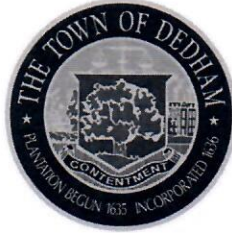


**PLANNING BOARD**

Michael A. Podolski, Esq., Chair  
John R. Bethoney, Vice Chair  
Robert D. Aldous, Clerk  
Ralph I. Steeves  
James E. O'Brien IV



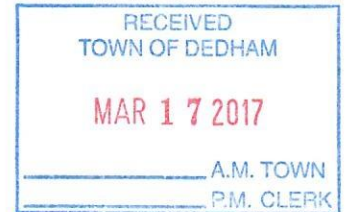
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Administrative Assistant  
Susan Webster  
[swebster@dedham-ma.gov](mailto:swebster@dedham-ma.gov)

**TOWN OF DEDHAM  
PLANNING BOARD**

**CERTIFICATE OF ACTION**  
**INSUBSTANTIAL MODIFICATION**



**APPLICANT:** Moylough 333 East, LLC  
**APPLICANT'S ADDRESS:** 408 Whiting Avenue, Dedham, MA  
**PROJECT:** 333 East Street  
**RE:** Fence Location  
**DATE:** March 23, 2017

By letter dated January 20, 2017, Moylough 333 East, LLC (hereinafter referred to as the "Applicant"), requested approval for a minor modification to the previously approved site plan and Certificate of Action (originally issued to Whiting Avenue, LLC) for the property known and numbered as 333 East Street (hereinafter referred to as the "Subject Property"). There is currently an existing chain link fence on the Subject Property close to the common property line with 3 Harris Avenue, Dedham, MA, which abutting property is owned by Paul and Catherine Marino, 6 Benjamin Street, Dedham, MA. Per the Record Plans, the existing chain link fence is to be removed and a new fence erected along the common property line. Mr. and Mrs. Marino have requested that the new fence be erected on the Subject Property behind the existing chain link fence, and that the Applicant grant them a license to utilize the area of the Subject Property between the fence and the common property line. The Applicant is agreeable to this request. The Applicant requests that, pursuant to Section 9.5.9, the Planning Board determine that the proposed modification to the Record Plan is an insignificant modification not requiring notice to abutters or peer review, and to approve said modification. If approved, this modification will be shown on the as-built plan that will be prepared for a building occupancy permit.

In accordance with Section 9.5.9 of the Dedham Zoning Bylaws, the Planning Board must first make a determination on whether or not the change is insignificant. At a meeting held on January 26, 2017, the Planning Board<sup>1</sup>, consisting of Chairman Michael A. Podolski, Esq., Robert D.

<sup>1</sup>Prior to the beginning of the meeting, Mr. Bethoney made the statement that he is recusing himself from this meeting. He explained that the agency at which he works has a professional relationship with the Applicant. He left the hearing room at 7:12 p.m. and did not participate in any part of this meeting or consideration of the proposal. In addition, Mr. Steeves was not present at this meeting.

Aldous, Clerk, and James E. O'Brien III, the Board voted 3-0 to determine that the modification is insignificant and does not warrant notice and peer review.

On February 23, 2017, after discussion, the Planning Board, consisting of Chairman Michael A. Podolski, Esq., Robert D. Aldous, Clerk, and James E. O'Brien III, unanimously voted 3-0<sup>2</sup> to approve the above modification on the following terms and **CONDITIONS**:

1. The changes will be shown on the as-built plan.
2. Except as revised by this Amended COA, all other requirements of the original COA remain in full force and effect.

Dated: March 2, 2017

By the Dedham Planning Board:

  
Robert D. Aldous, Clerk

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<sup>2</sup> Prior to the beginning of the meeting, Mr. Bethoney made the statement that he is recusing himself from this meeting. He explained that the agency at which he works has a professional relationship with the Applicant. He left the hearing room at 7:12 p.m. and did not participate in any part of this meeting or consideration of the proposal. In addition, Mr. Steeves was not present at this meeting.