

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

**PLANNING BOARD
MEETING MINUTES**

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

**MINUTES OF THE PLANNING BOARD MEETING
VIA TELECONFERENCE
OCTOBER 13, 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
Drew Pepoli	Vice-Chair

PLANNING DEPARTMENT STAFF:

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

Minutes prepared by Angela Fracassi of Minutes Solutions Inc. from a video recording.

1. CALL TO ORDER

Chairman Bethoney called the meeting to order at 6:08 p.m. and explained the meeting procedures to the public.

2. CONTINUATION OF PUBLIC HEARING – 95 EASTERN AVENUE

Mr. Rosenberger reported that the applicant requested to continue the public hearing regarding 95 Eastern Avenue to November 9, 2021 at 6:00 p.m.

On a motion by Mr. O'Brien, seconded by Ms. Porter, it was resolved to approve the applicant's request to continue the public hearing regarding 95 Eastern Avenue on November 9, 2021 at 6:00 p.m. A roll call vote was conducted. Motion carried unanimously.

**3. PUBLIC MEETING
MINOR SITE PLAN REVIEW – 197 MILTON STREET**

Mr. Rosenberger stated that the Applicant, Jordaan LLC, requested a Certificate of Compliance regarding a Minor Site Plan Review of a gas station at 197 Milton Street. He advised that one change was made to the site plan in consultation with the building department, as an accessible parking spot was added in a different location than originally anticipated due to grading. He recommended that the plan be approved as presented.

On a motion made by Mr. McGrail, seconded by Mr. O'Brien, it was resolved to approve the revised site plan for 197 Milton Street, as presented. A roll call vote was conducted. Motion carried unanimously.

On a motion made by Mr. McGrail, seconded by Mr. O'Brien, it was resolved to issue a certificate of compliance for 197 Milton Street. A roll call vote was conducted. Motion carried unanimously.

4. REVIEW AND APPROVAL OF PREVIOUS MINUTES

The Board reviewed the minutes from the Planning Board meetings and made the following edits:

October 24, 2019

Ms. Porter suggested the following amendment:

- Last paragraph, page 1, should be a period after the word "age," and delete the second "71%"

On a motion made by Mr. O'Brien, seconded by Ms. Porter, it was resolved to approve the minutes from the Board meeting of October 24, 2019, as amended. A roll call vote was conducted. Motion carried unanimously.

November 7, 2019

Ms. Porter suggested the following amendment:

- Top of page 2, second paragraph, the date should read "November 7, 2019."

On a motion made by Ms. Porter, seconded by Mr. McGrail, it was resolved to approve the minutes from the Board meeting of November 7, 2019 as amended. A roll call vote was conducted. Motion carried unanimously.

December 5, 2019

Mr. Podolski suggested the following amendment:

- Page 8, 10th line, add "in a residential zone" after "commercial construction."

On a motion made by Mr. Podolski, seconded by Mr. O'Brien, it was resolved to approve the minutes from the Board meeting of December 5, 2019 as amended. A roll call vote was conducted. Motion carried unanimously.

December 12, 2019

Ms. Porter suggested the following amendment:

- Page 3, after the word "support" add "an affordability requirement."

On a motion made by Mr. Podolski, seconded by Ms. Porter, it was resolved to approve the meeting minutes from December 12, 2019, as amended. A roll call vote was conducted. Motion carried unanimously.

The Board inquired whether the minutes from October 11, 2019 have been done. Ms. Doherty would double-check and let the Board know.

5. PLANNING INITIATIVES UPDATE

On a motion made by Mr. McGrail, seconded by Mr. O'Brien, it was resolved to defer the planning initiatives update to a later date. A roll call vote was conducted. Motion carried unanimously.

6. DEDHAM SQUARE PLANNING COMMITTEE

Mr. Podolski and Ms. Porter presented the Dedham Square Planning Committee update. Mr. Podolski presented the history of the Committee and the makeup of its membership. He reported the Committee continued to meet remotely throughout the pandemic and presented a summary of their analysis of 600 High Street. The Committee examined the economic, community, and environmental benefits of selling the property, renovating the property, or turning it into a green space. The Committee agreed that turning the property into green space was the preferred option. He then discussed the size of the property and presented the existing conditions. He noted that Verizon was open to deeding the town some of the parking area they currently had an easement to for police car parking.

Ms. Porter presented a rendering of the proposed expanded park. The park was able to expand partially because of the Verizon acquisition. She outlined the pedestrian safety improvements, including a raised speed table on Church Street, reduced lane width, on-street parallel parking, and curb extensions that will reduce crosswalk length. The Committee had previously presented three designs to the public and took the public's feedback into consideration when creating the final design. She then presented a site plan with detailed cost estimates that totaled \$3,670,387.06, which included all costs except demolition. She presented a draft funding summary but noted that the summary was in no way final. Funding would potentially come from the Public Safety Building Budget, ARPA Funds, Federal Land and Water Grant, Corporation Sponsors, Private Donors, and the Town of Dedham. She then outlined the annual maintenance costs, which were estimated at approximately \$10,000.

