

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



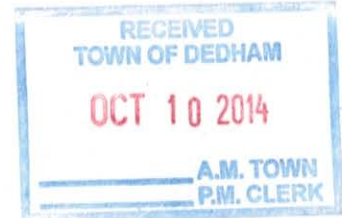
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TOWN OF DEDHAM
COMMONWEALTH OF MASSACHUSETTS

PLANNING BOARD MEETING MINUTES
Lower Conference Room, Town Office Building
Thursday, September 11, 2014, 6:30 p.m.



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

Review of Minutes: The Board met from 6:30 p.m. to 7:00 p.m. to review minutes.

December 5, 2013: Mr. Podolski asked that the second sentence on page 4, "At this point, the Board deems that the road is inadequate for access" capitalized and in bold. Mr. Podolski made a motion to approve the minutes subject to this change, seconded by Mr. Aldous. The vote was unanimous at 5-0.

December 19, 2013: Mr. Podolski asked Mr. McCarthy if Costco had ever supplied information regarding their community involvement and participation. Mr. McCarthy said they had not. He will follow up on this. Mr. Podolski made a motion to approve the minutes as presented, seconded by Mr. Steeves. The vote was unanimous at 5-0.

February 25, 2014: Mr. O'Brien asked for the addition of a sentence as follows: The Board acknowledged that consideration could be made to expanding the AOD if there is a need. The boundaries are not set in stone, and the Revitalization Committee could consider expansion in the future. Mr. Bethoney said that the Board would hold off on approving these minutes until the next meeting.

Mr. Podolski asked if the Attorney General's office has sent their approval on the zoning changes from the May 2014 Town Meeting. Mr. McCarthy said that Monday, September 15, 2014, is the deadline. The question was raised as to what happens if the deadline passes without approval and whether the articles are automatically approved.

June 12, 2014: On the first page, sixth line, change the word "interests" to "obligations. On page five, Ms. Webster was asked to clarify that she made the comment that Ms. Myers was difficult to hear. Mr. Podolski made a motion to approve the minutes as amended, seconded by Mr. Steeves. The vote was unanimous at 5-0.

June 26, 2014: On page 4, first paragraph, change the sentence to read "He said that the Board has been drawn into litigation." Mr. Podolski made a motion to approve the minutes as amended, seconded by Mr. Aldous. The vote was unanimous at 5-0.

July 17, 2014: Mr. Podolski made a motion to approve the minutes as presented, seconded by Mr. O'Brien. The vote was unanimous at 5-0.

Review of minutes concluded at 7:00 p.m.

Mr. Bethoney called the meeting to order at 7:00 p.m. The plans, documents, studies, etc. referred to are incorporated as part of the public record and are on file in the Planning and Zoning office. Mr. Bethoney led everyone in the Pledge of Allegiance. He also asked everyone to observe a moment of silence in memory of the events of September 11, 2001.

Prior to the beginning of the first meeting, Mr. Bethoney made the statement that he is recusing himself from this meeting and the public hearing for Liana Estates, 1056 East Street. He explained that the agency at which he works has a professional relationship with Giorgio Petruzzello and Supreme Development, which is building homes on Schoolmaster Lane, and is in the process of another subdivision at 1056 East Street. He left the hearing room at 7:04 p.m. and did not participate in any part of these meetings or consideration of the proposals.

Applicant:	Supreme Development
Project Address:	175 Schoolmaster Lane, Dedham, MA
Property Owner:	Supreme Development
Property Owner Address:	21 Eastbrook Road, Dedham, MA
Case #:	ANR-08-14-1872
Zoning District:	Single Residence A
Representative(s):	Peter A. Zahka II, Esq., 12 School Street, Dedham, MA Giorgio Petruzzello, 21 Eastbrook Road, Dedham, MA

The Applicant is seeking release of the covenant for Lot 11, known as 175 Schoolmaster Lane, Dedham, MA. The last lot will not be released until an as-built has been submitted and certified that everything has been built in accordance with the record plans. This cannot be done because the final coat of pavement has not been put on and the final house is developed. This is the fourth lot to be released. Mr. McCarthy said that everything is in order for the release, and a homeowners association has been formed and recorded. Mr. Aldous made a motion to release the covenant, seconded by Mr. Steeves. The vote was unanimous at 4-0. The covenant release was signed by the Board and notarized by Ms. Webster. The meeting ended at 7:08 p.m.

