

**PLANNING BOARD**

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

Planning Director  
Jeremy Rosenberger



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Administrative Assistant  
Jennifer Doherty

Assistant Town Planner  
Michelle Tinger

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

**MINUTES OF THE PLANNING BOARD MEETING  
VIRTUAL  
SEPTEMBER 22, 2021, 6:00 P.M.**

**BOARD MEMBERS:**

John R. Bethoney	Chair
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
Jennifer Doherty	Administrative Assistant
Michelle Tinger	Assistant Town Planner

**GUEST:**

Steven Findlen	Senior Project Manager, McMahon and Associates
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**AMAZON REPRESENTATIVES:**

Peter A. Zhaka, Esq.	Attorney
Andrew Cohen	Manager, Economic Development, Amazon
Jeff Schumer	Manager, Economic Development, Amazon
Michael Keleher	Senior Program Manager, Amazon
Katie Coakes	Station Operations Manager, Amazon
Suzanne King	Civil Engineer, BL Companies
Marci Loeber	Property Owner's Representative, 480 Sprague St.
Donna Penino	Property Owner's Representative, 480 Sprague St.

**SMKL RUSSEL, LLC REPRESENTATIVE:**

Scott Henderson	Civil Engineer, Henderson Consulting
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Minutes prepared by Angela Fracassi of Minutes Solutions Inc. from a video recording.

1. **CALL TO ORDER**

Mr. Bethoney called the meeting to order at 6:00 p.m. and explained the meeting procedures to the public.

2. **PUBLIC MEETING**

**Proposed Site Expansion at 480 Sprague Street – Continuation**

The Board continued reviewing the proposed minor site plan review for a proposed expansion at 480 Sprague St. by Amazon. Mr. Peter A. Zhaka represented the Applicant. At the previous meeting, the Planning Board agreed to establish a working group to engage community members, other municipal agencies, and work with the Applicant. Mr. McGrail was appointed as the Planning Board's representative in the Amazon working group. Mr. McGrail reported that the working group and Amazon discussed issues including noise, traffic, truck routes, safety concerns, and vehicle identification. Many of the community's concerns were being addressed in the certificate of action which would be presented at this meeting.

Mr. Rosenberger stated that the public was informed of the meeting by e-mail, all abutters were informed by mail, and the Town of Dedham made several announcements via social media.

Mr. Findlen of McMahon and Associates presented a summary of the site plan review and traffic study. The site plan review initially identified 26 issues, all of which had been addressed by the Applicant to his satisfaction. The traffic study concluded that the preferred truck route was the route that Amazon was already using.

Mr. Zhaka reiterated that the proposal was not intended to increase the volume of vehicles entering or exiting the facility, but is intended to increase the efficiency of Amazon's operations in Dedham and to allow Amazon delivery vehicles to operate outside of peak traffic hours. The Applicant worked with the Planning Board and working group to create a draft certificate of action that addressed many, if not all, of the Board's and the community's concerns.

Mr. Zhaka outlined conditions 1 through 28 in the certificate of action. The Board provided their feedback.

- Condition 1 stated that the construction would not deviate from the plans filed with the Planning Board.
- Condition 2 stated all vans will be branded with the Amazon logo, with the exception of Amazon Flex drivers, who are independent contractors. They will be encouraged but not required to use magnetic Amazon signs on their vehicles. The Board requested the removal of the phrase "within the town of Dedham." Mr. Zhaka marked the request and agreed to present it to the Applicant. Ms. Porter suggested that the van should display a highly visible identification number. Mr. Zhaka declined this request, as vans may be coming from other facilities or locations.
- Condition 3 stated there would be a dedicated e-mail address for concerns regarding operational impacts to the community such as noise complaints or public safety concerns. Every six months Amazon would report to the Planning Board a summary of the complaints received by the public.

