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, April 2, 2015, 7 p.m.

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Present: John R. Bethoney, Chairman
Michael A. Podolski, Esq., Vice Chairman
Robert D. Aldous, Clerk
Ralph I. Steeves
Richard J. McCarthy, Jr., Planning Director

Mr. Bethoney called the meeting to order at 7:10 p.m. The Pledge of Allegiance was recited. Mr. O'Brien was not present. Plans, documents, studies, etc. referred to are incorporated as part of the public record and are on file in the Planning and Zoning office.

PUBLIC HEARING:
Discussion of Proposed Zoning Articles 23, 24, 25, 26, and 27 for Annual Town Meeting on May 18, 2015

Start: 7:10 p.m. Mr. Podolski moved to open the public hearing, seconded by Mr. Aldous, voted unanimously, 4-0. He then moved to waive reading of the public notice, seconded by Mr. Aldous, voted unanimously, 4-0. Public Hearing notice for the proposed zoning articles for the spring Town Meeting was posted in Town Hall on March 12, 2015, and advertised in the *Dedham Times* on March 13, 2015, and March 20, 2015. Abutting towns, City of Boston, Metropolitan Area Planning Council, and Department of Community Development were notified via certified mail, return receipt. Positions on each article were taken at the end of the Public Hearings.

Article 23: 255 West Street Planned Residential Development

Present: Peter A. Zahka II, Esq., Gregory Carlevale, President of Concinnitas Corporation, Scott Henderson, P.E., McKenzie Engineering Group

The article was noticed as a Public Hearing, but it is not technically a zoning amendment. A Planned Residential Development (PRD) requires a recommendation from the Planning Board at Town Meeting for approval of a concept plan. The provision in the Zoning Bylaw is intended for a well-designed area of higher density than other residential developments to develop a variety of different styles of dwelling units throughout town, all done in a planned setting. It allows for one-and-a-half times the number of dwelling units that a conventional subdivision allows; a conventional subdivision allows five residential conforming lots, so a

PRD can have seven dwelling units. McMahon Associates did a peer review and all issues have been resolved. On January 22, 2015, the Planning Board voted to recommend the PRD comprehensive concept plan to Town Meeting.

The site is near the intersection of the on-ramp of Route 128 South with Route 135, and contains a little over 260,000 square feet of land with 480 feet of frontage on West Street. A single family dwelling is on site. Access is by a driveway at one end of the property. The Applicant is committed to approximately 50% open space; PRD requirement is 20%. It will return to the Planning Board for specific site plan review if Town Meeting approves it. The benefits of a PRD vs. a convention subdivision were explained. No sidewalks are required, so impervious area will decrease. There will be at least 60% screening to abutters and West Street; a conventional subdivision requires clearing of all frontage. Earthwork will be limited. W. Shaw McDermott, 580 Bridge Street, spoke on behalf of the Master Plan Implementation Committee, saying this is a beneficial tool and is a very well suited alternative to the site. He wholeheartedly supported the proposal.

Articles 24 and 25: Arts Overlay District – Definitions; Zoning Map Changes

Present: Dennis Guilfoyle (Selectman and Chair of the East Dedham Revitalization Committee), Dan Hart (Vice Chair of the EDRC), Joe Heisler, James Kern (Town Manager), Jean Ford Webb (Executive Director, Mother Brook Arts and Community Center)

The Planning Board submitted the article as a courtesy to the East Dedham Revitalization Committee (EDRC), which is unable to submit zoning articles to Town Meeting. Areas on which to focus were determined, i.e., historic and economic development, and guidance was obtained from the Metropolitan Area Planning Council (MAPC) and the Master Plan. They are trying to attract professional artists, but there are other areas on which to focus. Split-zoned areas would be cleaned up, i.e., parcels abutting the General Business area. Mother Brook Arts and Community Center (MBACC) is an anchor for the community. A liquor license was approved for the MBACC at the November 2014Town Meeting with hopes for a restaurant that would be a good investment and attract people to the area. Somerville, Providence, RI, Lowell, and others were studied as arts overlay districts.

