

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 25, 2014, 7:00 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

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.

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

Mr. Bethoney recused himself from this hearing because to the agency at which he works has a professional relationship with Giorgio Petruzzello and Supreme Development. He left the hearing room at 7:03 p.m. and did not participate in any part of this hearing or consideration of the proposal.

Mr. Podolski made a motion to continue this public hearing to October 9, 2014, seconded by Mr. Steeves. The vote was unanimous at 4-0.

Mr. Bethoney rejoined the Board at 7:05 p.m.

Applicant:	Massachusetts Bay Transportation Authority
Project Address:	510 Whiting Avenue, Dedham, MA
Property Owner:	Massachusetts Bay Transportation Authority
Property Owner Address:	10 Park Place, Boston, MA

Mr. McCarthy informed the Board that the Applicant is requesting that this application for an Approval Not Required be withdrawn without prejudice. Mr. Steeves made a motion to allow withdrawal without prejudice, seconded by Mr. Aldous. The vote was unanimous at 5-0.

Applicant:	CVS/Caremark
Project Address:	19 Eastern Avenue, Dedham, MA
Property Owner:	Robert Basile, Eastern Avenue Realty Trust
Property Owner Address:	40 Williams Street, Brookline, MA 02446
Case #:	SITE-08-14-1875
Zoning District:	Central Business
Representative(s):	Jeffrey Kern, William Starck Architects, 126 Cove Street, Fall River, MA 02720
Town Consultant	Steven Findlen and Colleen Medeiros, McMahon Associates

This meeting began at 7:09 p.m. Mr. Kern explained that CVS's plans have undergone peer review, and now reflect the request for waivers. This is the only change on the plans. The Applicant wants to make the site compliant with federal ADA and Massachusetts Architectural Access Board requirements. Currently, the handicapped spaces have too much slope and cross slope. They want to re-pave this area and re-do the parking spaces to make them compliant. The Applicant would also like to re-grade the existing noncompliant ramp and build a ramp on the sidewalk to lead to the town sidewalk, giving pedestrians a compliant access to the building. Mr. Bethoney asked what the distance was between the back of the parking space on the opposite side and the back of the handicapped parking spaces. Mr. Kern said it is about 19 feet, which is narrower than the Zoning Bylaw requirement. They are seeking a waiver for this.

Waivers Requested:

1. Length of parking spaces: They are roughly 18 feet. The required length is 19 feet. This is an existing condition that will not change.
2. Aisle width: This will be 19'6" to 22 feet, more or less. The required width is 24 feet. This is also an existing condition that will not change.

These waiver requests are continuing the nonconformance.

Mr. Findlen asked Mr. Kern if they still need an area for trash dumpsters and loading. It is not listed on the plans. If they do, this would be a third waiver request. Mr. Kern said he would add it to the plans. Mr. Findlen then asked about snow removal. Mr. Kern showed an aerial view of the site that highlights where snow storage will be. This is the same as it has been.

This will need to be put on the plan. Mr. Podolski said that if there is a lot of snow, it will need to be trucked off site, and Mr. Kern agreed. Mr. Bethoney said this will be a condition in the Certificate of Action. The Board will communicate with the Conservation Commission as to where the snow should be put on site.

Mr. Podolski made a motion to approve the site plan as presented with the addition of putting a third waiver request on the plan regarding the trash and the dumpster. There will be a condition that snow storage will be as noted on the plan, but if the site gets full, snow will be taken off site. There is to be no storage on parking spaces. Mr. Aldous seconded the motion. The vote was unanimous at 5-0. Mr. Kern will provide a new plan for signature. This meeting ended at 7:19 p.m.

Applicant:	Boch Ice Center
Project Address:	1105 East Street, Dedham, MA
Property Owner:	E Street, LLC
Property Owner Address:	c/o Boston Ice Center, 1105 East Street, Dedham, MA
Case #:	SITE-09-14-1886
Zoning District:	RDO

Mr. McCarthy noted that the Applicant has requested that this meeting be continued to October 9, 2014.

Applicant:	Town of Dedham, c/o Jason L. Mammone, P.E.
Project Address:	High Street Footpath, Dedham, MA
Property Owner:	Town of Dedham
Property Owner Address:	26 Bryant Street, Dedham, MA
Zoning District:	Central Business
Representative(s):	Jason L. Mammone, P.E., Director of Engineering, Town of Dedham

Mr. Mammone was here to discuss alteration of the layout of High Street in front of the Police Station for roadway increase. The existing sidewalk is on Town property, and a footpath has been proposed there. This allows the original dimension to remain the same. The Board of Selectmen has approved this, and a letter to this effect was supplied to the board. He is asking for Board approval and that it sends a letter to the Board of Selectmen. This will only be in the front of the site. The Town now owns the property on which the police station sits. He suggested a permanent easement. The Board agreed that this is not a problem, and asked Mr. McCarthy to prepare a report for the Board of Selectmen. This meeting ended at 7:25 p.m.

