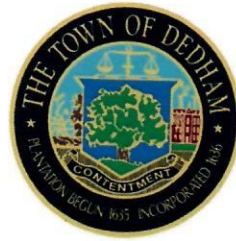


PLANNING BOARD

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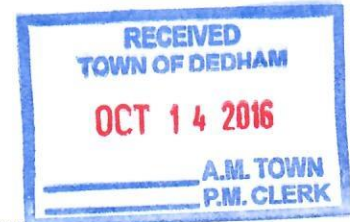
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**TOWN OF DEDHAM
COMMONWEALTH OF MASSACHUSETTS**

PLANNING BOARD

**CERTIFICATE OF ACTION
APPLICATION FOR MAJOR SITE PLAN REVIEW**



Applicant: Dedham 800, LLC
Property Owner: Dedham 800, LLC
Subject Property: 750 Providence Highway
Date: October 14, 2016

PROJECT SUMMARY

Dedham 800, LLC, proposes to construct a new one-story, 9,362 gross (8,718 net) square foot commercial building at the real estate known and numbered as 750 Providence Highway, Dedham, MA. The Subject Property is occupied by an existing 7,170 gross (6,500 net) square foot building housing a 252-seat TGI Fridays, a full service restaurant, which will remain. The new building will be constructed on the eastern portion (Providence Highway side) of the Subject Property. The Applicant proposes to improve and upgrade the existing parking lot, which will have 174 parking spaces to serve the restaurant and new building. The Project is subject to Major Site Plan Review by the Dedham Planning Board pursuant to Section 9.5 of the Dedham Zoning By-Law.

BACKGROUND AND FINDING OF FACTS

1. Dedham 800, LLC (hereinafter referred to as "Applicant"), proposes to construct a new commercial building at the real estate known and numbered as 750 Providence Highway (hereinafter referred to as the "Subject Property").

2. The Subject Property, shown on Dedham Assessors' Map 136, Lots 14 and 22, contains approximately 7.48 acres of land and has approximately 863 feet of frontage on Providence Highway.
3. According to the Zoning Map for the Town of Dedham, the Subject Property is located in the Highway Business (HB) Zoning District. Small areas of the Subject Property are located in the Flood Plain Overlay District (FPOD) and the Aquifer Protection Overlay District¹.
4. The Subject Property is currently occupied by an existing 7,170 gross (6,500 net) square foot building housing a 252-seat TGI Fridays, a full service restaurant. The restaurant is served by an asphalt/paved parking lot with 149 parking spaces.
5. The Subject Property has no direct access (i.e., no curb cuts) to Providence Highway. Instead, the Subject Property is accessed off of Providence Highway via a signalized intersection with access across the abutting Best Buy/BJ's site. The Subject Property is also accessed via an "access road" between the abutting Vitamin Shoppe/Dunkin Donuts/Bed Bath & Beyond Plaza.
6. The Subject Property is on a major highway in a well-developed commercial area. The Subject Property abuts the Best Buy/BJ's property to the north, abuts the Vitamin Shoppe/Dunkin Donuts/Bed Bath & Beyond Plaza to the south, and is directly across the street from the Dedham Plaza. Significant wetlands are located to the rear (easterly portion) of the Subject Property.
7. The Applicant proposes to construct a new one-story 9,362 gross (8,718 net) square foot commercial building on the western portion of the parking lot on the Subject Property.
8. The new building and the existing restaurant will share the improved and upgraded parking. As proposed, the parking lot will have 174 parking spaces.
9. Access to the Subject Property will continue to be provided by way of the driveway from the Best Buy/BJ's property. However, the Applicant proposed eliminating the existing "access road" between the Subject Property to the Vitamin Shoppe/Dunkin Donuts/Bed, Bath & Beyond Plaza. (As discussed further below, a new "access road" between the properties has been incorporated into the Project.)

