

**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



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

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  
JANUARY 27, 2021, 7:00 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
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**

The Chairman of the Planning Board, Mr. Bethoney, called the meeting to order at 7:00 p.m.

Ms. Porter addressed the room.

*"I'm sorry that my personal decision to comment on a heated issue in town is distracting from the important work we do here on the Planning Board. I hope my fellow board members haven't had too much flak directed at them, particularly now that I've been targeted for online harassment and doxxing as a result of speaking up."*

*I appreciate the opportunity to clarify the part of my comments that have been misunderstood by some members of our community.*

*On Sunday, I made a statement on my personal Facebook page to clarify a tense issue in our community. I did so because the misinformation was contributing to the harassment of some school administrators and at least one teacher. I have always strived to be honest, and fact-based, and my statement was made with that intent, as is this clarification.*

*In my statement, I noted that the issue has become more complicated because it was being amplified by an extremist blog whose commenters, many of whom are blatantly racist, were urging that harassment. I understand many folks here in Dedham have interpreted my statement to suggest that all of Coach Flynn's supporters are white supremacists.*

*Nothing could be further from the truth. I didn't say that. I don't believe that.*

*The majority of the commenters on that blog aren't even from Dedham. While I haven't met Coach Flynn myself, we have mutual friends and I have friends who are angry that his contract was not renewed.*

*We are going through a difficult time in Dedham and tensions are running high. I hope our community can come together for honest, respectful and open dialogue. We have to work to build trust with one another and trust in our local boards and committees where volunteers are working to make sure Dedham meets the needs of our residents.*

*I want to thank those who've reached out today to offer support as well as those who've reached out directly to ask my intent and offer constructive feedback. That's how we can work through issues – by sitting down and talking to one another, not by flaming online hate. I hope temperatures will cool quickly so we can do the hard work ahead of us. And as we move forward I will continue to seek to find common ground, to have hard conversations, and to be honest and civil with each other.”*

*Dedham is experiencing a difficult time, and Ms. Porter hopes the community can come together for honest and respectful dialogue. She thanked those who provided constructive feedback and offered support. She will continue to seek common ground for difficult conversations. “*

## **2. PUBLIC HEARING**

### **95 Eastern Avenue — SREG Management LLC:**

*Request for a Special Permit for a Major Nonresidential Project, Special Permit for hotel use in a Flood Plain Overlay District, Special Permits to exceed the allowable FAR and 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, 95 Eastern Avenue, Dedham MA, Assessors Map/Lot 123-16 and 123-22, 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.*

This item is a continuation of the January 13, 2021 hearing.

Ms. Porter noted that her property abuts an adjacent property. There are over 500 feet between her property and the property in question. She has discussed this with the State Ethics Commission. They confirmed there is no conflict with her and these proceedings for a few reasons:

- She is an abutter to an abutter, and there are more than 300 feet between the property lines
- There is already commercial development on Providence Highway, so this will not change the nature of the area
- The development would not impact her property more than the other properties within the neighborhood.

Ms. Porter consulted with Town Counsel. The consensus is that she could serve on these proceedings. She reviewed the November 12, 2020, Planning Board meeting as per the statute.

Mr. Kevin Hampe, of the Law Offices of Winbourne, Hampe, and Sheehan, noted that the team has been working on the conditions appropriate for future development. Additionally, the team has worked with the Planning Board's peer reviewer. The town engineer was consulted and addressed issues that the Engineer noted.

Mr. Brandon Carr, the project engineer of DiPrete Engineering, completed the site design and prepared a shared parking analysis. Chairman Bethoney asked for clarity regarding the parking. He understood that the lot was initially divided so that the second lot would not be developed and wouldn't need to comply with current zoning requirements. The concern is that if the lot is being used for parking purposes, this is a zoning workaround.

Mr. Carr explained hotel peak parking times are evenings and weekends, so sharing this parking with the nearby offices with high weekday demand would be efficient and could be done using the shared parking zoning bylaw. Mr. Carr compared surrounding towns and industry standards. Existing parking is currently 490 parking spaces for the entire 11-acre parcel. Historically, the upper parking demand average was 141 parking spaces. With the hotel and other industries, zoning requires 510 parking spaces.