PUBLIC HEARING

Applicant:	Liana Estates
Project Address:	1056 East Street, Dedham, MA
Property Owner:	Supreme Development
Property Owner Address:	20 Eastbrook Road, Dedham, MA
Case #:	DSUB-04-14-1829
Zoning District:	Single Residence B
Representative(s):	Peter A. Zahka II, Esq. Giorgio Petruzzello, Principal, Supreme Development John Glossa, Project Engineer, Glossa Engineering, 46 East Street, East Walpole, MA 02032
Town Consultant	Colleen Medeiros, McMahon Associates

As noted above, Mr. Bethoney recused himself from this hearing because the agency at which he works has a professional relationship with Giorgio Petruzzello and Supreme Development. He left the hearing room at 7:04 p.m. and did not participate in any part of this hearing or consideration of the proposal.

Mr. O'Brien made a motion to open the public hearing at 7:09 p.m., seconded by Mr. Steeves. The vote was unanimous at 4-0. Mr. Steeves made a motion to waive the reading of the public hearing notice from the newspaper, seconded by Mr. Aldous. The vote was unanimous at 4-0.

The Applicant is proposing a three-lot subdivision. A scoping session was held on May 8, 2014, and a notice of intent was submitted to the Town of Dedham Conservation Commission. The Conservation Commission was concerned about a pond-like water body on the property, drainage, and stormwater management. This review is ongoing. McMahon Associates is performing a peer review, and has received comment letters from the Department of Engineering.

Mr. Zahka said that McMahon Associates has highlighted nine issues, some of which are shown below. He anticipates that the peer reviewer's summary sheet at the next hearing will show that all issues have been resolved.

1. The name Liana Lane has been approved for use. The Applicant has contacted the GIS Department to make sure that process is in place.
2. The plan now ties into the correct town coordinates. The Applicant will submit an as-built when the project is completed.
3. Acting Fire Chief William Spillane met with the Applicant about the design of the road and the ability of fire vehicles to access and leave the property. The plan has been slightly revised, and he has signed off on this. He asked that a fire hydrant be installed, and they will do this.
4. The Applicant hired Gillen Associates to do a full study of site distance and stopping distance. He presented his report today, and the Applicant will respond to McMahon by the next meeting on September 25, 2014. Mr. Zahka believes that they will resolve all issues,

Mr. Glossa said that the gravelly soil is good for drainage. The site contains approximately 2.5 acres with a pond-like body of water that does not meet the definition for Conservation Commission wetlands regulations. An existing house on the property will be removed. The driveway varies in width. The property rises up in the back, then drops down to residences on Winstead Avenue. The house is served by a cesspool, not a conventional septic system. The water line is .75 - 1 inch, and connects the property to the municipal water system. There is a gas line coming in from East Street. There is a drain manhole on Southgate (the cover says sewer, but it is a drain manhole) that flows to Endicott Circle. It has an 18" pipe that serves drainage along Southgate, and possibly farther. A manhole to the left of the driveway is 18," changing to a 24" pipe that goes off the property. There are no more manholes.

There is a drainage pipe inside the "pond" that is pitched backwards. This will be discussed with the Conservation Commission. The pipe belongs to the Town, and crosses the property with no easement for drainage; if there is no easement, Mr. Glossa proposed that Mr. Petruzzello convey this to the Town. Mr. Zahka noted that water flows from the adjacent properties across 1056 East Street.

