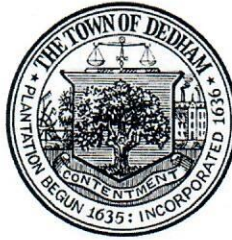


**Planning Board**

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

**Planning Director**

Richard J. McCarthy Jr.  
[rmccarthy@dedham-ma.gov](mailto:rmccarthy@dedham-ma.gov)



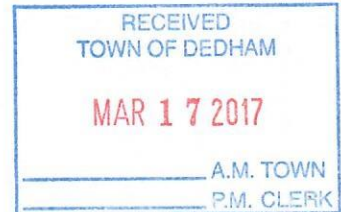
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**TOWN OF DEDHAM  
PLANNING BOARD  
MEETING MINUTES**

**October 22, 2015, 7 p.m., Lower Conference Room**



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

Call to order 7:03 p.m. The Pledge of Allegiance was recited. Plans, documents, studies, etc., referred to are incorporated as part of the public records and are on file in the Planning and Zoning office. Mr. O'Brien was not present for this meeting due to family commitments.

<b>Applicant:</b>	<b>Recycling Solutions, LLC</b>
<b>Project Address:</b>	<b>5 Incinerator Road (transfer station), Dedham, MA</b>
<b>Case #:</b>	<b>SITE-10-15-2033</b>
<b>Zoning District:</b>	Highway Business
<b>Representative(s):</b>	<ul style="list-style-type: none"> <li>• Joe Flanagan, Director of Public Works</li> <li>• Chris Carney, Manager, Dedham Recycling Solutions, LLC, 5 Incinerator Road, Dedham, MA</li> <li>• Sean Crowley, Onsite Manager</li> <li>• Michael Quatromoni, Engineer, SITEC Environmental, Inc., 769 Plain Street, Unit C, Marshfield, MA 02050</li> </ul>
<b>Time</b>	7:04 to 8:00 p.m.

Mr. Quatromoni explained the operation of the transfer station. All operations are conducted within the existing incinerator building, which has two bays. There is a small drop-off area in front for small vehicles, pickup trucks, small panel trucks, and residents. Solid household waste and construction and demolition debris are taken in. There are ports in the floor to transfer waste for compaction. Access is at the back of the building. The applicant would like to enhance the operation with an ancillary building in front dedicated to the transfer of construction/demolition (C/D) debris. The building would be a 60' x 60' industrial quality canvas structure. All loading/unloading will be within this building, eliminating outdoor unloading of waste in inclement weather. It provide more room for inspection of loads and separation per DEP regulations, as explained by Mr. Carney. Access and egress will be the same, and overall operation will be improved. There will be no run-off issues. They will talk with Fire Chief Spillane to see if he requires a sprinkler

system. Municipal solid waste (MSW) would be within the existing building. There would be no other changes. Additional permitting will be needed, and they need to apply to the DEP for a permit modification to do the construction and to change the operation. It is hoped that it will be in operation anywhere from January to March 2016. Residents will also come on Saturdays to dump bags. The overall operation will not be increased.

The proposed building will be structurally engineered with heavy duty canvas, similar to the salt barns at the DPW, and able to hold snow loads. No more impervious surface will be added, and the building will be outside the wetlands, so stormwater management will not be necessary. Grading will be toward the existing catch basin. There will only be one door to contain odors from trash; there will otherwise be no odor because the contents will be from C/D. Household trash will go inside the existing building. This will improve the operation by controlling dust, noise, and odors. These are not issues with the C/D debris.

Mr. Bethoney said that, as a result of addition of a building, the applicant triggers site plan review and requirements under the ZBL without knowing what is/is not required. They were advised to work with Mr. McCarthy to determine this and formalize what is to be done. Matt Watsky, owner of 30 Eastbrook Road condo next to the station, was of the opinion that this project requires major site plan review, and cited Section 9.5.2 of the Zoning Bylaw because there will be a floor area of over 5,000 square feet with the two buildings combined on a single parcel. There are additional requirements, and they have not answered all the questions even for minor site plan review. Mr. McCarthy's interpretation is that it is a minor site plan review because the proposed building is less than 5,000 square feet. Mr. Podolski said this would be addressed by Town Counsel.

