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**Planning Board**

**Michael A. Podolski, Esq., Chair**

**John R. Bethoney, Vice Chair**

**Robert D. Aldous, Clerk**

**Ralph I. Steeves**

**James E. O’Brien IV**

**Planning Director**

**Richard J. McCarthy Jr.**

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**TOWN OF DEDHAM**

**PLANNING BOARD**

**MEETING MINUTES**

**January 12, 2017, 7 p.m., Lower Conference Room**

**Present:** Michael A. Podolski, Esq., Chair

John R. Bethoney, Vice Chair

Robert D. Aldous, Clerk

Ralph I. Steeves

James E. O’Brien IV

Richard J. McCarthy, Jr., Planning Director

Call to order 7:00 p.m. The Pledge of Allegiance was recited. Plans, documents, studies, etc., referred to are incorporated as part of the public records and are on file in the Planning and Zoning office.

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| **Applicant:** | **Cellco Partnership d/b/a Verizon Wireless** |
| **Project Address:** | **200 West Street, Dedham, MA** |
| **Case #:** | **SITE-11-16-2164** |
| **Zoning District:** | SRA |
| **Representative(s):** | Daniel Klasnick, Esq., Duval & Klasnick, LLC, 210 Broadway, Suite 204, Lynnfield, MA 01940 |
| **Town Consultant:** | Stephen Findlen, McMahon Associates |

The tower is a 50’ monopole located near the prison on Route 128. Verizon has had 12 antennae at 43.’ There is an equipment shelter on the ground. They propose replacement of 9 antennae on the existing mounts with slightly larger antennae. Three remote radio heads would be removed and nine remote radio heads would be installed on the brackets. They would remove six coaxial cables and install a hybrid cable. Ground equipment would not change. Mr. Findlen said his issues regarding the color of the equipment and emergency contacts have been resolved. The plans have been changed to reflect this. Mr. Aldous asked that the grounding wire be .2 AWT, which is larger than the wire on the plans and protects better. However, he understood that the Federal government is fine with 2. AWT grounding wire. Mr. Klasnick will address this with the engineer. Mr. Steeves told him that if they return for another application and do not address the grounding wire, the Board will deny them. Mr. Bethoney moved approval subject to the change in the grounding wire per Mr. Aldous. Mr. O’Brien seconded the motion. The vote was unanimous at 5-0.

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| **Applicant:** | **Ferullo Family** |
| **Project Address:** | **243 Bussey Street, Dedham, MA** |
| **Case #:** | **SITE-03-17-2204 - *Scoping Session*** |
| **Zoning District:** | Central Business |
| **Representative(s):** | Kevin F. Hampe, Esq., 411 Washington Street, Dedham, MA  Michael McKay, AIA, 35 Bryant Street, Dedham, MA  Scott Henderson, P.E., P.O. Box 626, Lexington, MA 02420  Anthony Ferullo, Owner |

This is a ***scoping session*** for a proposed mixed use building in the Central Business zoning district next to Dedham Diner and across from Delapa Plaza. There are four parcels, the buildings of which will be razed and the parcels combined for an approximately 14,229 square foot building with 4,700 square feet of commercial space in two storefronts, and 27 one-bedroom apartments on the second and third floors. Units are proposed to be 720 square feet up to almost 1,000 square feet. There will be a residential lobby and an elevator. There will be stairs in the back and front. There will be a five-foot setback on all four sides, as well as a perimeter wall.

Neighbors did not like the first iteration, preferring a village feel, so the architecture has been re-designed. Mr. Podolski thanked Mr. Ferullo for doing that. It will be residential in scale with Hardie plank below and Hardie shingles or vinyl shingles above. All four elevations have a similar design all around. There will be awnings for the liquor store and another tenant. The building is set back five feet from the property line, and there is a fairly wide sidewalk. Windows are residential in scale.

They may require a waiver for 2 parking spaces; they have 38 spaces, but 40 are required. There will be a ramp along Bussey Street for an underground parking garage with 29 spaces. There will be an elevator for access to the basement and the four levels above. There will be nine spaces in the back and landscaping along the side. Scott Henderson, P.E., is working with them, and they have an existing conditions site plan. They have not really begun and wanted some feedback from the Board before proceeding. There will be on-street parking in the neighborhood.

Maximum height allowed is 40 feet; the proposal is for 39’6.” The allowed maximum floor area ratio (FAR) is 2.4; the proposal is for 1.88. They are allowed to build to 34,000 square feet. Retail will exceed 10%. The first floor, which will be for the retail liquor store, will be 4,700 square feet. They plan bays and bump-outs, so the building will not be square. The upper floors are set back a foot to eighteen inches in the front, allowing the roof to act like a secondary awning. There will be recessed lighting to light up signage. There will be glass along the left side of the building. Entrances are in front. All zoning requirements are met. They plan to use Hardie plank below and a shingled look above. A different type of Hardie plank in the center will make it look like two buildings. It will be a cement board panel system. Mr. McKay explained by pointing at the elevations. The ramp goes down from Bussey Street, and there will be open parking. There will be a solid wall made of the panel system.