¹ In ZBA Case# VAR-10-14-1893, dated January 6, 2015, the Dedham Zoning Board of Appeals approved and granted the special permits necessary for work to be performed in the FPOD as part of this Project.

10. Use Categories D.2, E.3, E.4, and E.5 of Table 1 (Use Regulation Table) of the Dedham Zoning By-Law provide that business or professional offices, retail businesses, personal service establishments, and general service establishments, respectively, are allowed by right in the HB Zoning District.² Therefore, the Project complies with the Dedham Zoning By-Law provision relating to “use”.

11. Table 2 (Table of Dimensional Requirements) of the Dedham Zoning By-Law sets forth the following dimensional requirements applicable to buildings in the HB Zoning District:

Minimum Frontage: 200 feet

Minimum Lot Area: 1 acre

Minimum Lot Width: 70% of minimum frontage (i.e., 140 feet)

Minimum Front Yard: 30 feet

Minimum Side Yard: 20 feet

Minimum Rear Yard: 25 feet

Maximum Lot Coverage: 40 %

Maximum Floor Area Ratio: .35

12. As proposed, the Project satisfies the above referenced dimensional requirements for developments in the HB Zoning District.

13. Per Table 3 (“Dedham Parking Table”) of the Dedham Zoning By-Law, “retail uses” require one (1) parking space per 200 net square feet of floor area. Per said Table 3, a “restaurant” requires 2 parking spaces per 5 seats plus 1 space per 250 square feet of floor area. Based upon such requirement, the existing restaurant and proposed new building require a total of 171 parking spaces (inclusive of 6 handicap accessible spaces). The Project proposes 174 parking spaces (inclusive of 8 handicap accessible spaces) and therefore satisfies this requirement.

14. Section 5.2.2.1 – 5.2.2.3 of the Dedham Zoning By-Law provide that parking lots in the HB Zoning District are required to have a landscaped frontage strip of 20 feet, interior landscaping of 15% of the paved parking area, and perimeter landscaping around the side and rear lot lines of 5 feet. As shown

² Use Category 8 of Table 1 (Use Regulation Table) of the Dedham Zoning By-Law provides that a “use requiring a common victualer license” (i.e., a restaurant) is allowed, in the HB Zoning District, upon issuance of a special permit by the Zoning Board of Appeals (hereinafter referred as to the “ZBA”). Such special permit was issued for the existing restaurant in 1992.

on the plans submitted with the Application, the Project satisfies all of the required landscaping requirements.

15. Inasmuch as the Project contains in excess of 5,000 square feet of gross floor area, the same is subject to Major Site Plan Review and approval by the Dedham Planning Board pursuant to Section 9.5 of the Dedham Zoning By-Law.
16. On or about September 4, 2014, the Dedham Conservation Commission issued an Order of Conditions for the Project which included the elimination of the "access road" between the Subject Property to the Vitamin Shoppe/Dunkin Donuts/Bed, Bath & Beyond Plaza. (As discussed further below, a new "access road" between the properties has been incorporated into the Project.)
17. On September 11, 2014, the Applicant appeared before the Dedham Planning Board for a "scoping session" relative to this Project.
18. On September 16, 2014, the Applicant submitted the following to the Planning Board (hereinafter referred to collectively as the "Application"):
 - a. "Form X: Application for Site Plan Review" and "Project Narrative"
 - b. Plan set consisting of the following (unless otherwise noted all plans are dated January 31, 2014, revised through July 10, 2014, prepared by Norwood Engineering Co., Inc.):
 1. Wetland Mitigation & Stormwater Management Overview Plan
 2. Existing Conditions
 3. Site Layout
 4. Grading, Drainage & Utilities
 5. Grading & Mitigation
 6. Sections & Details
 7. Details
 - c. Plan entitled "Site Photometric Plan", dated September 8, 2014, prepared by Vincent A. DiIorio, Inc., 89 Access Rd #18, Norwood, MA 02062
 - d. Plan entitled "Landscape Plan", dated September 15, 2014, prepared by KD Turner Design, High St, Newburyport, MA 01950
 - e. Building Elevation Sheet
 - f. "Traffic Impact and Access Study", dated September 3, 2014, prepared by Bayside Engineering, 600 Unicorn Park Drive, # 17, Woburn, MA 01801

