

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

To either of the Constables of the Town of Dedham in said County: You are hereby required in the name of the Commonwealth aforesaid to notify and warn the inhabitants of said Town of Dedham qualified to vote in town affairs to meet at the polling places designated for the several districts in said town:

**District One-Town Hall, 26 Bryant Street;
District Two-Riverdale School, 143 Needham Street;
District Three-Mother Brook Arts & Community Center, 123 High Street;
Districts Four & Six-Dedham Middle School, 70 Whiting Avenue; and
Districts Five & Seven-Greenlodge School, 191 Greenlodge Street**

on the second Saturday in April (it being the fourteenth day of said month) AD 2018, at seven o'clock in the forenoon until eight o'clock in the evening, then and there to act on the following article, namely:

ARTICLE ONE: To choose all necessary Town Officers. The following are to be chosen by the Ballot.

One member of the Board of Selectmen for a term of three years
One member of the Board of Assessors for a term of three years
Town Clerk for a term of three years
Three members of the School Committee for terms of three years
One member of the Board of Health for a term of three years
One member of the Board of Health for a term of one year
One member of the Planning Board for a term of five years
One member of the Trustees of the Public Library for a term of three years
Two members of the Commissioner of Trust Funds for terms of three years
Two members of the Park and Recreation Commission for terms of three years

Town Meeting Representatives as follows:

Precinct One	Vote for not more than thirteen for terms of three years
Precinct One	Vote for not more than one for a term of one year
Precinct Two	Vote for not more than thirteen for terms of three years
Precinct Two	Vote for not more than two for a term of one year
Precinct Three	Vote for not more than thirteen for terms of three years
Precinct Three	Vote for not more than three for a term of one year
Precinct Four	Vote for not more than thirteen for terms of three years
Precinct Four	Vote for not more than one for term of two years
Precinct Five	Vote for not more than thirteen for terms of three years
Precinct Six	Vote for not more than thirteen for terms of three years
Precinct Seven	Vote for not more than thirteen for terms of three years

Ballot Question:

Question:

Shall the Town adopt the following by-laws?

Summary:

Massachusetts General Laws, Chapter 94G, Section 3 allows a town, through adoption of by-laws, to prohibit all or certain types of marijuana establishments from operating in that town. In a town such as Dedham that voted “yes” on Question 4 at the November 8, 2016 State Election in favor of allowing adult use of marijuana and lawful operation of marijuana establishments, a ballot question is also required for such prohibition. In this case, the General and Zoning By-law amendments set forth below, as approved by the November 13, 2017 Fall Annual Town Meeting, would prohibit marijuana establishments, as that term is defined in G.L. c.94G, §1, in the Town.

Bylaws:

Amend the **Zoning Bylaw:**

Insert in Section 10, in the appropriate alphabetic order, the following new definition:

MARIJUANA ESTABLISHMENTS:

All types of non-medical “marijuana establishments” as defined in G.L. c.94G, §1, including marijuana cultivators, independent testing laboratories, marijuana product manufacturers, marijuana retailers or any other types of licensed marijuana-related businesses, which establishments shall, consistent with G.L. c.94G, §3(a)(2), be prohibited in all districts in the Town as shown in Section 3.1.3, Use Regulations Table, Principal Use E. Commercial Uses, under number 16.

Insert in Section 3.1.3 Use Regulations Table, under Principal Use, E. COMMERCIAL USES, a new row, numbered 16, with the principal use listed as “Marijuana Establishments”, and insert in each and every column under the heading “Districts” the word “NO”.

Amend the **General Bylaws:**

Insert a new section, entitled, “Marijuana Establishments”, as follows:

Consistent with G.L. c.94G, § 3(a)(2), all types of non-medical “marijuana establishments” as defined in G.L. c.94G, §1, including marijuana cultivators, independent testing laboratories, marijuana product manufacturers, marijuana retailers or any other types of licensed marijuana- related businesses, shall be prohibited within the Town of Dedham.

A “**yes**” vote will prohibit marijuana establishments from operating in the Town of Dedham.