The building height will be 39 feet; the limit is 40 feet. The building next door is 32 feet, so this building will be significantly taller by 8-10 feet. The garage will be 10 feet below street level. They will be doing borings for groundwater. Mr. Aldous said the State or the Federal government is investigating one of the falls below the location, and hoped that would not interfere with them. The proposed color of the building is just about the same as that on the renderings. Mr. O’Brien, who sits on committees related to East Dedham, was pleased with the design, and said it was a good addition to the neighborhood. He asked that the Board allow the neighborhood to express its opinions. Mr. Podolski asked if they were changing the roadway, and they are not. There will be five feet of sidewalk. There will be parking in front of the building. Mr. Steeves wanted to see some samples of the materials. He also asked how many units are existing. Mr. Ferullo said there are eight units, three two bedrooms, one three bedrooms, and four one bedroom. Mr. Bethoney said this new rendering is more appropriate than the previous one, and said the neighbors gave good advice. The exterior will not have vinyl, although Mr. McKay did consider vinyl shingles on the peaks to give better shadow. This is only a proposal thus far. Mr. Bethoney agreed with Mr. Steeves’ comment that 27 units are not being added to this location; a minimum of 20 units are being added since there are already 7 units on site. As a result, they are really replacing these units, so there would be less of an impact overall. As stated, they may need a waiver for two parking spaces since they are providing 38 spaces, and the requirement is 40. There will be 29 spaces in the lower level. Mr. Bethoney said the project is subject to full site plan review.

Although this is not a Public Hearing, the Board took input from the audience. Charlie Krueger, 9-11 Stafford Street, Precinct 3 chair, said that they have been waiting for a project like this for years. He thanked the Board for its support of the revitalization of East Dedham. He knows the Applicants, and said they are well respected, honest, generous people. He cited the Dunkin Donuts on Sawmill Lane as a vast improvement to East Dedham. He hopes that this ripple effect will turn into a wave to attract more property owners. He said the community supports the project and the Ferullo family.

Mr. Podolski said it is full speed ahead for the project, and the Applicants can return when they are ready.

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| **Applicant:** | **Marbridge, LLC** |
| **Project Address:** | **280 Bridge Street, Dedham, MA** |
| **Case #:** | **SITE-04-16-2083** |
| **Zoning District:** | General Residence |
| **Representative(s):** | Scott Henderson, P.E., P.O. Box 626, Lexington, MA 02420 |
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The Board expressed its pleasure at how the property is looking. Mr. Henderson stated that the rear parking lot has been re-paved per the approval. Upon completion of the paving, the Building Inspector found that the handicapped spaces on the left side of the parking lot are not compliant with the ADA. They are trying not to have to rip out all the pavement, and are seeking a solution. There is an area about 50 feet further from the building, and current striping is right up against the building. They want to shift the spaces to the loading zone. The proposal is to re-stripe to create an alignment as shown on the plan. He spoke with Mr. McCarthy and Building Commissioner Kenneth Cimeno, and they agreed that the way it is presented on the plan completely satisfies the ADA and Architectural Access Board (AAB) regulations. There will be the requisite two handicapped spaces and an accessible pathway that fulfill slope requirements. There will be access to two entrances in the building front, both of which have handicapped doors.

Mr. Henderson said the question is that there is a “dead zone” of a paved space in between the parking spaces along the face of the building. He presented two plans: 1) Interim Parking Plan, which has an immediate solution with removal of the striping, leaving the pavement as is, and 2) Long Term Parking Plan, which shows the area being addressed in some way, possibly re-graded, and use it as an outdoor usable space. Mr. Podolski asked what the time frame was, and Mr. Henderson, who spoke with the owner, said possibly springtime, but the owner is not ready to commit to a specific design. Mr. Podolski said it was a great idea, but he did not want to leave it without a time limit. He liked the idea of a patio, and hated to have the owner rip it out. However, it does need to comply. Mr. Bethoney said it would be fine to leave it as is on the Interim Parking Plan. The Board agreed as a whole that the site now looks beautiful.

Mr. Podolski told Mr. Henderson to check back in May 2018. Mr. Bethoney moved approval of the Interim Parking Plan subject to a final plan completed prior to May 31, 2018. Mr. Aldous seconded the motion. The vote was unanimous at 5-0.

