



Deval L. Patrick, Governor  
Timothy P. Murray, Lt. Governor  
Jeffrey B. Mullin, 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.

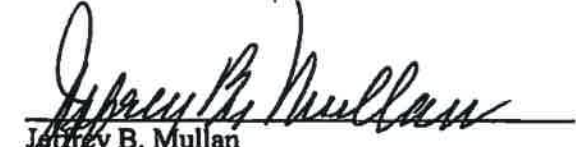
Please note, this consent is conditional based upon the applicant's compliance with the following requirements. The proposed building should be sited and constructed to allow the future construction of the Dedham Rail Trail (4.6 miles in Boston and Dedham; Facility # 11-13 in the 2008 MA Bicycle Transportation 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.

Ten Park Plaza, Suite 3170, Boston, MA 02116  
Tel: 617-973-7000, TDD: 617-973-7306  
[www.mass.gov/massdot](http://www.mass.gov/massdot)

**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

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

DEDHAM TOWN HALL  
26 BRYANT STREET  
P.O. BOX 308  
DEDHAM, MA 02027

TEL (781) 751-9100  
FAX (781) 751-9109  
TDD (781) 326-4946

WEB SITE  
[www.dedham-ma.gov](http://www.dedham-ma.gov)

E-mail Address for Board of Selectmen  
[freshideas@dedham-ma.gov](mailto:freshideas@dedham-ma.gov)

### 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.

Handwritten signature of June M. Doe in cursive.

June M. Doe  
Superintendent  
Dedham Public Schools

Handwritten signature of William G. Keegan, Jr. in cursive.

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

**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 02118
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 02118
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 80 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 86 194 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 02118