

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



Dedham Town Hall
450 Washington Street
Dedham, MA 02026-4458
Phone 781-751-9242

Jeremy Rosenberger
Town Planner

PLANNING BOARD MINUTES

TOWN OF DEDHAM

VIA TELECONFERENCE
SEPTEMBER 17, 2020, 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 F. McGrail	Member

PLANNING DEPARTMENT STAFF:

Jeremy Rosenberger	Planning Director
Jennifer Doherty	Administrative Assistant

GUESTS:

Steven Findlen	Senior Project Manager, McMahon & Ass.
----------------	--

Minutes prepared by Angela Fracassi of Minutes Solutions Inc. from an audio 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 MEETING
480 SPRAGUE STREET, MINOR SITE PLAN REVIEW – AMAZON, INC.

APPLICANT'S REPRESENTATIVES:

Peter A. Zahka, Esq.	Attorney
Brad Griggs	Sr. Manager, Economic Dev., Amazon

Jeff Schumer
Michael Kelleher
Katie Coakes
Suzanne King
Marci Loeber
Donna Panino

Manager, Economic Development, Amazon
Senior Program Manager, Amazon
Station Operations Manager, Amazon
Civil Engineer, BL Companies
Property Owner's Rep, 480 Sprague St.
Property Owner's Rep, 480 Sprague St.

The purpose of the meeting was to discuss the operational aspects of a proposed site expansion at 480 Sprague St. by Amazon. The chair noted that traffic concerns would be addressed at the subsequent Board meeting. Mr. Peter A. Zahka was the attorney representing the Applicant.

Overview of the Proposal

Mr. Zahka explained that the Applicant currently occupies one section of the building, with two sections being vacant and proposed to occupy the entire building located at 480 Sprague Street, Dedham, MA. Amazon intends to occupy the vacant space for vehicle storage which currently takes place off-site. The expansion is not intended to expand Amazon's operations on the site. He further explained that Amazon's impact will remain relatively the same, and no additions to the size of the building were being proposed. There will be some renovations to the interior of the building to facilitate van parking. Case law states that a site plan review can only be rejected if it is so intrusive on the needs of the public that rejection by the Board would be tenable. This is extremely rare, and there are no known cases that Mr. Zahka was aware of. McMahon and Associates were hired by the Town of Dedham to conduct a peer review of the Applicant's proposal, at the applicant's expense, and identified 25 issues which the Applicant has since rectified. They are currently awaiting the results of McMahon and Associates subsequent review.

Operations Plan

Mr. Brad Griggs outlined the changes to operations if the site plan review is approved. Amazon intends to use the vacant space for van parking and does not intend to increase the number of vans or tractor-trailers accessing the site. Currently, 10-20 tractor-trailers come to the site daily and this will not increase if the site review is approved, however the trucks will access the facility through a larger access point. Amazon currently deploys 120-150 vans per day and 60-80 Amazon Flex drivers. This will remain unchanged however, van deployment will begin and end later in the day. Amazon will continue to run a shuttle service from the nearest train station to allow for staff to utilize mass transit to access the site. Amazon uses Amazon Flex drivers in the afternoons, who follow similar processes and procedures as regular Amazon drivers, however, they are independent contractors who are using their own vehicles to make deliveries. They are vetted and trained by Amazon and required to maintain insurance. Mr. Griggs acknowledged that the community has requested branded vehicles, and all vehicles will be branded by early 2021. Due to community feedback, vehicles would refuel on the return trip only and would be using gas stations outside of the direct area and have been issued fuel cards to help identify where the drivers are fueling their cars.

Mr. Griggs estimated the amount of property taxes paid by Amazon would increase to approximately \$345,000 per year, excise taxes would increase to over \$100,000, and personal property tax between \$40,000-\$45,000, should the proposal be approved.

Site Plan

Suzanne King, Civil Engineer and Project Manager, BL Companies, elaborated on the site plan. Changes include striping the parking and loading areas, adding landscaping, performing renovations to the interior of the building, adding three prefabricated ramps for van access, a pedestrian path, one additional exterior dumpster, bicycle storage racks, and wayfinding signage. Mr. Zahka noted that the plan submitted does not require waivers from the Planning Board for such Zoning items as aisle widths, landscaping around parking areas, and fire truck circulation.