In the shared parking analysis, Mr. Carr noted that customers would use 200 parking spaces daily, and 433 parking spaces would be provided. The plaza would be allocated 279 spaces, and there would be 144 spaces for the hotel, which almost meets Dedham's requirement of 1.25 parking spaces per hotel room. Mr. Carr noted that the hotel does not have a bar or other amenities that would draw non-guests to the hotel, increasing parking needs. A shuttle will reduce guests' car needs. Mr. Carr noted that 433 parking spaces are 77 below the zoning requirement.

Mr. Bernie Guen of Vanesse Associates studied the traffic patterns in the area. The traffic data was collected in 2019 and has been projected to 2027, which he presented.

Mr. Steve Findlen, Senior Project Manager of McMahan Associates was hired as the Town's peer reviewer at the applicants' expense to review the site for compliance and offsite impact. He typically communicates with the applicant to confirm and resolve issues

with the development. He identified 14 issues, nine related to the traffic study. Some highlights included background growth, ensuring the growth aligns with historical data; land-use code is correctly applied to the hotel's use; traffic analysis had existing lane configuration and traffic operations; and clarity on peak parking usage.

Mr. O'Brien asked for clarity regarding the two different entities, the plaza, and the hotel, as they are separate lots but have the same owner. Mr. Carr responded that this is a request for shared parking and is a special permit. Both properties are going to be upgraded.

Ms. Porter asked about pedestrian considerations since many children walk through this area, and it should be well connected. This could also facilitate a decrease in traffic. Mr. Guen noted that pedestrian counts would be done with traffic counts. Ms. Porter stated that the pedestrian crosswalk time is too short, and the signage is incorrect. Mr. Pepoli asked for confirmation that the traffic cue will only have one car added. Mr. Guen confirmed.

Chairman Bethoney asked if Mr. Findlen felt the applicant used industry-standard methodology for the study. Mr. Findlen confirmed. Mr. Bethoney asked for confirmation regarding the intersections studied. Mr. Findlen confirmed it was the Route 1/Eastern Avenue, Route 1 at Dedham Plaza intersection, Lechmere Road at the driveway intersection, and Eastern Avenue at the driveway intersection. Mr. Findlen confirmed that these intersections are sufficient. As a result of the proposal, the level of service at each intersection will be minimal.

Chairman Bethoney noted that Dedham Square would benefit from the hotel. However, he questioned the route to Dedham Square, ensuring that it was safe and what can be done. Mr. Carr indicated that there would be a 24-hour hotel shuttle, pedestrian linkage through the plaza and the hotel, and street improvement projects on Eastern Avenue. The applicant is committed to improving the area for Dedham residents as well as hotel guests. The applicant does not intend to redevelop the site, but the business model anticipates improving the area.

Chairman Bethoney asked that both lots be brought into zoning compliance. Mr. Jeffery Saletin noted that the properties had been improved, such as using a landscape architect. More than \$1 million was invested into the plaza aesthetic thus far. More improvements are in the pipeline, but there are also fiscal realities. In addition, the roads on the property would be repaved and improved. Mr. Podolski reserved his right to ask questions regarding traffic and parking specific to this proposal.

Chairman Bethoney opened the floor to questions from the general public.

Ms. Sarah Smegal of 150 Monroe Street asked how the subdivision impacts the easement and documentation. Mr. Hampe noted that it does not as the same owner owns both lots. Ms. Smegal questioned if the lease terms are affected by this project; Mr. Carr confirmed they are not. Ms. Smegal asked if the traffic assumptions were based on actual numbers or estimated. Mr. Guen confirmed it was actual numbers with projections until 2027, and the traffic study included the intersection of Eastern and the service road.

Ms. Michelle Kayserman of 3 Allen Lane asked about the hotel-supplied shuttle and if this was included in the traffic study and impacts the count. Mr. Guen noted that it was not included, but it will decrease traffic on the road.

Ms. Suzanne Macrae of 88 Abbot Road asked about the East Street and Eastern Avenue intersection for this study. Mr. Guen confirmed it was not studied. Mr. Carr confirmed that the development should not impact the intersection. Mr. Guen noted that the data was collected in January when numbers were lower and adjusted by 8%-9%.

Mr. Stephen Greenbaum, the attorney for Pearl Realty, noted that his client supports this development. However, there is concern that the study did not consider the route from the hotel through BJs, Best Buy, and out Route 1. Mr. Guen confirmed that that the study included it. Questions regarding site specifics will be addressed on February 10, 2021.