The Committee was working on a detailed plan to present to the Select Board on November 18, 2021, and requested questions, suggestions, and feedback from the Planning Board.

The Chair inquired if any of the roadway redesigns removed any travel lanes.

Ms. Porter answered that they did not.

The Chair requested that the cars in the 3D renderings be made to scale, and a right arrow be added to make the lanes clearer for the public.

The Chair inquired if there is a water component in the design.

Ms. Porter answered that there is a fountain water feature planned. The Committee elected not to include a children's splash pad.

The Chair noted that he receives questions from the public whether this space would be used for additional parking and asked if the Committee considered using the space as anything other than a park.

Mr. Podolski answered that the Committee had considered other uses.

Ms. Porter added that the park supports local businesses more than parking would because it creates a destination, and that there is parking at the perimeter, and that wayfinding will be included in the final design.

The Chair advised the Committee to continue looking at other funding sources, as the Town of Dedham typically only grants funds to projects that have done significant fundraising.
Mr. McGrail expressed his support for the project.

Mr. O'Brien also expressed his support for the project and suggested that the Committee find a way to acknowledge the historical significance of the land.

Mr. Podolski and Ms. Porter added that historical markers are included in the design and are a line item in the cost estimate.

Mr. Podolski requested that the Board discuss and take a position on the proposal at the next Planning Board Meeting.

The Chair directed the Planning Department Staff to add the proposal to the agenda of the next Planning Board Meeting on October 27, 2021 at 6:00 p.m.

7. **PUBLIC HEARING**

FALL 2021 ZONING ARTICLES, SHORT-TERM RENTAL OF PRIVATE RESIDENTIAL SWIMMING POOLS

Ms. Doherty explained that notice of the public hearing was advertised for two consecutive weeks in the Dedham Times and to the regional planning authority and the State Department of Community Housing and Development. The abutting towns were also informed.

On a motion made by Mr. Podolski, seconded by Mr. O'Brien, it was resolved to open the public hearing regarding the proposed by-law regarding short-term rental of private, residential swimming pools. A roll call vote was conducted. Motion carried unanimously.

On a motion made by Mr. Podolski, seconded by Ms. Porter, it was resolved to waive the reading of the public notice. A roll call vote was conducted. Motion carried unanimously.

The Chair explained that the by-law was conceived because of complaints from the public regarding short-term rentals of private residential swimming pools. Residents have complained about noise, underage drinking, and the lack of available bathroom facilities.

The Chair read the proposed by-law and proposed definitions. The by-law did not allow short-term rentals of private residential swimming pools but did not affect commercial or community swimming pools.

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

On a motion made by Ms. Porter, seconded by Mr. McGrail, it was resolved to close the public hearing. A roll call vote was conducted. Motion carried unanimously.

The Chair advised the Board that the discussion had entered the deliberation phase, and Members were welcome to state and discuss their position on the proposed by-law.

The Board stated their support for the by-law.

On a motion made by Mr. Podolski, seconded by Mr. O'Brien, it was resolved to support the town meeting zoning article related to the short-term rental of private, residential swimming pools, as presented. A roll call vote was conducted. Motion carried unanimously.

8. **OLD BUSINESS / NEW BUSINESS**

Chairman Bethoney explained that Ms. Stephanie Carter had been invited to the Planning Board meeting as she had written the board with concerns regarding a previous hearing for the Animal Rescue League back in 2020.

Animal Rescue League: Ms. Carter discussed the progress of the Animal Rescue League development. She noted that the site is close to completion, however, there are several issues that she questioned. She questioned the interior lighting stating that it regularly stays on all night, and the blinds and shades do not block the light out.

Ms. Carter questioned the landscaping saying it was intended to create a screen between the building, parking lot, and abutters, however, there was almost no plant material in front of her home and her neighbor's home, and the fencing inadequately shields the light from cars in the parking lot.

The Chair explained that Mr. Rosenberger will bring her concerns to the Building Department, which is responsible for enforcing the terms of the certificate of action. He further explained that the Applicant and the Planning Board agreed that the Applicant would work with the abutters to plant trees in consultation with the abutter to ensure that headlights are not shining directly into neighboring homes.

Mr. Rosenberger was in frequent contact with the organization, and he stated that the landscaping plans were still in progress. He noted that there was a significant delay in pine tree delivery, and the planting would be completed when the plant materials are received. Mr. Rosenberger consulted the landscaping plans, which stated that trees will be planted in front of 227 Pine Street. He reiterated the project was not yet complete.

The Chair thanked Ms. Carter for her time and agreed to take her concerns to the Building Department. He advised patience, as the project is still in progress, and was not yet complete.

9. DATE AND TIME OF THE NEXT MEETING

The next meetings of the Planning Board were scheduled for October 18, 2021 at 6:00 p.m. and October 27, 2021, at 6:00 p.m.

10. ADJOURNMENT

On a motion made by Ms. Porter, seconded by Mr. McGrail, it was resolved to adjourn the meeting at 8:20 p.m. A roll call vote was taken. Motion carried unanimously.