**TOWN OF DEDHAM**

**COMMONWEALTH OF MASSACHUSETTS**

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**John R. Bethoney, Chair**

**Ralph I. Steeves, Vice Chair**

**Robert D. Aldous, Clerk**

**James E. O’Brien IV, Member**

**Michael A. Podolski, Esq., Member**

**Richard J. McCarthy, Planning Director**

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**PLANNING BOARD**

**MINUTES**

**Thursday, June 22, 2017, 7 p.m., Lower Conference Room**

Present: John R. Bethoney, Chair
 Ralph I. Steeves, Vice Chair

 Robert D. Aldous, Clerk

 James E. O’Brien IV

 Michael A. Podolski, Esq.

Staff: Richard J. McCarthy, Planning Director

Susan Webster, Administrative Assistant

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. The recording of the meeting was insufficient for transcription, so the meeting was transcribed based on the administrative assistant’s notes.

**Board Reorganization**

Mr. Podolski has decided to step down as chair. The Board reorganized as follows:

* Mr. Aldous nominated Mr. Bethoney as chair, seconded by Mr. Steeves. The vote was unanimous.
* Mr. Aldous nominated Mr. Steeves as vice chair, seconded by Mr. Podolski. The vote was unanimous.
* Mr. Podolski nominated Mr. Aldous as clerk, seconded by Mr. Steeves. The vote was unanimous.

Mr. Steeves thanked Mr. Podolski for his service as chair, saying he is the finest gentleman with whom he has worked on the Board. Mr. Bethoney thanked Mr. Podolski and assumed the chair.

**Summer Schedule**

After discussion, the Board decided to meet on July 20, 2017, and August 24, 2017. Regular twice monthly meetings will resume in September.

**New and Ongoing Filings**

* 331 Whiting Avenue just filed for minor site plan review. It is now in peer review with McMahon Associates.
* 1000 Washington Street filed on June 21, 2017.
* ECEC needs to file by September 2017.

Mr. Steeves said that applicants must present all their information to the Board at their first meeting. He does not want partial filings. He does not want three meetings a month anymore. The Board agreed. Mr. O’Brien said there should be no last-minute information given to the Board, and applicants should be told there will be no extra meetings. The Board must stop catering to their needs. There has to be some way of preventing this, even if the Board has to be the “bad guy.” Mr. Steeves said they were asking Mr. McCarthy to do his job.

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| Applicant: | 41 River Street, LLC |
| Project Address: | 41 River Street, Dedham, MA |
| Zoning District: | Limited Manufacturing A |
| Representative(s): | Robert Reissfelder, 41 River Street, LLCJacqueline KeefeGreg Laham |

Mr. Reissfelder has purchased the property, which was formerly a lumber yard. The last site plan was done in 1990 when the parking requirement for warehouses was based on 1/300 square feet; it is now 1/1,000 square feet. To meet that number, there were parking spaces in the warehouse.

Mr. Reissfelder went to the Building Department about the inside parking, saying it will be a similar use. The Building Department said he cannot do this without going to the Planning Board for modification of a previously approved parking plan. There are existing spaces along the property line outside the building, which is being used to pick up, store, and deliver hospital equipment. The company does a lot of hospice work. They presently have 10 vans, but the drivers take them home at night. Many drivers are on call 24 hours a day. There will be no pharmacy. Hours of operation would be 8 a.m. to 5 p.m., but the business is available 24 hours a day if people need equipment. This change would be insubstantial. He wants to construct office space in the warehouse for shipping and receiving. Mr. McCarthy said that, based on the use and size, eight parking spaces are required, and they have eight.

Mr. Reissfelder also wants to convert the front of the building, which had been a showroom, to allow leasing from Enterprise Rent-A-Car. This will trigger full site plan review. They will maintain the vehicles on site; Mr. Reissfelder proposed a hand car wash. The leasing company would require 30 parking spaces. A new plan was done by Norwood Engineering showing the spaces. He will return with a full sized plan for the front.

Mr. Bethoney said that once site plan review is triggered, the applicant has an obligation to bring the entire site into compliance with the current standards based on the use. Both uses are allowed. If the landscaping requirement is met, there would not be 30 parking spaces. It is a tight, narrow spot, and the travel lane is only 10 feet. He was surprised that Norwood Engineering made this proposal, but everyone wants the site redeveloped. Mr. Podolski said the medical warehouse sounds great, but Enterprise may be too much. He wondered if cars could be parked off site.

