

**PLANNING BOARD**

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

Planning Director  
Richard J. McCarthy, Jr.  
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**TOWN OF DEDHAM  
COMMONWEALTH OF MASSACHUSETTS**

**PLANNING BOARD MEETING MINUTES**

**Lower Conference Room, Town Office Building, Thursday, January 28, 2016, 7 p.m.**

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

Mr. Podolski called the meeting to order at 7:05 p.m. The Pledge of Allegiance was recited. 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.

**Applicant:** George F. Doherty & Son, Inc. Funeral Home  
**Project Address:** 456 and 464 High Street, Dedham, MA  
**Case #:** **SITE-12-15-2058**  
**Zoning District:** General Residence  
**Representative(s):** David Johnson, P.E., Norwood Engineering Co., Inc., 1410 Route One, Norwood, MA 02062

**Prior to the beginning of the meeting, Mr. Podolski noted that Mr. Bethoney recused himself from this meeting. He explained that the agency at which he works has a professional relationship with the Applicant. He was not present in the building, and therefore did not participate in any part of this meeting or consideration of the proposal. Mr. Podolski also recused himself due to a previous relationship with the Applicant. He left the hearing room at 7:06 p.m. and did not participate in any part of this meeting or consideration of the proposal. Mr. Steeves assumed the role of Acting Chairman. Voting members were Mr. Steeves, Mr. Aldous, and Mr. O'Brien.**

The Applicant is requesting a determination that the project does not require peer review or notification to abutters. The funeral home is located at 456 High Street, and there is a dwelling located at 464 High Street that they wish to demolish for a striped parking lot. There is no addition to the building, increase in floor area, or change in use. Curb cuts remain the same. Re-paving will be at the same elevation and grade. They have applied to Conservation

Commission for a stormwater permit; Town Engineering and DPW are looking at this. The only increase in impervious area is 1,200 square feet, and this is the area being reclaimed as part of demolition of the building. Mr. Aldous asked how many parking spaces the Applicant has now, and how many will there be with this plan. Mr. Johnson said they have 46 now, and there will be 49 with the plan. They will be reconfiguring some of the spaces. There are a number of parallel spaces along one side that will be eliminated and made perpendicular. Mr. O'Brien asked why there was not notice to the abutters. Mr. McCarthy said he did not recommend this. Mr. Steeves said this should be done. Mr. McCarthy said this will be addressed before the meeting on February 11, 2016. Mr. Aldous made a motion to waive a peer review, seconded by Mr. O'Brien, voted unanimously 3-0. Abutters will be notified.

Mr. Podolski rejoined the Board. **Prior to the beginning of the next meeting, Mr. Podolski noted that Mr. Bethoney recused himself from this meeting. He explained that the agency at which he works has a professional relationship with the Applicant. He was not present in the building, and therefore did not participate in any part of this meeting or consideration of the proposal.**

**Applicant:** Petruzziello Properties  
**Project Address:** Liana Estates  
**Zoning District:** Single Residence B  
**Representative(s):**

- Peter A. Zahka II, Esq., 12 School Street, Dedham, MA
- Giorgio Petruzziello, owner
- David Johnson, P.E., Norwood Engineering Co., Inc. 1410 Route One, Norwood, MA 02062

**Town Consultant:** Steven Findlen, McMahon Associates

Mr. Zahka gave the Board a draft Certificate of Action. All the waivers are noted, but there have been additional items added by the Planning Director and at the request of the Department of Infrastructure Engineering. Mr. Podolski also has a lot of revisions. The covenant and lender agreement will be the same as the last approval, and have been submitted to Mr. McCarthy. He is now coordinating with DPW and Engineering about the required money hold back. The need for a permanent easement to allow the Town to enter the site for work was discussed in detail. Mr. Zahka said they would do whatever the town wanted, and will revise the language as necessary. The Board controls construction of the roadway, but eventually the Town has to accept it. The appropriate changes will be made as outlined, and the Board will then sign it. Mr. Steeves moved to sign the Certificate of Action once it is in final form, agreed upon by the applicant and the Planning Board. Mr. Aldous seconded the motion. The vote was unanimous at 4-0.

Mr. Bethoney joined the meeting at 7:40 p.m.

**Applicant:** Italian American Citizens Club  
**Project Address:** 21 Allen Lane, Dedham, MA  
**Case #:** [SITE-04-14-1831](#)  
**Zoning District:** General Residence

The Board reviewed the proposed Certificate of Action. Mr. Podolski said language needed to be changed under "Conditions," and reviewed this with the Board. He does not want to give

the applicant three years from issuance of an occupancy permit because they may not get one for two years. This would give the club five years to get the parking lot finished. He felt it was more appropriate if it was from when they pulled the building permit for the addition. Otherwise, they would be given almost open-ended ability to take their time, possibly taking years to get a Certificate of Occupancy. This would give them a time constraint to get the addition built; this runs concurrently with getting the parking lot done. The Board agreed. The Certificate of Action will be updated accordingly for signature next week.

### **Discussion: Proposed Zoning Changes**

Mr. Podolski has been approached about reviewing the Subsidiary Apartment bylaw. Mr. McCarthy has come up with new ideas on this, and provided the Board with his proposal. Mr. Podolski has not had the chance to review it completely, nor has Mr. Aldous. Mr. Zahka would be interested in this as well. This discussion will simply review what has been presented.

Mr. McCarthy reviewed the zoning in Dedham Square in relation to the present and the long-term, and its relation to uses, i.e., the plethora of restaurants but the lack of stores. From an economic standpoint, the market would need to support different uses. It is hoped that the study will indicate what uses will work, i.e., food shopping, small markets. The one thing that will make them work would be parking, and the Square does not have that. Professionals will be hired to do the study, get input from the Planning Board and citizens, and then make recommendations. There will be a Dedham Square meeting on Sunday, February 28, 2016, at the Community Theater. Zoning articles will come from the study and the discussion. If in fact changes are determined to be necessary, then articles would be presented.

