

PLANNING BOARD

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



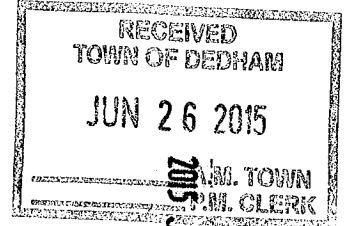
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**TOWN OF DEDHAM
COMMONWEALTH OF MASSACHUSETTS**

PLANNING BOARD MEETING MINUTES
Lower Conference Room, Town Office Building
Thursday, November 13, 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. Podolski was late for the meeting because of a prior commitment. Mr. Bethoney called the meeting to order at 7:24 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.

The dictation for this meeting was lost due to a virus on Ms. Webster's computer. The minutes are transcribed using notes that she took at the meeting.

Applicant:	Div CMM Rustcraft, LLC, c/o The Davis Companies
Project Address:	100-280 Rustcraft Road, Dedham, MA
Property Owner:	Div CMM Rustcraft, LLC, c/o The Davis Companies
Property Owner Address:	125 High Street, 21 st Floor, Boston, MA 02110
Case #:	SITE-09-14-1880
Zoning District:	RDO
Representative(s):	<ul style="list-style-type: none"> • Peter A. Zahka II, Esq., 12 School Street, Dedham, MA • Enrique Bellido, Senior VP of Development, The Davis Companies, 125 High Street, Boston, MA 02110 • Josh Swerling, Senior Project Manager, Bohler Engineering, 352 Turnpike Road, Suite 201, Southborough, MA 01772 • Stephen Schram, AIA, NCARB, Spagnolo Gisness &

	Associates, Inc., 200 High Street, Boston, MA 02110 • Scott Thornton, Traffic Engineer, Vanasse Associates, New England Business Center Drive, Suite 314, Andover, MA 01810-1066
Town Consultant	Steven Findlen, McMahan Associates

Mr. McCarthy gave a summary of the project to date. 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.

This is a continuation of a meeting from October 30, 2014, which was cut short by Mr. Aldous' illness. Mr. McCarthy gave a brief overview of the site and what has happened to date. The Applicant filed an application on September 5, 2014, and it was sent to various town departments for review and comment. McMahan Associates performed a peer review of the project. The Board requested a traffic study, which was performed by the Applicant and reviewed by McMahan Associates. There were twelve issues identified, all of which have been resolved.

Mr. Zahka reviewed the committees and boards involved in the review of the project, including the Conservation Commission, which reviewed stormwater management. An order of conditions has been issued. The Design Review Advisory Board reviewed landscaping and architecture, and issued an approval of the project. All but two nonconformities on the site have been corrected, and they are requesting a waiver of the remaining two.

Mr. Thornton explained the traffic review, including the number of vehicles on average, the peak morning and evening hours, and the projected annual increase in traffic. Mr. Findlen agreed with how the study was performed. Mr. Zahka said that the Davis Companies will do the following:

- Monitor the East Street/Rustcraft Road intersection and the Elm Street/Providence Highway intersection, and provide signal timing if the volumes warrant modification
- Commit to providing safe distances at the site driveway, and to maintaining the vegetation as required.
- Provide a pedestrian crosswalk at Rustcraft Road/Central Avenue.
- Investigate TDM measures including TMA membership and shuttle bus stop; the shuttle bus will go right by the site.
- Post-occupancy, study the origin/destinations to determine the level of traffic from General Dynamics using Central Avenue from site driveway C. The study will be submitted to the Planning Board and peer reviewer. If the Board determines that there is a substantial number of General Dynamics employees using Central Avenue from site driveway C, the Planning Board may require making this driveway an entrance only.

Mr. Findlen commented that the timing at Elm Street has been increased, and can be tweaked if necessary. General Dynamics is not likely to commit to staggering the work hours, and Mr. Bellido said that the Davis Companies cannot control or impose this on his tenant. According to Ann Barrett of CBRE Boston, which represents General Dynamics, the businesses hours will be standard.