- Condition 4 specified which entrance tractor-trailers would use and prohibited the use of Whiting Avenue and other residential streets. There was an exception made for emergencies and fueling. The Chair suggested that additional side-street prohibition be added to the certificate of action. Mr. Zhaka agreed to present this request to the Applicant.
- Condition 5 stated that a sound study would be conducted within six months of the issuance of the occupancy permit. If the study determined that the sound levels are excessive, Amazon will establish a sound mitigation plan to be reviewed by the Planning Board. The Board requested that the sound study be conducted between six months and one year after issuance of the full occupancy permit. The Applicant agreed to this condition.
- Condition 6 was a prohibition of product delivery via tractor-trailer from the subject property to the Meadow Valley Road facility via Neponset Valley Parkway.
- Condition 7 stated that vans used in Dedham will be principally stored in Dedham to permit the Town of Dedham to collect excise tax revenues.
- Condition 8 stated that vans will no longer honk when entering the facility.
- Condition 9 stated that, with some exceptions, Amazon would make reasonable efforts to limit tractor-trailer traffic to no more than two per hour from the hours of 8:00 p.m. to 6:00 a.m.
- Condition 10 stated that Amazon would contribute \$1 million for the sole purpose of installing sidewalks on Sprague Street. The Board requested that the condition be amended to reflect that any leftover funds be used for other infrastructure projects on Sprague Street. The Applicant agreed to this condition.
- Condition 11 stated that all Amazon drivers will participate in a training program in accordance with the documentation submitted to the Planning Board.
- Condition 12 stated that Amazon will implement a tiered driver disciplinary program in accordance with the documentation submitted to the Planning Board.
- Condition 13 stated that Amazon will make reasonable efforts to ensure that vehicle loading takes place within the subject property and not on public roads. The Board requested that this condition be amended to include more specific language as “loading” is a vague term. Mr. McGrail noted that the condition does not take into account emergencies, such as van breakdown, and that the intent of the condition was to prevent drivers from exchanging packages with one another on the public roadway or unauthorized private property.
- Condition 14 stated Amazon will provide the Planning Board with the name and e-mail address for a primary point of contact regarding the Dedham facility. The Board requested the contact information include a phone number. Mr. Zhaka agreed to present the request to the Applicant.
- Condition 15 stated that there would be no future expansion of the facility without Planning Board approval.
- Condition 16 stated that Amazon would provide bathroom facilities at the Dedham facility for drivers. The Applicant agreed to the Board’s request that this condition is amended to explicitly include Amazon Flex Drivers.
- Condition 17 stated that in an emergency, Dedham-Westwood Water would have access to the sewer and water lines.
- Condition 18 stated that the Town of Dedham Planning Department would have access to the site during construction.
- Condition 19 stated that the Planning Board reserved the right to monitor site lighting.
- Condition 20 stated that landscaping, signage, and striping would be maintained by Applicant.
- Condition 21 stated the hours of construction.

- Condition 22 stated that the Applicant must submit a construction management plan to the Planning Director for Approval and must specify many of the Applicant's responsibilities.
- Condition 23 stated that a pre-construction conference be held with town departments prior to the commencement of construction.
- Condition 24 stated that the Applicant would conduct a traffic study between six to twelve months after full occupancy. The Applicant agreed to the Board's request to amend the condition to state, "six to twelve months after the receipt of a full occupancy permit."
- Condition 25 stated that a CAD drawing would be submitted to the Town of Dedham Department of Infrastructure and Engineering.
- Condition 26 stated that all municipal taxes would be paid in full.
- Condition 27 stated that the Applicant would submit an "as-built" site plan to the Planning Board and Board of Assessor following construction.
- Condition 28 stated that the Planning Director will be contacted by the Applicant at the termination of construction to verify that the project was completed in full compliance.

Chairman Bethoney advised the public that Conditions 21-28 are typical of all certificates of action.

Chairman Bethoney opened the floor to questions from the Board.

**Mr. Podolski** asked if the plan would be reviewed by the Conservation Commission.

**Mr. Zhaka** noted that the plan was reviewed by the Conservation Commission, and he did not believe that any additional review by Conservation Commission was required.

**Mr. Podolski** asked if the Phase Two and Phase Three approval from 2015 had been fully implemented.

**Ms. Loeber** answered that they had not, but the striping would be completed by November 1, 2021.

**Mr. Zhaka** added that if the current plan is approved prior to November 1, 2021, then striping will be completed after the completion of the parking lot repaving.

**Chairman Bethoney** requested that definitions of truck drivers, Amazon Flex drivers, and van drivers be defined in the certificate of action.

**The Applicant** agreed.

**Chairman Bethoney** inquired about the location of the dumpsters.

**Mr. Keleher** displayed an overhead image and indicated the current location of the dumpsters. The proposed site plan has the dumpsters near the truck bay and Sprague Street. The Board stated that dumpsters must be enclosed as per Dedham's bylaws.

**Mr. Findlen** confirmed that the dumpsters meet all town regulations.

**Chairman Bethoney** requested that the certificate of action state that the dumpster will be maintained as per Board of Health regulations.

**Mr. Zhaka** agreed.

**Chairman Bethoney** requested that there be no changes made to the existing easement agreements as a result of the proposal.

**Mr. Zhaka** agreed to the request.

The Applicant agreed to create a revised certificate of action and to forward it to Mr. Rosenberger and Mr. McGrail. The Board agreed to review the draft certificate of action and provide Mr. Rosenberger with their feedback prior to the public meeting, so that the certificate of action may potentially be approved at the next public meeting.

**3. PUBLIC MEETING**

**Minor Site Plan Review - 17 McDonald Street, SMKL Russel, LLC**

Ms. Tinger presented a summary of the staff report regarding a minor site plan review for a new three-bay, 1,950 square foot contractor garage, and eight parking spaces on the property. The property abuts residential areas, so staff requested that the Applicant include landscaping and lighting information. She stated that the proposal meets parking requirements.

The Applicant was represented by Mr. Scott Henderson. He displayed satellite images and drawings of the area to highlight the surrounding area, existing conditions, and proposed changes. The proposal was to construct a new three-bay garage and additional parking spaces. The revised site plan included a lighting and landscaping plan. The lighting would not shine any light on any abutting property. The intent of the landscaping was to prevent any visual disruptions to the abutting properties. The initial plan for the garage was a prefabricated steel structure, however, if lumber prices start to fall, the Applicant would consider the wood frame structure. The Applicant requested a waiver to allow tandem parking spaces. The Chair opened the floor to questions from the Board.