Mr. Watsky said the applicant was required to shut down the outdoor handling of construction and demolition waste because dust was spilling out; videos of this were shared with DEP and the Town Manager. They were told that operation of the facility was not consistent with the regulations. Mr. Watsky was concerned that dust would not be handled properly. Current dumping is inside a brick building more than 100 feet away from his building than what is proposed. Occupants of the offices cannot open their windows because of the noise. Noise levels have dramatically increased, and he is concerned that the proposal will make it worse. If there was a facility designed to be in full compliance and met current DEP standards, it would dramatically reduce the adverse impact. He said the building is only a bandage. Mr. Carney said they are in compliance and they were asked not to dump outside. Meetings with the BOH were held, attended by Mr. Watsky. The transfer station predates the condos. The applicant has talked numerous times with the Town about a new facility.

The DEP reviews dust, noise, etc., as part of the review process. Mr. Carney said they are tied up with DEP for about six months during the review. He showed a copy of the operational criteria that must be addressed, and inspections are done prior to construction of the building. He said that the Town is trying to get a full-time permitted transfer facility over the next five years, and the canvas structure will only be temporary. The Board asked for a plan to approve after DEP completes the review, as well as a plan of operations.

Mr. Watsky said swill loads were mentioned; these cause a lot of odor. Mr. Crowley said swill loads are from supermarkets and include meat and vegetables that have gone bad. These are commercial. Mr. Watsky said the DEP permit requires the Town not to take any material that creates odors outside the facility. He has talked to the Town and the Board of Health about this,

and communicates with them on a regular basis. It is not clear if the Board of Health does anything since they do not respond to his e-mails. The DEP has told them to be more careful about what they take in, but the station still does it.

Mr. Bethoney said the operations of the facility will not be settled by the Planning Board. The Planning Board regulates the bylaw on a proposed site plan. It also can take into consideration many factors in doing that. However, as far as ongoing interactions between neighbors about specific issues that do not relate to the site plan, they do not get involved. This is already regulated and in process. He did not believe that the site plan proposed should be regulated based on odors. It may be different if it becomes a major site plan review. DEP regulations state that they cannot bring in anything that causes odor that affects anyone nearby. He asked why DEP is not doing anything about it.

Mr. Watsky said the proposed change has the potential to exacerbate odors. Currently one of the two bays is used to sort construction and demolition materials. If this is put in the new building, there will be double capacity for municipal solid waste and double the odor potential. Loads are not completely presorted and are mixed with construction/demolition waste. The waste is dumped on the ground to be sorted. The building will not have odor control, so if they dump putrescible waste, the odor is that much closer to him. Mr. Quatromoni, in response to Mr. Watsky's statement about increasing the volume, said that DEP has already established maximum volume for the facility, and they cannot exceed that. He needs to make representation as to their volumes today. Mr. Carney said that they are not obligated to take debris, and once they reach their daily volume, the operation is shut off. With regard to the trash, the DEP never prohibited them from bringing in material from Roche Brothers. The Town worked through Town Manager William Keegan, Joe Flanagan, and Cathy Cardinale from the Board of Health on kicking out certain things. What the facility brings in is no worse than what a household throws out. Household trash is decreasing due to the huge difference brought by recycling.

Mr. Podolski said the next meeting will be on November 12, 2015. The condo owners at 20-30 Eastbrook Road will be notified, and he will speak with Town Counsel regarding whether the site plan is major or minor.

<b>Applicant:</b>	<b>Verizon</b>
<b>Project Address:</b>	<b>5 Incinerator Road, Dedham, MA</b>
<b>Case #:</b>	<b>SITE-09-15-2031</b>
<b>Zoning District:</b>	HB
<b>Representative(s):</b>	Daniel Klasnick, Esq., Duval & Klasnick, LLC, 210 Broadway, Suite 204, Lynnfield, MA
<b>Time:</b>	8:01 to 8:12 p.m.

The applicant wants to update the wireless facility on the smokestack by replacing nine of the twelve antennae and adding three remote radio heads. They will be painted to match the smokestack. The new antennae are somewhat wider, but otherwise the length will be very similar. There will be no change to the appearance of the facility. The applicant has addressed McMahon's comments. Copies of the signage were provided to the peer review consultant that show the 1-800 phone number, which is available at all times. However, the copies provided were of AT & T signage, so he will update the sign for the records. Mr. Aldous said that years ago there was considerable trouble with the side, as summer storms used to knock bricks off the top. He convinced

wireless people to band together and install a copper ring around the top of the chimney, and to fix the bricks that were knocked off. He asked that the installation people look at the copper ring to see if it is still in good condition and operates well. This is not mandatory, however. If they do, he asked that they report to Mr. McCarthy about this. Contracts say that if the chimney is knocked down, the Town does not have to replace it; it has to be replaced by the wireless companies. The copper ring has saved the chimney in the past. He also asked them to check the grounding wire. All of the commercial people on the chimney have been asked to upgrade this from the top down to a larger size, which federal law says they need to do. He appreciated their consideration in checking this. Mr. Steeves stressed that the equipment must be painted to match the chimney. He will be checking with the Building Department to see that is done. If the color is not matching, the switch will not be turned on. Mr. Klasnick understood and agreed.

