

**Planning Board**

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



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**TOWN OF DEDHAM  
PLANNING BOARD  
MEETING MINUTES**

**Thursday, May 28, 2015, 7 p.m., Lower Conference Room**



**Present:** John R. Bethoney, Chair  
Michael A. Podolski, Esq., Vice Chair  
Robert D. Aldous, Clerk  
Ralph I. Steeves  
James E. O'Brien IV  
Richard J. McCarthy, Jr., Planning Director

Mr. Podolski called the meeting to order at 7:07 p.m. The Pledge of Allegiance was recited. Plans, documents, studies, etc., referred to are incorporated as part of the public record, and are on file in the Planning/Zoning Office. The dictation for this meeting was lost due to a virus on Mrs. Webster's computer. These minutes are transcribed using her notes.

**CONTINUATION OF PUBLIC HEARING**

**Applicant:** M.S. Walker, Inc.  
**Project Address:** 100-112 Meadow Road, Dedham, MA  
**Case #:** SITE-01-15-1935  
**Zoning District:** Limited Manufacturing A  
**Representative(s):**

- Peter A. Zahka II, Esq., 12 School Street, Dedham, MA
- Scott Allen, Vice President and General Manager, M.S. Walker, Inc., 20 Third Avenue, Somerville, MA 02143
- Stephen Senna, National Development, 2310 Washington Street, Newton Lower Falls, MA 02462
- Justin Dufresne, P.E., Project Manager/Engineer, VHB, 99 High Street, 10<sup>th</sup> Floor, Boston, MA 02110
- Eric Peterson, Project Architect, SMMA, 1000 Massachusetts Avenue, Cambridge, MA 02138

**Town Consultant:** Philip Viveiros, McMahon Associates

Start 7:07 p.m. Motion was made to re-open the Public Hearing, seconded, voted unanimously. The Board discussed issues brought up at the meeting on May 14, 2015.

Truck Idling: Trucks will come in to the right side and check in. There will be no truck idling, and signs will indicate this. The idling lane is 450 feet from the nearest residence with a 15 foot high sound wall, and trees will be added. There are no further issues with this.

Storage Tank Reflection: The only shiny area is where the tanks are welded. The manufacturer will send a sample of a matte finish, which will be added to the materials list.

Residential Views: There is a sound wall between the Manor and the railroad, varying in height from 15' to 18,' completely blocking the view from the ground level. Nothing can be seen from a first floor or ground level area. The second floor can be seen over the sound wall. This affects about 3 buildings, totaling 6 dwelling units. The tanks are about 50.' Smaller arborvitae will be planted; these will grow taller. Twelve foot red cedars will also be planted; these grow to full height relatively quickly and can be 30' tall.

Update on Conservation Commission: Lisa Eggleston, Conservation Commission peer consultant, was fine with the updated stormwater and plans. The entire package was submitted to Conservation Commission. More infiltration was requested, so they added another subsurface infiltration and increased the size of the other, bringing them to full compliance with stormwater regulations. The soil is sandy, but most of the site is paved. They will also add landscaping. It is believed that all issues are resolved. The next meeting with Conservation Commission is June 18, 2015. The swale will be cleaned annually. The catch basins will trap any trash. There will be an Operations and Management plan. All of this will be incorporated into the Certificate of Action.

Community and Fiscal Impact: Taxes will be incremental according to the TIFF agreement with the Town. Employee base is 35-40; it is hoped that current employees will stay. Ten percent of the construction workforce will be from Dedham. There will be a \$10,000 contribution to support the Manor Neighborhood Association and an annual contribution to the Dedham Scholarship Fund. The project will give positive revenue to the town. Specifics will be sent to the Finance Director for her opinion and verification.

Requested Relief:

1. Special Permit for 140,000 square foot facility.
2. Special Permit for work in the Flood Plain Overlay District (this is on the property but in an area of work).
3. Special Permit for work in the Aquifer Protection Overlay District.
4. Special Permit for fences up to 12' in height.

Waivers: Allow 52 spaces to be land-banked for possible future use. There will be no retail, and the business will not be open to the public. The Zoning Bylaw requires 281 spaces and the applicant wants 140 spaces of which 52 will be land-banked. There will be 90,000 square feet of landscaping added.

Insubstantial Modifications:

1. Elimination of a proposed mezzanine.
2. Lower the maximum height of the highest area of the roof from 40 feet to 32 feet.
3. Reduce the size of the proposed building by not more than 10%.