Mr. Glossa showed the locations of the proposed houses. Lot 1 will contain 15,800 square feet, Lot 2 will contain 37,400 square feet, and Lot 3 will contain 32,216 square feet. They

propose moving the road 15 feet away from the abutting house on Southgate, and widening it to 18 feet, which will improve site distance. It will end in a hammerhead in front of Lot 2. The driveways for Lots 2 and 3 will be side by side. Fire trucks will have their own part of the hammerhead for backing up. There will be an easement on Lot 3, which will be paved and signed "No Parking." Acting Chief Spillane is satisfied with this. There will be a homeowners association. The net pavement will be improved.

Utilities will be underground. Grinder pumps will be put in and network to a common force main; pressure will move the effluent. The pumps are so efficient that there will be no discernible solids. This will connect to the sewer on East Street. A hydrant will be installed. Drainage will be to Massachusetts stormwater standards, although this is not required. An infiltration basin will be put in that traps water and allows it to soak into the ground. It will eventually find its way through the ground and into the "pond." There will be a one or two small leaching catch basins into the stone with a typical catch basin frame and cover. If the ground is frozen, the water would be able to go through the catch basin and into the stone. The grade of the driveway will be the same. The Conservation Commission has suggested a 2'W x 2'D trench along the northerly side of the "pond. The water by the "pond" will go into the trench and eventually infiltrate into the ground. A small basin will be placed on Lot 1. There is a 2% slope from the side that abuts Southgate toward the "pond." This allows water from Southgate to cross over the property to the pond. They do not propose curbs or berms.

They will be requesting two waivers, one for crowning the road, and one for curbing. These will be outlined at the next meeting. The road will be private and maintained by a homeowners association. There will be a clause stating that the street will be private until the Town makes a decision on taking it as a public way. Mr. Podolski asked if the water presently flows from Southgate across the driveway to the "pond," and Mr. Glossa said it does. They are attempting to put the houses away from where the old house was in front of the crown of the hill. They are trying to keep alterations of the hill to a minimum. Mr. Podolski said there should be little or no effect on the houses on the easterly boundary. Runoff will be directed to basins. There will be no piping.

Blasting is a great concern of the neighbors. Mr. Glossa said they used a smaller excavating machine and got down six feet. They can get down 8-9 feet by clawing. They do not anticipate hitting ledge. Mr. Petruzzello said that they will probably hammer, but not blast. Mr. Podolski said this will be a condition of the approval. The roadway will be in compliance with Board's rules and regulations. There will be no curbstones. Mr. Zahka again explained what public ways require, and that they are proposing the road to be a private way with a homeowners association. The roadway will be 18 feet, which is standard for a residential lane. Snow will be privately plowed to the side. Snow storage will generally be on site.

Mr. O'Brien asked about the future of the "pond," including maintenance and improvement. Mr. Glossa said they will fix the output pipes so it does not flood. Maintenance will be controlled by the Conservation Commission. He believed the "pond" will remain the same. Mr. O'Brien commented that it may need to be dredged. He also said that it enhances the property. Mr. Glossa said he would assume that at some point someone will approach the Conservation Commission about algae control with aeration to keep the water moving. There is a buffer around the vegetated wetlands, which are protected by the Conservation Commission, but the wetlands are very close to the edge of the water. The area around the "pond" is grassed and mowed, and Mr. Glossa assumed that this would remain as such. He suggested that the residents work together to possibly put in a fountain to provide aeration, and to work with the Conservation Commission to see what could be done about preventing algae. Mr. Steeves said that he is happy that this is being done because it will upgrade the area. Mr. Glossa agreed, and, although it is a difficult site, it is good for the Town and everyone in-

volved, including the Conservation Commission. He said that some of the issues, i.e., piping, can be solved and brought up to standards. Mr. Podolski said that, in this case, the Board will defer to the Conservation Commission regarding drainage.

Colleen Medeiros, peer review consultant from McMahon Associates, identified nine issues. There was a conference call with the applicant on September 5, 2014; this was the only correspondence to date. She has not received the site distance memo, but will review it when it is received. Most issues can be resolved, but are not yet finalized.