Mr. Bethoney advised Mr. Reissfelder talk to Norwood Engineering; they know the regulations and requirements. He also advised him to talk with both tenants about working something out to make operation more feasible. Mr. Reissfelder said he wants to start as soon as possible, but Mr. Steeves said he needs a parking plan for the warehouse. The applicant said they have the eight required spaces already. He said he was just giving the Board an overview of Enterprise; the warehouse is his main reason for coming before the Board. Mr. McCarthy said he only wants a revised parking plan that reflects the warehouse use.

Mr. Bethoney asked what, if anything, modification of this plan would trigger. Mr. McCarthy said that the Board needs to determine if the modification is insignificant, whether it is subject to peer review, and whether it requires notice to abutters. Mr. Bethoney said that if it is more significant, there will need to be a peer review and site plan for the proposed use.

Mr. Steeves said he needs to return to Norwood Engineering. The Enterprise use will not happen. He said it is not an insignificant modification. Mr. O’Brien said it was insignificant, but Mr. Aldous agreed with Mr. Steeves. Mr. Podolski said that moving spaces out of the building is insignificant, and that Mr. Reissfelder should provide a plan for just the warehouse use. Nothing can be done with the front part of the building until he returns to the Board. Mr. Bethoney said the warehouse is the only use that can operate at this time. Mr. McCarthy said the applicant wants to get started on the office, and already has an application. He asked the Board if the Building Department can permit it. Mr. Podolski said he could, but he cannot occupy the office until the plan is modified and ready for review. Mr. Reissfelder said he can get a plan to the Board as soon as possible.

Mr. Podolski moved to deem moving the parking spaces as shown inside the warehouse on the 1990 plan to be an insignificant modification, and that the applicant may commence use of the building for warehousing of medical equipment and an office. He must submit a new plan for the warehouse use within 30 days. Mr. Bethoney amended the motion to add that nothing shall be done in the front of the building until the applicant returns to the Board. Mr. Steeves seconded the motion.

Discussion: Mr. O’Brien asked if the eight spaces in back could be used. Mr. Podolski said they could, but they need striping as soon as possible. Mr. Reissfelder should get a striping plan from Norwood Engineering, take eight spaces off, and remove all other parking. Mr. Bethoney said the lot has to be ADA compliant, and that there needs to be one handicapped space on the lot.

With the motion and second on the floor, the vote was unanimous at 5-0 with the amendments as listed above. Mr. Reissfelder will return in 30 days with his plan.

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| Applicant: | Dedham 875 Realty Venture Nominee Trust, Alexander A. Argiros, Trustee |
| Project Address: | 855-875 Providence Highway, Dedham, MA |
| Zoning District: | Highway Business  |

Mr. McCarthy said the applicant did not give the board an as-built plan. This will therefore not be heard.

**Vote: East Dedham Guidelines**

The Board needs to vote on these. Mr. Bethoney said that applicants should be given a copy of them. Mr. Podolski moved to adopt the East Dedham Design Guidelines as proposed, seconded by Mr. O’Brien. The vote was unanimous at 5-0.

**Discussion: Complete Street Policy**

The Complete Street Policy will require the Board to review bike, pedestrian, and vehicular traffic. Everyone must have this review, but it depends on the use. Applicants must look at the policy before coming in with plans. The Board will evaluate these items to the best of its ability. This will need to be added to the checklist for applicants, as will the East Dedham Design Guidelines. The Board will be given a copy of the policy.

The Board was not happy with this. Mr. O’Brien said this has to go to the Board of Selectmen; Mr. McCarthy said they adopted this in March, and it was accepted by the state in April. This policy is for the Planning Board to judge walkability, etc. Mr. O’Brien said that bike parking should be added to projects, although this takes up space in parking lots.

Mr. Aldous said the problem is that the Board is always getting ideas from others or being told what to do by outside groups, including MAPC. He said the town should take care of its own problems. He wanted to know if Engineering knows the regulations, and suggested getting a letter from them saying they do. Mr. McCarthy said that DPW Director Joe Flanagan, who is certified in the program, gave a presentation to adopt the policy in March; Mr. Aldous said he did not come to the Board. Mr. Podolski said that Mr. Flanagan should give a presentation to the Board. Mr. McCarthy will ask him.

Mr. Bethoney asked who is driving the need for a complete street policy and who thinks the Board needs to have this for developers to review. Mr. McCarthy said there is money from the state to install new sidewalks. Mr. Aldous said that Mr. McCarthy did not answer the question. Mr. McCarthy said it may have been Nancy Baker, James Kern, or Joe Flanagan. Residents have spoken about the lack of sidewalks, and the state wants towns to be more walkable and allow more bike use. The Planning Board does not have to adopt the policy; the Board of Selectmen has already done that. Mr. Bethoney said this is a regulatory burden, and that it is overregulating. This was discussed in detail.