Steven Findlen of McMahon and Associates explained that his firm performed a peer review of the proposal. Their services are paid for by the Applicant, however, they work for the Town of Dedham to ensure that the proposal is in accordance with the town's bylaws and requirements. On August 21, 2020, they identified 25 issues with the proposal, with 14 of them related to the traffic study which will be discussed at the next meeting. They recently received Amazon's response and were in the process of reviewing it.

The Chair opened the floor to questions from the Board.

The Board inquired about the number of vehicles entering and exiting the site during a 24-hour period and requested that the Applicant have that information available for the next meeting. The Board also requested that the pedestrian ramps be clearly labelled on the site plans. The Board noted that there are six tractor-trailer spots in the loading dock and inquired where any additional truck would go in the event six spots are full. The Applicant explained the current set-up does not have room for the trucks to wait, however in the proposal, there would be temporary parking space for two trucks. Amazon currently only uses up to four loading docks at a time.

The Board noted one of the conditions for approval would be that trucks are not permitted to wait on any public street in Dedham and this would need to be enforced by the Police Department. The Board noted that another property owner on Sprague St has complained regarding trucks backing into their fence. The Applicant explained that these complaints were made prior to Amazon moving into the Sprague St facility, and Amazon made improvements to the area at the request of the Planning Board by installing landscaping and bollards to prevent damage to the fence. The Board requested that these structures be maintained, to which the Applicant agreed. The Board stressed that it would require all Amazon and Amazon Flex vehicles to be clearly branded. The Board received reports from residents that tractor-trailers have been seen driving along Whiting Avenue, which is prohibited, and that bottles of urine are often found littering the residential streets surrounding the facility.

ACTION – The Planning Board will invite a representative from the Building Department to the next Planning Board meeting to discuss the enforcement of conditions.

The Board requested information regarding driver training, safety infractions, and the number of employees who have been terminated because of safety infractions. The Applicant explained the driver training process and agreed to consult with the Amazon HR Department to determine if the information regarding safety infractions and driver terminations is available to be shared with the public. The public can send their concerns directly to Amazon through the email address dbo2-escalations@amazon.com.

The Board inquired whether Amazon vehicles have a "How's My Driving" sticker with a 1-800 number and vehicle identification number. The Applicant responded that the vehicles do not, and Amazon did not previously agree to this condition. The Board stated that individual identification numbers must be part of the operations plan to keep individuals accountable. The Board noted

that workers are often seen walking from the train station to the facility, and the shuttle service frequency needed to be adjusted to protect workers. The Applicant stated that workers cannot be forced to use the shuttle service or may live close by and choose to walk to work.

The Chair summarized the letters of concern from the public. Many of their complaints included excessive noise, speeding vehicles, reckless driving, trucks damaging local infrastructure such as low bridges and utility poles and wires, tractor-trailers parked on residential streets, garbage around the property and neighborhood, residents' property damage, parking in the middle of the street and handicap spaces, and the use of unmarked vehicles. Given these complaints, the Chair concluded that Amazon had not been acting in accordance with its obligations to the Town of Dedham.

The Chair opened the floor to questions from the public.

Jim Maher, 22 Sherman Road, stated the tractor-trailers are often being routed incorrectly and wires and poles were frequently taken down by Amazon drivers. He also noted that tractor-trailers are often parked on Sprague Street, which is not permitted. He requested the community have a more immediate way to contact Amazon with their complaints or concerns rather than an email address.

Jake Sugarman, 10 Coventry Road, stated that within the last two hours, three to four Amazon tractor-trailers have driven past his home on his residential street and noted that trucks are driving through the neighborhood throughout the day, and inquired about the traffic-related information and how it will be shared with the public.

Mr. Griggs responded that a Dropbox folder with the traffic study information has been made public.

Richard Sullivan, 89 Lancaster Road, suggested that the Board require all vehicles be registered in the Town of Dedham and inquired about the process for managing reckless drivers. He inquired who is responsible for the cost of repairing property damaged by Amazon Flex drivers.

