeting, which reviewed the building design. All aspects of the application have been reviewed. There was a request from the Board for more context and renderings of what the building will look like from multiple angles. There was concern regarding the aesthetic of the building with the current building plans.

Attorney Hampe addressed the outstanding issues. The allowable height is 45 feet; the building's design has a height of 65 feet. Mr. Bethoney noted that the Zoning Board would be the board that has jurisdiction to grant a height variance. Ralph Biggers, the project's architect, presented the design. The hotel will be branded as a Hilton or Marriott, which highly influences the design. The building is consistent with these brands while considering Dedham's aesthetic. Collaboration with stakeholders has impacted the current design. He reviewed angles and images of the building.

Both brands have different levels of hotel products. This one will be business class, limited service with a focus on rooms. Market research indicates that there is a void in Dedham hotels. Visitors frequently stay outside of Dedham. Additionally, this will increase property taxes and ancillary revenue by guests using Dedham services. Because the hotel does not have a restaurant, guests will visit the town's restaurants. This hotel will also create a foundation for economic growth.

There was a discussion regarding height. The request for height is 68.5 feet to be conservative. It was noted that migratory birds are not significantly impacted. The top part of the building will be glass to reduce the visual height. Various siding will be used to increase the visual aesthetician and allow the building to blend. A hotel of this nature is ideal for a

commercial area that abuts a residential area. The hotel's objective is to have a quiet neighborhood.

Hotels are not easy to build and are an investment into the community that will increase taxes for Dedham. It was noted that the cost of raw materials has grown and will continue to increase.

Mr. O'Brien asked how contractors are sourced. It was noted that the search begins locally. Price is a factor, but they don't use the cheapest vendors as quality is important. They are interested in working with qualified local vendors. Within construction, jobs will be created.

Mr. Bethoney opened the floor for public comments. There were no public comments. However, there was a discussion about road improvements on Eastern Ave as the applicant owns it. Brandon Carr noted that the plan is to replace and improve road drainage.

A motion was made by Ms. McGrail to continue this hearing on July 27, 2021. The motion was seconded by Ms. Porter. A roll call vote was taken:

James O'Brien:	Yes
Jessica Porter:	Yes
Michael Podolski:	Yes
James McGrail	Yes
John Bethoney	Yes

Motion passed unanimously, 5-0.

80 Bridge Street—Petruzziello Properties, LLC:

Request for a Special Permit for a Mixed-Use Development Project, Special Permit for work within a Flood Plain Overlay District, Major Site Plan Review, and any associated waivers to construct a four (4) story, 41 dwelling unit Mixed-Use Development and 66 off-street parking spaces. The subject property is located at 80 Bridge Street, Dedham MA, Assessors Map/Lot 14-54, and is located within General Business (GB) and Local Business (LB) Zoning Districts and Flood Plain Overlay District (FPOD). Dedham Zoning By-Law Section 3.1, 4.1, 4.2, 5.1, 5.2, 7.4, 8.1, 9.2, 9.3, 9.5, Table 1, Table 2 and Table 3. Representative Peter A. Zahka, Esq.

Due to a professional conflict of interest with Mr. Petruzziello's business, Mr. Bethoney recused himself and left the meeting. Mr. Podolski became the Chair during his absence.

Mr. Zahka reviewed the prior discussion. After consulting with the engineer, the applicant agreed to a new drainage easement with the town. Since the last meeting, the plan was revised to include bicycle racks, pedestrian benches and "Compact Car Only" signs where needed. Also, a parking spot was adjusted to be more accessible, and a strike island for accessible parking was modified to eight feet. The applicant investigated if the project is feasible with a height reduction; it is not.

Mr. Zahka confirmed that the zoning board of appeals approved a variance for floor area ratio but not height. This building is within height restrictions. There is a request for six waivers. Five of these waivers would be required by anyone attempting to develop this building. The sixth waiver is to allow the rear of the first floor to be used for residential units.

Mr. Podolski asked if the Board supported four stories. Mr. Pepoli confirmed support, especially with the stepbacks, and Mr. McGrail, Ms. Porter and Mr. O'Brien supported the height.

Mr. O'Brien noted that the developer cares about the town and is invested in Dedham's economic health. Mr. Podolski felt the height was too high but recognized that the project significantly improved the lot.

Mr. Findlen, the peer review engineer paid for by the applicant, noted that the applicant addressed all of the issues that have been identified. Mr. Rosenberger stated that this will add to Dedham's economic health.

It was noted that a sound study was done to ensure the air conditioning decibels are low. The units are located in the core of the building. The applicant is willing to review this after construction. Ms. Porter asked for more parking information. Mr. Zahka confirmed that there will be more parking spots than are required. Residents will be limited on how many cars they can have.

Landscaping was discussed. Ms. Porter requested additional trees, if possible. It was confirmed that planting younger trees allows the roots to establish and have longevity. The applicant will plow the sidewalk during the winter.

Mr. Podolski opened the floor to community questions. Ms. Terry Lynch noted that the traffic study was done in March during COVID-19 and expressed her opposition to this

project. Mr. Zahka pointed out that the traffic study was done with adjustments, while the traffic engineer pointed out that the increase would only slightly impact the traffic.

Ms. Lynch noted that this could set a precedent to have apartment buildings at these heights. There are additional lots that could be developed in the same fashion. Mr. Scott MacFarlane provided his address and asked for clarity on the height requirement, as he believed that it was 35 feet. Mr. Zahka and Mr. Podolski confirmed that it changed in November. Mr. MacFarlane noted concern regarding the height but also said that the project would improve the area. As a neighbor across the street, he voiced concern with snow removal and parking overflowing into his parking lot. He suggested having parking spots labeled per unit for clarity. Power issues were a concern; the applicant and Mr. Zahka confirmed that there will be a transformer and appropriate connection into power.

Another resident noted that Dedham's commercial retail vacancy rate is high and adding commercial space may not be prudent. She was also concerned about parking and maximum capacity. Mr. Pepoli noted that he reviews each proposal as if it were next to his home. Development will happen in Dedham, and the Board would like them done to benefit the town.

A motion was made by Mr. McGrail to continue the 80 Bridge street hearing on June 23, 2021. The motion was seconded by Mr. O'Brien. A roll call vote was taken:

James O'Brien:	Yes
Jessica Porter:	Yes
Michael Podolski:	Yes
James McGrail	Yes
Andrew Pepoli	Yes

Motion passed unanimously, 5-0.

3. REVIEW AND APPROVAL OF MINUTES

A motion was made by Mr. Podolski to table the approval of the minutes until the next meeting. The motion was seconded by Mr. McGrail. A roll call vote was taken:

James O'Brien:	Yes
Jessica Porter:	Yes
Michael Podolski:	Yes
James McGrail	Yes
John Bethoney	Yes

Motion passed unanimously, 5-0.

4. OLD/NEW BUSINESS

Ms. Tinger announced an upcoming community meeting to look at potential options for the old police station.

5. **ADJOURNMENT**

A motion duly made by Mr. McGail, it was resolved to adjourn the meeting at 10:20 p.m. The motion was seconded by Ms. Porter. A roll call vote was taken:

James McGrail:	Yes
Jessica Porter:	Yes
James O'Brien:	Yes
Michael Podolski:	Yes
Andrew Pepoli	Yes

Motion passed unanimously, 5-0. The meeting was adjourned.

DISCLAIMER

The above minutes should be used as a summary of the motions passed and issues discussed at the meeting of the Board of the Planning Committee. This document shall not be considered a verbatim copy of every word spoken at the meeting.