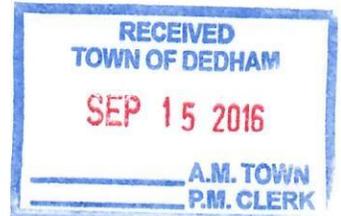


2016 SEP 15 PM 4:30

**PUBLIC HEARING
2016 FALL TOWN MEETING
ZONING ARTICLES**



Notice is hereby given that the **Dedham Planning Board** will hold a public hearing in accordance with the provisions of M.G.L. Chapter 40A, s.5, on the proposed amendments to the Dedham Zoning Bylaws in the Auditorium of the Dedham High School, 140 Whiting Avenue, on **Thursday, October 13, 2016 at 6:30 p.m.** The complete text relative to the proposed amendments is available for inspection during regular business hours at the Town Clerk's office and the Planning Board office in the Dedham Town Office Building.

ARTICLE FIFTEEN: *By the Planning Board at the request of the East Dedham Revitalization Committee.* To see if the Town will vote to amend the Dedham Zoning Bylaw Section 3.1.3 Use Regulations Table by adding a new use entitled "Brewery, Distillery, or Winery with Tasting Room" under H. Manufacturing and Processing Uses and renumbering the remaining subsections of H as follows:

PRINCIPAL USE	DISTRICTS											
	SRA SRB	GR	PR	PC ¹⁹	RDO	AP	LMA	LMB	HB	LB ¹⁸	GB	CB
H. MANUFACTURING AND PROCESSING USES												
1. Manufacturing	NO	NO	NO	NO	NO	NO	SP	YES	NO	NO	NO	NO
2. Limited manufacturing	NO	NO	NO	SP	SP	NO	SP	YES	SP	NO	NO	NO
3. Research, experimental, or testing laboratory	NO	NO	NO	YES	YES	NO	YES	YES	SP	NO	SP	SP
4. Printing or publishing establishment with not more than 5,000 sq. ft. of floor area used for production	NO	NO	NO	SP	YES	NO	YES	YES	YES	NO	NO	NO
5. Bottling works for beverages and liquids of every kind (excluding alcoholic beverages)	NO	NO	NO	NO	NO	NO	NO	YES	NO	NO	NO	NO
6. Brewery, Distillery, or Winery with Tasting Room	NO	NO	NO	NO	NO	NO	PB	NO	NO	NO	NO	NO
7. Major Nonresidential Project	NO	NO	NO	PB	PB	NO	PB	PB	PB	NO	PB	PB

8.	Renewable and alternative energy manufacturing facilities ²⁷	NO	NO	NO	NO	NO	NO	NO	YES	NO	NO	NO	NO
9.	Renewable and alternative energy research and development facilities	NO	NO	NO	NO	YES	NO	YES	YES	NO	NO	NO	NO

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

ARTICLE SIXTEEN: *By the Planning Board at the request of the East Dedham Revitalization Committee.* To see if the Town will vote to amend the Dedham Zoning Bylaws by adding a new definition to Section 10 after "Assisted Living Residence" and before "Buffer Zone," as follows:

Brewery, Distillery, or Winery with Tasting Room: A business located in a building where the primary use is for the production and distribution of malt, spirituous, or vinous beverages which includes warehousing, bottling and distribution of the product. A tasting room is permitted as an accessory use. The facility may host marketing events, special events, and/or factory tours and serve food for the events and tours. The facility may only sell beverages produced by, and commercial goods branded by, the brewery, distillery, or winery. The facility may sell permitted beverages to consumers for consumption off the brewery premises, or take any other action relative thereto. *Referred to Planning Board for study and report.*

ARTICLE SEVENTEEN: *By the Planning Board at the request of the East Dedham Revitalization Committee.* To see if the Town will vote to amend the Dedham Zoning Bylaws by adding a new parking requirement to Section 5.1.4 Required Parking Spaces Table 3 Industrial and Warehouse Uses as follows:

INDUSTRIAL AND WAREHOUSE USES	
a. Manufacture, processing, assembly, testing, research and development, including the customary accessory uses, but no on-site sales	1 parking space per 500 sq. ft. floor area, but at least 5 parking spaces.
b. Warehouse, storage, and distribution of transshipment as the principal use, which may include customary office and repackaging accessory uses, such as mail order or wholesale, but no on-site retail sales, servicing, or other uses listed in paragraph 5.a. above:	1 parking space per 1,000 sq. ft. floor area, but at least 5 spaces. Where outdoor storage is allowed, 1 additional parking space shall be provided for every 2,000 sq. ft. of outdoor storage area. Separate additional parking shall be provided for trucks, vans, and other fleet vehicles and material handling equipment based on site.

c. Contractors, yards, lumber yards, bulk sales of fuel (tank farms) or building materials, utility company or public utility materials and equipment storage, and similar uses requiring large spaces for indoor or outdoor storage of trucks, special purpose vehicles, equipment, and materials:	1 parking space per 500 sq. ft. floor area, plus 1 parking space per 500 sq. ft. of outdoor storage of materials and commodities, in addition to off-street screened parking for fleet trucks, vans, and special purpose vehicles or equipment based on site.
d. Brewery, Distillery, or Winery with Tasting Room	1 parking space per 500 sq. ft. floor area, but at least 5 parking spaces. 1 parking space per 200 sq. ft. when there is a tasting room

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

ARTICLE EIGHTEEN: *By Trust Fund Commissioner Brian M.B. Keaney and Board of Health Member Jason Brogan. To see if the Town will vote to amend the Zoning Bylaws by inserting a new section as set forth below, and further to authorize the Town Clerk to identify and assign an appropriate number for said section in accordance with Section 1-5 of the Charter.*

Section _: MORATORIUM ON MARIJUANA ESTABLISHMENTS

Section _1: HISTORY

By vote at the State election on November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for recreational purposes. The law provides that it is effective on December 15, 2016.

Section _2: PURPOSE

This Bylaw is designed to allow the Town of Dedham sufficient time to engage in a planning process to address the effects of Marijuana Establishments and uses in the Town, and to enact bylaws and regulations in a manner consistent with sound land use and municipal planning goals and objectives.

Currently under the Zoning Bylaw, Marijuana Establishments are not a permitted use in the Town pursuant to *Section 3 Principal Use Regulations Table*. Any regulations promulgated by the State Cannabis Control Commission are expected to provide guidance to the Town in regulating Marijuana Establishments newly authorized. The regulation of recreational marijuana raises novel and complex legal, planning, and public safety issues, and the Town needs time to study and consider the regulation of Marijuana Establishments and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the

Zoning Bylaw regarding regulation of Marijuana Establishments and other uses related to the regulation of recreational marijuana.

Section .3: DEFINITION

"Marijuana Establishments" shall mean a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business, as defined by Massachusetts law only, registered by the Cannabis Control Commission, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to consumers.

Section .4: MORATORIUM

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for Marijuana Establishments. The moratorium shall be in effect through November 30, 2017. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town, consider the Cannabis Control Commission regulations regarding Marijuana Establishments and related uses, and shall consider adopting new Zoning Bylaws to address the impact and operation of Marijuana Establishments and related uses, or take any other action relative thereto. *Referred to Planning Board for study and report.*