- g. "Proposed Stormwater Management Design", dated June 12, 2014, prepared by Norwood Engineering, Inc., 1410 Providence Highway, Norwood, MA 02062
 - h. "Long Term Pollution Prevention Operations and Maintenance Plan", dated March 6, 2014, revised July 9, 2014
 - i. "Sustainable Strategies - Solar, Electric Vehicle Charging, and Green Roof", prepared by Greener by Design LLC, 94 Church Street, # 402, New Brunswick, NJ 08901
 - j. "Proposed Planting Protocols", dated July 9, 2014, prepared by EcoTec, Inc., 102 Grove Street, Worcester, MA 01605-2629
 - k. "TSS Removal Calculations", dated March 6, 2014, revised July 9, 2014
 - l. "Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan (Standard 8)", dated March 6, 2014
 - m. "Water Quality Treatment to Each Treatment Facility"
 - n. "Trash Container(s) Operation and Maintenance Plan", revised July 28, 2014
 - o. "Phosphorus Removal Calculations", dated March 6, 2014
 - p. Application for Abutters List
19. The Application was reviewed by the Planning Board and the Planning Director and was determined to satisfy all of the submittal requirements for Major Site Plan Review under Section 9.5 of the Dedham Zoning By-Law.
20. In accordance with Section 9.5.6 of the Dedham Zoning By-Law, upon receipt of the Application and above materials, the Planning Board distributed copies of the aforesaid plans and reports to and otherwise solicited comments from various Town of Dedham boards, departments, and officials. Pursuant to said Section 9.5.6 of the Zoning By-Law, these agencies are provided with a 35-day period to file reports with the Planning Board, and failure to so respond within such time frame constitutes approval by such agency of the adequacy of the submittal and also that in the opinion of the agency the project will have no adverse impact.

21. In addition, the Planning Board referred the Application to McMahon Associates for peer review.
22. On October 14, 2014, Planning Director Richard McCarthy facilitated a project review meeting with Town Department heads and staff and the Applicant and its representatives to review and discuss the Project. Also present at these meetings was a representative from McMahon Associates, the Planning Board's peer review consultant.
23. The Planning Board reviewed and considered the Project for Major Site Plan Approval at its regularly scheduled meetings of October 1, 2015, December 10, 2015, January 14, 2016, and September 20, 2016. Prior to the initial meeting on this matter, the Planning Board caused the required written notice of said meeting to be mailed to abutters to the Subject Property as required by Section 9.5.6 and caused the required notice of said meeting to be posted as required by State Law and Town By-Law.
24. Present at the meetings on this matter were Planning Board Members Michael A. Podolski, Esq., Chairman, John R. Bethoney, Vice Chairman, Robert D. Aldous, Clerk, Ralph I. Steeves, and James E. O'Brien IV. Also present at these meetings on behalf of the Planning Board were Planning Director Richard McCarthy and a representative from McMahon Associates (the Planning Board's peer reviewer).
25. The Applicant was represented at these meetings by Peter A. Zahka, II, Esq., Law Offices of Peter A. Zahka, II, P.C., 12 School Street, Dedham, MA. The Applicant retained the following consultants who were present and/or made statements and/or presentations and/or submitted documentation during the meetings:
 - a. Civil Engineering/Environmental: Matthew Smith, P.E., PLS, Norwood Engineering Co., Inc.
 - b. Traffic: Kenneth Cram, P.E., Bayside Engineering, Inc.
26. At each meeting, the Applicant was provided with the opportunity to make a full and complete presentation on the Project. This was followed by questions and comments from the Planning Board, the Planning Director, and the Planning Board's peer review consultant.
27. While these meetings were not formal public hearings, the Planning Board indicated it would accept input and comments from the general public. It is noted that the owner of the abutting Best Buy/BJ's property appeared at the meetings personally and with counsel (and submitted various letters and documents to the Planning Board) to express concerns relative to vehicular

traffic from the Subject Property traversing through the Best Buy/BJ's property. The Planning Board encouraged the Applicant to work with said abutter in an attempt to resolve and address these concerns. The Applicant expressed a willingness to do so.