Audience:

Thomas Quinn, 52 Southgate, reiterated the concern about blasting. Residents on Southgate and Winstead Avenue also have major drainage issues, and he asked that the Applicant not make this worse. Mr. Podolski said that, per State law and insurance regulations, if the Applicant has to blast, he has to cease construction and perform filming studies. He will try to avoid blasting. There will be a condition in the Certificate of Action regarding this. Mr. Quinn wants the trees remain in place, as the residents of Winstead Avenue like a lot of landscaping. The Applicant will not remove vegetation at the crest of the hill; this can be a condition in the Certificate of Action. He said that this will result in a better situation than the current one.

Mr. Podolski explained that the road is like a driveway since it is a lane, but the project needs to abide by the Town of Dedham Rules and Regulations. It does not need a 40 foot right of way because it is considered a lane under the Town's and the State's regulations. The applicant will build the project with all of the specs of the Town with the exception of crowning so the drainage will continue to shed toward the "pond," and they are not going to curb it so the drainage will continue to the back of Southgate and across the driveway and into the wetlands. Mr. Quinn then asked about the berm inside the property line, which has a lot of trees and weeds behind the guard rail on East Street. Mr. Petruzzello said this is just rock and ledge, and he will be cleaning this out as part of the construction on Lot 1.

Carmen D'Attilio, 46 Southgate, asked if there will be work on the crown of the hill. Mr. Glossa said that nothing is proposed there. Brendan Maloy, 38 Southgate, said the site is challenging, and the Applicant has done a great job on the layout. Mr. Podolski said that the Board makes sure that the project is done according to the specifications. If there are mistakes, they will be corrected.

Mr. Zahka requested continuation to the next meeting. A motion was made by Mr. Steeves and seconded by Mr. Aldous. The vote was unanimous at 4-0. The public hearing ended at 8:25 p.m.

Applicant:	Beacon Street Realty Trust (Cedar Development, Inc.)
Project Address:	187 Bridge Street, Dedham, MA
Property Owner:	Beacon Street Realty Trust, Tony Nassif, Trustee
Property Owner Address:	187 Bridge Street, Dedham, MA
Case #:	SITE-09-14-1881 - SCOPING SESSION
Zoning District:	Local Business
Representative(s):	Peter A. Zahka II, Esq. Steven David, Principal, Cedar Development

This **scoping session** began at 8:28 p.m. Mr. Bethoney re-joined the Board at that time, and sat on all remaining meetings.

Mr. Zahka said that Mr. David would like to demolish the former Coughlin's Flower Shop, and construct a new mixed use building. He had come before the Board previously with a rendering of the building, but the Board did not like it. He presented a new rendering designed by Michael McKay, AIA. The plan will remain the same otherwise. He came before the Board to ask for its input. The Board as a whole said that they liked the new rendering. Mr. Zahka asked that Planning Director Richard McCarthy review the project despite having 10 parking spaces, which would require peer review. The proposal requires 9 spaces, and the Applicant does not want to lose the tenth space. Mr. Podolski said this would be no problem. Mr. O'Brien commented that this would be a dramatic change and improvement of the site. The Board was fine with the proposal. This *scoping session* ended at 8:34 p.m.

PUBLIC HEARING

Applicant:	Oxbow Partners, LLC, and Frank N. Gobbi
Project Address:	19 Court Street, Dedham, MA
Property Owner:	Frank N. Gobbi
Property Owner Address:	15 Woodridge Road, Dover, MA 02030
Case #:	SITE-08-14-1873
Zoning District:	Single Residence B, Historic Preservation Overlay District, Aquifer Protection Overlay District
Representative(s):	Peter A. Zahka II, Esq. Peter Smith, Oxbow Partners, LLC James DeVellis, P.E. DeVellis Vrein, Inc., P.O. Box 307, Foxborough, MA 02043

This hearing is a continuation from August 28, 2014. Mr. Podolski made a motion to continue the public hearing, seconded by Mr. Steeves. The vote was unanimous at 5-0. The hearing began at 8:35 p.m. The Applicant is seeking two Special Permits and site plan review. Town Meeting approved Article 30, which established the Historic Preservation Overlay District. The article was submitted on behalf of Oxbow Partners specifically for this property, and allows for the historic preservation and adaptive re-use of properties that have significant architectural and historic aspects. The Applicant is also seeking a Special Permit to increase the impervious surface in the Aquifer Protection Overlay District to 32%.