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| **Applicant:** | **Griffith Properties/Amazon** |
| **Project Address:** | **480 Sprague Street, Dedham, MA** |
| **Case #:** | **SITE-12-16-2176** |
| **Zoning District:** | LMA |
| **Representative(s):** | Peter A. Zahka II, Esq., 12 School Street, Dedham, MA  Marci Griffith Loeber, Managing Principal, Griffith Properties, 260 Franklin Street, Boston, MA  02110  Fred Johnson, Building Inspector |

Mr. Zahka gave a brief update on Amazon. There have been no recent complaints, and activity has settled down. Ms. Loeber said that Amazon temporarily cut back on operations until they figure out a permanent parking solution. They have been exploring all options, and hope to return to the Board with a plan in three to four months. She asked Amazon if it is running at 50% operation, but has not been given an answer.

Mr. Podolski has heard no complaints, so something is happening. He is not sure if neighbors are complaining, but would think that if they were, the Board would hear about it. Mr. McCarthy said he did have one complaint about a delivery in the neighborhood. Mr. Johnson said things have quieted down, and there have been no complaints. There has just be a bit of trash in the parking lot, and this has been addressed. He said there has been a great improvement.

Mr. Podolski was happy to hear this update, but he did not want revision of the plan to be forgotten. He wants to see it and he wants it done. The Board will give Amazon 90 days to return with it. Mr. McCarthy will send them a letter.

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| **Applicant:** | **Griffith Properties/Sprague Street Solar I, LLC** |
| **Project Address:** | **480 Sprague Street, Dedham, MA** |
| **Case #:** | **SITE-12-16-2176** |
| **Zoning District:** | LMA |
| **Representative(s):** | * Tom Brown, dGen Energy Partners, LLC, 30 North Gould Street, Suite 5736, Sheridan, Wyoming 82801 * Brandon Stromack, Sunraise Investments * Matt Swansburg, Borrego Solar, 55 Technology Drive, Suite 102, Lowell, MA 01852, Project Developer |

Griffith Properties proposed installation of a stationary solar array on the roof of the building that will not be visible from the ground because they will be tilted at a 5° angle. The parapet wall is higher. The plan is to have the least amount of change possible, and to actually improve the appearance. Three pieces of gear, necessary for the safety of the facility and the solar array, will be added to an existing pad in the front left corner. The pad will be extended, but not past the edge of the building. The existing trees and vegetation will not be disturbed, and will continue to obscure the pad. There is some change in how the electric runs to the facility, which was explained in detail. The current power lines run from Sprague Street across the front open area of the parking lot, and then back to the corner. The utility company will relocate the transformer from their pole to another, install two new poles, and remove the old poles. Griffith Properties will put in a pole as noted on the plans. The electricity will then go to the pad. Lines will not be run through the trees. A six-foot fence, black, green, or matching the building, would be erected around the pad to prevent unwanted access. This, plus a tree in front of the pad, will obscure all of the equipment. The ground equipment will be 90” high, and will be 18” higher than the fence; the exact height will be confirmed. They could put up an 8’ fence if the Board preferred, but this would require a waiver for height from the Zoning Board of Appeals. The current ground equipment is 5’ tall. Mr. Podolski mentioned that many electrical boxes in town have been painted, citing one on Common Street that was painted with birch trees, making it look like part of the woods. He also thought that an 8’ fence was a little high.

They have spoken with Fire Chief William Spillane about the solar array. The panels will be set six feet from the edge of the roof, complying with OSHA requirements and for fire safety. The solar panels will be DC powered, transferring the energy to AC energy. The converters will also be spaced out on the roof. There will be fewer converters than those on the Rustcraft building. They will be spaced out in a wider area, allowing the Fire Department to easily access the roof. The power is not for the building, and will go directly into the grid and sold to other towns. A complete structural engineering set will be done before installation to ensure that the roof can handle the weight of the array. Griffith Properties replaced part of the roof where the array will be located, and removed ten pounds per square foot of weight. They are using the new code for snow loads, so there should be an excess beyond what is necessary. All wear and tear damage of the roof is covered by a 15 year warranty. The warranty on solar panels is 25 to 40 years, and they require little maintenance other than cleaning, which will be done by the installer.

Mr. O’Brien asked if Dedham was part of the purchase package. Mr. Brown said he has spoken with the Town recently about working with it in the future. There is a new program that the State is working on, and this should allow Dedham to participate in getting credits for solar energy that is being created. They will return to the Town to discuss participation once the new program is in effect. Mr. Steeves said this company would be the third largest installer in Dedham, but the Town will get nothing from it. He is not a fan of solar installations. The Building Department will be reviewing the equipment inside the building.

Mr. Bethoney asked if there are any communities with solar systems and with whom the Applicant has a relationship that have reaped benefits. Mr. Brown said there were. They have spoken with Mr. McCarthy about this. The new legislation is underway and probably will not be passed until late March. They need to get the interconnections and testing done with the utilities, and they need to respect the Town’s open bidding process. They want to give a general presentation and look at other facilities in Dedham to explain the process and how it will bring financial benefits. Long-term planning is required for this. The Board asked for this information. Mr. Swansburg explained that there is on-site solar and off-site solar, which would generate revenue for the Town. Mr. Bethoney asked if having the equipment on a building increases the tax assessment for the property. It is the Applicant’s understating that the equipment is treated as personal property and the owner is taxed at the commercial rate. Whether the Assessors believe that this increases a property value is not known, but they have not seen that.

