

**PLANNING BOARD**

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John R. Bethoney, Vice Chair  
Robert D. Aldous, Clerk  
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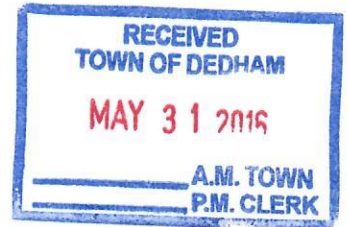


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**TOWN OF DEDHAM  
COMMONWEALTH OF MASSACHUSETTS  
PLANNING BOARD**

**CERTIFICATE OF ACTION**



**APPLICANT:** DIV CCM Rustcraft, LLC, c/o The Davis Companies  
**PROPERTY:** 100-280 Rustcraft Road, Dedham, MA  
**PROPERTY OWNER:** The Davis Companies  
**OWNER'S ADDRESS:** 125 High Street, 21<sup>st</sup> Floor, Boston, MA 02110  
**PROJECT:** Modification of Minor Site Plan Review  
**DATE:** March 10, 2016

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**PROJECT SUMMARY**

DIV CCM Rustcraft Road, LLC, c/o The Davis Companies, is the owner of the real estate known and numbered as 100 - 280 Rustcraft Road, Dedham, MA. The Project consists of a pad-mounted electrical transformer within an existing island adjacent to the new loading dock along the westerly building wall. The remaining electrical apparatus, consisting of a pad-mounted switchgear and utility disconnect, meter, re-closer and riser pole, are situated adjacent to Eversource's existing electrical apparatus in the northeast sector of the facility. This electrical apparatus is to serve the proposed roof mounted solar array. There are no changes to parking and existing building floor area or use. The proposal is subject to Minor Site Plan Review Modification by the Dedham Planning Board pursuant to Section 9.5 of the Dedham Zoning By-Law.

**BACKGROUND AND FINDING OF FACTS**

1. DIV CCM Rustcraft Road, LLC, c/o The Davis Companies (hereinafter referred to as the "Applicant") is the owner of the real estate known and numbered as

100 - 280 Rustcraft Road, Dedham, MA (hereinafter referred to as the "Subject Property").

2. The Subject Property, shown on the Dedham Assessors' Map 164, Lots 1 and 5, contains approximately 49.67 acres of land, and has approximately 1,131 feet of frontage on Rustcraft Road.
3. According to the Zoning Map for the Town of Dedham, the Subject Property is located in the Research, Development and Office (RDO) Zoning District.
4. The Subject Property has been designated as a Priority Development Site by the Town of Dedham under Massachusetts General Laws Chapter 43D.
5. The southern portion of the Subject Property contains wetlands, several water bodies, and is in a Special Flood Hazard Area.
6. The Project is subject to Minor Site Plan Review Modification under Section 9.5 of the Dedham Zoning By-Law.
7. On or about February 29, 2016, Applicant submitted the following to the Planning Board (hereinafter referred collectively as the "Application"):
  - a. Form X: Application for Site Plan Review Modification(with Project Narrative)
  - b. Authorization Letter from The Davis Companies dated February 26, 2016
  - c. Letter from American Capital Energy outlining the scope and explaining the project, dated February 26, 2016
  - d. Site Development Plan dated February 24, 2016, revised May 3, 2016.
8. The Application was reviewed by the Planning Board and the Planning Director, and was determined to satisfy all of the submittal requirements for the filing of a Site Plan Review Modification pursuant to Section 9.5 of the Dedham Zoning By-Law.
9. The Planning Board determined a peer review and mailing to direct abutters was not required for this modification.
10. At the meeting, Applicant and its representatives were provided an opportunity to make a full presentation.

### **DECISION**

At the meeting duly held on March 10, 2016, after discussion, the Planning Board, consisting of Michael A. Podolski, Esq., Chairman, John R. Bethoney, Vice Chairman, Robert D. Aldous, Clerk, Ralph I. Steeves, and James E. O'Brien IV, voted unanimously


(5-0), to approve the "Application for Minor Site Plan Review Modification" with the following **CONDITIONS**:

1. After installation of the equipment, the Planning Board reserves the right to inspect the landscaping to determine if it provides adequate screening. In the event that additional plantings are required, the applicant shall propose additional plantings to be reviewed and approved by the Planning Board.
2. Prior to sign off by the Building Department for the solar project, the Applicant shall complete the landscaping improvements as shown on the approved Site Development Plan.
3. Members of the Planning Board and the Planning Director shall be permitted access to the project site during construction with proper notification to the Applicant, subject to applicable safety requirements as established by the Applicant or its Contractor.
4. Applicant agrees that, no later from one year from occupancy permit being issued or in the case where no occupancy permit one year from completion of the project, it shall file a written report with the Planning Director detailing the progress of the project and compliance with all terms and conditions of this certificate and the expected completion date. The Planning Board reserves the right to require the Applicant to appear before the Planning Board to further discuss and review compliance with this certificate of action.
5. The Planning Director will be contacted by the Applicant upon completion of the project to verify that the project has been completed in full compliance with the specifications of the modified plan as submitted and approved in this Certificate of Action. The Planning Director will be contacted either prior to any occupancy permit being issued or, in the case where there is no occupancy permit required, after the project is completed.
6. All municipal taxes and fees shall be paid in full and all tax accounts shall be in good standing prior to the issuance of any building permit.

In granting site plan approval, the Planning Board has considered the objectives set forth in Section 9.5 Site Plan Review of the Dedham Zoning By-Law, and has determined that the site plan, as conditioned above, meets said objectives.

Dated: May 12, 2016

By the Planning Board:



Robert D. Aldous, Clerk