Mr. Podolski said that when the Rustcraft Greeting Card Company was in business, there was a police detail to control traffic. He said that if everyone leaves at the same time, there will be a huge problem. He asked Mr. Findlen if he had ever dealt with staggered hours. Mr. Findlen said that staggering the hours would improve operations at the intersections. Mr. Steeves suggested specifying what exit each parking area should use so that traffic will flow better; Mr. Bellido said this was not a bad idea.

Mr. Bethoney, speaking as an individual, said he must reject the proposal. He said he would be willing to consider a compromise if the Davis Companies could not keep General Dynamics as a tenant. However, he said he was unwilling to consider this. He wanted an access point only, not an exit. There are plenty of exits, and he wants them specific to each area. He said that everything else the Applicant has done has been within regulations and they have addressed all of the Board's concerns.

Audience

Robert Moses, 290 Central Avenue, asked if speed increased when people cut through Central Avenue to Wentworth Street. He noted that people will want to avoid the Rustcraft Road/East Street lights. He said that Central Avenue has many speeding cars, night and day, and that Wentworth Street is a major cut-through. He said his only concern is speed. Mr. Bethoney is a member of the Transportation Advisory Committee, which reviews requests and concerns from residents. He noted that many streets have the same issues, but neighbors cannot seem to come to a consensus on solutions. According to Mr. Thornton's study, the flow of traffic on Wentworth Street, Central Avenue, and Jersey Street to Rustcraft Road is about equal for morning and evening traffic. It is actually 500 feet longer if people take East Street to Rustcraft Road. Mr. Bethoney said that enforcement is the only way to deal with speed.

Maureen Hanlon, 112 Wentworth Street, agreed that enforcement is the issue. There is a yellow line on Rustcraft Road, but not Central Avenue. She said that traffic has become increasingly worse over the years, and something needs to be done. She also noted that there are no sidewalks.

Ann Frasca, 358 Central Avenue, said the proposal is good, and that the Rustcraft building has been vacant far too long. Her concern is the entrance across from Central Avenue. She did not think it would be logical for people to drive by the entrance to get to Central Avenue. She is skeptical because she did not feel the traffic study was reflective of real life. She asked that employees be told what exit to use in order to protect the neighborhoods. She also asked if a clock could be put on the cell tower. Mr. Bethoney said that the Planning Board puts a condition in the Certificate of Action for a re-review of the entire project after a certain period of time. The Board can bring the Applicant back to determine remedies for any problems. Ms. Frasca asked if there would be a provision for a sidewalk. Mr. Bethoney said the Town is in the process of designing a sidewalk from Route 1 to East Street. It will have to go before Town Meeting in May 2015 for the rest of the money that will be needed, and that the State would be involved as well. Joseph Findlen, 278 Central Avenue, asked if the sidewalk would be on one side of the road only. Mr. Bethoney said this depends on the Conservation Commission and how intrusive the sidewalk would be for wildlife and wetlands. He suggested that the residents go to the Conservation Commission if they feel that safety is more important.

Mr. Findlen then asked if the lights could be regulated to let more traffic out at peak times. Mr. Bethoney said that the Rustcraft Road/East Street lights could be regulated, but the State would regulate the Elm Street/Route 1 lights. Mary Findlen, 278 Central Avenue, said she agreed with Mr. Steeves suggestion to specify what exit each parking area should use so that traffic will flow better. Julie Soucie, 259 Madison Street, said that there is a large amount of light dodgers. Mr. McCarthy will investigate this. She also asked if there would be a button at the crosswalk, as she feels this is dangerous. Mr. Bethoney said a light is not proposed.

Arthur Munchbach, 10 Snow Lane, also agreed with Mr. Steeves, and suggested using the west end driveway to go to Route 1. He asked if an addition would be planned in the future. Mr. Bellido said they do not anticipate any new buildings. Mr. Munchbach asked if the traffic study took into account the traffic in May, June, and July when the ball fields are open, saying that there are many cars during that period. Mr. Bethoney said that employees will be required to leave thru designated exits.