**Mr. McGrail** inquired about the opinions of the direct abutters.

**Mr. Henderson** stated that he was not aware of a conversation between the abutters and the Applicant, however, he agreed to check with the Applicant. He acknowledged that the Applicant distributed the appropriate notices to the abutters, and they did not attend any of the public meetings.

**The Chair** stated that he would prefer a wood-framed structure rather than a prefabricated steel garage.

**Chairman Bethoney** stated that a peer review was not required for this project, and a staff report was conducted instead. He asked Ms. Tinger for her assessment of the plan as presented.

**Ms. Tinger** stated that the plan is safe and efficient, and noted the positive environmental impacts of the proposal and the only wavier required is for tandem parking.

Mr. Rosenberger advised that the change in the building material would not trigger an additional review by the Planning Board.

The Chair opened the floor to questions and comments from the public. There were none.

**On a motion made by Mr. Podolski, seconded by Mr. O'Brien, it was resolved to approve the waiver request for tandem parking spaces on 17 McDonald Street. A roll call vote was conducted. Motion carried unanimously.**

**On a motion made by Mr. Podolski, seconded by Mr. O'Brien, it was resolved to accept the site plan for 17 McDonald Street as presented. A roll call vote was conducted. Motion carried unanimously.**

#### 4. **REVIEW AND APPROVAL OF MEETING MINUTES**

##### **June 9, 2021**

Ms. Porter made the following recommendations:

- Page 2 should read “Mr. McGrail”
- Page 3, paragraph starting with “Mr. Rosenberger”, the word “plans” should be added to the end of the paragraph
- Page 3, in the subsequent paragraph, recommended re-phrasing
- Page 7, Old Business / New Business, should read “Ms. Tinger announced an upcoming community meeting to look at potential options for old police station.”

The Chair made the following recommendations:

- Page 4 should use the language from the prior minutes regarding his recusal

**On a motion made by Ms. Porter, seconded by Mr. McGrail, it was resolved to approve the meeting minutes from the Planning Board meeting of June 9, 2021, as amended. A roll call vote was conducted. Motion carried unanimously.**

##### **June 23, 2021**

**On a motion made by Ms. Porter, seconded by Mr. McGrail, it was resolved to approve the meeting minutes from the Planning Board meeting of June 23, 2021, as presented. A roll call vote was conducted. Motion carried unanimously.**

##### **July 1, 2021**

Ms. Porter made the following recommendation:

- Page 2 should read “some solution had been discussed previously but had not been put in place.”

Mr. Podolski made the following recommendation:

- Page 2, should read “Mr. Podolski” rather than “Ms. Podolski.”

**On a motion made by Mr. McGrail, seconded by Ms. Porter, it was resolved to approve the meeting minutes from the Planning Board meeting on July 1, 2021, as amended. A roll call vote was conducted. Motion carried unanimously.**

##### **July 14, 2021**

Ms. Porter made the following recommendations:

- Page 4, paragraph beginning with “Mr. Bethoney” should be rephrased to more accurately reflect Mr. Bethoney’s opinion

Mr. O’Brien stated that his statements were also not accurately reflected in the meeting minutes.

Mr. Podolski made the following recommendations:

- Page 1, “public hearing” should be rephrased to state “scoping session.”
- Page 4, the second paragraph the spelling of “Delapa” should be changed.

The Chair requested that these minutes be tabled to a subsequent meeting.

On a motion made by Ms. Porter, seconded by Mr. O'Brien, it was resolved to table the minutes from the July 14, 2021 Planning Board meeting to a subsequent meeting. A roll call vote was conducted. Motion carried unanimously.

**September 16, 2019**

On a motion made by Ms. Porter, seconded by Mr. McGrail, it was resolved to accept the minutes from the September 16, 2019 Planning Board meeting as presented. A roll call vote was conducted. Motion carried unanimously.

**5. OLD BUSINESS / NEW BUSINESS**

**34 Milton Street Park Dedication:** Ms. Porter stated that on September 23, 2021, the town will dedicate a park to honor of former slave William B. Gold at 34 Milton Street.

**Master Plan Open House:** An open house will be held on October 5 at 7:00 p.m. The Master Plan will also have a booth at Dedham Day where residents can play games and receive merchandise.

**Design Review Advisory Board (DRAB):** The Chair asked the Board to consider a better process for Applicants seeking DRAB approval. He suggested that Applicants should see DRAB prior to coming before the Planning Board, and DRAB should provide the Planning Board with their recommendations.

**6. DATE AND TIME OF THE NEXT MEETING**

The next meeting between the Board and the Applicant was tentatively scheduled for October 13, 2021 at 6:00 p.m.

**7. ADJOURNMENT**

On a motion made by Mr. McGrail, seconded by Mr. O'Brien, it was resolved to adjourn the meeting at 9:10 p.m. A roll call vote was taken. Motion carried unanimously.

**DISCLAIMER**

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