A “no” vote will mean that marijuana establishments will not be prohibited in the Town of Dedham, and that following expiration of the zoning moratorium on marijuana establishments, a proposed marijuana establishment, consistent with and subject to the complex state licensing process, could locate in any district where the existing zoning allowed the particular use.

and to return to meet at the place so designated, Dedham High School, 140 Whiting Avenue, for the 2018 Spring Annual Town Meeting in said town on the third Monday in May (it being the twenty-first day of said month) AD 2018, at seven o'clock in the evening, then and there to act on the following articles, namely:

ARTICLE TWO: *By the Board of Selectmen:* To see if the Town will vote to adopt changes in Schedule A (Classification Schedule), or Schedule B (Compensation Schedule), or Schedule C (Fringe Benefits) of the Personnel Wage and Salary Administration Plan; to act upon the recommendations of the Town Manager as to actions he deems advisable and necessary in order to maintain a fair and equitable pay level and compensation policy; to implement collective bargaining agreements listed below, the funding for which is included in the appropriate departmental budgets under Article Three:

1. AFSCME, Local #362 (Library Staff Unit)
2. Dedham Police Patrolman’s Association, Massachusetts Coalition of Police, Local #448, AFL-CIO
3. Dedham Police Association (Lieutenants & Sergeants)
4. Dedham Firefighter’s Association, Local 1735
5. AFSCME, Local #362 (DPW- Unit A)
6. AFSCME, Local #362 (DPW-Unit B)
7. AFSCME, Local #362 (Town Hall)
8. AFSCME, Local #362 (Parks)
9. AFSCME, Local #362 (Civilian Dispatchers)

or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

ARTICLE THREE: To see what sum of money the Town will vote to raise and appropriate, or transfer from available funds to defray departmental and incidental expenses of the Town for the fiscal year commencing July 1, 2018, not otherwise provided for, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

ARTICLE FOUR: To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or borrow to implement capital improvements and capital projects, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

ARTICLE FIVE: *By the Finance Committee:* To see if the Town will vote to transfer unexpended balances from line items of special articles of prior years to fund expenses for

Fiscal Year 2019, or take any other action relative thereto. *Referred to Finance & Warrant Committee for study and report.*

ARTICLE SIX: *By the Director of Finance:* To see what sum of money the Town will vote to raise and appropriate, or transfer from available funds for payment of outstanding bills of prior fiscal years, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

ARTICLE SEVEN: *By the Finance Committee:* To see what sum of money the Town will vote to raise and appropriate, or transfer from available funds to meet additional expenses of the current fiscal year not adequately funded under Article Three of the 2017 Spring Town Meeting (FY'18) or any other article thereof; or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

ARTICLE EIGHT: *By the Finance Committee:* To see what sum of money the Town will vote to raise and appropriate, or transfer from available funds for deposit in the Stabilization Fund, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

ARTICLE NINE: *By the Director of Finance.* To see if the Town will vote to raise and appropriate or transfer from available funds a sum or sums to one or more special purpose stabilization funds, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

ARTICLE TEN: *By the Director of Finance.* To see if the Town will vote to appropriate money from one or more special purpose stabilization funds to one or more of the stated purposes for such funds to be expended at the direction of a specified officer or multiple member body of the Town, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

ARTICLE ELEVEN: *By the Town Manager.* To see if the Town will vote to transfer a sum of money from available funds for the purpose of reducing the tax rate for the fiscal year beginning July 1, 2018, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

ARTICLE TWELVE: *By the Town Manager.* To see if the Town will vote pursuant to the provisions of G.L. c.44, §53E½, as most recently amended, to establish fiscal year limitations on expenditures for the revolving funds established by the General Bylaw entitled, "Departmental Revolving Funds", approved under Article 14 of the May 15, 2017 Annual Town Meeting, with such limitations to remain applicable from fiscal year to fiscal year until such time as they are later amended as follows:

Revolving Fund (Program or Purpose)	FY Spending Limit
Pool Fund (Operation and maintenance of Dedham Pool)	\$225,000
Firearms Fee Fund (Pay share of State fees/Balance to be expended for needs of Police Department)	\$5,000
Police Cruiser Fee Fund (Police cruiser maintenance, repairs and fuel)	\$20,000
Surplus Vehicle and Equipment Fund (Paying costs and expenses of surplus sales and replacement vehicles and equipment)	\$75,000
Board of Health Programs (Paying costs and expenses associated with health clinics, educational programs, and Tobacco enforcement)	\$15,000
Council on Aging Programs (Paying costs and expenses related to said programs)	\$8,000
Recreation (Paying costs and expenses related to said programs)	\$190,000
Sustainability Fund (Paying costs and expenses associated with educational and outreach events)	\$2,500
Veterans' Fund (Paying costs and expenses related to said programs)	\$5,000
Ames Building (Paying costs and expenses related to building maintenance and construction; provided that the monies in said fund as of June 30, 2017 shall remain in said fund and be available for expenditure for the purposes described herein)	\$125,000
Avery School (MBACC) (Paying costs and expenses related to building maintenance)	\$2,500
Youth Commission (Paying costs and expenses related to said programs or events)	\$25,000

or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

ARTICLE THIRTEEN: *By the Director of Finance.* To see what sum of money the Town will vote to raise and appropriate or transfer from available funds to operate the Sewer Enterprise Fund for the fiscal year commencing on July 1, 2018, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