Mr. McCarthy has worked on some changes in the Subsidiary Apartment bylaw. This converts it to Mixed Use, and addresses issues such as parking. The bylaw would most likely work in association with the study. Mr. Zahka explained the Zoning Bylaw is currently a hodgepodge. If nothing else, it will codify everything under one umbrella so that when future changes are made, one is working off that. This is more restrictive and slows the process down. Some areas in town allow subsidiary apartments and buildings containing dwelling units in combination with stores as of right. With this bylaw, everything is a Special Permit, and there would be a guide.

Mr. Zahka met with Ken Cimeno, Building Commissioner, who said there are things in the Zoning Bylaw for which there is building code material. There was a question under Federal law regarding fair housing. Based on a quick survey of what has been built, there are one-bedroom units that are as big as 1,200-1,300 square feet. Going to 1,500 square feet is something that could accommodate more than one bedroom. The safety valve is that the maximum number of allowable and type of residential dwellings is determined by the Planning Board as part of the Special Permit. Parking and the number of required spaces were also discussed in detail. Mr. Bethoney said the Board needs to do this anyway because there are components of it that are legally challengeable. The Board will discuss this further in two weeks at the next meeting.

Mr. Steeves told the Board that about six blocks in South Norwood were transformed with granite curbs, 4' solid concrete sidewalks, and 2' planters. He is not sure how they did it, maybe federal grants. Dedham Square has concrete sidewalks, and Mr. Podolski thinks the

Town is now providing business owners with a special type of salt to remove snow and ice. Using regular salt damages the concrete. Mr. Bethoney noted that all the sidewalks in front of the courts had to be replaced because they had rotted.

### **Discussion: Transit Oriented Development**

The last public meeting was held at the Endicott Estate. There were different trains of thought on potential direction. Mr. McCarthy gave the Board a table that lays out some options. They could create a new zoning district vs. an overlay district. Mitigation at Legacy Place was taken care of through the permitting process; the Board could program this up front so applicants would know coming in what mitigation is based on different development types. He is not asking for input, but asked the Board to give this some thought and fill out the form so he can give it to MAPC and go forward with different options.

Based on the MAPC/TOD study, John Sisson, Economic Development Director, had put in a request to the CEC to look at the Allied Drive area as part of the TOD study. In the initial report, mixed use, all residential, medical, or other options could be put there. He wants to look at the best use for the town going forward. An option would be a company that wants to put its headquarters there, near the commuter rail station. Mr. Sisson is trying to get money to flesh this out. The T did an assessment of all the T station locations that have redevelopment potential in order to sell them, which would free up a lot of land; the corporate station is one of them. Mr. O'Brien gave Brookline as a model for Dedham. He was amazed that it encompasses so many different things, including a train that runs right through it. It is a town that acts like a city.

Mr. Aldous was involved with the MAPC many years ago. He advised the Board to be careful because, when they do studies, they hire the most expensive people in the world and make the town pay for it, even though it is their idea. They will not change this. If he had the choice, he would do no work with them at all. Mr. Steeves agreed. He said they come to the Board and listen for a bit, then try to hawk their goods, i.e., sell their package. He has yet to see any of them who came in concur with what the Board suggested.

### **Old/New Business**

#### Future Projects:

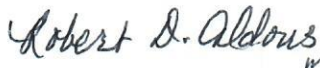
- Noble and Greenough is proposing to take down a library and replace it with a new one and additional classroom space. This will require minor site plan review. They are trying to make the interior of the campus walkable.
- Town Hall project will come to the Board on 2/11/16 to look at site plan-related issues. Traffic will be discussed at a subsequent meeting, as will other site related issues. The architect will get revised plans to McMahan and address some of the comments.
- Dexter School Early Education Center has challenging site issues with a lot of ledge. The existing building will be torn down and a new building erected that will be larger than the previous. Nothing has been filed yet. Mr. Bethoney said that, once they file,

he would like them to have a copy of the Zoning Bylaw, Town Counsel's opinion that municipal uses are not exempt from the regulations, and a letter stating that the Planning Board expects that they will comply with every regulation possible. If they cannot, they must provide waiver requests. Unlike the Avery School, they must propose a complete site plan. The obligation of the peer reviewer for the Town is to check off boxes – looks good or doesn't look too good. He is not supposed to collaborate with the applicant. If he does, it increases the cost for the peer reviewer, which is passed on to the applicant. His job is not to redesign, consult with, or design anyone's proposal. Mr. McCarthy said that was discussed this week when he met with them. Mr. Bethoney said that an architect is not qualified to do site design; only an engineer is. He wants the Board to see qualified people handling the aspects that will come before them. The town is a major problem because it only uses architects, and does not come before the Planning Board for its projects. This was discussed in great detail. Mr. Bethoney is no longer going to ask the peer reviewer to work with the applicant to see if the project can be fixed; he will tell the developer to submit the project when he thinks he has it right, and the peer reviewer will review it. The peer reviewer is not supposed to re-design a site, nor is Mr. McCarthy. The Board agreed.

- There is a proposal for a full-service American restaurant at the former Wardle's. It will have a liquor license. The use will be changed. There will be no parking, although there is a parking plan/site plan on file. Basically, the Board will have to waive all parking that is required.

Mr. Bethoney moved to adjourn, seconded by Mr. Aldous, and voted unanimously 5-0.

Respectfully submitted,

  
Robert D. Aldous, Clerk