Traffic Impact standards were discussed, as were environmental impacts. Project benefits were reviewed.

Permit for Alcohol Storage from the Town's Board of Selectmen: This will be obtained after the Planning Board approves the project.

Other Locations: There is a distribution facility in Norwood. Office people will be relocated to the Boston building. They have no vehicles, so there will be no excise tax.

Mollie Halley, 22 Meadowview Road, Readville, asked about harm from pollution from cars and trucks, and if they had been in touch with the Audubon Society as there is a bird sanctuary. The applicant has been to the Conservation Commission in Boston and filed a notice of intent for work within the wetlands with them and the DEP. Traffic will include 11-16 trucks per day, Monday thru Friday, 7 a.m. to 3 p.m. There will be rare overtime. There will be 4-6 tractor trailers, but the rest will be box trucks. They have not yet investigated environmental impact. Ms. Halley was told that this hearing only deals with the Dedham portion of the property, and she would need to talk with Boston about her concerns. Paula King, 2 Pond View, Medfield, MA, asked if chemicals would run off. MS Walker is a rectification plant, not a distillery, so there will be no chemical run off.

Mr. Podolski moved to close the Public Hearing, seconded by Mr. Aldous, unanimously voted 5-0. Mr. Podolski moved to approve the project, seconded by Mr. Steeves.

Discussion: Mr. O'Brien discussed out of state companies and the promise to hire 10% Dedham residents. He asked the applicant to do its best to go through Boston Building Trade, and Mr. Allen said he would do his best. The Certificate of Action will include the applicant's commitment to local work force, and encouraged more than 10%.

There have been no negatives to the project. There has been no public input at meetings other tonight's comments. Mr. Zahka will outline what has been done, how it was done, the responses, and the determination for the Board to debate or concur, and this will be in the Certificate of Action. The next meeting will be June 11, 2015, at which time a draft Certificate of Action will have been prepared. The vote will be subject to or when the Certificate of Action is approved. A vote cannot be taken until a response is received from the Finance Director about the fiscal impact. End 8:35 p.m.

<b>Applicant:</b>	<b>Tesla Sales and Service</b>
<b>Project Address:</b>	<b>840 Providence Highway, Dedham, MA</b>
<b>Case #:</b>	<b>SITE-02-15-1921</b>
<b>Zoning District:</b>	Highway Business
<b>Representative(s):</b>	<ul style="list-style-type: none"><li>• Kevin F. Hampe, Esq., 411 Washington Street, Dedham, MA</li><li>• Brian Dunn, MBL Land Development, 480 Turnpike Street, South Easton, MA 02375</li><li>• Dillon Okner, Project Manager, Retail Development, Tesla</li><li>• Christy Ortins, Design Manager, Tesla</li></ul>
<b>Town Consultant:</b>	Philip Viveiros, McMahon Associates

Start 8:35 p.m. Applicant presents for minor site plan review. ZBA approved the superchargers and signage. Amended plans filed on April 15, 2015, took into account the Board's comments regarding additional landscaping; this has been increased. McMahon Associates has reviewed the proposal. Two waivers are requested: landscaping within 20 feet of the frontage and overall landscaping of 4.9% instead of 15%. Landscaping is proposed primarily in front of the building and by Summer Shack. Mulch has been changed to grass. Front landscaping will be 3 feet from the right of way, and total width will be 12.5 feet (required is 20 feet, so a waiver of 8 feet is needed). There would be no parking or access if it is 20 feet.

All but two of Mr. Vivieros' comments have been addressed, including clarity on the operations plan and vehicle movement on the site. He needs additional information on compliance of plantings with the Zoning Bylaw, and agreed that more landscaping would interfere with parking. Trash removal was an unanswered issue, and he just received the information. Parking will stop at the supercharger stations where there is a curb to prevent going further; this will be reviewed.

Mr. Steeves encouraged the applicant to match the landscaping of Summer Shack and Bed, Bath, and Beyond. He said there should be customer parking only, no displays. There will be 6 salespeople and 8-10 service people. They estimate 30-40 customers; they provide 80 spaces. Space is needed in the back for car service, loaners, trucks, and trailers. Mr. Bethoney asked for re-review in one year, saying that there are a lot of spaces for no cars being displayed. If there is significant empty space, he will look for more landscaping. The proposal complies with the ZBL regulations for radii, aisle width, and lighting. Applicant says that all spaces are 9' x 19.' Supercharging stations were discussed. The stalls are not included in parking calculations. The flagpole will be in the front of the building on the side of the superchargers.