ARTICLE FOURTEEN: *By the Director of Finance.* To see if the Town will vote to rescind the vote taken under Article 18 of the May 19, 2014 Annual Town Meeting, thereby revoking its acceptance of G.L. c.44, §53F ½ in connection with the establishment of the Endicott Estate Enterprise Fund; with such rescission to be effective June 30, 2018; and further that any sums remaining in said account as of June 30, 2018 shall be added to the amounts appropriated for Endicott Estate operating expenses for FY2019 or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

ARTICLE FIFTEEN: *By Town Meeting Vote:* To hear and act upon the reports of the various Town Committees, as required by vote of prior Town Meetings; to see what sum of money the Town will vote to raise and appropriate, transfer from available funds, or borrow to carry out the recommendations of said committees; or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

ARTICLE SIXTEEN: *By the Town Manager.* To see if the Town will vote to raise and appropriate, borrow or transfer from available funds, a sum of money to be expended under the direction of the School Building Rehabilitation Committee for the purpose of constructing extended measures related to traffic flow, access and egress at the new Early Childhood Education Center (“ECEC”), to be located at 1100 High Street in Dedham, Massachusetts, as required in connection with Site Plan Review, and including all incidental and related costs, and which study and work related thereto is outside the scope of the Massachusetts School Building Authority project, and therefore the sole responsibility of the Town, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

ARTICLE SEVENTEEN: *By the Dedham 375 Committee and the Mother Brook 375 Committee:* To see if the Town will vote to raise and appropriate, borrow or transfer from available funds, a sum of money for the purpose of building trails and parks on Town owned land along Mother Brook, and place historical markers along said trails, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

ARTICLE EIGHTEEN: *By the School Committee at the request of the School Building Rehabilitation Committee.* To see if the Town will vote to raise and appropriate, borrow or transfer from available funds, a sum of money for the purpose of updating the Long Term Facilities Master Plan of the Dedham Public Schools, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

ARTICLE NINETEEN: *By Town Meeting Representatives Margaret Adams, F.P. Bass, Carl E. Bonvini, Michael N. Cocchi, John F. Dashe, Stephen R. Davey, Kerry Ann Hawkins, Susan S. Hicks, Nicole Keane, Sarah MacDonald, Margaret Matthews, Stephen Moorhead, Kathleen O’Neil, Howard Ostroff, Jonathan Pape, Andrew M. Pepoli, Elizabeth Reed, Paul A. Reynolds, Clarissa Altagracia Robyn, Kevin Scollan, Georganna Woods, Jean Ellen Zeiler, and Martha Zeolla.* To see if the Town will vote to raise and appropriate, borrow or transfer from available funds, a sum of money to design and engineer the Dedham Heritage Rail Trail, including a traffic circulation study of pedestrians, cyclists and motor vehicles that impact the schools in proximity to the trail; said property referred to as the Dedham Heritage Rail Trail is identified in Assessor’s Records as Parcel 109-2 and is the abandoned rail line running from East Street through the Readville Yard to the Boston line and for the acquisition of any necessary interest in land for rail trail or rail trail construction purposes, and for all costs incidental and related thereto; to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain the fee or any lesser interests in land that may be necessary to design, construct and operate such rail trail; AND to see if the Town will establish a Rail Trail Committee to oversee the expenditure of funds for the rail trail design process, said committee to be made up of eleven (11) members, including one (1) member of the Board of Selectmen, one (1) member of the School Committee, one (1) member of the Board of Health, one (1) member of the Commission on Disability, one (1) member of the Council on Aging, one (1) member of the Open Space Committee, one (1) member of the Park and Recreation Commission, and four (4) residents at-large, two (2) to be appointed by the Board of Selectmen and two (2) to be appointed by the Moderator, and with the representative member of each multiple-member body listed above to be designated by the respective body, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

