

**Massachusetts Department of Transportation (MassDOT)
Agency Polling List**

File #: 10A-17

City/Town: Dedham Date Polled: 26-Oct-2010		Date Received: 22-Sep-2010 Date Response Due: 5-Nov-2010
Date Received	Comments	Agency
11/8/2010	The Office of Transportation Planning has no objection to the issuance of a building permit for this location and concurs with the comments of Josh Lehman.	Timothy Doherty Transportation Planning Massachusetts Department of Transportation 10 Park Plaza, Suite 4150 Boston, MA 02116
11/4/2010	The Old Colony Planning Council has no objections.	Charles Kilmer Transportation Program Manager Old Colony Planning Council 70 School Street Brockton, MA 02301
11/3/2010	This agency does not object to the issuance of a building permit for this parcel, but would offer the following comments: The proposed building should be sited and constructed to allow the future construction of the proposed Dedham Rail Trail (4.6 miles in Boston and Dedham; Facility # 11-13 in the 2008 MA Bicycle Transportation Plan.) Ensure that the school is sited and constructed in order to optimize bicycling and walking access, in keeping with the MassDOT Safe Routes to School (SRTS) program. Further, the proposed building should be sited and constructed in accordance with MassDOT's GreenDOT Policy, promoting bicycle, pedestrian and transit usage.	Josh Lehman Bicycle-Pedestrian Program Coordinator Office of Transportation Planning Massachusetts Department of Transportation 10 Park Plaza, Suite 4150 Boston, MA 02116
12/8/2010	Metropolitan Area Planning Council (MAPC) initially objected to the issuance of a building permit for this parcel. MAPC and the Town of Dedham has resolved all issues in regards to the future use of the right-of-way. Therefore, MAPC has informed MassDOT that they have no objections to the issuance of a building permit for this parcel. Please see the attached letter.	David Loutzenheiser Transportation Planner Bicycle and Pedestrian Program Metropolitan Area Planning Council 60 Temple Place Boston, MA 02111
10/27/2010	DCR has no interest in this corridor.	Danny O'Brien Department of Conservation and Recreation South East District P.O. Box 66 194 Cranberry Road South Carver, MA 02366
11/15/2010	District 6 finds no future use for this property for Highway or Roadway purposes. However, historically old rail corridors have been used for recreational purposes such as Bike Trails.	Peter Cavicchi on behalf of Helmut Ernest Assistant Maintenance Engineer MassDOT District Six Highway Division 185 Kneeland Street Boston, MA 02111
10/26/2010	MBTA Railroad Operations has no objections to this building permit on land adjacent to and part of the abandoned Dedham Secondary right-of-way.	Ronald Ross on behalf of John Ray Senior Director of Operations Contracted Services Massachusetts Bay Transportation Authority 10 Park Plaza Boston, MA 02116

Sarah E. MacDonald, Chairman
James A. MacDonald, Vice Chairman
Carmen E. Dello Iacono
Michael L. Butler
Paul A. Reynolds

William G. Keegan, Jr.
Town Administrator

Nancy A. Baker
Asst. Town Administrator



TOWN OF DEDHAM
Board of Selectmen

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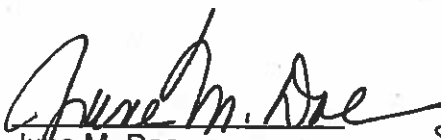
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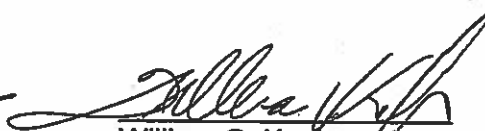
LETTER OF COMMITMENT

The Town of Dedham, by and through its School Department, supports the Metropolitan Area Planning Council in identifying the former Dedham Branch Rail Right-Of-Way as a future shared use path that would eventually connect downtown Dedham with the new elementary school to the Readville Commuter Rail Station.

In support of this endeavor, the Town of Dedham hereby commits to the following:

- A minimum of 50 feet of clearance (no structures) through the existing rail right-of-way shall be maintained to accommodate a future shared use path.
- Access through the existing rail right-of-way, and future driveway, shall be allowed for future users of a future shared use path.