Mary Gilbert, 896 East Street, said the statement that no one would take a right coming out was hard to believe. She asked about the total day traffic and the total impact of the project. Mr. Thornton said counts were done to the west of Central Avenue, and the result was 6,432 vehicles per day. Mr. Bethoney asked about the impact of this on the East Street rotary when cars used East Street to get to Route 128. Mr. Thornton said that it will be about 300 cars per day. Ms. Gilbert, who lives right on the East Street rotary, said that there will be a lot of back up traffic on East Street to the rotary and then to Route 128. Mr. Bethoney said this is one reason why the Board has a re-review process. If a resident feels that a re-review is necessary, he/she should contact the Planning and Zoning office, and Mr. McCarthy will investigate the issue.

Mr. Bethoney asked the Applicant about sidewalks. Mr. Zahka has had discussions with the Planning Board, Mr. McCarthy, and Jason Mammone, P.E., Director of Engineering. The Town is proposing that sidewalks be installed from one end to the other. This will cost an estimated 1.5 to 2 million dollars. Mr. Mammone will be doing a grant application and will need to go before the Capital Expenditures Committee for \$300,000 for sidewalk design or construction. This will be voted on at the May 2015 Annual Town Meeting. Mr. Bellido then announced that the Davis Companies will be contributing \$100,000 to go toward sidewalk design or construction. Mr. Bethoney said that sidewalks would not only benefit the Applicant and the Town, but would also benefit landowners and tenants. Mr. Steeves stated that when he hears sidewalk, he said this means both sides. The Board went through this with Legacy Place. Getting sidewalks through the Conservation Commission will be extremely difficult. The only viable side is the same side as the building.

Mr. Bethoney then discussed the spire on the building. The Board had been given options, and preferred option 4 (three levels, tiered with the bottom level the widest). The residents left the hearing room to view all options, and then returned with questions. The spire will not be lit, and will be the same height at the existing one. The clock will face Route 1, furthest away from residents. There will also be a flagpole. Ms. Hanlon then said that the consensus from the residents is also option 4. Mr. Schram and Mr. Bellido showed samples of the materials that will be used on the tower and the building itself.

Mr. Podolski made a motion to approve the application as presented, subject to the Applicant and the Planning Board agreeing on the Certificate of Action. Mr. Aldous seconded the

motion. The vote was unanimous at 5-0. Mr. O'Brien, speaking for the Board, appreciated everything the Applicant's team has done. They have been very accommodating and on the ball. Normally, approval of a site plan takes a long time, and the team has been proactive and quick. This meeting ended at 9:18 p.m.

Applicant:	Sprint Spectrum, L.P.
Project Address:	8 Industrial Drive
Property Owner:	Hurley/Readville Company, LLC
Property Owner Address:	c/o Arthur J. Hurley Co., 2500 Washington Street, Boston, MA
Case #:	SITE-10-14-1897
Zoning District:	LMA
Representative(s):	Ignacio (Dan) Formoso, Tower Resource Management, Inc., 16 Chestnut Street, Suite 220, Foxborough, MA 02035
Town Consultant	Steven Findlen, McMahon Associates

Mr. Formoso said that Sprint would like to add three antennae and three remote radio heads on the smokestack at 8 Industrial Drive. They will also put in expanding brackets on top. They will be 24" out from the smokestack, and will be painted to match. This is part of an upgrade in service. The end result would be three antennae per sector; currently there are six.

Mr. Aldous asked about the grounding wire, and said it should be AWT 2. Mr. Formoso said that his engineers say that every site is at least 2 AWT, and vendors use 2 AWG. He said that nothing is changing with regard to grounding.

After further discussion about the grounding wire, Mr. Podolski made a motion to approve the site plan as presented, seconded by Mr. Steeves. The vote was unanimous at 5-0. This meeting ended at 9:35 p.m.