ARTICLE TWENTY: *By Attorney and Town Meeting Representative Peter A. Zahka, II, on behalf of Greystar GP II, LLC.*

To see if the Town will vote to amend the Dedham Zoning By-Law as follows:

1. Add new Use Category A.9. (“Age Restricted Housing Development”) to Table 1 (Principal Use Table) as follows [text to be inserted shown in bold, italicized text]:

PRINCIPAL USE - See Footnotes, Section 3.1.6	DISTRICTS											
	SRA SRB	GR	PR	PC ¹⁹	RDO	AP	LMA	LMB	HB	LB ¹⁸	GB	CB
A. RESIDENTIAL USES												
1. Single family detached house.	YES	YES	YES	NO	SP	NO	NO	NO	NO	YES	YES	NO
2. Alteration and use of		YES	YES	NO	NO	NO	NO	NO	NO		YES	

existing single-family house as a dwelling for not more than two -families. See Section 7.2.1	SP									SP		SP
3. Two-family or semi-detached house consisting of two single family dwelling units separated by a party wall.	NO	YES	YES	NO	NO	NO	NO	NO	NO	SP	YES	SP
4. Mixed Use Developments	NO	NO	NO	SP	SP ²²	NO	NO	NO	SP	SP	SP	SP
5. Assisted Living Residence (See Section 7.5)	SP	SP	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
6. Multi-Family Residential (See Section 7.3)	SP	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
7. Dwelling Unit, Transient Occupancy	SP	SP	NO	NO	NO	NO	NO	NO	NO	SP	SP	NO
8. Lodging House	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
9. <u>Age Restricted Housing Development (See Section 7.8)</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>SP</u>	<u>SP</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>	<u>NO</u>

2. Add the following new Section 7.8 Age Restricted Housing Development after Section 7.7:

7.8 AGE RESTRICTED HOUSING DEVELOPMENT

7.8.1 Purpose.

1. To encourage and promote the development of safe and comfortable market-rate and affordable dwelling units for persons 55 years of age or over with minimal impacts on Town services.

2. To provide alternative housing choices for a maturing population that reduces resident's burdens of property maintenance and are more affordable than traditional single-family dwellings.
3. To encourage efficient land use and provide flexible development standards that support such dwelling units.

7.8.2 General

1. For purposes of this By-Law, an Age Restricted Housing Development is a multi-family residential housing complex with the occupancy of the dwelling units contained therein designed and intended for persons 55 years of age or over to the extent permitted by and allowed pursuant to Subsection 6 of Section 4 of Chapter 151B of the General Laws of Massachusetts and 42 USC 3601, et seq, and other applicable laws, and which otherwise is permitted under and complies with the terms and conditions of this Section 7.8
2. Age Restricted Housing Developments may be permitted in the RDO Zoning District upon the granting of a Special Permit by the Dedham Planning Board, subject to the requirements, conditions, and limitations set forth in this Section 7.8.
3. Age Restricted Housing Developments shall be considered a PC Development and permitted as an MNP Special Permit pursuant to Sections 6.3 and 9.4.
4. If such application or project also requires other Special Permits, the Planning Board shall be the Special Permit Granting Authority (SPGA) for all such Special Permits.

7.8.3 Conditions, Restrictions, and Requirements

A. Dimensional Regulations

1. Dimensional requirements including the number and type of allowable dwelling units shall be determined and specified by the Planning Board in the MNP Special Permit pursuant to Sections 6.3.1 and 6.3.2.1, provided, however, that notwithstanding any other section of the Zoning By-Law to the contrary, the following requirements shall be applicable to an Age Restricted Housing Development:

Minimum Lot Frontage	300 feet
Minimum Lot Area	5 acres
Maximum Floor Area Ratio	1.0
Maximum Height	40 feet except height may increase to 50 feet for buildings and structures located more than 500 feet from an

	existing single-family residence situated in a residential district and otherwise subject to Sections 4.2.2 and 4.2.3
Minimum Front Yard	20 feet
Minimum Rear Yard	25 feet
Minimum Side Yard	15 feet
Maximum Number of Dwelling Units	30 units per acre

2. At least a portion of the lot on which an Age Restricted Housing Development is situated must be located within 500 feet of a major shopping center. For purposes of this By-Law, a major shopping center shall be defined as a commercial development operated under a common name or scheme and containing a minimum of 50,000 square feet of floor area dedicated to retail and/or restaurant uses.