June M. Doe
Superintendent
Dedham Public Schools


William G. Keegan, Jr.
Town Administrator
Town of Dedham



Deval L. Patrick, Governor
Timothy P. Murray, Lt. Governor
Jeffrey B. Mullan, Secretary & CEO

massDOT
Massachusetts Department of Transportation

December 8, 2010

Kenneth R. Cimeno
Building Commissioner
Dedham Town Hall
26 Bryant Street
Dedham, MA 02027

Re: Request for Consent to the Issuance of a Building Permit
Property Located at 336 High Street in Dedham, Massachusetts
File Reference # 10A-17

Dear Mr. Cimeno:

I am writing with respect to your request for my consent to the issuance of a building permit to build a new elementary school on 336 High Street in Dedham, MA. The total parcel area is 33.5 acres and is on the abandoned Dedham Secondary Branch.

Massachusetts General Laws, Chapter 40, Section 54A, provides that no city or town in the Commonwealth shall issue a permit to build a structure of any kind on land "formerly used as a railroad right-of-way or any property appurtenant thereto formerly used by any railroad company in the Commonwealth," without the written consent of the Secretary of the Massachusetts Department of Transportation. Pursuant to the intent of this statute, I have the responsibility to preserve former railroad property in the Commonwealth for present or future transportation-related use where appropriate.

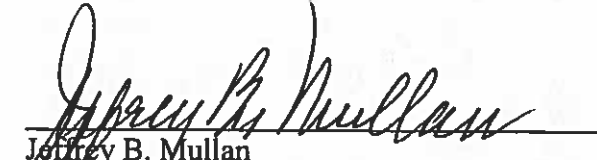
After reviewing information on file at our office, canvassing interested agencies and conducting a public hearing on October 22, 2010, it has been determined that the proposed construction will not adversely impact any potential transportation use. Accordingly, I give my consent to the issuance of a building permit for the above-referenced construction as detailed by the application material.

Please note, this consent is conditional based upon the applicant's compliance with the following requirements. The proposed building should be sited and constructed to allow the future construction of the Dedham Rail Trail (4.6 miles in Boston and Dedham; Facility # 11-13 in the 2008 MA Bicycle Transportation Plan). The applicant must ensure that the school is sited and constructed to optimize bicycling and walking access, in keeping with MassDOT's Safe Routes to School program. Furthermore, the proposed building should be sited and constructed in accordance with MassDOT's GreenDOT Policy, promoting bicycle, pedestrian and transit use.

This consent is granted by means of two original letters, one to the Town of Dedham Building Commissioner and the other to the applicant.

Sincerely,

Massachusetts Department of Transportation


Jeffrey B. Mullan
Secretary and Chief Executive Officer



THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION (MassDOT)
M.G.L. 40 §54A PUBLIC HEARING NOTES

FILE NUMBER: 10A-17

CITY/TOWN: Dedham

It is now 10:00 a.m. and the hearing will begin. Please sign the attendance sheet:

Today is October 22, 2010.

This hearing is relative to the request of Kenneth Cimeno, Building Commissioner for the Town of Dedham, seeking the Secretary's consent to the issuance of a building permit to build a new elementary school. The property for which this hearing is requested is owned by the Town of Dedham located at 26 Bryant Street in Dedham, Massachusetts.

This hearing is in accordance with the requirements of Massachusetts General Laws Chapter 40, Section 54A. My name is Aisha Reed; I am the hearing officer representing the Massachusetts Department of Transportation (MassDOT) and Secretary & CEO Jeffrey Mullan.

MassDOT received a letter from the Town of Dedham's Building Commissioner and an application from Town of Dedham. Supplementary information has also been provided and the required public hearing notice was published on October 1, 2010 in The Dedham Times.

The permit request involves consent to build the new Avery Elementary School at 336 High Street in Dedham, Massachusetts. The total parcel area is 33.5 acres and is on the now abandoned Dedham Secondary Branch.

Is there any additional information to offer or any comments anyone would like to make at this time?

If there is no further information or other statements, the hearing is closed.



THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION (MassDOT)
M.G.L. 40 §54A

ATTENDANCE SHEET

DATE: October 22, 2010 @ 10:00 a.m.

FILE NUMBER: 10A-17

336 High Street, Dedham, MA

Name

Business Affiliation

~~Kenneth E. Cincho~~ Kenneth E. Cincho Town of Dedham

PAUL McMURTRY

STATE REPRESENTATIVE

Todd MCCABE

CASSOLI CONSTRUCTION

ROBERT JUUSOLA

DORR & WHITTIER Architects

AISHA REED

MASS-DOT-Rail Unit