Mr. Zahka gave an overview of this historically significant property, which contains approximately 19,200 square feet. The building was constructed in 1801 and is one of the most historically and architecturally significant buildings in the area. Most recently, the property was used as a single family residence, but it has been vacant for approximately 15 years. The building is commonly referred to as the Norfolk Inn or the Norfolk House, and it has been a tavern, a boarding house, an inn and hotel, and a few other uses over the years. Its location is a "Gateway to Dedham Square."

The proposal is to renovate the existing building into six dwelling units. Most of the significant historic factors will be preserved through historical tax credits. The renovations to the building require approval from the Massachusetts Historic Commission, the Department of the Interior, and the Dedham Historic Districts Commission, all of whom the Applicant is working with very closely. The project is allowed by Special Permit, and the Planning Board is the Special Permit Granting Authority under Section 8.4 of the Town of Dedham Zoning Bylaw. As stated above, a Special Permit is needed to increase the impervious surface to 32% in the Aquifer Protection Overlay District. The project has been to the Conservation Commission, the

Planning Director on behalf of the Planning Board, and the Department of Engineering, and Mr. Zahka believes they have reached an accommodation with them.

Mr. Smith explained that his company has applied for historic tax credits from the National Park Service and the Massachusetts Historic Commission. The goal is to preserve the building as much as possible, which is also the requirement. He showed photographs of the building. Shutters were found in the basement, and will be put in place. There is no change to the south elevation. At the back of the building, there is one addition on the side of the rectory, and that is a staircase that is needed for egress. That is the only new construction element on the building. Otherwise, they will enhance the building as it is, i.e., pointing bricks as necessary and fixing and de-leading windows. Everything else will remain in place. There will be parking in back.

Mr. DeVellis is working with the Conservation Commission, and the project has received a stormwater permit. He has reviewed the project with Jason Mammone, P.E., Director of Engineering, and he has approved it. He explained where the parking will be. Drainage will be the biggest change on the site. There is presently no traditional drainage mechanism. There are drain pipes in six to eight locations, and the water is discharged right into the property. These will be removed and corrected. He pointed out the entrance, which will remain in the same location but widened. There will be an eighteen foot access to take the parking from one area to the back left of the site. There will be a sidewalk of pervious pavers. Nine parking spaces are required. Six spaces will be under a carport, and three spaces will be open. The walkway will bring people to the front of the building in a couple of locations. The site will be handicapped accessible. There will be an emergency access at the back, and there will be an at-grade patio.

When the carport is put in, there will be an increase in run-off, so they grabbed the run-off, infiltrated it to a piping system, and brought it into a rain garden. The carport run-off will be collected by an underground piping system that is perforated with stones so it will infiltrate. He explained the other locations and how they will infiltrate at the rain garden. All of the stormwater guidelines have been met. Mr. DeVellis then explained the landscape plan. The large trees in back will be protected. In the front, there are burning bushes, which will be removed because they are an invasive species. There will be low foundation plantings with a lot of color. Native species will be used in the rain garden. There will be small lights on the ground. The property is in an Aquifer Protection Overlay District, and they have met with the Conservation agent, who encouraged pervious pavement. However, the Engineering Department is not as thrilled with this and suggested that they not do this at the carport due to drippings from the vehicles that would go into the soil. They will put impervious pavement under the carport. From a stormwater standpoint, the water will not be an issue because it is covered. The spaces will be pitched to the middle as cited in the Operations and Maintenance plan, and any leaks can be wiped up. The spaces that are not covered will have impervious pavement, and they will swale it to come around to the rain garden. Engineering was satisfied with that, and the Conservation Commission has approved it.