**A motion was made by Mr. James McGrail to continue the discussion regarding 95 Eastern Avenue on February 10, 2021. The motion was seconded by Ms. Jessica Porter. A roll call vote was taken:**

<b>James McGrail:</b>	<b>Yes</b>
<b>James O'Brien:</b>	<b>Yes</b>
<b>Jessica Porter:</b>	<b>Yes</b>
<b>Michael Podolski:</b>	<b>Yes</b>
<b>John Bethoney:</b>	<b>Yes</b>

**Motion passed unanimously, 5-0.**

**3. PUBLIC MEETING**

**123 Westfield Street—Westfield Crossing LLC:** Determination of Approval Not Required (ANR) subdivision plan.

***Mr. Bethoney recused himself due to a professional business relationship with the Applicant, handing the role of Chair to Mr. Podolski. Mr. Bethoney left the meeting for this discussion.***

Mr. David Johnson of Northern Engineering presented the plan regarding 123 Westfield St. This is in a single residence A zoning district which requires 150 feet of frontage, which these lots fulfill. Mr. Rosenberger confirmed that the property meets the requirements. He provided background, and this was subject to a Conservation Commission hearing. On the eastern border, there is a driveway easement in place. The Conservation Commission recommended providing access from the current driveway out of concern to protect a nearby wetland.

Mr. Podolski asked for clarification that the request is for frontage on Westfield Street, but the lots will not have access there. Mr. Johnson clarified that lot one would use the shared access driveway, and lot two will have access via Westfield Street. The driveway has been widened to 18 feet, and it will not be a problem for fire trucks to turn around. There are existing buildings on both lots that will be raised.

**A motion was made by Ms. Porter to approve the endorsement of the plan, as approval was not required for 123 Westfield Street. The motion was seconded by Mr. O'Brien. A roll call vote was taken:**

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

Motion passed unanimously, 4-0.

4. **AFFORDABLE HOUSING TRUST**

***Mr. Bethoney returned and resumed his role as Chair.***

Mr. Rosenberger noted an affordable housing bylaw was passed at the last Town Meeting. They are waiting on the Attorney General to approve the bylaw, which will hopefully happen soon. Part of the bylaw was to create an affordable housing trust. The meeting package included documents regarding the creation of this trust. Other comparable towns are taking similar action. Mr. Rosenberger asked for additional time regarding this project. Mr. Podolski and Mr. McGrail noted that there is not a Planning Board member slotted to be on the trust.

**A motion was made by Mr. O'Brien to discuss the affordable housing trust at a future meeting. The motion was seconded by Mr. McGrail. A roll call vote was taken:**

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

Motion passed unanimously, 5-0.

5. **PUBLIC MEETING**

**322 and 326 Washington Street and 25 and 27 Harris Street—Needham Bank:** Minor Site Plan Review for one-story, 1,879 sq. ft. retail bank building with drive-thru teller/ATM and ten off-street parking spaces. Representative: Peter A. Zahka, Esq. (Continued from (1/13/20))

***Mr. Bethoney recused himself due to a professional business relationship with the Applicant, handing the role of Chair to Mr. Podolski. Mr. Bethoney left the meeting for this discussion.***

Attorney Peter Zahka met with Mr. Rosenberger and Mr. Findlen, the peer reviewer, to make changes as requested. Mr. Zahka noted that if the Board would like any changes after the fact, his client is amenable to discussion and modifications. Photos of the existing building will be submitted to the Dedham Historical Society. It was noted that this project does not allow for left turns onto Washington Street. If circumstances change, Mr. Zahka would like to reserve the right to petition the Board with the changed circumstances. Mr. Podolski requested that document dates be updated to reflect the change in decision and discussion dates.

Mr. Zahka outlined the waivers. The Board discussed if a post-construction lighting evaluation should be done. With Mr. Petruzziello's history of being amenable to Board requested and his desire to make his property safe, the Board did not feel this was necessary. The waivers were as follows:

1. A Waiver from Section 5.1.7.1 of the Dedham Zoning By-Law to allow the ADA compliant space to have a width of 8 feet instead of the required 9 feet.
2. A Waiver from Section 5.1.7.3 of the Dedham Zoning By-Law to allow driveways for one-way traffic to have widths of 16 feet and 18 feet instead of the maximum 15 feet.
3. A Waiver from Section 5.2.2.3 of the Dedham Zoning By-Law to allow the parking lot to have 10 parking spaces and perimeter landscaping to be less than 5 feet as shown on the plans.
4. A Waiver of Section 5.2.2.2 of the Dedham Zoning By-Law to allow the interior landscaping to be 8.6 % instead of the required 15%.
5. A Waiver of Section 9.5.4.13 of the Dedham Zoning Board to eliminate the requirement of a polar diagram.