Mr. Podolski said the Board could approve the project, then have the Applicant return to discuss color of the fence and height of the equipment once it is in. Mr. Bethoney moved to approve a pad and equipment to the front left side of the building at 480 Sprague Street, with the understanding that they return to the Board after installation to discuss color of the fence and height of the equipment. Mr. O’Brien seconded the motion. The vote was unanimous at 5-0.

**Discussion with John Sisson, Economic Development Director: Amendment to Zoning Bylaw re: Brewery, Distillery, or Winery with Tasting Room**

Mr. Sisson was approached by someone who wants to start a craft brewing company in Dedham at 110 Stergis Way, which is in the Highway Business zoning district. The 25,000 square foot building has been vacant for some time, and he has been working with the owner in seeking potential tenants. The Board sponsored a warrant article in November 2016 to allow brewing in the LMA zoning district. He wanted the Board’s thoughts about adding this to the HB zoning district and if the Board would sponsor it at Town Meeting in the spring. If passed by Town Meeting, it would require a Special Permit from the Board.

Mr. Podolski said this would be a great idea. Mr. Bethoney asked if this is of interest to the public, and Mr. Sisson said it is to the business community. He presented a Department of Agriculture map of towns in Massachusetts with microbreweries, as well as a more detailed map of the three in Canton and the two in Norwood. Mr. Bethoney asked how much interest he has seen for these types of breweries in Dedham. Mr. Sisson reminded the Board that there was a sake manufacturing company interested in property in the Limited Manufacturing zoning district in Dedham, although they could not agree on the price. The sake manufacturer is still very interested in coming to Dedham in that space, however. Mr. Sisson said changing the Zoning Bylaw to include the Highway Business zoning district is a good idea for the Town. It would bring in skilled manufacturing jobs, as well as bring different businesses to that area. He would present the article at Town Meeting. Mr. Podolski asked him to write a report to distribute there. Mr. McCarthy said there is already established parking for the use. The article would have the same language as the previous one, although there would be a slight difference in that the owner of the craft brewing company would also want retail sales, which requires federal and state licenses, as well as a pouring license. If he wanted to have food, he would also require a common victualler license from the Town. They did not discuss the number of employees, but the owner would want 14,000 square feet, so he would require at least four people.

Off topic discussion took place regarding marijuana. Mr. Podolski asked about regulating it and in what zone it could go. It will be regulated by the State by 2018. Mr. McCarthy said there has been a preliminary discussion to potentially put it on the ballot to prohibit retail sales in Town. They will bring forward the moratorium for the spring so an analysis can be done. Mr. O’Brien said some towns prohibit the sale of alcohol, and asked why this can be done with marijuana. Mr. McCarthy said that could be done, but it would require 10% of registered Dedham voters submitting a petition for it to go on the ballot for a vote. Mr. Podolski said that if this passed, there would be no need to worry about regulation. Mr. Sisson said that he and Mr. McCarthy will work on this. Mr. Podolski wants some plan so the Town will be ready zoning-wise.

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| **Applicant:** | **Ursuline Academy** |
| **Project Address:** | **85 Lowder Street, Dedham, MA** |
| **Case #:** | **SITE-06-15-1981** |
| **Zoning District:** | SRA |
| **Representative(s):** | * Peter A. Zahka II, Esq., 12 School Street, Dedham, MA * Timothy Lawlor, Vice President, Ursuline Academy * Kevin Hines, Hines Project Management, LLC, 90 Highland Avenue, North Falmouth, MA 02556 |

Ursuline is seeking an insignificant modification for landscaping. The submitted plans show the four areas that will be modified, which are also outlined in Mr. Zahka’s letter. Attached to the plan is a sheet from Stantec identifying the areas.

Mr. Hines said Ursuline is constructing two buildings, which were previously approved by the Planning Board. The new facilities maintenance building is complete, but the athletic/convocation center is still under construction. Prior to and during construction, the site was explored, and it was found that the bulk of the site is solid ledge. The requests are for changes to the proposed site plan from what was initially approved. Nothing proposed has an off-site impact.