Mr. Zahka said that they have satisfied the requirements under the bylaw. The Historic Preservation Overlay District eligibility requirement states that the building has to be constructed prior to 1900; this building was constructed in 1801. The building must contain a minimum of 12,000 gross square feet; this one contains 14,000-15,000. There must be 20,000 square feet of land. This is registered land, and the plan shows it to be in excess of 20,000 square feet. However, a survey has determined that the property has approximately 19,200 square feet, less than the required amount. The Applicant went to the Zoning Board of Appeals for a variance, and was granted allowance to proceed with the 19,200 square feet.

There are conditions and criteria under the bylaw, and these have been satisfied, specifically all dwelling units are to be located in the same building, and they are not expanding the building. There should not be more than 6 dwelling units, which they propose. Nine parking spaces are necessary, and they have that. The Certificate of Action will reference collection and disposal of refuse and recycling, which will be private. Connection will be made to municipal water and sewer. The Table of Dimensional Requirements and the off-street parking requirements are not applicable, but are determined and specified by the Planning Board. The Applicant requests that this be referenced in terms of parking space size, aisle width as shown on the plan. Mr. Zahka does not believe this needs to be specified as a waiver. The impervious surface has been increased. Under the Aquifer Protection Overlay District bylaw, the Planning Board has the right to establish up to 25%. Mr. Zahka said they are comfortable with 32%, and asked that the Special Permit include a Special Permit to allow up to 32% impervious surface on the site.

Mr. McCarthy said that the Engineering Department would like to review the upgraded plans to make sure they are satisfied. It has been requested that this be a condition of approval because they have not seen the plans yet. He reviewed the plans and they comply with the exception of width of access; this is because of the columns on the house. The driveway access will be 18 feet with a 4 foot walkway, which is smaller than required and for which they would need a waiver. He said that this works because it is a residential building, not commercial. It will be aesthetically pleasing, and will also slow vehicles coming into the parking lot. He said the proposal meets regulations other than the driveway width. Mr. McCarthy noted that the Town needs to obtain approval from the Attorney General for the Historic Preservation Overlay District article. Monday, September 15, 2014, is the deadline. He believes that if they do not meet the deadline, the article would automatically be approved.

Mr. Smith noted that Presidents Lincoln, Jackson, and Adams stayed there, and Horace Mann stayed there for a couple of years. It was suggested that there be a plaque noting this. Mr. Smith suggested making this a condition. Mr. Podolski asked about a common hallway. There will be a common entryway and staircase. Mr. Steeves congratulated the Applicant on his presentation. Tad Russell, 27 Court Street, abuts the property. He has spoken on behalf of his neighborhood about the project. The neighbors continue to be enthusiastic about the project going forward.

Mr. Podolski made a motion to close the public hearing, seconded by Mr. Steeves. The vote was unanimous. Mr. Zahka asked the Board approve the Special Permit approval subject to the Engineering Department's review and satisfaction with the upgraded plans concerning pervious and impervious pavement. It will then be subject to the narrative in the Special Permit. Mr. Podolski made a motion to approve the Special Permit subject to Engineering Department's review and satisfaction with the upgraded plans concerning pervious and impervious pavement. Mr. Steeves seconded the motion. The vote was unanimous at 5-0. The public hearing ended at 9:05 p.m.

Applicant:	58 McDonald Street, LLC
Project Address:	58 McDonald Street, Dedham, MA
Property Owner:	58 McDonald Street, LLC
Property Owner Address:	258 Cherry Street, West Newton, MA
Case #:	SITE-08-13-1715
Zoning District:	Limited Manufacturing A (LMA)
Representative(s):	Nick Nicolazzo, owner

Mr. Nicolazzo is looking for an extension to complete work as agreed to in a previous major site plan approval dated September 26, 2013. He has made some improvements to the property, but has one remaining, which is the fencing and landscaping. Lighting and installation of an oil/water separator have been finished. He is requesting an extension for at least a year due to money issues, and because of a new endeavor that he is proposing. Mr. Steeves made a motion to allow an extension to June 2015, seconded by Mr. Podolski. The vote was unanimous at 5-0.

