

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
Ralph I. Steeves, Associate Member



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Jeremy Rosenberger
Town Planner

TOWN OF DEDHAM
450 WASHINGTON STREET
DEDHAM, MA

MINUTES OF THE PLANNING BOARD MEETING
VIA TELECONFERENCE
SEPTEMBER 9, 2020, 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

PLANNING DEPARTMENT STAFF:

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

Minutes prepared by Angela Fracassi of Minutes Solutions Inc., from an audio/video recording.

1. CALL TO ORDER

Chairman Bethoney called the meeting to order at 7:00 p.m. and explained the meeting procedures to the public.

2. PUBLIC HEARINGS
FALL 2020 ANNUAL TOWN MEETING ZONING ARTICLES

Prior to opening the public hearing, the Chair requested that Mr. Rosenberger confirm the Town's due diligence in circulating a Notice of Public Hearing to the public. The Chair also noted that article numbers had not yet been assigned to the Zoning Articles.

On a motion by Mr. Podolski, seconded by Ms. Porter, it was resolved to dispense with the reading of the related Public Notice. A roll call vote was conducted. Motion carried unanimously.

On a motion by Mr. Podolski, seconded by Ms. Porter, it was resolved to open the public hearing of the Fall 2020 Town Meeting Zoning Articles. A roll call vote was conducted. Motion carried unanimously.

Request to Extend Lapse of Special Permits from Two to Three Years

Mr. Rosenberger presented a summary of the Articles before the Board. He explained that extending the lapse of the special permit from two to three years would be consistent with State law, which had changed in 2013 to permit for lapses of up to three years. The Chair then opened the floor to questions from the Board.

Mr. McGrail inquired if this extension would apply to special permits issued to the ZBA as well. **Mr. Rosenberger** confirmed that it would.

Mr. McGrail inquired if ZBA members were asked for input on this Article, and if not, requested that they be asked.

Mr. Rosenberger stated that they have not, but that they would be asked to provide their opinions.

Mr. McGrail asked if this was a decision for each municipality to make unilaterally, or if this would be required state-wide.

Mr. Rosenberger stated that most municipalities had changed local zoning bylaws to three years to be in accordance with state statutes.

Chairman Bethoney thanked Mr. Rosenberger and requested that he contact the Zoning Board of Appeals and propose the lapse extension to them as well and provide their feedback in writing.

With no further comments from the Board, the Chair asked if there were any attendees who wished to be heard relating to this article.

Mr. Zahka highlighted the complexity of the building permit process and that he was supportive of the extension from 2 to 3 years to relieve pressure on new development.

With no further comments from the floor, the Chair moved to the next Article for consideration.

Comprehensive Concept Plan for a Planned Residential Development

GUESTS:

Peter A. Zahka, Esq.

Attorney

Ms. Regan Harrold

Project Engineer, Beals and Thomas

Mr. Rosenberger reviewed the Comprehensive Concept plan for a Planned Residential Development on Lowder Street and Stoney Lea Road in Dedham. He explained that the comprehensive concept plan must be recommended by the Planning Board for the development to

proceed. He provided a brief review of the proposed project, which consisted of 26 single-family dwellings on 62 acres of land, with at least 48 acres of open space.

Chairman Bethoney opened the floor to comments from the public.

Susan Sennott, 139 Stoney Lea Rd., inquired about the project's impact on the wetlands in the area of the proposed project.

Ms. Harrold noted that the Applicant would soon appear before the Conservation Commission for a Notice of Intent. Ms. Harrold outlined the undisturbed buffer area that cannot be affected by the project, noting that there have been several investigations into the ecology of the area and measures will be taken to protect the wetlands.

Ms. Sennott asked if the bridge would be changed.

Ms. Harrold responded that the bridge would be widened but remain in the same location.

Ms. Sennott asked if the view from her house would be changed.

Ms. Harrold stated that there would not be much visibility change from her property.

Beverly Wilkes, 40 Sawyer Drive, asked how the public would enter and exit the open space included in the plan.

Attorney Peter Zahka noted that the Applicant offered to donate some of the open space to the Town for public use, and that if the Town accepts this offer, then the Town would be responsible for public access. If it is not donated, it will remain private land shared by the owners of the development.

Chairman Bethoney noted that this is an early stage of the review of this project, and that many inquiries may not yet have answers.

Ms. Sennott inquired whether the Planning Board reviewed street and traffic noise.

Mr. Rosenberger noted that the Town was represented by a peer reviewer, which found that there would not be a significant impact.

Edward Bigelow, 271 Stoney Lea Rd., asked if the 26 houses shown in the plan are in the only developable land in this area.