Joe Heisler, 27 Meadow Street, Chair, Mother Brook Arts and Community Center: Improvement of public infrastructure and private investment in the business community is the focus. A destination eating place is necessary, as is a liquor license. They have petitioned the State Legislature for a designated license; Rep. Paul McMurtry said this is imminent. Mr. Kern said that if zoning is done correctly, it spurs development. Zoning should be considered a first step in involving private development in a neighborhood undergoing a new phase of development. Mr. Guilfoyle said the EDRC voted unanimously to support Articles 24 and 25 (zoning map changes). It is a very good economic tool, and will also make zoning easier for some of the uses currently there and those in the future. He has not received any emails against this. A resident wants to be in it but is not, so he will bring this before the Planning Board next year.

James Kaufman, 248 Highland Street, said that the MBACC endorses both articles. The map will rezone specific parcels, the majority from General Residence to General Business. Jean Ford Webb, Executive Director, MBACC, explained the mission and the great investment that has gone into MBACC, as well as some of the businesses and grants that they would receive. A restaurant is important for growth and revitalization; they believe they have a prospect for this, and hope the Board will agree so they do not lose him. Hope McDermott, 580 Bridge Street, read an article about a study done by the Bank of America regarding a 2014 Arts Factor

Report, and noted that economic activity was great, and quality of life improved. W. Shaw McDermott, 580 Bridge Street, agreed. The arts are a powerful engine for revitalization and would be beneficial to East Dedham. The Master Plan Implementation Committee voted to support this subject to the last iteration. Mr. Hart explained the East Dedham Charrette that was done in December 2013. Forty stakeholders from across East Dedham and Dedham in general, including appointed and elected officials, held a scoping session. Four groups were polled to see what the vision for the town would be, and all agreed on the same choices.

Leslie Dawe, 6 Echo Lane, wanted to remain in the General Residence zoning district, as did her neighbor at 5-7 Echo Lane. Kenneth Goodman, 211 High Street, borders Alimed and is the last property on High Street included in the rezoning. He was concerned that the changing zoning from Limited Manufacturing to General Business will restrict his ability to use the property to either sell to Alimed or what he could do there. He suggested scaling back the program to not include his property. These issues were supported by Mr. Hart. Mr. Bethoney suggested that Ms. Dawe's and Dr. Goodman's properties, as well as the property at 5-7 Echo Lane, be removed from the proposal. This will not affect the zoning article in any way. Mr. Podolski said the main concept is fine without these parcels, and urged Mr. Hart to discuss this with the committee. Once the vote is in, he needs to notify Town Meeting of the change prior to Town Meeting. The Planning Board will need to know the vote on the amended plan as well. Both Nancy Baker and Mr. McCarthy will guide them through this.

Article 26: Changes to Zoning Bylaw as Requested by Design Review Advisory Board

Proposed Changes:

1. Add graphic design discipline to responsibilities.
2. Amend terms of service. The concept in 1996 was that members sit for three years, but it has never been written in the Zoning Bylaw. This would allow for staggered appointments by the same agencies.
3. An applicant would not have to go to DRAB if they had previously been seen unless there is a change to landscaping.
4. There would be no independent application to DRAB if an applicant is going to the Planning Board.
5. Change in language in 9.6.6.1 to remove "or negotiated."

Mr. Davey, Chairman of DRAB, said the Board voted unanimously in favor of this article. Mr. Podolski suggested that if there are copies of the articles at Town Meeting, there should be on one page per article, and the pages should be numbered.