Mr. Nicolazzo had planned to lease out the front of the building, but has been unsuccessful. He has a proposition to sell bait and tackle and rent canoes for people to use on Sprague Pond, which abuts his property. His partner will be Sean Whalen, who accompanied him to the meeting. Mr. McCarthy said that in order to do the bait and tackle business, he needs to go to the Zoning Board of Appeals for a Special Permit because it is in the LMA zoning district. The parking approved for the project was based on 1/200, which is the same required for retail. The main reason is that they are considering a trailer to put canoes on and this would be located in one of the parking spaces during the day. At night, it would be pulled inside the building. He would like to know what the Board thinks of this before he makes a formal application. There are no residential dwellings on either side of the property. There is a house across the street that is owned by Mary Federico, and Royer Tree Service is there as well.

Mr. Podolski said that the neighborhood will not object to canoes being displayed, and wished Mr. Nicolazzo the best. He advised him to go to the Open Space and Recreation Committee and the Environmental department to seek their opinion. The Board will hear this proposal after that. This meeting ended at 9:18 p.m.

Applicant:	Dedham Real Estate Development, LLC
Project Address:	750 Providence Highway, Dedham, MA
Property Owner:	Dedham Real Estate Development, LLC, David Spiegel
Property Owner Address:	P.O. Box 890, Norwood, MA
Case #:	SITE-09-14-1882 - SCOPING SESSION
Zoning District:	Highway Business, Flood Plain Overlay District, partially in the Aquifer Protection Overlay District,
Representative(s):	Peter A. Zahka II, Esq. David Spiegel, Owner
Town Consultant	Colleen Medeiros, McMahon Associates

This is a **scoping session**. The Applicant wishes to re-develop 750 Providence Highway, a site that is also occupied by TGI Friday's, an approximately 7,100 square foot full service restaurant. A map of the site was shown. A small portion of the property is in the Flood Plain Overlay District, and a small portion is in the Aquifer Protection Overlay District. He has seen the Conservation Commission, and will do major restoration on the site. There was filling in of the wetlands in the past to allow an access road between 820 and 750 Providence Highway; Mr. Spiegel owns both properties. He would like to build a 9,200-9,300 square foot retail building close to Providence Highway. A rendering of the building showed potentially four smaller tenants. However, there are no tenants at this time, so the configuration may change. The front of the building would face the parking lot, and the back would face the highway.

The building would have unique features, i.e., a green roof, solar panels, and major restoration of the wetlands. By the time the project is completed, the wetlands will have increased by over 15,000 square feet on the site, and the flood plain storage will increase by over 26,000 cubic feet. There would be a 20 foot landscape buffer and approximately 20% interi-

or landscaping. No waivers will be requested. The entrance to the property would remain the same, but the access road, which is part of TGI Friday's parking lot, would no longer exist. The parking would be between TGI Friday's and the new building. All of this would require major site plan review. They will submit a full traffic report, all of the required plans, including a landscaping plan, and a stamped polar diagram. Mr. Spiegel said that the Conservation Commission is comfortable with his proposal.

Mr. Spiegel said there will only be wall signs and no pylon sign. There will be an awning, and the finish and color will be the same as the Vitamin Shop. The façade is flush, but there will be some brick and awnings to give it texture. It is difficult to show a specific façade because it is not known who the tenants will be. Mr. Bethoney said that the Legacy Place building design is unique, has character, and is individualized, and they did not know who the tenants would be either. He said that the building façade as shown on the rendering, with the back facing Providence Highway, is terrible.

Mr. O'Brien asked who owns the land between 820 Providence Highway and 750 Providence Highway. Mr. Spiegel said he did. He said that since he originally developed 820 Providence Highway, turnaround used to be different. He purchased the property from the State four or five years ago. The whole area impacts and increases the parking ratio, which increases the buildable land.