Chairman Bethoney stated that this was the only developable land, and the remainder of the land will remain untouched.

Mary Beth Crook, 63 Highland St., reiterated traffic concerns about the area and the potential that the proposed project would increase these difficulties. She also asked if widening the roads or other measures were contemplated.

Chairman Bethoney reiterated that this would be addressed in detail in the final review of the project and requested that the Applicant provide a summary of these measures.

Attorney Zahka noted that the Applicant had given significant consideration to the traffic issue and noted that several infrastructure upgrades have been recommended in order to increase the safety of the area for drivers and pedestrians.

Ms. Porter noted that if the developer built 20 larger homes in place of the 26 proposed, that there may be even more vehicles to contend with because the demographic of the owners would be more likely to own more vehicles.

Steven Borth, 155 Stoney Lee Road, asked whether this plan was the same plan that was reviewed in February 2020.

Chairman Bethoney responded that it was.

Ms. Wilks, noted that there will always be traffic concerns and that she does not want Lowder Street to be widened.

With no further questions, the Chair proceeded to the discussion of the third Article.

Changes to Section 4.0, Dimensional Requirements

Mr. Rosenberger explained that the Town conducted a mixed-use study which recommended increasing the maximum height of buildings in business districts from 40 to 50 feet to accommodate tall first floors. The study recommended that the number of stories remain unchanged at 4 stories maximum and required upper-floor facades to be stepped-back.

The Chair noted that there was no depth requirement to the step-back and recommended a minimum step-back of 10 feet. The Chair asked the Board to consider if this should become standard for all mixed-use projects.

The Board agreed that a minimum set-back must be included in the final agreement.

With no further questions, the Chair moved on to the next Article.

Changes to Section 7.4, Mixed Use Developments

Mr. Rosenberger presented the proposed amendment to Zoning Bylaw 7.4, to provide more flexibility and better design standards for “horizontal” mixed-use developments. The amendment would remove requirements for dwelling unit sizes and the number of units allowable and allows waivers to be granted.

Chairman Bethoney inquired if the article specified a minimum distance between buildings.

Mr. Rosenberger responded that the Town’s bylaws state a minimum of 10 feet, and the Building Code specifies minimum distance of 3 feet.

Chairman Bethoney opened the floor to questions. Hearing no questions, the meeting moved to the next Article.

Affordable Housing – Mixed-Use/Age-Restricted Projects

Mr. Rosenberger noted the lack of affordable housing in Dedham. He elaborated that the diversity of Dedham’s housing stock required attention and recommended streamlining the process to approve projects.

Mr. Podolski noted that he was reassured to learn that Town of Dedham residents would be given preference in terms of the use of any new low-income housing created.

Attorney Zahka noted that he appreciated the Amendment.

With no further questions, the Chair brought the next Article to the table.

Recodification of Zoning Bylaw

Mr. Rosenberger explained that this article involved digitizing Town of Dedham bylaws and publishing them online. It is intended to modernize access to regulations and provide transparency to the public. He noted that most Town regulations already utilize E-Code, and that these changes would involve the renumbering of zoning bylaws.

Ms. Porter requested that a link be added to the zoning map on the Town's website for easier access.

Chairman Bethoney requested that the zoning map be over-laid on top of the Town's map and be added to the Town's website.

Chairman Bethoney opened the floor to questions from the public.

Michelle Kayserman, 3 Allen Lane noted her disagreement with the proposed height increases as outlined in Article 7.4.

Mr. Robert Naser, 85 Country Club Road inquired about Section 7.4 and the scope of the change.

Mr. Rosenberger noted that the changes in Section 7.4 are in the best interest of the Board and Town.

The Board discussed whether they felt the public had adequate opportunity to comment. They noted that COVID-19 may have affected attendance at the meeting. The Board agreed to reserve 30 minutes for public comment at the next meeting.

Mr. Rosenberger noted that the Board had until November of 2020 to complete the article review.

On a motion by Ms. Porter, seconded by Mr. McGrail, it was resolved to continue the public hearing on the Fall 2020 Town Meeting Zoning Articles until October 14, 2020, at 7:00 p.m. A roll call vote was conducted. Motion carried unanimously.

3. OLD BUSINESS / NEW BUSINESS

Master Plan Meeting: Ms. Porter informed the Board that a Master Plan Committee Meeting was scheduled for September 15, 2020, to discuss housing.

4. ADJOURNMENT

A motion made by Mr. Poldolski, seconded by Mr. McGrail, it was resolved to adjourn the meeting at 9:16 p.m. A roll call vote was taken. Motion carried unanimously.