B. Off-Street Parking and Landscape Requirements

1. The off-street parking, landscaping, and open space requirements set forth in this Section 7.8.3.B shall be applicable to an Age Restricted Housing Development and shall supersede any contrary or inconsistent requirements set forth elsewhere in this Zoning By-Law.
2. All Age Restricted Housing Developments shall provide 1.35 parking spaces per dwelling unit.
3. Parking spaces in parking garages and decks at Age Restricted Housing Developments shall have a width of nine (9) feet and a length of eighteen (18) feet exclusive of any overhang of a curb or barrier. Parking garages or decks need only provide one two-way access.
4. In lieu of the requirements of Section 5.2.2.1 and 5.2.2.3, a landscaped strip of at least 15 feet shall be provided along the front, rear, and side lot lines of an Age Restricted Housing Development, provided, that any portion of said strip in a wetland resource or buffer may be left in its undisturbed natural condition, and provided, further, that pedestrian sidewalks and vehicular access, including for safety and emergency vehicles, may be allowed within said strip.

C. Residency, Affordability, and Local Preference Requirements and Restrictions

1. Occupancy in any dwelling unit in an Age Restricted Housing Development shall be limited to person 55 years of age or over, and their spouse or cohabitating partner of any age, to the extent permitted by and allowed pursuant to Subsection 6 of Section 4 of Chapter 151B of the

General Laws of Massachusetts and 42 USC 3601, et seq, and other applicable laws, who are able to maintain an active, independent lifestyle without the need for additional, intensive on-site support services.

2. A minimum of 10% of the total number of dwelling units in an Age Restricted Housing Development shall be restricted, designated, and dedicated as affordable dwelling units. The affordable dwelling units under this By-Law shall be Local Initiative Program (LIP) Local Action Units developed in compliance with and approved pursuant to the requirements for the same as specified by Commonwealth of Massachusetts Department of Housing and Community Development (DHCD), or successor agency, or (if approved by the Planning Board) affordable dwelling units developed under such additional programs adopted by the Commonwealth of Massachusetts or its agencies. All such affordable dwelling units shall count toward the Town of Dedham's requirements under Sections 20-23 of Chapter 40B of the General Laws of Massachusetts, pursuant to the Subsidized Housing Inventory maintained by DHCD.
3. To the extent permitted by applicable law, and after approval by DHCD, otherwise qualified Dedham residents shall have a first opportunity and preference for the affordable dwelling units in an Age Restricted Housing Development. For purposes of this requirement, "Dedham residents" shall be defined as a current Town of Dedham resident (as established through certification by the Dedham Town Clerk based on census, voting registration, or other acceptable evidence), or the parent, child, sibling, spouse, aunt, nephew, niece, or grandparent of a current Town of Dedham resident, or a current employee of the Town of Dedham.
4. The above requirements and restrictions shall be in place in perpetuity or such maximum time as may be allowed under applicable law. Such requirements and restrictions shall be articulated in the decision of the Planning Board and in such other recordable documents as determined appropriate by the Planning Board.

D. Infrastructure

- a. **Water and Sewer:** An Age Restricted Housing Development shall be connected to municipal water and sewer. All costs associated with the extension of existing facilities to serve the development shall be borne by the applicant or developer.
- b. **Roads:** All traveled ways within an Age Restricted Housing Development shall be privately maintained with respect to roadway upkeep and snow and ice removal.

- c. **Refuse and Recycling**: Collection and disposal of all refuse and recycling materials will be provided privately.
- d. **Utilities**: To the extent practicable all utilities on the site shall be installed underground.

E. Uses Regulations

1. Except as provided herein no commercial use and no second principal use shall be allowed on any lot containing an Age Restricted Housing Development.
2. An Age Restricted Housing Development may provide operation and/or supportive services including, but no limited to, local transportation, valet, concierge, food and meals, cafeteria, sale of sundries for personal consumption, third party care services, and similar amenities, provided:
 - a. Such are available to and serve only the residents, guests, and employees of the Age Restricted Housing Development;
 - b. Such uses are conducted within and may be entered only from the principal building.
 - c. There is no external evidence of such uses beyond the Age Restricted Housing Development lots.
3. The following accessory uses shall be allowed in connection with an Age Restricted Housing Development:
 - a. Parking decks, garages, and lots for the parking of automobiles incidental to the Age Restricted Housing Development. Notwithstanding any provision of the Zoning By-Law to the contrary, parking decks and garages shall be subject to the setback requirements of 7.8.3.A.1.
 - b. Indoor and/or outdoor community and gathering room, spa, lounge, café, or facility for the use by the residents for visiting and welcoming areas, community office space, meetings, functions, and similar uses compatible to an Age Restricted Housing Development.
 - c. Single story buildings to house snow removal, lawn maintenance, and recreational equipment.