Mr. Steeves said the plans show parking spaces to be 16,' not 19,' and the handicapped space is only 18.' Applicant said the front spaces comply with zoning, but the back do not necessarily need to comply because they are not counted. Circulation of trucks around back prevent them from being 3 feet longer despite a wide aisle. Mr. McCarthy said that 25% can be compact spaces. Mr. Viveiros said they do not meet the ZBL, but there are allowances. He will look into this. The existing sidewalk is not depicted on the plans, although the applicant said they are. Photos of existing conditions must be included with all proposals.

Mr. Zahka will work on a Certificate of Action. McMahon will review the spaces, landscaping, and sidewalk. Mr. Aldous would like shorter plantings at the driveway entrance and exit. The applicant said that the front bushes will go to 36" maximum, and will be maintained as such. The proposed maple tree will be 22 feet from the travel lane. The applicant is trying to get NStar to work on the site, but they may have to temporarily put in a box. He was told to write a letter to Building Commissioner Kenneth Cimeno that electrical is pursued at their own risk subject to the plan being approved. The applicant will return on June 11, 2015. End 9:18 p.m.

<b>Applicant:</b>	<b>Clarissa Robyn and Nick Nicolazzo</b>
<b>Project Address:</b>	<b>58 McDonald Street, Dedham, MA</b>
<b>Property Owner:</b>	McDonald Street, LLC
<b>Property Owner Address:</b>	58 McDonald Street, Dedham, MA
<b>Case #:</b>	<b>SITE-04-15-1963</b>
<b>Zoning District:</b>	LMA
<b>Representative(s):</b>	Nick Nicolazzo, owner Clarissa Robyn, 278 Whiting Avenue, Dedham, MA
<b>Town Consultant:</b>	Philip Viveiros, McMahon Associates

Start 9:18 p.m. Most of McMahon's questions have been answered. The daycare is acceptable and compliant. Outstanding is the layout of parking spaces on the landscaping side of the property. The angle of parking spaces can be accessed easily from one direction but not the other. Redesign has been recommended. The spaces work fine for the landscaping business. Mr. Podolski noted that the angled spaces have already been approved. However, if the building is

sold or the business moved, spaces will be re-stripped and re-oriented. This can be a condition of approval. Mr. Podolski moved approval as presented, seconded by Mr. Steeves, voted unanimously. End 9:25 p.m.

### **OLD/NEW BUSINESS**

**RAJ Realty Trust, 187 Bridge Street:** Review of the proposed Certificate of Action was postponed.

### **Upcoming Projects**

- Convocation Center at Ursuline Academy
- Animal Rescue League – add parking

**David Spiegel, 750 Providence Highway:** Mr. Bethoney asked McMahon Associates for reviews of the Dunkin' Donuts and Bed, Bath, and Beyond, and the TGI Friday sites. Mr. Spiegel had praised the access road, but now wants to remove it. Mr. Bethoney and Mr. Aldous did not think they would approve this. Mr. Podolski advised having Mr. Spiegel pay McMahon to review the plans and see what is said about the access road. The Board needs to see the history of the site before voting. Mr. Spiegel will be informed that the Board will require review of the site plans serviced by the road to see if there is an adverse impact. Mr. O'Brien noted that the back of the site by Dunkin' Donuts has a lot of trash and the dumpster is overflowing. Cathy Cardinale, Board of Health, will be notified, as will the owners of Ocean State Job Lot, which also has a lot of trash.


**SSG, 10-24 Providence Highway:** The updated plan with insubstantial changes was reviewed and signed.

**Legacy Place, Hydroponics Trailer:** Legacy Place would need a Special Permit for a hydroponics trailer. Mr. Cimeno said that the Planning Board should handle this.

**Jack Audy, 235 Bridge Street:** **Mr. Bethoney recused himself from this discussion due to a professional relationship with Mr. Audy. He left the hearing room and did not participate in any part of this discussion. Mr. Podolski assumed the chair.** Mr. Audy would like to have a shed. The Planning Board can only control the location, not the type. Mr. Steeves moved to approve the shed with the condition that it matches the building, seconded by Mr. Aldous, voted unanimously 4-0.

Mr. Bethoney rejoined the Board. Mr. Steeves moved to adjourn, seconded by Mr. Aldous, voted unanimously 5-0. End 9:51 p.m.

Respectfully submitted,

  
Robert D. Aldous, Clerk