1. They removed four diseased trees. Five trees were lost due to the construction; they were compromised by the new electrical system, underground storm water detention systems, and creation of parking. All trees will be replaced with trees in kind. The total tree planting count will remain as previously approved plus the nine trees. They hope that their landscape architect can tag all the trees in the early spring. They plan to landscape the entire site. The facilities maintenance building has been completed and they have temporary occupancy of the building. Because of the season, they decided to defer all planting until the spring. The building is scheduled for completion in mid-summer.
2. The subgrade in front of the new facilities building is pretty much all rock. There is an area where they can put seven parking spaces; these would be grass turf reinforced parking.
3. They plan to install a walkway in the basement of the Provincialate building where there is a fuel oil storage tank and storage of equipment used on the playing fields. They propose a four foot wide path between buildings to access the storage. This will be a significant distance from Lowder Street.
4. They have changed the grading in the area of the proposed additional parking spaces. The spaces will be pavers.

Mr. Zahka asked the Board to deem the modifications as insignificant, and that notice and peer review are not required. If approved, the matter would go on the next agenda for approval. Mr. Steeves moved to deem the modifications outlined by the Applicant as insignificant, and not requiring notice or peer review. Mr. Aldous seconded the motion. The vote was unanimous at 5-0.

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| **Applicant:** | **Early Childhood Education Center (ECEC)** |
| **Project Address:** | **1100 High Street, Dedham, MA** |
| **Case #:** | **SITE-01-16-2061** |
| **Zoning District:** | Single Residence A |
| **Representative(s):** | * Daniel Bradford, AIA, KBA Architects, 6 Thirteenth Street, Charlestown Navy Yard, Charlestown, MA 02129 * Nick Havan, PE, PTOE, Nitsch Engineering, 2 Center Plaza, Suite 430, Boston, MA 02108 * Dave Roberts, School Building and Rehab Committee |
| **Town Consultant:** | Steven Findlen, McMahon Associates |

The Applicant returned for discussion of Route 109 traffic. The Board was given some pictures that could not be shown on the screen. The first draft of their proposal for Route 109 was shown on the screen. McMahon has not had sufficient time to review this, but will comment later in the meeting. Jason Mammone, P.E., Town of Dedham Engineer, has also not had sufficient time to review it.

Mr. Bradford said that from the last meeting to now, time was needed for review of what they submitted. They are responding to McMahon’s December 27, 2016, letter. On issue #3, McMahon was looking for engineered plans for off-site mitigation measures. The Applicant understood this to be pictorial vs. verbal response about the locations and where they would be along Route 109. They submitted this recently. Mr. McCarthy wanted more on one mitigating item, i.e., Westwood’s potential about the possibility for geometric reconfiguration and what it would look like. Mr. Bradford recommended that these measures be pursued at Town Meeting for design funding. The design will start with site survey of all the locations along Route 109 where mitigating measures would occur. They do not have engineered plans. Mr. Podolski said the Board is just looking for a plan to review.

Mr. Bradford pointed out the existing entrance curb cut and proposed exit curb cut. He showed the location of the school on Route 109, and propose a mitigating measure for the turn off ramp for those driving in a westerly direction to come on to the site. A lot of recommended mitigating measures are entrenched in trying to calm the speed of traffic flowing into Dedham across the overpass. A mitigating measure that was suggested was that they could pursue geometric reconfiguration; he believes this was Mr. Mammone’s suggestion. This would be a physical change in the flow of traffic. Rather than having speed going in one direction, it would be a physical constraint in the flow of traffic to attempt to modify and control the pace of traffic in an easterly direction. This could involve a choking (narrowing) of the lane width itself. They could consider just an offset and change in the *(unintelligible)*. i.e., instead of going straight, vehicles would have to navigate around a raised 250 foot long island that would gradually reduce the road width, thereby restricting and slowing down traffic coming across the overpass from Westwood near Booth Road. This will be investigated later. Existing conditions have a single lane coming off the bridge from Route 128 North. There is a raised island down the middle of the overpass up to Booth Road, across from Deerpath Road. This is state property. It splits into two lanes, narrowing down to one lane. Although it is shown as a raised island, MassDOT said it is just a painted island. In terms of making a turn from High Street onto Deerpath Road, vehicles will have to turn at the end of the island. When they met with MassDOT, they asked if there would be a possibility that it could be made into a raised island. MassDOT wanted to see a proposal, and would then decide. They would definitely entertain this. This would physically control how vehicles would proceed down Route 109. There would be a turning lane into the site that can queue up to four vehicles; the road would be wider there. After a vehicle passes the entrance, the road goes back to a painted line, and narrows again toward Lowder Street. Mr. Bradford’s recommendations for and against mitigation were presented.

Mr. Podolski said the Board has approved the site, but this is off-site and something that affects the Town in general more than anyone else; it is a tender topic. Anything that is done on the roadway is not yet funded. Mr. Roberts agreed. Mr. Podolski questioned how far the Planning Board could go if the Applicant does not know if the money will be approved. The Board cannot approve it this way because it is not specific enough, but it is fair for the Applicant to say that they cannot go any further until they obtain funding. He said they are almost looking at stopping it now until the funding is straightened out. He does not want to continue to meet and look at this without the engineering. This is almost a catch-22 for the Board.