Mr. Griggs stated that drivers' performance is monitored and if needed, retraining or disciplinary action is taken, up to and including termination.

Mr. Zahka stated that all Flex drivers are required to have insurance, and their insurance company would cover the damages in the event a property is damaged.

Joanne Keaveney, stated that her neighbor's telephone wires were pulled down by a speeding Amazon truck and expressed concern that the traffic study will not be accurate because the trucks travel and many other streets besides Sprague Street. She added that Amazon is not welcome by the community.

Kerry Ann Hawkins stated that some of the tractor-trailers are not branded and inquired if the 10-20 trucks per day include third-party providers and noted that trucks are arriving on-site at all hours.

Mr. Griggs stated that Amazon uses third-party shippers at times and does not require that those trucks be branded. According to the new plan, truck arrivals would end at 10:00 p.m.

Mike Curvin inquired why the outdoor parking needs to be expanded if the vans are going to be housed indoors.

Mr. Griggs explained that the site plan includes both indoor and outdoor parking and that additional employee parking would be required for drivers' personal vehicles and on-site staff vehicles.

John Koger, 91 Common Street, inquired if Amazon could explain why, it believes that the volume at the Dedham site will not increase in the coming years.

Mr. Griggs responded that Amazon is adding more sites rather than adding additional capacity to existing sites.

Andrew Czazastyi, 118 Sprague Street, stated that he often sees Amazon drivers on their phones, and more accountability is required.

Bob LaPorto, inquired how much Amazon has paid in taxes in the past three years and how much the taxes will increase.

Mr. Zahka stated that Amazon will pay approximately \$340,000 in real estate taxes and will need to pay an auto excise tax in the amount of approximately \$100,000 and a personal property tax if the proposal is approved. He did not have exact figures for previous years' taxes.

Carlene Campbell Hegarty, 57 Holmes Road, noted that many of the issues stated in this meeting were the same issues discussed at the meeting three to four years ago. She also inquired about the number of access points in the new plan and the purpose of the email address.

Ms. King responded that vehicles would enter through one area and will exit via two exits on opposite sides.

Mr. Griggs responded that the email address is designed for community concerns and engagement and that Amazon will work with the Board to determine the best way to disseminate that email address.

Michael Leahy, 70 Lancaster Road, stated that the town should keep in mind the economic impact to the community should Amazon decide to leave.

Debbie Leach, 366 Sprague Street, stated that Amazon essentially operates 24 hours per day in a residential neighborhood and the constant noise negatively affects residents' quality of life.

Amit Choudhry, 477 Sprague Street, stated that they must sleep with a white noise machine due to the noise from the tractor-trailers. He inquired whether the traffic study was done before or after the COVID-19 pandemic. He also inquired if the van drivers' driving patterns are being monitored.

Mr. Griggs explained that Amazon uses a platform called the E Mentor Driving Program which monitors driving behavior. He could not confirm if the program was available to Flex drivers.

Clarissa Robin, 278 Whiting Avenue, stated she has become increasingly concerned about the amount of truck traffic on her street.

Richard Sullivan, 89 Lancaster Road, expressed concern that the Planning Board has allowed Amazon to be in violation of the conditions of their initial proposal for several years and stated that Amazon has not contributed positively to the community.

Karen Palumbo inquired if there will be a noise study.

The Board responded that a minor site review does not require a noise study, however, the Board may discuss whether to require one.

3. DATE AND TIME OF THE NEXT MEETING

The next meeting between the Board and the Applicant was tentatively scheduled for September 30, 2020, at 7:00 p.m.

4. ADJOURNMENT

A motion made by Mr. Podolski, seconded by Mr. McGrail, it was resolved to adjourn the meeting at 10:24 p.m. The motion was second by Ms. Porter.

A roll call vote was taken:

John R. Bethoney	Yes
Michael A. Podolski	Yes
James E. O'Brien	Yes
Jessica L. Porter	Yes
James F. McGrail	Yes

Motion passed unanimously, 5-0.