- d. Garages for common use vehicles owned by the operating entity and used in connection with the Age Restricted Housing Development.
- e. Swimming pools, tennis, shuffleboard, fitness center, and other recreational courts, walking paths, sitting areas, and similar facilities and amenities, provided the same are available to and serve only residents, guests, and employees of the Age Restricted Housing Development.
- f. Leasing, management, housecleaning, and similar facilities.
- g. Such other accessory uses as are customarily incidental to and necessary for an Age Restricted Housing Development.

or take any other action relative thereto. *Referred to Planning Board for study and report.*

ARTICLE TWENTY-ONE: *By Attorney and Town Meeting Representative Peter A. Zahka, II, on behalf of OCW Retail-Dedham, LLC.*

To see if the Town will vote to amend the Zoning Map for the Town of Dedham by changing the following described land from the General Residence (GR) Zoning District to Highway Business (HB) Zoning District:

A certain parcel of land, situated on the easterly side of Providence Highway (Route 1) in the Town of Dedham, County of Norfolk, Commonwealth of Massachusetts and more particularly bounded and described as follows:

Beginning at a point on the easterly line of Providence Highway (Route 1) at the northwest corner of land now or formerly of Lowe's Home Centers Inc., said point being the southwest corner of the herein described parcel; thence

N 13°01'59" E by and over said Providence Highway (Route 1) a distance of two thousand four hundred sixty-one and 74/100 (2,461.74) feet to a point; thence

S 85°17'05" E over and across said Providence Highway (Route 1) and land now or formerly Towne Lynne Co. a distance of eighty and 85/100 (80.85) feet to a point; thence

S 13°01'59" W over and across said land now or formerly of Towne Lynne Co., said Providence Highway (Route 1), and land now or formerly OCW Retail-Dedham, LLC a distance of two thousand four hundred fifty-three and 88/100 (2,453.88) feet to a point at said land now or formerly of Lowe's Home Centers Inc.; thence

S 89°18'01" W along said land now or formerly of Lowe's Home Centers Inc. a distance of eighty-two and 35/100 (82.35) feet to the point of beginning.

The above described parcel of land contains an area of 196,624 Square Feet, more or less, or 4.51 Acres, more or less, and is more particularly shown on a plan entitled "Zoning Map Amendment Exhibit Plan, Providence Highway in Dedham, Massachusetts, Norfolk County," dated January 31, 2018 and prepared by BSC Group, Inc., a copy of which is available for review in the Town Clerk's Office, Town Hall, 26 Bryant Street, Dedham, MA, or take any other action relative thereto. *Referred to Planning Board for study and report.*

ARTICLE TWENTY-TWO: *By the Economic Development Director.* To see if the Town will vote to amend the Zoning Bylaws by inserting the bold, italicized text and deleting the strikethrough text, as follows:

7.4 MIXED USE DEVELOPMENTS

7.4.1 Purpose

The purpose of this bylaw is to:

1. Encourage and allow a mixture of complementary land uses to create economic and social vitality, and to address the housing needs of the Town.
2. Develop mixed-use areas and buildings which are safe, comfortable, and attractive to pedestrians.
3. Provide flexibility in the siting and design of new developments and redevelopments to anticipate changes in the marketplace.
4. Encourage efficient land use by facilitating compact, high-density development and minimizing the amount of land needed for surface parking.

7.4.2 Special Permit Requirement/Special Permit Granting Authority

1. A Mixed Use Development may be allowed only upon issuance of a Special Permit by the Planning Board.
2. If such application or project also requires other Special Permits, the Planning Board shall be the Special Permit Granting Authority (SPGA) for all such Special Permits.

7.4.3 Conditions, Restrictions, and Requirements

1. Where a Mixed Use Development consists of a single building, the ground floor shall be reserved for commercial and non-residential uses, and the gross floor area of those uses must be at least 10 percent (10%) of the gross floor area of the

entire building.