Mr. O'Brien said there is a lot of trash along the highway, and now Mr. Spiegel wants to put in another building that will generate more trash. He said that he is replacing woods and greenery with a generic, old fashioned looking design. Mr. Spiegel asked what design the Board would like. Mr. Bethoney said that roofing is important, and this rendering does not have one. Mr. Spiegel said that it will be a green roof with trees and grass growing from it. Mr. Bethoney said he is not really interested in green roofs. Mr. O'Brien suggested that he take design ideas from European buildings, and Mr. Bethoney said he would like to see an attractive building. Mr. Spiegel asked Mr. McCarthy to obtain facades of different buildings in Town that the Board likes.

Mr. Steeves said that 170 feet is almost obnoxious and too much on Route 1. He suggested 55 feet instead, which might work. Mr. Bethoney said there could also be separate buildings. Mr. Spiegel said that the Conservation Commission asked that he have the building close to the road and have parking on the far back side. His design is an attempt to meet their criteria. Colleen Medeiros of McMahan Associates commented that site circulation, traffic patterns, and access for all of the uses on the site need to be reviewed. Mr. Spiegel explained the entrance/exit. The access road will be closed. Ms. Medeiros encouraged him to review this when he is developing the traffic studies for the project. Mr. Zahka said they would use the same traffic engineer to do this. Mr. Spiegel said that everything is designed for full circulation. Mr. McCarthy asked if the traffic going through the access road had been counted. Mr. Zahka said that not many people used it, but the Board strongly disagreed. A comment was made that closing the road might have an effect on shopping at the Bed, Bath & Beyond site.

Mr. Bethoney said the Board will talk with Mr. McCarthy and give him some ideas on what could be looked at. The Applicant should meet with his development team to make changes to the building. Mr. Podolski suggested that they look at the plans for the storage facility that is being built at 10 Providence Highway. This *scoping session* ended at 9:45 p.m.

OLD/NEW BUSINESS

Certificates of Action: Mr. Aldous signed the Certificates of Action for 850 Providence Highway, the Keystone Lot, 1039R East Street, 60 Emmett Avenue, and Legacy Place.


Manor Fields: The Parks and Recreation Commission did review the Certificate of Action, and were fine with this. They commented that the abutters say that the screening is adequate. They really do not like the design of the roadway. The Commission feels that, by saying the screening is fine, they are acknowledging that they are okay with the project. Mr. McCarthy suggested that the abutters could go to the Parks and Recreation Commissioners because it is their project, and view the points regarding the design with them. He said that either the Planning Board thinks the screening is fine or is not fine, but that the project needs to move on because this is causing a quagmire.

Mr. Podolski said they should put in as much landscape screening as they can get to meet the people's protest. The abutters are not going to stop the project or the road. Mr. McCarthy said that the final instruction was that the abutters report back. The Board expressed frustration with the abutters, knowing that they cannot make them happy. Mr. Steeves pointed out that it is two neighbors who are objecting, and only one really abuts it. Mr. Bethoney asked what they want the Planning Board to do about this. The developer has asked that the Planning Board approve the plan as is because they cannot make the abutters happy. The abutters are saying that they will not be happy no matter what is put in there. Mr. McCarthy said that this is the problem. If there was more landscaping, it might something to reach for. Mr. Steeves said that this is not appeasement. Mr. Bethoney looked at the minutes, and noted that they had been asked if putting more screening would make them feel better about the project. They responded no, and that they did not want the road. Mr. Steeves said they looked at the plans, and just do not want the project to go forward.

Return of Money to Dedham Country Day School: Mr. Podolski made a motion to approve the request to return \$45,000 of the original \$50,000, and to hold back \$5,000 until the landscaping is finished. Mr. Steeves seconded the motion. Mr. McCarthy interjected that the project has been completed, and the school wants the entire amount returned. Mr. Podolski withdrew his motion, and made a new motion to return the entire amount, seconded by Mr. Steeves. The vote was unanimous at 5-0.

Mr. Podolski made a motion to adjourn, seconded by Mr. Aldous. The vote was unanimous at 5-0. The meeting concluded at 9:45 p.m.

Respectfully submitted,



Robert D. Aldous, Clerk
Town of Dedham Planning Board

/snw