28. In addition to testimony at the hearings, the Planning Board received a number of reports and other documents from the Applicant, Planning Director, the peer review consultant, and other Town boards and agencies. Such reports and documents are listed on Exhibit A attached hereto and incorporated herein by reference.
29. In response to requests by the Planning Board, Planning Director, and the peer review consultant, the Applicant made numerous revisions to the Project and/or submitted supplemental material and/or explanations including but not limited to expansion and clarification of the traffic study area, review of site circulation, and revisions to the site design.
30. Significant discussion focused on the Applicant's proposal to eliminate the "access road" between the Subject Property to the Vitamin Shoppe/Dunkin Donuts/Bed, Bath & Beyond Plaza. While the Planning Board and peer review consultant recognized the environmental benefits of such elimination, they felt that the ability to connect adjacent commercial parcels along the Providence Highway corridor internally is desirable from an access management perspective. Specifically, the Planning Board and peer review consultant were of the opinion that the closure of the "access road" may result in unintended and unknown impacts to safety and traffic on both Providence Highway and adjacent properties, as additional traffic is forced to use Providence Highway and internal traffic circulation patterns within adjacent properties along Providence Highway. Accordingly, the Applicant was encouraged to revise and present a plan with a new "access road" that continued to offer improved environmental benefits.
31. In response, the Applicant appeared before the Dedham Conservation Commission with a revised plan that eliminated the existing "access road" and replaced the same with a new "access road" that provided major environmental improvements over the existing conditions. The Dedham Conservation Commission issued an Amended Order of Conditions for the Project on or about September 1, 2016.
32. The plans revised to incorporate the replacement/new "access road" were submitted and reviewed by the Planning Board and its peer review consultant.

33. The Project was submitted to and the Applicant appeared before the Design Review Advisory Board (DRAB) for review and recommendations relative to Project (building/architecture and landscaping). With respect to the same, it is acknowledged that the renderings and elevations submitted to the Planning Board and DRAB are representative as to the intent of Applicant but that the actual design will be determined in conjunction with the various tenants.

DECISION

At the meeting duly held on September 29, 2016, after discussion, and upon motion duly made and seconded, 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 Major Site Plan Review on the following terms and conditions:

1. Subject to the Conditions contained herein, the Project shall be substantially constructed in accordance with the Record Plans listed on Exhibit B attached hereto and incorporated herein by reference.
2. In the event of an emergency, the Applicant shall allow the Dedham DPW and the Dedham Westwood Water District access to the sewer and water lines on the Subject Property for repair purposes.
3. The Applicant's dumpsters located on the Subject Property shall be screened by opaque screening which is constructed and maintained in strict compliance with all Dedham Zoning Bylaws and all Board of Health Regulations.
4. As the Applicant secures tenants for the new building, the Applicant shall submit final building elevations and renderings for such tenant space to the Design Review Advisory Board (DRAB) and Planning Board for review.
5. Deliveries to the various stores and businesses shall not be made during peak hours of the same on the Subject Property and the adjacent Vitamin Shoppe/Dunkin Donuts property. Without limiting the generality of the foregoing, deliveries to Dunkin Donuts shall not be made between the hours of 7:00 am – 6:00 pm, and deliveries to TGI Friday's shall not be made between the hours of 11:00 am – 9:00 pm. Likewise, trash pick-up on the Subject Property shall be made prior to the opening of TGI Fridays.
6. 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. Proper notification shall be through the construction process or shall be through the emergency call number of the Applicant's representative in case of emergency or off-hours situations.