Applicant:	The Davis Companies
Project Address:	180 Rustcraft Road, Dedham, MA
Property Owner:	Div CMM Rustcraft
Property Owner Address:	c/o The Davis Companies, 125 High Street, 21 st Floor, Boston, MA 02110
Case #:	SITE-09-14-1880
Zoning District:	RDO
Representative(s):	Peter A. Zahka II, Esq. Enrique Bellido, Senior VP of Development, Davis Companies, 125 High Street, Boston, MA 02110 Richard Kershaw, Project Manager, The Congress Group/Davis Companies. 33 Arch Street, Suite 1100, Boston, MA 02110 Stephen Schram, AIA, NCARB, Project Architect, Spagnolo Gisness & Associates, 200 High Street, Boston, MA 02110 Josh Sterling, Senior Project Manager, Bohler Engineering, 352 Turnpike Road, Suite 201, Southborough, MA 01772 Anthony Dinardo, Civil Engineer, Bohler Engineering, 352 Turnpike Road, Suite 201, Southborough, MA 01772
Town Consultant	Steven Findlen, McMahan Associates

This meeting started at 7:28 p.m. The Applicant was not here for site plan review; this will be on October 9, 2014. McMahan is reviewing the plans, and a major traffic report will be reviewed separately. There has been a project review team meeting, and there will be a neighborhood meeting on September 30, 2014. Notices were sent to residents on Rustcraft Road, Elm Street, Central Avenue, and all the side streets.

The Applicant needs to relocate existing tenants from the east side of the building, where General Dynamics will be going, to the west side. In discussing this move with Building Commissioner Kenneth Cimeno, he said there should be proper access to and from the building that meets building code, and it should have the handicapped parking required. Mr. Cimeno asked them to come to the Planning Board for a letter stating that it understands the process and has no problem with building permits being issued. They fully understand that what is shown on the outside of the building should be incorporated with the plans being reviewed by McMahan Associates, and if there is a problem, they will address it as part of the major overall change to the site.

Mr. Zahka passed out color-coded plans to the Board that showed the site and the configuration of the tenant spaces. There is a vacancy next door to General Dynamics, then a courtyard. The Red Cross occupies the largest area next to the courtyard with RMS, a record storage business for hospitals, on its other side. There are two businesses next to RMS: Covance, which they would like to relocate, and the Bank of America. The last two areas are on the outer building, one vacant and one occupied by PSAV. The east side of the building where General Dynamics is going, is currently a two-story building with a spire. There is wireless equipment, i.e., antennae, etc., for two wireless communications companies in the spire, and this needs to be relocated. The end result would have the east side vacant for General Dynamics. Mr. Cimeno is fine with the proposal within the building, but a letter from

the Planning Board needs to be provided. It is to be noted that all requirements for ramps, handicapped parking spaces, etc., will be provided in various locations as necessary. Mr. Zahka provided a rendering of the building with the changes. Mr. Bellido was asked what he would do if things need to be changed per the peer review, and he said they will change things according to the review.

Mr. Zahka also said that one of the wireless companies will be relocating, and will require a COW (cell on wheels) with a temporary trailer. Mr. Cimeno considers this a construction trailer. If the company stays, it will be moved inside, although they may have to build another spire to house it. This will be the only wireless company in the building. Changes will be made to the west side of the building, i.e., windows, to convert the building into an office setting.

Mr. Findlen has seen the request, and has no issues with it. Mr. Bethoney said the Board is fine with it as long as the Applicant is aware that it is subject to change. Mr. Bellido said the ramps and steps are easily changed if necessary. He said that his company is pressed for time to renovate because Covance is coming in. Mr. Aldous reminded the Applicant to tell his wireless tenant that ground needs to be AWT 2 as before.

Mr. Steeves made a motion to send a letter to Mr. Cimeno stating that the Planning Board is fine with the minor exterior improvements, as well as the placement of the temporary cell tower. If, in the review process, the Board finds that things need to change, the Applicant will do so. Mr. Podolski seconded the motion. The vote was unanimous at 5-0. This meeting ended at 7:42 p.m.

