

PLANNING BOARD

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**TOWN OF DEDHAM
PLANNING BOARD**

**CERTIFICATE OF ACTION
APPLICATION FOR MINOR SITE PLAN REVIEW**



Applicant: Dedham-Westwood Water District
Subject Property: 538 Bridge Street
Owner: Dedham-Westwood Water District
Owner's Address: 50 Elm Street, Dedham, MA 02026
Date: August 11, 2016

PROJECT SUMMARY

The Dedham-Westwood Water District operates a water treatment plant at this location. The project submitted is to upgrade and modernize the water treatment plant. 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. Dedham-Westwood Water District, (hereinafter referred to collectively as the "Applicant") is the owner of the property known and numbered as 538 Bridge Street, Dedham, MA (hereinafter referred to as the "Subject Property").
2. The Subject Property was originally shown on the Dedham Assessors Map 73, Lot 7.
3. The Subject Property contains approximately 8.6 acres of land and has approximately 190 feet of frontage on 730 Bridge Street.
4. According to the Dedham Zoning Map, the subject property is located in the Single Residence B (SRB) zoning district.

5. Table 1 (“Use Regulation Table”) of the Dedham Zoning By-Law provides that Drinking Water Treatment Plant 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 June 27, 2016, the Applicant submitted the following to the Planning Board (hereinafter referred collectively as the “Application”):
 - “Form X: Application for Site Plan Review”
 - Project Narrative from Wright Pierce 40 Shattuck Road, Suite 305, Andover, MA, dated June 27, 2016
8. Site Plan, Property Setbacks, Existing & Demolition Plan, Existing Conditions, Proposed Site Plan, Grading Plan, Site Piping Plan, Details 1, 2, Filter Building and Site Lighting Plan prepared by Wright Pierce 40 Shattuck Road, Suite 305, Andover, MA dated August 10, 2016.
9. 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.
10. 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.
11. In addition, the Planning Board referred the Application to McMahon Associates for peer review comments. McMahon Associates issued a comment letter dated July 25, 2016, August 5, 2016 and August 10, 2016.
12. The Planning Board initially reviewed and considered the “Application for Site Plan Review” at its regularly scheduled meeting on August 11, 2016. 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.
13. The Applicant was represented at the meeting by Eileen Commene, Dedham Westwood Water District, and James Cray of Wright Pierce.
14. Also presented and discussed at the meetings were Applicant’s written requests:
 - a. A **WAIVER** from the parking space requirement set forth in **Section 5.1.4 of the Dedham Zoning By-Law** to allow a reduction in the number of parking spaces from 29 parking spaces to 5 parking spaces.
 - b. A **WAIVER** from the requirements set forth in Section 5.2 in its entirety.

15. 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.

At the meeting duly held on August 11, 2016, after discussion, 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, voted unanimously (4-0), to approve and grant the following **WAIVERS**:

- a. **WAIVER** from the parking space requirement set forth in **Section 5.1.4 of the Dedham Zoning By-Law** to allow a reduction in the number of parking spaces from 29 parking spaces to 5 parking spaces. *[Reasoning: The Water Treatment Plant is not open to the public and the parking needed is only for employees of Dedham Westwood Water District. To fully comply with this provision would require significant asphalt in a highly sensitive environmental area. Therefore, the Planning Board finds that granting this WAIVER is not against the purpose and intent of the zoning Bylaw, and further finds that granting this WAIVER is not against the public interest.]*
- b. **WAIVER** from the requirements set forth in **Section 5.2 of the Dedham Zoning By-Law** in its entirety. *[Reasoning: The Water Treatment Plant is not installed a parking lot that would be obtrusive to the surrounding area. They are utilizing existing paved areas to fulfill the parking needs. To fully comply with this provision would alter the natural landscaping of the site. Therefore, the Planning Board finds granting this waiver is not against the purpose and intent of the zoning bylaw and further finds granting this waiver is not against the public interest.]*

DECISION

At the meeting duly held on August 11, 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 following **CONDITIONS**:

1. Prior to any final 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.
2. The Applicant agrees that, no later than from **one year** from the Certificate of Occupancy, the Applicant shall file a written report with the Town Planner detailing the compliance of the project with all terms and conditions of this certificate, and, if not, 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.

3. 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 30, 2016

By the Dedham Planning Board:



Robert D. Aldous, Clerk