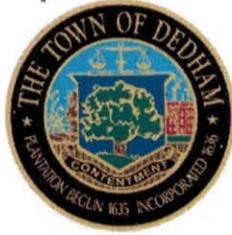


PLANNING BOARD

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Michael A. Podolski, Esq., Vice Chair
Robert D. Aldous, Clerk
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**TOWN OF DEDHAM
COMMONWEALTH OF MASSACHUSETTS**

CERTIFICATE OF ACTION

APPLICATION FOR MINOR SITE PLAN REVIEW



APPLICANT: RK Centers
PROPERTY: 450 Providence Highway
PROPERTY OWNER: RK Associates
OWNER'S ADDRESS: 456 Providence Highway & 62 Eastern Avenue, Dedham, MA 02026
PROJECT: Minor Site Plan Review
DATE: June 26, 2014

PROJECT SUMMARY

RK Centers, (hereinafter referral to as "Applicant"), submitted a minor site plan review application to add parking lot lights and new landscaping to the parking lot located at 450 Providence Highway.

APPROVAL HISTORY:

In 1997, the Zoning Board of Appeals granted a parking space variance of 171 instead of 257 off-street parking spaces. In 1999, the Planning Board granted a waiver of 5 parking spaces for a change of use and 3 parking spaces to allow for landscaping; as result, the number of required parking spaces after the variance and waiver is 163. In March of 2011, the Planning Board voted to allow the health club space to be leased to another health club without further review and if the health club space were converted to another permitted use it could be done without further Planning Board review.

BACKGROUND & FACTS:

1. The applicant was represented by Dave Baker, RK Centers.
2. According to the Town of Dedham zoning map, the subject property is located in the Highway Business zoning district.
3. The subject property contains 2.73 acres of property.
4. The site is irregular in shape and abuts Gonzalez Field to the north and Providence Highway to the west, and Wigwam Brook to the Southeast.
5. The applicant started to make modifications to the parking lot by adding two new parking lot light poles to the parking field adjacent to Providence Highway, without prior Planning Board approval. Dave Baker of RK Centers was notified by the Planning Board Office on or about December 5, 2013 that this work was beyond normal maintenance and required Planning Board review.
6. In conjunction therewith, the applicant submitted the following to the Planning Board:
 - Site Plan Review Application, dated January 16, 2014.
 - Existing Conditions, Previous Parking Plan and Parking Plan prepared by Mistry Associates, 315 Reading, MA 01867 dated January 15, 2014, revised through June 16, 2014.
 - Photometric Lighting Plan by O'Donnell Electric dated February 24, 2014.
 - Narrative explaining the project prepared by Mistry Associates dated March 6, 2014.
 - Site Plan Review response to peer review comments by Dave Baker of RK Centers dated May 12, 2014.
7. The project includes more than nine (9) parking spaces, although no existing parking spaces were altered. Therefore, a peer review by an outside consultant is required.
8. The Planning Director submitted written analyses dated January 17, 2014.
9. The Planning Board reviewed and considered the "Application for Minor Site Plan Review" at its regularly scheduled meetings on January 23, 2014 and continued till June 26, 2014.
10. Present at the meeting on this matter were Planning Board Members, John R. Bethoney, Chairman, Ralph I. Steeves, Vice Chairman, Robert D. Aldous, Clerk, Michael A. Podolski, Esq. and James E. O'Brien IV. Also present at the meeting on behalf of the Planning Board was Planning Director Richard J. McCarthy, Jr.

WAIVER REQUESTS:

1. A **WAIVER** from the Zoning Bylaws Section **5.1.4 Required Parking Spaces Table 3 for the number of required parking spaces.**

This site has previously received a parking variance and Planning Board waivers that resulted in 163 parking spaces. The site plan submitted to the Planning Board shows 175 parking spaces. This waiver request consolidates the previous approvals into one parking waiver for 175 spaces instead of the 257 required parking spaces. The site has operated for numerous years with the present number of parking spaces and there haven't been any reported complaints or incidents with parking demand exceeding the number of parking spaces on the site. In granting this waiver the Planning Board finds that there will not be any adverse impact on abutting properties and the surrounding area by approval of a reduction of 82 required parking spaces.

2. A **WAIVER** from the Zoning Bylaws Section **5.1.7 (3) Parallel Parking to allow curb radius length for the existing entrance and curb radius for interior parking drive aisles**

The existing site has operated for many years with the existing driveway radiuses and interior parking drive aisles. There isn't any visible damage from any vehicles driving over any of the radiuses at the driveway or parking drive aisles which would indicate inadequate radiuses for maneuvering in and out of parking spaces. In granting this waiver, the Planning Board finds the site's present radiuses are adequate. Therefore, the Planning Board finds that granting this waiver is not against the purpose and intent of the Zoning Bylaw, and further finds that granting this waiver is not against the public interest.

3. A **WAIVER** from the Zoning Bylaws Section **5.1.13.7 Size of loading bay space**

The existing loading bays for the various tenants at the site has existed for numerous years without having exclusive driveway and maneuvering space beyond the loading bay spaces. In granting this waiver, the Planning Board finds the site's present maneuvering space is adequate. Therefore, the Planning Board finds that granting this waiver is not against the purpose and intent of the Zoning Bylaw, and further finds that granting this waiver is not against the public interest.

4. A **WAIVER** from the Zoning Bylaws Section **5.2.2.2 Lot Interior to allow less than 15 percent interior landscaping and to not plant a tree every 25 feet when landscape island is longer than 180 feet**

An estimated calculation of the percent interior landscaping indicates approximately 4.0 percent interior. This is an existing site that had approximately 16 trees along Providence Highway that were removed when the new bridge was constructed for Providence Highway by MassDOT in front of the site. The existing landscaping on the site is well maintained and the landscape island where the parking lot lights were matched will be landscaped to match the existing

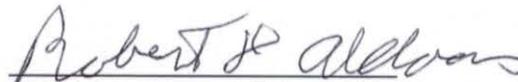
landscaping on site. In granting this waiver, the Planning Board finds the site's present landscaping with new landscaping to be adequate. Therefore, the Planning Board finds that granting this waiver is not against the purpose and intent of the Zoning Bylaw, and further finds that granting this waiver is not against the public interest.

At its duly posted meeting held on June 26, 2014, after discussion, the Planning Board, consisting of Members, John R. Bethoney, Chairman, Ralph I. Steeves Vice Chairman, Robert D. Aldous, Clerk, Michael A. Podolski, Esq., and James E. O'Brien IV voted unanimously (5-0), to approve the Application for Minor Site Plan Review Waiver Requests and approve the Minor Site Plan Review with the following **CONDITIONS**:

1. The Applicant agrees that, no later than **one year** from the date of Certificate of Occupancy, the Applicant shall file a written report with the Town Planner detailing the progress of the project, compliance with all terms and conditions of this certificate, and the expected completion date.
2. 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.
3. Dumpsters located on the Subject Property shall be constructed and maintained in strict compliance with all Dedham Zoning Bylaws and all Board of Health Regulations.
4. Any recommendations from the Design Review Advisory Board that are in conflict with this approval shall require Planning Board approval. Any recommendations from the Design Review Advisory Board that are not in conflict with this approval shall be hereby incorporated into the record plans.
5. 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.
6. 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: July 7, 2014

By the Dedham Planning Board:


Robert D. Aldous, Clerk