Article 27: Changes to Site Plan Review

Proposed Changes:

1. Add a materials list to the requirements in Section 9.5.4.
2. Re: Peer Review. Anything with nine parking spaces or less will be reviewed by the Planning Director, who will give a report to the Planning Board. Anything with ten or more parking spaces will go out for peer review. For minor changes, which is common now, a full review may not be necessary. The article gives the Board the ability to determine what type of review is to be done. The trigger/factor for site plan review is narrow by design.
    a. Any new construction or addition to structures increasing usable floor space or parking requirements triggers site plan review

b. Any change of use increasing the number of parking spaces required or increases/changes outdoor use subject to parking requirements (i.e., outdoor sales or spectator sports)
c. Any construction, alteration, or expansion of a parking lot or parking structure including changes to parking spaces, circulation, aisles, driveway access, location, landscaped areas, or any other feature that comprises a parking plan
d. Modification not shown on a parking plan or site plan previously approved by the Planning Board. There are older parking plans approved by prior (or this) boards that want to make a slight change. Instead of bringing it up to full compliance, there may be a plan that has a good basis for the Board to review and make modifications. The Planning Board would decide what type of review and peer review. It can also assess whether something is substantial or insubstantial, and whether a full site plan review or an abbreviated process is needed.

Mr. Podolski commented that there is a section for minor site plan review that contains this information. That should be the trigger for any site plan review. He finds the language confusing, and said it needs to be under Applicability instead. It will then apply to both Major and Minor Site Plan Review. Under Section 9.5.6, language was changed by Town Counsel to read "The Planning Board shall not be required to hold advertised public hearing on site plan review..." Mr. Podolski will review the language and it will then be sent to Town Counsel.

Mr. McCarthy said the second part of this is how plans have been processed. Previously, an applicant met with the Planning Board within 30 days, go through peer review, and go back and forth with comments. The proposal is that when someone files an application, they will be told what meeting they should attend, a review meeting will be scheduled, and abutters will be notified. The 30 days will no longer be in effect. Mr. Zahka agreed that the wording is confusing. He did not agree with the new language as noted, as it sounds as though within 30 days, a notice is sent to the abutters of the site. He asked for review of this. He also said there is no time frame at all, so theoretically the Planning Board could say it would meet in 30 days, and then see the applicant again in 24 months for review. There needs to be a standard of time. Mr. Podolski will review the language and Mr. McCarthy will take it to Town Counsel.

The Board had no other comments on the proposed zoning articles. Mr. Podolski moved to close the Public Hearing, seconded by Mr. Steeves, voted unanimously (4-0).

VOTE OF THE BOARD

Article 23: Mr. Podolski commented that this is the first time this concept has been used, and he feels that it is a win for the Town. Mr. Podolski moved to recommend approval by Town Meeting as proposed, seconded by Mr. Aldous, voted unanimously, 4-0.

Article 24: Mr. Podolski praised the EDRC for the work, definitions, and the bylaw. He thanked Mr. McCarthy for his work on the project. Mr. Podolski moved to recommend approval by Town Meeting as proposed, seconded by Mr. Steeves, voted unanimously, 4-0.

Article 25: Mr. Podolski moved to recommend approval by Town Meeting subject to removal of three parcels as 211 High Street, 6 Echo Lane, and 5-7 Echo Lane, seconded by Mr. Steeves, voted unanimously, 4-0.

Article 26: Mr. Podolski moved to recommend approval by Town Meeting as proposed subject to removal of the words "or negotiated" in §9.6.6.1, seconded by Mr. Steeves, voted unanimously, 4-0.

Article 27: There was discussion as to whether to hold off until the language is reviewed, or to make a motion to support and recommend subject to satisfactory language changes. Mr. Podolski said it needs to go into the Warrant for publication. The sections in question are §9.5.2 and §9.5.6, so the Board could move to approve all of the article as proposed with a proposed amendments to those two sections to be presented at Town Meeting. Mr. Zahka made several suggestions that were discussed at length. Mr. Bethoney said the article needs to come a little further. Mr. McCarthy said that the cleaner way to do all the changes except the paragraph in §9.5.6. Mr. Podolski said he still has issues with §9.5.2, but it might just involve moving headings. He said that maybe the Board should go with the way it is, and clean it up in the fall. Mr. Podolski moved to recommend approval by Town Meeting as presented, seconded by Mr. Steeves, voted unanimously, 4-0.

The Public Hearing concluded at 8:56 p.m.

Robert D. Aldon
Clerk