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**TOWN OF DEDHAM
ZONING BOARD OF APPEALS
DECISION**



Applicant/Owner: Dedham-Westwood Water District (DWWD)
Property Address: 538 Bridge Street, Dedham, MA
Case #: VAR-06-16-2103
Map/Lot, Zoning District: 73/7, Single Residence B
Application Date: June 17, 2016
Present and Voting: James F. McGrail, Esq., J. Gregory Jacobsen, Scott M. Steeves, E. Patrick Maguire, LEED AP, Jared F. Nokes, J.D.

Representative:

- Eileen Commane, Executive Director, DWWD
- Ronald Willey, Water Commissioner, DWWD
- Robert Lexander, Production Superintendent, Water Treatment Plants, DWWD
- Bob Eiben, General Manager, DWWD
- Jim Cray, P.E., Lead Project Engineer, Wright-Pierce, 40 Shattuck Road, #305, Andover, MA 01810
- Rich Protasowicki, P.E., Senior Project Manager, Wright-Pierce, 40 Shattuck Road, #305, Andover, MA 01810
- Matthew Watsky, Esq., 30 Eastbrook Road, Dedham, MA 02026

Legal Notice: To be allowed a Special Permit to continue the use of the property as a drinking water treatment facility.

Section of Zoning Bylaw: *Town of Dedham Zoning Bylaw Section 3, Principal Uses, Table 1.B.5 and Section 8.2 Aquifer Protection Overlay District*

Date Filed with Town Clerk: July 29, 2016

The Zoning Board of Appeals ("ZBA") of the Town of Dedham, Massachusetts held public hearings on Wednesday, July 20, 2016, in the Town Office Building, 26 Bryant Street, Dedham, MA. Present were members of the Zoning Board of Appeals, J. Gregory Jacobsen, Scott M. Steeves, and E. Patrick Maguire, LEED AP. Member Jason L. Mammone, P.E., was

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unable to attend the meeting, so the Chair appointed Associate Jared F. Nokes, J.D. to sit in his stead.

The hearings were duly advertised for this meeting of the ZBA in accordance with the requirements of MGL Chapter 40A, Section 11. Legal ads were placed for two consecutive weeks in *The Dedham Times*. In addition, abutters within 300 feet of the property in question received notification of the hearings, and notification regarding each hearing was sent to the neighboring towns (Boston, Needham, Canton, and Westwood). Copies of all plans referred to in this decision and a detailed record of the Zoning Board of Appeals proceedings are filed in the Dedham Planning/Zoning Department.

At 7:12 p.m., the Chairman called for the hearing on the petition of Dedham-Westwood Water District (DWWD) to be allowed a Special Permit to continue the use of the property as a drinking water treatment facility. The property is located at 538 Bridge Street, Dedham, MA, and is in the Single Residence B zoning district. *Town of Dedham Zoning Bylaw Section 3, Principal Uses, Table 1.B.5 and Section 8.2 Aquifer Protection Overlay District*

The Applicant was represented by Eileen Commane, Executive Director, DWWD, Ronald Willey, Water Commissioner, DWWD, Robert Alexander, Production Superintendent, Water Treatment Plants, DWWD, Bob Eiben, General Manager, DWWD, Jim Cray, P.E., Lead Project Engineer, Wright-Pierce, 40 Shattuck Road, #305, Andover, MA 01810. Rich Protasowicki, P.E., Senior Project Manager, Wright-Pierce, 40 Shattuck Road, #305, Andover, MA 01810, and Matthew Watsky, Esq., 30 Eastbrook Road, Dedham, MA 02026. The minutes from the hearing are the primary source of evidence and are incorporated herein by reference.

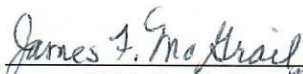
The subject property is known and numbered as 538 Bridge Street, Dedham, MA, and is shown on Dedham Assessors' Map 73, Lot 7. The certified plot plan indicates that the Subject Property contains approximately 8.6 acres of land and has approximately 380 feet of frontage. According to the Dedham Zoning Map, the Subject Property is located in the Single Residence B zoning district. Currently, the property is occupied by an industrial warehouse, also known as a water treatment plan. According to the records maintained by the Dedham Board of Assessors, the dwelling was constructed in 1881.

The applicant is seeking a Special Permit to continue the use of the property as a drinking water treatment facility. The existing Bridge Street water treatment plan will be renovated to modernize the plant and upgrade the equipment. A filter building will be constructed to house filter equipment; it will not be connected with the existing plant. This will open up space in the existing building. The treatment process will remain the same. There are two buildings, a building for pretreatment and a building for control. The area for the new building will be cleared of trees and an abandoned well. Pavement will be regraded and realigned. A chlorine gas emergency scrubber system will be added. They will attempt to match the old building aesthetics architecturally. The building roof will have impervious surface; they are dealing with the Conservation Commission for stormwater management. They will be going before the Planning Board for site plan review. Mr. Willey said they wanted to give the Board some background. The Zoning Bylaw Principal Use Table, Section 1B.5 states that any municipal facility, essential services such as public utilities, requires a Special Permit, so the use is being changed by increasing the extent to which the site is being used for the use. This will improve water quality. During construction, there will be periods of time when the facility is off-line and the Town will take water from the MWRA. It is hoped to keep the existing facility on-line as much as possible during construction.

Upon motion being duly made by Scott M. Steeves and seconded by J. Gregory Jacobsen, the ZBA voted unanimously (5-0) to grant and approve a Special Permit as required to continue the use of the property as a drinking water treatment facility. In granting said Special Permit, the ZBA finds that the adverse effects of the Applicants' proposal will not outweigh its beneficial impacts on the Town and neighborhood.

The Applicants are advised that, in accordance with MGL Chapter 40A, Section 11, no special permit shall take effect until a copy of this decision bearing the certification of the Dedham Town Clerk that twenty days have elapsed after the decision has been filed with the Dedham Town Clerk and no appeal has been filed or that an appeal has been filed within such time shall be recorded in the Norfolk County Registry of Deeds or the Land Registration Office of Norfolk County.

Dated: July 20, 2016


James F. McGrail, Esq.

J. Gregory Jacobsen
J. Gregory Jacobsen

Scott M. Steeves
Scott M. Steeves

E. Patrick Maguire
E. Patrick Maguire, LEED AP

Jared F. Nokes, J.D.
Jared F. Nokes, J.D.

Attest, by the Administrative Assistant:

Susan N. Webster
Susan N. Webster

Materials Submitted:

- ZBA application
- Petition statement from Wright-Pierce, 40 Shattuck Road, #305, Andover, MA 01810
- Photographs of existing conditions
- Zoning Board Submission plans prepared by Wright-Pierce, 40 Shattuck Road, #305, Andover, MA 01810