Mr. Aldous moved to approve the application with the conditions that all apparatus is to be painted to match the chimney, and that technicians check the copper ring and the grounding for condition and operation. Mr. Bethoney seconded the motion, voted unanimously 4-0.

<b>Applicant:</b>	<b>Verizon</b>
<b>Project Address:</b>	<b>55 Ariadne Road, Dedham, MA</b>
<b>Case #:</b>	<b>SITE-09-15-2032</b>
<b>Zoning District:</b>	RDO
<b>Representative(s):</b>	Daniel Klasnick, Esq., Duval & Klasnick, LLC, 210 Broadway, Suite 204, Lynnfield, MA
<b>Time:</b>	8:12 to 8:19 p.m.

The applicant wants to modify the wireless equipment on the Holiday Inn. There are twelve antennae mounted to the penthouse area. There are three separate arrays of four antennae each. The proposal is to remove all of the existing antennae, and install twelve new antennae. Because of continuing demands on the network, they would also like to add four antennae. The current antennae are only on three sides, but this would change that to four sides. They will be the same height, similar in size, and painted to match the penthouse. Remote radio heads will be behind the wall and not visible. Mr. Steeves asked if they had considered using antennae masked as trees on Route 128. Mr. Klasnick said that Verizon does this in appropriate circumstances and monitors for suitable areas. Mr. Steeves said that sites will eventually have 60-80 antennae in the next ten years.

Mr. Bethoney moved to approve the modification as presented subject to the antennae being painted to match, all grounding equipment checked for compliance and good working order. Mr. Steeves seconded the motion, voted unanimously 4-0.

<b>Applicant:</b>	<b>Mocha Java</b>
<b>Project Address:</b>	<b>577 High Street, Dedham, MA</b>
<b>Case #:</b>	<b>SITE-10-15-2036</b>
<b>Zoning District:</b>	CB
<b>Representative(s):</b>	Steve Carlson, proprietor
<b>Town Consultant:</b>	Steven Findlen, McMahan Associates

**Time:** 8:20 to 8:35 p.m.

This is a **scoping session**. Mocha Java will be moving into a small, 91 square foot service area in the front of Blue Bunny. The menu will be basically the same. It has been fully permitted and approved by the Board of Health. Additional seating is proposed, and the owners of Blue Bunny are fine with changing the layout. There is refrigeration, dishwasher, mop, sink, and storage in the back in an area measuring 189 square feet. The restroom is handicapped accessible. Seating would be 120 square feet for 14-15 seats. Parking currently requires 15.3 spaces, but with the change, 20.9 spaces will be required. Demand for on street parking is low in the morning before merchants open. He is seeking a waiver for parking, as there is no parking on site for the building. The winter months will be challenging with snow.

Paul Lindholm, P.E., did a plan for another new eatery, Pancho's Taqueria, for which the building owner paid. This property is currently owned by Peter Levangie, who just retired, and Mr. Carlson felt that it would be too much of a burden for him to do a survey. Mr. Podolski suggested that the applicant speak with him to see if he will get a plan for the building that will state the waivers requested. Mr. Carlson said he has an old plan, and asked if it would work. Mr. Podolski asked him to bring it in. Mr. Bethoney explained that for the Board to give relief, it has to be reflected on a plan. As a result, the Board cannot grant relief for something that does not exist. He said he would look at whatever he has, but it needs to be legitimate. Mr. Carlson will bring the old plan in tomorrow, and will check with Mr. Lindholm to see if he can help. The Board is not looking for a full engineered plan, but something that sites the building in relationship to the lot lines, and shows that there is no parking. He will return on November 12, 2015.

The scheduled meeting for **Dedham 800, LLC, 750 Providence Highway**, has been rescheduled.