Mr. Roberts said that perhaps doing the design or what would be the most appealing thing or the best aspect of geometrics and other aspects of the speed calming issues should be done, and a price could then be developed for what the design would be pending funding from Town Meeting. Mr. Podolski asked who does the pricing. He said he wondered what would happen if it is priced and approved at Town Meeting, and then they return to the Planning Board who says it is not what it wants. Mr. Roberts said this is the catch-22 in this.

Mr. Podolski said that he did not know how much the architects, as a team, are approved to go off-site and spend money that they do not have. Mr. Roberts said they cannot. Mr. Bradford said it was and is his understanding that there will be conditions in the Certificate of Action, a draft of which they presented at the last meeting. He believed that it ties back to them coming back to the Board for the design upon funding approval for the design fees. A lot of the measures do not involve a lot of design time; it may just be signage. Mr. Podolski said this has basically been agreed upon, i.e., flashing “School Ahead,” speed limit signs, “Your Speed is Now ---” signs. That can be adequately priced. He asked if the roadway would need to be enlarged for the left turn. Mr. Bradford said that from preliminary review, it would not. There would be no roadway reconstruction; there would be a 250-foot choke point, signage, and painting. Ledge removal coming out of the exit will be considered on-site, and has been included in the price for site work, according to Mr. Roberts.

Mr. Aldous said the Town is in the process of changing speed limits, and asked if this would affect signage. Mr. Bradford said it would not. One of the measures that they are looking at is the sign posting. They are looking for consistency, not just in Dedham but for the overpass and in Westwood as well. MassDOT agreed that the speed on the overpass would be reduced if new counts and speeds warranted it. Mr. Bradford said they would need counts closer to the MassDOT overpass. Therefore, money for new counts would also be needed since it is off-site. Mr. Aldous said in the near future, the State would probably change speed limits everywhere there is no listing of a different speed. An example of this is if the speed is posted at 30 mph, you can go 30 mph. If it is not posted, you can only go 25 mph. Mr. Bradford said it is their intent to post speed limits that are in sync with what is going on with the Town and what the Town is looking for. They would like to reduce the rates now; it varies from 30 mph on one side to 35-45 on one stretch of the road. They would work with the Town on this to determine what speed is to be posted along the length of Route 109.

Mr. O’Brien asked if anyone had reached out to MassDOT about whether they are willing to do a painted line for the Town. Mr. Bradford said they are not interested in doing anything on town land. They would also not put in a STOP sign at the end of the exit ramp. Mr. O’Brien asked if the Department of Public Works could do possibly do this and pay for it if MassDOT is okay with it. Mr. Bradford said they first want to do a design to determine the price and go out for bidding. They have not yet determined how this would be implemented or how it would go out for bidding. They had a meeting, but there has been no general meeting to review this. There has been good dialogue with MassDOT, and they were very open to putting in some measures on their property, and gave them ways to approach them. He put in a request to discuss the possibility of putting a STOP signs back at the top of the exit ramp, but MassDOT said no.

Mr. Bethoney said that Mr. Bradford has not brought in anything substantive or definitive. He said they should return once they have something substantive or definitive. He was fine with what was proposed as long as the engineers and consultants look at it and determine if it will work as best it can. He asked if there are any lights other than flashing ones. Mr. Bradford said there were not. He wanted to confirm that there will be no crosswalks, signals, or school zone; Mr. Bradford confirmed this. Mr. Bethoney asked if the neighbors know about this. Mr. Bradford said they had a meeting with some neighbors, but there has been no follow up general meeting with the neighbors. Mr. Podolski said this is scheduled for February 7, 2017. Mr. Bethoney asked if any or all of the neighbors’ concerns had been considered and resolved one way or the other. Mr. Bradford said that to the best of their ability, they put in writing what they saw as any of the concerns that they heard, as well as any documentation regarding the concerns. The general working committee discussed each of them and came up with either recommended mitigation measures or reasons why they should not be considered or recommended.

Mr. Bradford said he hoped they will not return to the Board until all off-site measures are determined and they get their off-site funding. Mr. Podolski again said that what is holding things is not the Planning Board but the fact that it has to wait until off-site funding is received. Mr. Bradford agreed. They still need a vote on a Certificate of Action. Mr. Podolski suggested giving them that for on-site and leave off-site out, saying it is subject to them returning when it is ready. Mr. Roberts said they need to determine if this approach is agreeable with the Massachusetts School Building Authority (MSBA). Mr. Podolski said the Board certainly cannot approve anything off-site at this point. Mr. Roberts said he would make it a point to contact them tomorrow. They will be given a Certificate of Action for on-site subject to discussion with the Hunters. Mr. Roberts said that after the last Planning Board meeting, the traffic calming measures that were presented were also sent to the community list through the superintendent’s office. He checked with him on three occasions, and there has been no feedback or comment.