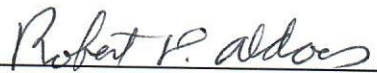
7. The Applicant agrees that, no later than one year from the Certificate of Occupancy, it shall file a written report with the Planning Director detailing the progress of the Project, compliance with all terms and conditions of this certificate, and the expected completion date. The Planning Board reserves the right to require the Applicant to appear before the Planning Board to further discuss and review compliance with this Certificate of Action.
8. 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 prior to any occupancy permit being issued, including a certification by the Applicant's engineer that the Project has been constructed according to said plans. A compliance letter will be issued forthwith once found to be properly completed.
9. A copy of the final and approved Order of Conditions issued by the Dedham Conservation Commission and/or any Superseding Order, as the case may be, with all appeals resolved or otherwise terminated, shall be submitted to the Planning Board and shall be incorporated herein by reference.
10. The Applicant shall submit a full sized copy of the Record Plans to the Dedham Department of Infrastructure Engineering in hard copy and PDF format.
11. Following construction of the Project, the Applicant shall provide an "as-built" site plan tied horizontally to NAD83 and vertically to NAVD88 to the Planning Board, the Building Department, the Department of Infrastructure Engineering, and the Board of Assessors prior to the issuance of the final certificate of occupancy for the building in the Project, in accordance with applicable regulations.
12. Prior to the issuance of the final certificate of occupancy for the Project, the Applicant shall complete the landscaping improvements, as shown on the approved landscaping plan or provide the Planning Board with a performance bond for same.
13. If any Condition imposed in this Decision requires permit, license, or other approval from any other board, committee, or agency of the Town of Dedham or other regulatory agency of the Commonwealth or the federal government, the Applicant shall make an appropriate application for the same.

14. During construction of the Project, the Applicant shall conform to all local, state and federal laws regarding noise, vibration, dust, and blocking of Town roads. Exterior construction of the Project shall not commence on any weekday before 7:00 a.m. and shall not continue beyond 6:00 p.m. except for certain operations such as concrete finishing and emergency repairs. Exterior construction shall not commence on Saturday before 8:00 a.m. and shall not continue beyond 6:00 p.m. with the same exceptions. The Building Commissioner may allow longer hours of construction in special circumstances, provided that such activity normally is requested in writing by the Applicant except for emergency circumstances, where oral communication shall be followed by written confirmation. There shall be no exterior construction on any Sunday or state or federal legal holiday. Hours of operation shall be enforced by the Dedham Building Commissioner and Police Department.
15. Prior to the start of any Project site construction work, the Applicant shall submit a comprehensive Construction Management Plan to the Planning Director for review and approval. The Plan shall include, but not be limited to the following requirements:
 - a. The Applicant shall employ the following construction noise mitigation measures: continuous running equipment, such as air compressors and welding generators, shall have effective muffling enclosures; quieter alternative equipment and construction techniques should be used whenever possible (i.e. electric instead of diesel-powered and vibration pile driving instead of impact driving); all equipment shall have the proper sound attenuation devices, such as mufflers or sound baffles; relatively loud, stationary construction equipment shall be located as far as practically possible from abutting residential properties; and construction trailers shall be located as far as practical from the abutting residential properties.
 - b. The Applicant shall be responsible for the cleanup of construction debris, including the tracking of dirt by construction vehicles, which shall be conducted on a daily basis on public ways within 100 yards from the entrance to the Project construction site.
 - c. The Applicant shall submit a proposed truck route for construction vehicles for review and approval by the Planning Director and Dedham Police Chief. The Applicant shall provide each Contractor with a copy of the approved truck routes.
 - d. The limit of construction areas shall be clearly delineated at all times during the construction phase.