**Applicant:** EG/GP3 480 Sprague Street, LLC, c/o Griffith Properties  
**Project Address:** 480 Sprague Street, Dedham, MA  
**Case #:** SITE-05-14-1844  
**Zoning District:** Limited Manufacturing A  
**Representative(s):** John Mannix, Principal, Director of Acquisitions, Griffith Properties, 260 Franklin Street, Boston, MA 02110  
**Time:** 8:36 to 8:39 p.m.

The site plan for this property was approved on July 24, 2015. In the plan, there were three drive-in ramps measuring 36 feet long. One of the tenants, Amazon, would like this to be 40 feet long due to different types of vehicles and trailers. Mr. Bethoney moved to approve, seconded by Mr. Aldous, voted unanimously 4-0.

**Applicant:** Panera Bread  
**Project Address:** 797 Providence Highway, Dedham, MA  
**Case #:** SITE-10-15-2037  
**Zoning District:** HB  
**Representative(s):**

- Kevin F. Hampe, Esq., 411 Washington Street, Dedham, MA
- David Webster, Federal Realty Investment Trust, 5 Middlesex Avenue, Somerville, MA 02145

**Time:** 8:39 to 9:11 p.m.

This is a **scoping session** for the proposed construction of a 4,000 square foot pad in the north-east corner of the parking area. The pad would hold a one-story building with a drive-thru facility; the tenant would be a casual restaurant, likely Panera Bread, and there may be additional restaurant tenants. The proposed area is underutilized for parking.

A leasing plan was given to the Board. Traffic circulation would change, landscaping increased, and improvements made for pedestrian safety. Twenty-six existing parking spaces would be lost; there are presently 936 spaces, and it would bring it down to 910 spaces. Cut-thru traffic would be reduced; this is usually people trying to get to Washington Street or going from Washington Street to Route One. Improvements would be made for better pedestrian access through the parking lot, particularly between the front parking area and the main center, and vehicular circulation would be improved. Existing islands would be shifted to fit in the width required for the pedestrian walk and the landscaping, and new islands added on either side. They would like to extend a curb and shift existing islands to assist in discouraging cut-thru traffic and funnel cars toward the signal. The travel lane at Shaw's will not go to the exit. The highest volume of cut-thru traffic is on Saturday during peak shopping hours.

The building would be single story, about 20 feet tall, with an entrance on the south side and a drive-thru on the north side. A trash enclosure is proposed on Route One. Mr. Webster showed a prototype from Panera, but the building has not been designed yet. Panera will close its existing location and move to the new 4,000 square foot building with 100-110 seats; the existing location is 4,900 square feet with 70 seats. There are also prospects for casual restaurants in Panera's previous site.

Mr. Bethoney said they will be taking away parking that could be considered as never used, and adding parking requirements. He asked how it exacerbated the deficiency. He asked if the project triggered modification of an existing site plan, and whether that required the applicant to meet all regulations or ask for waivers from them. Mr. Hampe said he believe that it would trigger minor site plan review. Mr. McCarthy said it triggered the entire site. If they modify the site, it triggers compliance with the regulations. If it does not comply, waivers should be needed. Federal Realty will be the party obligated to bring the site plan through the regulatory process, and must meet all regulations. The lot needs to be brought up to current standards, and then a parking reduction can be considered. Mr. Webster thought the 2001 waiver was based on an inventory of 910 spaces. The most recent inventory done about a year ago had 936 striped spaces; the applicant believes there is an opportunity to stripe some additional spaces. Mr. McCarthy said that in 2001, it was a parking variance. Today, it is a waiver.

One abutter, Andrea Andreassi, 37 Orchard Street, commented that she is interested in projects in her area. She said she would like the area more walkable.


Mr. Hampe asked about a complete traffic study. The applicant will need to go before the ZBA for the use and the drive-thru, then back to the Planning Board, and DRAB. He asked if a new traffic study was necessary, in light of other studies that have been done recently. Mr. Bethoney suggested that, since the information is readily available, a traffic study be presented to show that the impact would be negligible; otherwise, mitigation would be required. He did not think they would have to start from scratch considering how many were done recently, and the peer reviewer's knowledge of the area and the impacts. He also suggested that Panera Bread provide all the details they can regarding visitors and the drive-thru. Drive-thrus are allowed in that zone

through a Special Permit from the ZBA. Mr. Webster did note that they do not have the ability to build in the area of Star Market due to lease issues.

**Old/New Business:** None.

Mr. Aldous moved to adjourn, seconded by Mr. Steeves, voted unanimously 4-0. The meeting ended at 9:12 p.m.

Respectfully submitted,

  
Robert D. Aldous, Clerk