Applicant:	Mother Brook Arts and Community Center (MBACC)
Project Address:	123 High Street, Dedham, MA
Property Owner:	Town of Dedham
Property Owner Address:	26 Bryant Street, Dedham, MA
Case #:	SITE-11-12-1613
Zoning District:	General Residence
Representative(s):	Sarah MacDonald, 102 Taylor Avenue, Dedham, MA, Board of Directors, MBACC Jean Ford Webb, Executive Director, MBACC

Mr. O'Brien recused himself from this meeting because he is Vice Chairman of the Board of Directors of the Mother Brook Arts and Community Center. He left the meeting room and did not participate in any part of this meeting or consideration of the proposal.

Ms. MacDonald is seeking modification of the site plan previously approved on December 6, 2012, with a change in the language that the MBACC will return for full site plan review if a restaurant is added. There is a warrant article before Town Meeting in which the MBACC will be asking the Board of Selectmen to petition the legislature for a liquor license. Abutters

would have the opportunity to weigh in about the proposal and ask for consideration of screening, noise, and deliveries.

Article 33, Special Town Meeting, November 17, 2014:

MBACC requests a modification of its initial site plan approval dated 12/12/12 as follows:

“In the event MBACC proposes to add a restaurant, a liquor license, a restaurant with a liquor license or to add a liquor license to the previously approved café use, said proposal shall trigger a re-examination of such uses under the Town of Dedham Zoning By-Laws. The applicant agrees that it shall resubmit, for further examination, the necessary applications to the appropriate boards for the review, which must include site plan review and approval by the Dedham Planning Board. By resubmitting for further site plan review, the MBACC neither waives nor modifies any its previous approvals for this site. The Center can operate under the previous approval which includes an accessory café to the Center without triggering a modification. “

Mr. Aldous asked if asking for a liquor license was appropriate since there is no one to run a restaurant. Ms. MacDonald said they need to have a license created. There is no kitchen facility, so they are looking for someone to complete a build out. She said there is a long way to go. It is possible that they could get a license and never use it. Mr. Podolski said that, if that is the case, the license could not be sold and would be dormant. Ms. MacDonald said that the proposal triggers a re-examination of the Zoning Bylaw, i.e., what constitutes a proposal. Fred Johnson of the Building Department said that a Building Department application triggers a proposal. Mr. Podolski then advised that the word “proposal” be removed from the language.

Mr. McCarthy suggested that Ms. MacDonald return to the Board for site plan review when a liquor license is granted and someone is found to run the restaurant. Mr. Bethoney said the proposal is fine the way it is. Mr. Podolski made a motion to approve modification of the initial approval dated December 6, 2012, to include language as presented. Mr. Aldous seconded the motion. The vote was unanimous at 4-0. This meeting ended at 9:48 p.m.

Mr. O'Brien returned to the meeting room at 9:50 p.m.

OLD/NEW BUSINESS

- **Discussion With Jim Maher Re: Manor Fields**

Mr. Maher came before the Board to discuss three abutters' requests for screening at the Manor Fields. Part of the condition of approval was that the Parks and Recreation work with these abutters to address screening. He said that Mr. McCarthy and he had contacted them many times, and it is hard to get a consensus from them as to what they want. Two of the three abutters have reached out and the Commission has made some adjustments to the plan based on what they want. Some headway has been made in that they agree that they want screening with an eight-foot high fence closer to street and further away from their property, as they can

see over the fence. Bob Stanley, Director of Parks and Recreation, is concerned about the property line because they want a chain link fence and then a screening fence with landscaping. One abutter wants a ten foot fence, but this would have to go before the Zoning Board of Appeals. The abutters feel that people will be able to look into their backyards, thus disturbing their privacy.

Mr. Podolski said it is ridiculous to put a fence on the property line. Mr. Bethoney said that as long as the abutters are somewhat satisfied, he is fine with it. Mr. McCarthy suggested that a modified proposal be sent to them for their approval, and Mr. Bethoney said that in addition to that, they should come before the Board for discussion. Mr. Maher said that one abutter has not given input, but he will make sure there is an eight foot barrier fence along his property.