- e. No dumping, burning, or storage of any waste materials shall be permitted on the Subject Property. During construction, waste materials may be temporarily stored pending removal, provided that such waste materials shall not constitute a hazardous condition and that all waste materials subject to being windblown are secured. Nothing contained herein shall be deemed to permit activities otherwise prohibited by applicable law, order, rule, regulation, code or by-law.
 - f. All equipment and material staging shall be located on the Subject Property to the extent possible. Any off-site staging shall be subject to the approval of the Dedham Police Chief.
 - g. All construction employee parking shall be located on the Subject Property. Under no circumstances shall there be such parking on public streets.
16. All invoices generated by the Board's peer reviewers shall be paid prior to the issuance of any building permits or occupancy certificates.
17. All municipal taxes and fees shall be paid in full and all taxes accounts shall be in good standing prior to the issuance of any building permit.

Dated: October 14, 2016

By the Dedham Planning Board:



Robert D. Aldous, Clerk

EXHIBIT A

DOCUMENT LIST

1. Letter dated September 16, 2014, from Peter A. Zahka, II, Esq. (Law Offices of Peter A. Zahka, II, P.C.) to Dedham Planning Board with Application for Site Plan Review and related plans, drawings, and reports
2. Letter (peer review report) and Issues Summary dated November 4, 2014 from McMahon Associates to Planning Director Richard McCarthy
3. Dedham Zoning Board of Appeals Decision (Case # VAR-10-14-1893) dated December 3, 2014
4. Email dated December 23, 2014, from Peter A. Zahka, II, Esq., to Planning Director Richard McCarthy re: extension of time for final action
5. Letter dated January 7, 2015, from Bayside Engineering to Dedham Planning Director Richard McCarthy re: peer review responses
6. Email dated January 8, 2015, from Bayside Engineering to Dedham Planning Director Richard McCarthy re: appendix to reports
7. Letter (peer review report) and Issues Summary dated February 2, 2015, from McMahon Associates to Planning Director Richard McCarthy
8. Email dated March 16, 2016, from Peter A. Zahka, II, Esq., to Planning Director Richard McCarthy re: delivery schedule
9. Letter dated March 31, 2015 from Bayside Engineering to Planning Director Richard McCarthy: peer review responses
10. Letter (peer review report) and Issues Summary dated April 13, 2015, from McMahon Associates to Planning Director Richard McCarthy
11. Email dated April 24, 2015, from Peter A. Zahka, II, Esq., to Planning Director Richard McCarthy re: response to issues

12. Letter dated May 12, 2015 from Sally E. Michael, Esq. (SaulEwing LLP) to David Spiegel
14. Letter dated May 12, 2015, from Dedham Conservation Chairman Fred Civian to the Dedham Planning Board
15. Email dated May 13, 2015, from Peter A. Zahka, II, Esq., to Planning Director Richard McCarthy re: extension of time for final action
16. Email dated July 6, 2015, from Peter A. Zahka, II, Esq., to Planning Director Richard McCarthy re: extension of time for final action
17. Email dated August 26, 2015, from Peter A. Zahka, II, Esq., to Planning Director Richard McCarthy re: extension of time for final action
18. Letter dated September 9, 2015 from Sally E. Michael, Esq. to Planning Director Richard McCarthy
19. Email dated October 2, 2015, from Peter A. Zahka, II, Esq., to Planning Director Richard McCarthy re: extension of time for final action
20. Email dated October 5, 2015, from Peter A. Zahka, II, Esq., to Planning Director Richard McCarthy re: loading bays
21. Letter dated October 16, 2016 from Sally E. Michael, Esq. to Alan B. Almeida, Esq. (Connor & Hilliard, P.C.)
22. Email dated October 20, 2015, from Peter A. Zahka, II, Esq., to Planning Director Richard McCarthy re: extension of time for final action
23. Design Review Advisory Board Recommendation Letter dated October 20, 2015
24. Letter dated October 28, 2015 from Alan Almeida, Esq. to Sally E. Michael, Esq.
25. Letter and Traffic Memorandum dated November 3, 2015 prepared by Bayside Engineering