2. If approved as a Planned Commercial (PC) Development, a Mixed Use Development may contain residential, commercial, and non-residential uses distributed across multiple buildings—provided that the ground floor of one or more buildings contain commercial and non-residential uses.

As part of the Special Permit and site plan review process, the Planning Board shall determine the appropriate amount of gross floor area of the commercial and nonresidential uses as a percentage of the gross floor area of all buildings included in the development.

To the greatest extent practical, the development shall include landscaped public spaces configured to promote pedestrian activity and connections between the commercial and residential components of the development and to the surrounding neighborhood and public transportation.

~~4~~ **3.** All dwelling units in a Mixed Use Development ~~shall be located above the ground floor,~~ shall have a separate entrance, and shall not share stairs or hallways with commercial uses, except that a fire escape or exit used only in emergencies may be available at all time to both.

~~2-~~ **4.** Each dwelling unit in a Mixed Use Development shall have a complete set of sanitary facilities, cooking, and living space that includes sleeping facilities independent from another dwelling unit in a Mixed Use Development. A Mixed Use Development may share common storage, laundry facilities, and other customary shared facilities located within a Mixed Use Development. Each dwelling unit cannot be less than four hundred (400) square feet and not more than one thousand five hundred (1,500) square feet in total gross floor area, and must meet all occupancy and Building Code requirements. The maximum number and type of allowable residential dwelling units shall be determined by the Planning Board as part of the Special Permit and site plan review process; provided, however, there may not be more than two (2) residential dwelling units in a Mixed Use Development in the LB Zoning District.

~~3-~~ **5.** All Mixed Use Development shall provide at least one parking space per dwelling unit. In all zoning districts except the CB Zoning District, Mixed Use Developments shall provide additional parking for the nonresidential uses per the requirements set forth in Table 3 (Dedham Parking Table). Mixed Use Developments in the CB Zoning District shall provide such additional parking, if any, for the nonresidential uses as determined by the Planning Board to be sufficient to meet the needs of such Mixed Use Developments, taking into consideration complementary uses and activities having different peak demands, joint parking arrangements, the availability of on-street and public parking, and such other mitigating factors and measures as may be appropriate.

~~4-~~ **6.** A Mixed Use Development in the RDO or HB Zoning District with twelve (12) or

more apartments shall have maximum lot coverage of ~~80%~~ **60%** and a maximum floor area ratio of 1.0. In the RDO Zoning District, there shall not be more than thirty (30) apartments located on any lot or on any abutting lots held in common ownership on the date of the adoption of this provision.

7.4.4 Site Plan Review

Applications under this Section 7.4 shall be subject to the provisions of Section 9.5 pertaining to Site Plan Review which, if required, shall be conducted by the Planning Board as part of the Special Permit process.

SECTION 10.0 DEFINITIONS

MIXED USE DEVELOPMENT:

~~A building containing lower floor commercial and other nonresidential uses allowed in the zoning district by right or by special permit with residential dwelling units on upper floors. The gross floor area of the commercial and other nonresidential uses in a Mixed Use Development must be at least 10 percent (10%) of the gross floor area of the entire building.~~ ***Development of a single lot or multiple contiguous lots designed to contain a mix of different, complementary uses—residential, commercial, and other non-residential.*** All Mixed-Use Developments are authorized by a Special Permit issued pursuant to Section 7.4 of this Bylaw.

or take any other action relative thereto. *Referred to Planning Board for study and report.*

ARTICLE TWENTY-THREE: *By the Board of Selectmen.* To see if the Town will vote, in the event that the voters at the Annual Town Election vote “no” on Question Number One (1) on the ballot with respect to establishment of a ban on the locating and operation in the Town of Dedham of so-called recreational marijuana establishments, to amend the General Bylaws to impose reasonable time, place and manner restrictions on the operation in the Town of recreational marijuana establishments, and/or to amend the Zoning Bylaws to impose restrictions on the number or type of recreational marijuana establishments that may be operated in the Town or extend the Zoning Moratorium approved under Article 18 of the 2017 Spring Annual Town Meeting all consistent with the provisions of G.L. c.94G, §3, with such general and/or zoning bylaw amendment(s) to be placed on file with the Town Clerk, or take any other action relative thereto. *Referred to By Law Review Committee, Finance and Warrant Committee and Planning Board for study and report.*

ARTICLE TWENTY-FOUR: *By the Chief of Police.* To see if the Town will vote to amend Chapter 106 (Alarm Systems) of the General Bylaws, as follows:

Section 106-1 (Definitions) – Under the definition of “False Alarm”, delete section A(2) in its entirety and replace with the following:

Any signal or oral communication transmitted to the Police Department requesting

or requiring, and resulting in, a response on the part of the Police Department when in fact there has been no unauthorized intrusion, robbery, or burglary, or attempted threat.

