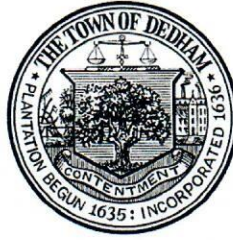


PLANNING BOARD

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

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**TOWN OF DEDHAM
PLANNING BOARD**

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



APPLICANT: Michael Tallon, d/b/a Oscar's

PROPERTY: 380 Washington Street, Dedham, MA

PROPERTY OWNER: Makarios Series, LLC, Washington Street Series, Makarios Series, LLC, 262 Main Street, Norfolk, MA 02056

DATE: February 25, 2016

Project Summary

Michael Tallon, (hereinafter referred to as "Applicant") requests a parking waiver per Section 5.1.6 Required Parking Spaces, CB District in order to open gastro pub with 49 seats at 380 Washington Street. There is no previous site plan approval for the property.

BACKGROUND AND FINDING OF FACTS

1. The change of use from a convenience store to a gastro pub increases the off-street parking requirement. Since there is no off-street parking on the property to comply with the parking requirement a waiver from this provision is necessary.
2. In conjunction therewith, on February 22, 2016, the Applicant submitted the following to the Planning Board:
 - a. A letter dated February 22, 2016, from Peter A. Zahka, Esq., explaining the proposed operation of gastro pub, a floor plan, proposed elevations, plot plan, photographs of existing conditions, and Town GIS map

- b. A Plan of Land dated December 2, 1940 prepared by E.W. Piling Engineer , Dedham, Ma recorded in Norfolk County Registry of Deeds on December 19, 1960; and,
- c. A Letter of Support from Dedham Square Circle dated February 25, 2016.
- d. The Planning Board initially reviewed and considered the “Application for Minor Site Plan Approval” at its regular scheduled meetings on February 25, 2016. The applicant is Michael Tallon, who was represented by Peter A. Zahka, Esquire.
- e. According to the Zoning Map for the Town of Dedham, the subject property is located in the Central Business Zoning District (CB). The subject property contains 5,091 square feet.
- f. The applicant seeks site plan review to operate a gastro pub located at 380 Washington Street. The number of required parking spaces for a change of use from convenience store to a gastro pub increases the required parking spaces from 8 to 44. The entire building, which includes Café Bagel, Dedham House of Pizza, the vacant convenient store, and the basement, has a required parking requirement of 49 parking spaces. Changing from a convenient store to a gastro pub makes the required parking spaces 67 instead of 49. Since the building occupies virtually the entire lot with no space for off-street parking, the applicant is seeking a parking waiver from 67 to 0.
- g. A Plan of Land dated December 2, 1940, prepared by E.W. Piling Engineer, Dedham; Ma recorded in Norfolk County Registry of Deeds on December 19, 1960, which does not fully comply with all of the requirements of Section 5.1 Off-Street Parking Regulations as submitted and Section 9.5.4 Application.

After discussion, the Planning Board, consisting of Michael A. Podolski, Esq., Chairman John R. Bethoney, Vice Chairman, Robert D. Aldous, Clerk, James E. O’Brien IV, and Ralph I. Steeves, voted unanimously (5-0) to approve the “Application for Minor Site Plan Review” upon the following **WAIVERS**:

- 1. A **WAIVER** from Zoning Bylaws Section 5.1.4 Table 3 Required Parking from 67 to 0 parking spaces. The proposed gastro pub is located within the Central Business District, which has on-street parking available and is within 450 feet of the municipal parking lot. In granting this **WAIVER**, the Planning Board finds that there will not be any adverse impact on abutting properties and the

surrounding area by approval of a reduction of 67 required parking spaces to 0.

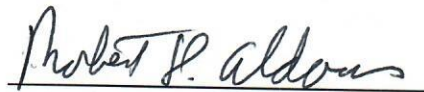
2. All requirements of Section 5.1 Off-Street Parking Regulations and Section 9.5 Site Plan Review are hereby **WAIVED** except A Plan of Land dated December 2, 1940, prepared by E.W. Pilling Engineering, Dedham, MA, recorded in Norfolk County Registry of Deeds on December 19, 1960.

After extensive discussion, the Planning Board, consisting of Michael A. Podolski, Esq., Chairman John R. Bethoney, Vice Chairman, Robert D. Aldous, Clerk, James E. O'Brien IV, and Ralph I. Steeves, voted unanimously (5-0) to approve the "Minor Site Plan Review" with the following **CONDITIONS**:

1. Any future changes to the property that trigger site plan review will need to be submitted to the Dedham Planning Board for review and approval.
2. Deliveries of goods shall be done in a manner to not impede the flow of traffic on Washington Street and High Street. The Police Chief determines whether deliveries are impeding the flow of traffic. In the event they do, alternate delivery arrangements will need to be made to not impede the flow of traffic.
3. Applicant agrees that no later than **one year** from the date of the certificate of occupancy, the applicant shall file a written report with the Town Planner detailing the progress of the project and 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.
4. The Planning Board reserves the right to monitor the ongoing construction for compliance with the approved plan.
5. All municipal taxes and fees shall be paid in full and all taxes accounts shall be in good standing prior to the issuance of any building permit.

Dated: March 24, 2016

Dedham Planning Board



Robert D. Aldous, Clerk