**PLANNING BOARD**

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**John R. Bethoney, Vice Chair**

**Robert D. Aldous, Clerk**

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**TOWN OF DEDHAM**

**PLANNING BOARD**

**CERTIFICATE OF ACTION**

**APPLICATION FOR SITE PLAN REVIEW**

**Applicant: Dela Plaza East Inc.**

**Subject Property: 290 Bussey Street**

**Owner: Dela Plaza East Inc.**

**Owner’s Address: 511 Washington Street, Norwood, MA**

**Date: September 29, 2016**

**PROJECT SUMMARY**

Bank of America operates an Automatic Teller Machine (ATM) at 290 Bussey Street, Dedham, MA. Bank of America, as part of an overall review of all their ATM locations, determined that lighting levels were too low for general safety purposes. As a result of their review, it was determined additional lighting was needed at the 290 Bussey Street location. The Project is subject to Modification of Site Plan Review by the Dedham Planning Board pursuant to Section 9.5 of the Dedham Zoning By-Law.

**BACKGROUND AND FACTS**

1. Dela Plaza East Inc., (hereinafter referred to collectively as the “Applicant”) is the owner of the property known and numbered as 290 Bussey Street, Dedham, MA (hereinafter referred to as the “Subject Property”).
2. The Subject Property was originally shown on the Dedham Assessors Map 112, Lot 144.
3. The Subject Property contains approximately 10,576 square feet of land and has approximately 190 feet of frontage on Bussey Street and Saw Mill Lane.
4. According to the Dedham Zoning Map, the subject property is located in the Central Business (CB) zoning district.
5. Table 1 (“Use Regulation Table”) of the Dedham Zoning By-Law provides that a free-standing automatic teller machine is allowed by special permit.
6. Section 9.5.2 of the Dedham Zoning By-Law provides that “site plan review and approval by the Planning Board shall be required before a building or occupancy permit can be issued for any change to a use which increases parking requirements.”
7. On September 23, 2016, the Applicant submitted the following to the Planning Board (hereinafter referred collectively as the “Application”):
* “Form X: Application for Site Plan Review”
* Letter from Jim Siteman, Owner’s Representative, Delapa Properties, dated September 23, 2016
* Exterior Lighting Program prepared by GMR, P.O. Box 645, Rockwall, TX 75087, Cover Sheet, General Notes, Luminaire Schedule, Overall Site Plan, Fixture Removal Plan, Dimensioning Plan, ATM Compliance Area Photometric Plan at 36”, Full Site Photometric Plan at Grade and Landscaping Plan. undated
* Site Plan prepared by GMR with photo light replacement for rear wall
* Site Plan prepared by GMR with photo light replacement for entrance
* Site Plan prepared by GMR with photo of ATM with location for pole light
* Site Plan prepared by GMR with photo removal wall fixtures.
1. The Application was reviewed by the Planning Board and the Planning Director, and was determined to satisfy all of the submittal requirements for Site Plan Review under Section 9.5 of the Dedham Zoning By-Law.
2. In accordance with Section 9.5.6 of the Dedham Zoning By-Law, upon receipt of the Application and above material, the Planning Board distributed copies of the aforesaid plan to, and otherwise solicited comments from, various Town of Dedham boards, departments, and officials.
3. The Planning Director issued a written report on the Project dated September 26, 2016.
4. The Planning Board, consisting of Michael A. Podolski, Esq., Chair, John R. Bethoney, Vice Chair, Robert D. Aldous, Clerk, James E. O’Brien IV, and Ralph I. Steeves, initially reviewed and considered the “Application for Site Plan Review” at its regularly scheduled meeting on September 29, 2016. Richard J. McCarthy, Jr., Planning Director was also present on behalf of the Planning Board.
5. Relative to said meeting, the Planning Board caused the required written notice of said meeting to be mailed to abutters of the subject property as required by Section 9.5.6, and caused the meeting to be posted as required by State law and Town By-Law.
6. The Applicant was represented at the meeting by Mark Palange, Project Manager Guarantee Builders and Developers, Inc., 14 West Street, Douglas, MA 01516
7. At the meeting, the Applicant and its representatives were provided an opportunity to make a full presentation. This was followed by questions and comments from the Planning Board. Notwithstanding that these meetings are not advertised public hearings, the Planning Board accepted testimony and questions from the public.

**DECISION**

At a meeting duly held on September 29, 2016, after discussion, the Planning Board, consisting of Michael A. Podolski, Esq., Chairman, John Bethoney, Vice Chairman, Robert D. Aldous, Clerk, Ralph I. Steeves, and James E. O’Brien IV, voted unanimously (5-0), to approve and grant the Site Plan with the following **CONDITIONS:**

1. There will be a 60-day review period to ensure that there is no light shedding off site.
2. The Applicant shall return to the Planning Board for review of lighting in the event that the property owner comes in with plans for development.
3. Prior to any occupancy permit being issued, the Planning Director will be contacted by the Applicant upon completion of the project to verify that the project has been completed in full compliance with the specifications of the plan as most recently amended and approved in this Certificate of Action. A compliance letter will be issued forthwith once found to be properly completed.
4. The Applicant agrees that, no later than from one year from the Certificate of Occupancy, it shall file a written report with the Town Planner detailing the progress of the project, compliance with all terms and conditions of this certificate, and the expected completion date. The Planning Board reserves the right to require the applicant to appear before the Planning Board to further discuss and review compliance with this certificate of action.
5. Members of the Planning Board and the Planning Director shall be permitted access to the project site during construction with proper notification to the Applicant subject to applicable safety requirements as established by the Applicant or its Contractor.

Dated: November 28, 2016 By the Dedham Planning Board:

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 Robert D. Aldous, Clerk