Mr. Podolski asked them to get back to the Board once they have spoken with the MSBA as to what they need from the Board regarding site approvals. He suggested that they try to complete that now. Mr. Roberts had given Mr. Podolski a well-documented response to the Hunter family, who were in attendance at this meeting. There are still on-site issues that need to be worked out with them. There was an on-site discussion with Mr. Hunter, and Mr. Roberts also gave him a list from December 30, 2016. Mr. Hunter said it was a great response, but he still had some items that he wanted clarified:

1. Process for notification if there will be work on weekends, and what those hours would be. Mr. Podolski said he was not familiar with how this would be handled. If a contractor needs to work on Saturday, the neighborhood would need to be advised. Mr. Roberts said they would establish a communication vehicle, i.e., the contractor would need to give lead time and a minimum of 48 hours’ notice of change of hours, or weekend or holiday work. He is happy to have this as a condition in the Certificate of Action. Mr. O’Brien agreed and said he would push for that as well. Mr. Hunter was satisfied with this.
2. Clarity re: some type of barrier including vegetation at his property line at the end of the project. He was told that the end of the project would determine whether, and where, some type of vegetation would be installed. If the project has run out of money, he would like a simple rendering of what is to be contemplated. Mr. Bradford said that landscaping for the entire site has been planted. Mr. Hunter thought it was very light and did not address his issues. Mr. Podolski asked Mr. Bradford if they could beef up the landscaping on the Hunters’ boundary lines. He suggested adding some circles to the boundary line. Mr. Bradford said they would like to work it out but do not know if it is the building Mr. Hunter wants to block from view. Mr. Podolski said that this is why the Board cannot approve the Certificate of Action until this is worked out. It needs to be clarified with Mr. Hunter. Mr. Hunter should be given the plan, or Mr. Bradford could meet with him and walk the side of his property, then discuss what they could do.
3. Clarity what blasting entails and who is responsible. Mr. Hunter would like to know what the pre-construction survey entails in detail, and, in the post-construction survey, who will be responsible. Mr. Podolski said this is tightly regulated by the State through the Fire Department. The SBRC has chosen a contractor for blasting, and a letter went out to him today. An agreement has not been signed to date. The contract needs to be worked out and signed by the parties to be charged, and Town Counsel needs to review it. Mr. Podolski said he, Mr. McCarthy, and Mr. Bradford should work on some language for the Certificate of Action to attempt to allay Mr. Hunter’s concerns. Once it is signed and becomes a public document, it will be shared with Mr. Hunter. There will be a condition that the contractor is to attend community meetings. The Fire Chief will be present for the blasting. Everything involved with pre-inspections, etc., will be clearly explained to all the abutters at the meeting. If an abutter cannot be present, it will be put in writing so they will be aware of the details. This is a priority for the SBRC and the Town. Mr. Podolski did not think the Board could do a Certificate of Action before the community meeting. Mr. Roberts said there would be a community meeting to explain all the aspects of the blasting plan. Mr. Hunter said there have to be things included in the general conditions, and this has to be in black and white for the contractor. Mr. Bradford said that if there is any damage caused by the blasting to any of the properties, the contractor is held to it. There will be insurance, although the exact amount is not known.

Mr. Podolski, Mr. Bradford, and Mr. McCarthy will work on language of the Certificate of Action (Approval). From Mr. Robert’s team’s perspective, they will then start to work on the design estimate for the work being discussed. The SBRC will work on the design estimate for the road work discussed on High Street in conjunction with the appropriate town departments, i.e., Engineering. Mr. McCarthy said they will do an on-site Certificate of Action with the statement that all determination on off-site is reserved until appropriations for funding have been obtained. The Applicant will then return to the Planning Board for this. Mr. Steeves told the Applicant that the next time they come before the Board, they need to have all the answers. Mr. Bradford agreed. The Board cannot deal with off-site mitigation until after Town Meeting; it cannot approve something that is not engineered. It was reiterated that the only thing approved is on-site. The only reason for a two-step process for approval is that the Applicant must get funding for the off-site portion, and do what needs to be done.

Mr. Findlen said there were seven outstanding issues, and now they are down to two:

1. Off-site mitigation needs further examination. He wants the Applicant to look all the way down from the overpass to Bridge and High Streets.
2. Re-timing of the intersection at Bridge and High Streets. This is already graded as all Fs. Whenever more traffic is added to an intersection, it gets worse. Mr. Podolski asked him if the town should be looking at adding a left turn only lane at that intersection since new ECEC traffic will be added. Mr. Findlen said he is not asking that specifically, but he thought it should be investigated. He said he is looking for any mitigation that would alleviate some of the problems. Mr. Podolski mentioned moving the curbs out to squeeze in a left turn lane, or installing a new set of lights with a left turn signal. He and Mr. Bethoney are at the MIT Endicott House for Rotary Club every Wednesday, and he comes out of Haven Street onto Common Street to the Bridge Street/High Street intersection. He said the back-up for that light is incredible, going all the way through Dedham Square. New ECEC traffic will be added at some point, although he realizes that it is mostly buses for kindergarten.