Section 106-1 (Definitions) – Under False Alarm definitions, add a new section A(3), as follows:

Notwithstanding sections A(1) and A(2), for purposes of this bylaw, the term “false alarm” shall not include situations where the party requesting or requiring a police response in relation to an alarm system activation subsequently cancels the request in time for dispatch to recall the responding officer prior to arrival.

Section 106-3 (False Alarms; fines) – delete sections A(2) and A(3),

or take any other action relative thereto. *Referred to By Law Review Committee and Finance and Warrant Committee for study and report.*

ARTICLE TWENTY-FIVE: *By the Town Manager at the request of Finance and Warrant Committee Members Cecilia Emery Butler and Susan Carney.* To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to amend the Town Charter, Article 2 Representative Town Meeting, to provide that any Capital Project having a cost of \$15,000,000 or more, regardless of the sources of funding and after a favorable vote of Town Meeting, shall be put before the voters of Dedham for a binding vote of approval, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

ARTICLE TWENTY-SIX: *By Selectman James A. MacDonald.* To see if the Town will vote to accept the provisions of G.L. c.33, §59, Effect of Military Service on Salary, Seniority and Leave of Allowances of Public Employees, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

ARTICLE TWENTY-SEVEN: *By the Director of Engineering.* To see if the Town will vote to accept as a public town way Quarry Road as laid out by the Board of Selectmen in approximately the location shown on the plan entitled: “Street Acceptance Plan” as prepared by Civil View, Inc., dated June 22, 2017, a copy of said plan having been placed on file with the Town Clerk; and further to authorize the Board of Selectmen to acquire, by gift, purchase or eminent domain, such interests in land as are necessary to provide for the use and maintenance of said way for all purposes for which public ways are used in the Town of Dedham, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

ARTICLE TWENTY-EIGHT: *By Town Meeting Member Carmen E. Dello Iacono, Jr.* To see if the Town will vote to create a committee to research and evaluate software programs needed to move the Town in the direction of online permitting, payments, and data integration between departments and existing Town software. Said committee will be made

up with one (1) member from each department listed below and two (2) members at-large appointed by the Town Manager. The at-large members shall have experience with system and or enterprise architecture with knowledge of “cloud first” strategies. Said committee will submit their selected software to the Town Manager with the funding amount for the Fall 2018 Annual Town Meeting.

Committee Members: One (1) member from the Town Clerk’s Office; One (1) member from the Building Department; One (1) member from the Department of Public Works; One (1) member from the Engineering Department; One (1) member from the Planning Department and Two (2) members At-Large,

or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

ARTICLE TWENTY-NINE: *By Town Meeting Representative Steve Heaslip.* To see if the Town will vote to petition the General Court to amend M.G.L. Chapter 40 Section 21 by increasing the maximum fine allowed from \$300 to \$5,000. The Legislature may reasonably vary the form and substance of the requested legislation subject to the approval of the Board of Selectmen who are hereby authorized to approve amendments within the scope of the general public objectives of this petition, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

Given under our hands and seal of the Town of Dedham this 2nd day of March AD 2018.

BOARD OF SELECTMEN

Dennis J. Teehan, Jr., Chairman

James A. MacDonald, Vice-Chair

Michael L. Butler

Dennis J. Guilfoyle

Brendan G. Keogh

A true copy, attest: Anthony F. Zollo, Jr., Constable, Town of Dedham

TOWN OF DEDHAM - NORFOLK, SS.

By virtue of this Warrant, I have notified and warned the inhabitants of the Town of Dedham aforesaid to meet at the time and place and for the purposes specified in said Warrant by posting true and attested copies thereof in one or more public places not less than fourteen days at least before the date of the said meeting, and by causing a true and attested copy thereof to be published once, not less than fourteen days before the said meeting in the Dedham Times, a newspaper having a general circulation in said Town of Dedham.

Anthony F. Zollo, Jr., Constable, Town of Dedham

Dated at Dedham, Massachusetts, the 2nd day of March, AD 2018