Applicant:	Costco
Project Address:	200 Legacy Boulevard, Dedham, MA
Property Owner:	Legacy Place
Property Owner Address:	330 Boylston Street, Chestnut Hill, MA 02467
Case #:	SITE-10-13-1747
Zoning District:	RDO
Representative(s):	Steve Glowacki, RJ O'Connell Associates, 80 Montvale Avenue, Stoneham, MA 02180 John Paul Andrews, MulvannyG2 Architecture, 8484 Westpark Drive, Suite 700, McLean, VA 22102

This meeting began at 7:43 p.m. Mr. Glowacki explained that there was a warming hut at the gas station, part of Costco's program in the Northeast and Canada. During construction the hut was removed and required a clerk in the loop to authorize each sale. The warming hut was put back in and measured 3' x 5.' it had been 3' x 3.' State law requires someone to authorize each transaction. Mr. McCarthy explained that the hut was on the plans throughout the permitting process, but it was not shown on the final plans.

Mr. O'Brien commented that the Board signed plans were not accurate. When they came back for the changes, the plan showed the changes and the warming hut was gone. The Applicant is now here to amend the site plans to put a warming hut back in. It was Costco's decision to take the hut out. Mr. O'Brien said that plans they furnished, and that were changed without contacting the Board, were, unfortunately, signed. Mr. Glowacki said the plan that he has on record, dated November 13, 2013, did in fact have the warming hut. He

believed this to be the latest plan. The plan approved by the Building Department was approved without the hut. Mr. McCarthy noted that the warming hut is a Fire Code and a fire prevention requirement; it is not building code. Mr. Andrews noted that they learned of this from the State Fire Marshall. Costco has them in Canada to keep the employees warm, but Costco has decided to include them case-by-case.

Mr. Podolski made a motion to approve the revised plan with re-installation of the warming hut. Mr. Steeves seconded the motion. The vote was unanimous at 5-0. This meeting ended at 7:51 p.m.

OLD/NEW BUSINESS

The Board recognized a seventh grade student, Michael Jones, who is doing research for a school project on town government. He was present for the entire meeting, and was given a copy of some minutes so he could see how the process goes.

REVIEW OF MINUTES

February 25, 2014:

- There was a typographical error on page 2, which will be corrected.
- Mr. Steeves asked that the sentence on page 7 "The delivery drivers cannot settle..." be deleted.
- Mr. Steeves asked that the sentence on page 7 be changed to "If the marijuana is not delivered properly to the right person three times, the physician should lose his license."

Mr. Podolski made a motion to approve the minutes as amended, seconded by Mr. Aldous. The vote was unanimous at 5-0.

April 3, 2014:

- Mr. Steeves made a motion to approve the minutes as presented, seconded by Mr. Aldous. The vote was unanimous at 5-0.

May 8, 2014:

- Mr. Podolski made a motion to approve the minutes as presented, seconded by Mr. Steeves. The vote was unanimous at 5-0.

May 22, 2014:

- Mr. Bethoney asked that the paragraph regarding civic pride be removed.
- Mr. Podolski made a motion to approve the minutes as amended, seconded by Mr. Steeves. The vote was unanimous at 5-0.

REVIEW OF CERTIFICATE OF ACTION, 19 COURT STREET

Mr. Podolski was fine with the proposed Certificate of Action. The only thing to be added is the date of the plan. Mr. Zahka noted that everyone needs to sign this since it is a Special Permit.

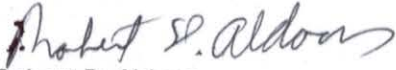
TOWN MEETING ARTICLE 20 BY FREDERICK CIVIAN, TOWN MEETING MEMBER FROM PRECINCT 1

The Board discussed an article proposed by the Conservation Commission regarding the required replacement of trees that are cut as part of any private or public new development or redevelopment for commercial uses, industrial uses, transportation uses, or residential uses of 2 or more units.

This bylaw change states that the Planning Board and the Conservation Commission are to jointly develop and adopt regulations to implement the bylaw. Mr. Bethoney said that the Board has not committed to this, and asked Mr. Aldous to put together a rebuttal. The Board discussed this at length. Mr. Bethoney does not want any Town Meeting member to think that the Board had anything to do with this article. He asked Mr. McCarthy how the Board will inform them that the Planning Board is not proposing this article. A position will need to be taken. Mr. O'Brien suggested that the Board's proposal should be to send it for study. Mr. McCarthy said that something should be done pretty soon because it will be going out in the warrant, and Town Meeting members will think the Board proposed this. Mr. Bethoney asked if Mr. McCarthy thought that the Conservation Commission considered that when they drew up the language. He also asked why the Board was not made aware of this. The Planning Board's recommendation should be that it be indefinitely postponed.

Mr. Podolski made a motion to adjourn, seconded by Mr. Steeves. The vote was unanimous at 5-0. The meeting ended at 8:29 p.m.

Respectfully submitted,



Robert D. Aldous
Clerk, Town of Dedham Planning Board