Mr. Podolski told Mr. Hunter that the Board will be in touch with him directly. He would also like him to look at the Certificate of Action before the Board does anything or signs off. He told Mr. Bradford that prior to the Certificate of Occupancy, they must return to the Board show off-site mitigation.

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| **Applicant:** | **Mother Brook Arts and Community Center (MBACC)** |
| **Project Address:** | **123 High Street, Dedham, MA** |
| **Case #:** | **SITE-06-16-2105** |
| **Zoning District:** | General Business |
| **Representative(s):** | Jean Ford Webb, Executive Director  James Kaufman, Chairman of the Board |

**Prior to this meeting, Mr. O’Brien recused himself due to his role as a member of the Mother Brook Arts and Community Center. He left the meeting room at 9:20 p.m.**

Mother Brook Arts and Community Center presented for review of site compliance. Ms. Webb reviewed and responded to the issues brought up in Mr. McCarthy’s letter to the Board. Signs have been ordered and received. They were to be put up yesterday, but the installer has pneumonia, so they will be installed as soon as possible. She said the Town is responsible for re-striping the parking lot. She did not check the specific line that needs to be painted, but now sees that it needs to be re-striped. MBACC will be do this as soon as the asphalt is dry and warm enough to paint. The dumpster enclosure was not part of the original plan, but it has apparently been hit and bent by a couple of plows. The emergency gate was missing when they took over the building. The long-term plan is to do some landscaping in that area; they will return to the Board for that. They have contracted with Tony’s Fence to (1) replace the dumpster gate, (2) install a new gate on the right side of the building, and (3) replace the top bar of the chain link fence along the right side and on the left perimeter because of complaints. A lot of chain link fence around the property has been taken down, and this fence will eventually be taken down. In the meantime, it will improve the look of the fence for the neighbors. They intend to replace the fence with a lot of trees eventually. The bar will be installed in two-and-a-half weeks. As for site maintenance, they have raked the leaves and removed construction debris, which improved the general upkeep of the site. Mr. Kaufman said that the nonprofit is to fulfill the mission of the Town, intended to be for the benefit of the Town and neighborhood. They want to be a good neighbor, and are making progress.

Mr. Podolski asked if there is overlap in responsibility, and whether they were expecting the Town to do these things. Ms. Ford Webb had hoped it would. She said the Town was responsible for maintaining the heating system until it was replaced; they have done that. The Memo of Understanding said the Town is responsible for striping, removal of the playground equipment and the debris in the building, and cleaning the site; this was not done as she had expected. She had been told that the roof did not leak, but it does, so they are raising money to fix it. The challenge is money. Tremendous progress has been made, and most neighbors are proud of it. She believes they are doing what they set out to do.

Mr. Aldous said that striping of the parking lot is important if they plan to put in a restaurant. Ms. Ford Webb said that one of the reasons this has not be focused upon yet is that there was no money when they took over the building. An engineer did a striping plan, which they have been using. However, they realized that there are better ways to stripe the lot. When they bring a restaurant in, they expect to re-do that.

Mr. Bethoney applauded the improvements. He asked who was responsible for the issues mentioned. Ms. Ford Webb said only the striping was the Town’s responsibility. She is not sure about fixing the fence. She had asked the Town for help with that, but received no concrete answer. The fence is located around the perimeter in the back and there is a gate (which is missing and will be fixed by MBACC). She felt that the fence is in very good condition, but the top bar will be fixed. She hopes that they will put in landscaping as a buffer for the neighbors. She also mentioned the piece around the dumpster.

Mr. Bethoney said he is only interested in what the approved site plan says will be on the ground when they are operational. He said that a while back, MBACC came in with students from Mass. College of Art and Design, who were going to put in a park. The Board approved their plan, but the area does not look anything like that. He asked what the status of this was. Ms. Ford Webb said the metal and the wood are according to the plan. The landscaping has not been done due to the severe drought and water ban. Mr. Bethoney said the area looks terrible and in fact looks abandoned. It is hoped that it can be completed this year, barring drought conditions. John Haven, landscape architect, is working on it, and it will look like the plan.

Mr. Bethoney said that they should do what the approved plan says. As far as the mural on the rear of the building is concerned, the Planning Board has no jurisdiction over that. He said the Zoning Bylaw has regulations, and they are required to follow them. Any future planning must come to the Planning Board. Ms. Ford Webb understood.

Mr. Bethoney moved to adjourn, seconded by Mr. Aldous, and voted unanimously 4-0. The meeting ended at 9:45 p.m.

Respectfully submitted,

Robert D. Aldous, Clerk

/snw