26. Email dated November 24, 2015, from Peter A. Zahka, II, Esq., to Planning Director Richard McCarthy re: extension of time for final action
27. Memorandum dated December 9, 2015 from McMahon Associates to Planning Director Richard McCarthy re: Historical Review of Internal Access Road
28. Letter dated December 9, 2015 from Sally E. Michael, Esq. to Planning Director Richard McCarthy
29. Email dated December 10, 2015 from Attorney Peter A. Zahka to Planning Director Richard McCarthy re: objecting to postponement
30. Email dated December 10, 2015 from Attorney Peter A. Zahka to Planning Director Richard McCarthy re: concept plan
32. Email dated December 23, 2015, from Peter A. Zahka, II, Esq., to Planning Director Richard McCarthy re: extension of time for final action
33. Letter dated January 11, 2016 from Sally E. Michael, Esq. to Planning Director Richard McCarthy
34. Letter dated January 13, 2016 from Sally E. Michael, Esq., to Planning Director Richard McCarthy
35. Letter dated January 14, 2016 from Sally E. Michael, Esq., to Planning Director Richard McCarthy
36. Email dated January 27, 2016, from Peter A. Zahka, II, Esq., to Planning Director Richard McCarthy re: extension of time for final action
37. Email dated April 1, 2016, from Peter A. Zahka, II, Esq., to Planning Director Richard McCarthy re: extension of time for final action
38. Letter dated May 19, 2016, from Planning Director Richard McCarthy to Dedham Conservation Commission

39. Email dated June 3, 2016, from Peter A. Zahka, II, Esq., to Planning Director Richard McCarthy re: extension of time for final action
40. Email dated July 20, 2016, from Peter A. Zahka, II, Esq., to Planning Director Richard McCarthy re: extension of time for final action
41. Letter (peer review report) and Issues Summary, dated September 12, 2016, from McMahan Associates to Planning Director Richard McCarthy
42. Letter dated September 16, 2016 from Peter A. Zahka, Esq. to Town of Dedham Planning Board re: peer review responses
43. Letter (peer review report) and Issues Summary dated September 20, 2016, from McMahan Associates to Planning Director Richard McCarthy
44. Email date September 20, 2016, from Peter A. Zahka, II, Esq., to Planning Director Richard McCarthy re: elevations/drawings
45. Letter dated September 23, 2016 from Stephen A. Greenbaum, Esq. (Greenbaum, Nagel, Fisher & Paliotti, LLP) to Planning Director Richard McCarthy re: appeal of Order of Conditions/Planning Board action
46. Email dated September 23, 2016, from Peter A. Zahka, II, Esq., to Planning Director Richard McCarthy re: appeal of Order of Conditions/Planning Board action
47. Email dated September 27, 2016, from Town Counsel Jonathan D. Eichman, Esq., to Planning Director Richard McCarthy re: appeal of Order of Conditions/Planning Board action
48. Memorandum dated September 22, 2016 from Jason L. Mammone, P.E., Director of Dedham Department of Infrastructure Engineering to Planning Director Richard McCarthy

EXHIBIT B
RECORD PLANS

1. Plan set entitled "Redevelopment of 750 Providence Highway, Dedham, Mass.", prepared by Norwood Engineering Co., Inc., dated January 31, 2014, revised through August 3, 2016, consisting of the following:
 - New Driveway Concept – Stormwater Management Overview Plan
 - Existing Conditions (2 sheets)
 - Site Layout
 - Grading, Drainage & Utilities
 - Grading & Mitigation
 - Sections and Details
 - Details
2. Plan entitled "Landscape Plan", prepared by KD Turner Design, revised through September 15, 2016.
3. Letter dated August 31, 2016, from John R. Perry, Architect, to Planning Director Richard McCarthy re: materials list
4. Building elevations and renderings dated August 31, 2016, from John R. Perry, Architect, to Planning Director Richard McCarthy