The Board charged Mr. Maher updating and returning with the revised plan, giving the three neighbors the proposal, and returning to the Board with the neighbors. This discussion ended at 10:01 p.m.

- **Review Of Minutes**

Review of minutes was postponed.

- **Discussion Re: Technology Advisory Board**

Mr. Bethoney said that Mr. Podolski is interested in serving on this board, which will discuss the technology that the Town currently has, and what direction in which it should go. This would be a two-hour meeting. Mr. Steeves made a motion to assign this to Mr. Podolski, seconded by Mr. Aldous. The vote was unanimous at 5-0.

- **Discussion Re: Establishment of a Subcommittee to Review the Assisted Living Bylaw**

This proposal came from W. Shaw McDermott because the Artis Assisted Living proposal for 255/303 West Street. Mr. McCarthy said that the Planning Board should vote on a bylaw change. In addition, the Board can add people to the subcommittee. Mr. Bethoney said this should be taken under advisement.

Old/New Business concluded at 10:03 p.m.

Applicant:	Supreme Development, Inc.
Project Address:	161 Schoolmaster Lane (Lot 12), Dedham, MA
Property Owner:	Supreme Development, Inc.
Property Owner Address:	21 Eastbrook Road, Dedham, MA
Zoning District:	Single Residence A
Representative(s):	Peter A. Zahka II, Esq.

Prior to the beginning of this meeting and the meeting regarding 42 Burgess Lane aka 241 Schoolmaster Lane, Mr. Bethoney made the statement that he is recusing himself from this meeting. He explained that the agency at which he works has a professional relationship with Supreme Development. He left the hearing room at 10:04 p.m. and did not participate

in any part of this meeting or consideration of the proposal. Mr. Podolski assumed the role of Chair.

Mr. Zahka is seeking release of the covenant for 161 Schoolmaster Lane (Lot 12). Another house on Schoolmaster Lane is under agreement, and there is at least one other lot to be developed. Mr. McCarthy visited the site, and said that construction is 70%. The roadway is open for passage, and the Homeowners Association has been recorded. Mr. Zahka said the final road will be put in after the last house is built. Mr. Aldous made a motion to release the covenant, seconded by Mr. Steeves. The vote was unanimous at 4-0. This meeting ended at 10:07 p.m.

Applicant:	Supreme Development, Inc.
Project Address:	42 Burgess Lane aka 241 Schoolmaster Lane, Dedham, MA
Property Owner:	Supreme Development, Inc.
Property Owner Address:	21 Eastbrook Road, Dedham, MA
Case #:	ANR-11-14-1908
Zoning District:	Single Residence A
Representative(s):	Peter A. Zahka II, Esq.

As noted above, Mr. Bethoney made the statement that he is recusing himself from this meeting. He explained that the agency at which he works has a professional relationship with Supreme Development. He left the hearing room at 10:04 p.m. and did not participate in any part of this meeting or consideration of the proposal. Mr. Podolski assumed the role of Chair.

The Applicant is seeking approval for an ANR at 42 Burgess Lane, aka 241 Schoolmaster Lane. The plan is to take 24.5 acres of land from 42 Burgess Lane, which contains 29.3 acres, and combine them with 318 West Street. This gives 42 Burgess Lane 4.5 acres and 318 West Street 26.49 acres. Frontage at 318 West Street will remain 125 feet, and frontage at 42 Burgess Lane will remain 150 feet.

Mr. Steeves made a motion to approve the ANR, seconded by Mr. Aldous. The vote was unanimous at 4-0.

Mr. Steeves made a motion to adjourn, seconded by Mr. O'Brien. The vote was unanimous. The meeting ended at 10:35 p.m.

Respectfully submitted,



Robert D. Aldous
Clerk, Town of Dedham Planning Board

/snw