**A motion was made by Mr. McGrail to approve the five waivers as outlined above and in the certificate of action for 322 and 326 Washington Street and 25 and 27 Harris Street, as outlined by Mr. Zahka. The motion was seconded by Mr. O'Brien. A roll call vote was taken:**

**James McGrail: Yes  
James O'Brien: Yes  
Jessica Porter: Yes  
Michael Podolski: Yes**

**Motion passed unanimously, 4-0.**

**A motion was made by Mr. McGrail to approve the certificate of action with the amendment of dates as presented by Mr. Zahka. The motion was seconded by Mr. O'Brien. A roll call vote was taken:**

**James McGrail: Yes  
James O'Brien: Yes  
Jessica Porter: Yes  
Michael Podolski: Yes**

**Motion passed unanimously, 4-0.**

## **6. SCOPING SESSION**

**80 Bridge Street—Petruzziello Properties, LLC:** Scoping Session for discussion regarding proposed Mixed-Use Development project. Representative Peter Zahka, Esq.

***Mr. Bethoney recused himself due to a professional business relationship with the Applicant, handing the role of Chair to Mr. Podolski. Mr. Bethoney left the meeting for this discussion.***

Attorney Peter Zahka noted that Mr. Georgio Petruzziello has reached out to parties of interest for this project. The first meeting was small, and the second had 40 individuals from the Riverdale community.

80 Bridge Street currently has a two-story building and is zoned for General Business. The applicant believes the mixed-used development will be an extension of the current building. The footprint and pavement will not change. There are numerous conservation considerations if the pavement is ripped up, so this is being avoided. The current owner has gutted the building, leaving only the shell. For several reasons, the owner does not intend to continue the work.

With the recent economic changes, it is not fiscally viable to create an office building, which this building was designed to be. A special permit via the Planning Board would allow for two stories to be added. To do this, traffic reports and building plans would need to be submitted in advance.

Within the first proposal, there would be retail space on the first floor and seven residential units with patios. In the rest of the building, there would be a total of 46 one-bedroom units and a communal workspace. Mr. Zahka noted that Mr. Petruzziello investigated various uses for the back of the building. However, the current economic situation caused a decrease in commercial space demands. He does not believe it is feasible to put retail space in the back and plans for it to be residential. This would require a waiver from the Planning Board.

Mr. Zahka clarified that a corridor would separate the commercial and residential areas as per requirements. The building meets the zoning bylaws for heights except for the first-floor height requirement. The bylaw requires 14 feet; this building is 12 feet because it is an old building being refurbished.

The second proposal is a residential building that is three levels. This proposal was made at the request of the community that is resistant to four stories. There would need to be significant waivers as it would be residential, not mixed-use. It would be 39 units. However, the applicant does not believe this is an excellent use of space. Mr. Zahka noted that setbacks in the third and fourth levels of the first proposal reduce the hesitancy to the height.

The third proposal would also need more waivers. There would be no communal space, and units would be smaller. It would be three stories without a setback.

Mr. Zahka noted that he is aware that the zoning bylaw requires 15% of units to be affordable. In none of these proposals is Mr. Petruzziello looking to have that waived. He has experience with affordable housing via the LIP program.

Overall, the Board had a preference for option one. Ms. Porter asked what the property tax impact is of a community room. Mr. Zahka believed it would be commercial.



Ms. Porter asked for the retail signs to be slightly higher. She also noted that this building would be the first of many in this area, and it should set the standard. Ms. Porter asked for two-bedroom apartments in the design. Mr. Petruzzello noted that this is a consideration. Frequently, two-bedroom units are used in the same fashion as a one-bedroom. For example, a couple that uses the second bedroom as an office or entertainment room.

Ms. Porter countered that a one-bedroom might be insufficient for the aging population's needs looking to downsize. The Board discussed one-bedrooms as discrimination. Mr. Zahka ensured that they would look at if the economics work to support two bedrooms in this development.

Mr. Pepoli asked for more information regarding waste management and ventilation for a restaurant in the building. Waste management has not been investigated. However, the building infrastructure for ventilation and plumbing will be able to support this.

**7. ADJOURNMENT**

**A motion was made by Mr. McGrail to adjourn the meeting at 10:38 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**

**Motion passed unanimously, 4-0. The meeting was adjourned.**