Mr. Podolski asked what applicability this would have on an applicant who came in with, for example, a small residential subdivision after the Board adopted this, and whether the Board would require a bike lane in a cul-de-sac. He is nervous that this would put another layer on regulations. He said that the people who prepared this should be courteous enough to present it. He said he wanted to hear a presentation.

Mr. McCarthy said that when a project comes in, the Board can think about these issues. Mr. Podolski asked if a bike lane would be needed if a sidewalk is finally installed on Rustcraft Road. Mr. McCarthy said it would be on the shoulder of the road, but he would need to see the plans from Jason Mammone, P.E., town engineer. Mr. Podolski said there is a mandate, and he wanted to see the design.

Mr. Bethoney said that he will have Mr. Flanagan come in to see the Board. Both Mr. Mammone and Mr. Flanagan say there is a lot of money available from the state, and he wants to know, if the Board adopts this, whether the town would get grant money. The Board can then decide on adopting the policy. Mr. Podolski moved to table this discussion until Mr. Flanagan speaks to the Board. Mr. Steeves seconded the motion. The vote was unanimous at 5-0.

**Final Comments on MAPC Transit Oriented Development Study**

There was a presentation on May 11, 2017, but it did not go well. MAPC has asked for the Planning Board’s comments. Mr. Steeves said that their idea to connect Rustcraft Road to Legacy Place via a footbridge is moronic, and the Conservation Commission would not allow it. Mr. Bethoney said that Mr. McCarthy should accept the study on behalf of the Board, thank them, and then forget it.

**Old/New Business**

Panera Bread Certificate of Action: Mr. Podolski gave Mr. McCarthy further revisions to the decision, so they will wait to review it.

Eled Way Certificate of Action: Mr. Podolski moved to approve it, seconded by Mr. Steeves. The vote was unanimous at 5-0.

10 Campus Drive/Fargo Circle Certificate of Action: Mr. Podolski moved to approve it, seconded by Mr. Steeves. The vote was unanimous at 5-0.

60-70 Milton Street Certificate of Action: Mr. Podolski has made a small change. Mr. Steeves moved to approve it as amended, seconded by Mr. Podolski. The vote was unanimous at 5-0.

123 High Street Certificate of Action: Mr. Podolski has made a small change. Mr. Podolski moved to approve it as amended, seconded by Mr. Steeves. The vote was 4-0 with Mr. O’Brien abstaining. His name will be removed from the hearing. Mr. Aldous visited the site, and said it is very confusing. He questioned whether they do what they say they will. Mr. Steeves said they need to come before the Board for the mural.

Rustcraft Road Plantings: These have been added. Mr. Podolski moved to approve them, seconded by Mr. Steeves. The vote was unanimous at 5-0.

Mr. Bethoney left the meeting and the building at 9:35 p.m. Mr. Steeves assumed the chair.

Dunkin Donuts Parking Lot: Renato Reda, who owns the property, wants to put a fence around the swale. Mr. O’Brien said he should just make it higher, but not put a fence up. Mr. Reda wants to put river stone on the rip rap, bring it up even with the curb, and plant maple or river birch and perennials. Mr. O’Brien said the swale does not work correctly anyway. Water does not hit the stream, and when it hits the curb it runs past and does not collect water. Mr. McCarthy said the height is above the asphalt, so water cannot enter. He said it should be brought down to catch the water. Mr. O’Brien asked if the Conservation Commission is aware of how bad this is. Mr. McCarthy said Fred Civian, Elissa Brown, and Rep. Paul McMurtry met on site. They are amenable to changes, but they do not want it eliminated. He will obtain their comments for the Board. Mr. Podolski moved to approve, seconded by Mr. Steeves. The vote was unanimous at 4-0[[1]](#footnote-1).

Mr. Aldous signed the Certificates of Action for 350 and 360 Washington Street.

Mr. Podolski moved to ajourn, seconded by Mr. O’Brien. The vote was unanimous at 4-0[[2]](#footnote-2).

Respectfully submitted,

Robert D. Aldous, Clerk

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1. Mr. Bethoney was not present and did not vote. He did not vote on this, nor would have due to a professional relationship with Mr. Reda. [↑](#footnote-ref-1)
2. Mr. Bethoney was not present and did not vote. [↑](#footnote-ref-2)