



TOWN OF DEDHAM
FINANCE AND WARRANT COMMITTEE

**REPORT & RECOMMENDATIONS
FOR THE FALL ANNUAL
TOWN MEETING**

MONDAY, NOVEMBER 17, 2025 AT 7:00 P.M.
DEDHAM HIGH SCHOOL AUDITORIUM
140 WHITING AVENUE, DEDHAM, MA 02026

FINANCE AND WARRANT COMMITTEE

MEMBERS	PRECINCT	TERM ENDS
DAVE ROBERTS, CHAIR	3	2026
MICHAEL LEAHY, VICE CHAIR	AT-LARGE (5)	2028
MIKE PATRIARCA	1	2027
SARAH SMEGAL	4	2028
KATHERINE DUCEMAN	2	2028
CINDY BARICH	6	2026
LIZ O'DONNELL	5	2027
ED DOCKHAM	7	2027
MIKE EMERY	AT-LARGE	2027

MODERATOR – DANIEL J. DRISCOLL (1993–PRESENT)

PAST MODERATOR – H. HOLTON WOOD (1964–1993)

PAST FINANCE AND WARRANT COMMITTEE CHAIRS

YEAR(S)	NAME
2021–PRESENT	DAVE ROBERTS
2018–2020	KEVIN PRESTON
2014–2017	JOHN HEFFERNAN
2012–2014	RUSSELL C. STAMM
2007–2012	DAVID N. MARTIN
2006–2007	MARK DRISCOLL
2002–2006	CHRISTOPHER E. MELLEN
2001–2002	WILLIAM A. PODOLSKI
2000–2001	VALERIE T. IRVING
1998–2000	CONSTANTINE P. CALLIONTZIS
1996–1998	PAUL G. JOYCE
1995–1996	FRANCIS T. KEALLY
1993–1995	RICHARD C. BREMER
1992–1993	DAVID E. KRUSZ
1991–1992	KEVIN E. YOUNG
1990–1991	JAMES A. MACDONALD
1989–1990	SANDRA A. LYNCH
1988–1989	JAMES V. HARRIGAN
1987–1988	STEPHEN P. RAHAVY
1986–1987	MARGOT C. PYLE
1985–1986	JAMES S. MCDONALD
1984–1985	FRANCIS J. SALLY
1983–1984	DAVID THIBODEAU
1981–1983	JOHN I. STANTON, JR.
1980–1981	ANTHONY THACHER

TABLE OF CONTENTS

Page

- 1 **TOWN MODERATOR'S LETTER** TO TOWN MEETING REPRESENTATIVES AND THE CITIZENS OF DEDHAM
- 2 **FINANCE AND WARRANT COMMITTEE CHAIR'S LETTER** TO TOWN MEETING REPRESENTATIVES AND THE CITIZENS OF DEDHAM
- 3 **ARTICLE ONE:** TRANSFER OF UNUSED FUNDS
- 4 **ARTICLE TWO:** LINE ITEM TRANSFERS FOR CURRENT FISCAL YEAR
- 6 **ARTICLE THREE:** APPROPRIATION(S) FROM SPECIAL PURPOSE STABILIZATION FUNDS
- 7 **ARTICLE FOUR:** CAPITAL IMPROVEMENT BUDGET
- 10 **ARTICLE FIVE:** PRIOR YEAR BILLS
- 11 **ARTICLE SIX:** REVOLVING FUND SPENDING LIMITS
- 12 **ARTICLE SEVEN:** ZONING BYLAW AMENDMENT - PARKING REQUIREMENTS
- 19 **ARTICLE EIGHT:** ZONING BYLAW AMENDMENT - BUILDING AND LOT COVERAGE CLARIFICATION
- 21 **ARTICLE NINE:** ZONING BYLAW AMENDMENT - LANDSCAPING REQUIREMENTS
- 24 **ARTICLE TEN:** ZONING BYLAW AMENDMENT - SITE PLAN REVIEW REQUIREMENTS
- 25 **ARTICLE ELEVEN:** ZONING BYLAW AMENDMENT - SPLIT-LOT ZONING CLARIFICATION
- 26 **ARTICLE TWELVE:** ZONING BYLAW AMENDMENT - MIXED-USE DEVELOPMENT MORATORIUM REMOVAL
- 27 **ARTICLE THIRTEEN:** ZONING BYLAW AMENDMENT - USE TABLES FOOTNOTE REMOVAL
- 28 **ARTICLE FOURTEEN:** DESIGN REVIEW ADVISORY BOARD TIMELINE ADJUSTMENTS
- 29 **ARTICLE FIFTEEN:** GENERAL BYLAW AMENDMENTS - DECENNIAL BYLAW REVIEW
- 30 **ARTICLE SIXTEEN:** GENERAL BYLAW AMENDMENTS - DECENNIAL BYLAW REVIEW
- 31 **ARTICLE SEVENTEEN:** DOG LICENSE FEE WAIVER
- 32 **ARTICLE EIGHTEEN:** MUNICIPAL DECARBONIZATION BY 2050

ADDITIONAL INFORMATION AND RESOURCES REFERENCED IN THIS WARRANT BOOK CAN BE FOUND ON THE FOLLOWING PAGES:

Page

- A-1 DEFINITIONS:** MUNICIPAL FINANCE TERMINOLOGY
- A-4 MGL CH. 44, SECTION 53E1/2 -** REVOLVING FUNDS
- A-5 MGL CH. 140, SECTION 139(C) -** DOG LICENSE FEES
- A-6 PLANNING BOARD -** 2025 FALL TOWN MEETING RECOMMENDATIONS REPORT
- A-12 PLANNING BOARD -** HISTORICAL CONTEXT AND TIMELINE FOR ARTICLE 7 FROM SPRING 2022 TOWN MEETING
- A-17 DECENNIAL BYLAW REVIEW COMMITTEE -** SUMMARY OF PROPOSED AMENDMENTS
- A-21 DECENNIAL BYLAW REVIEW COMMITTEE -** STRIKETHROUGH VERSION OF PROPOSED AMENDMENTS TO BYLAWS

2025 Fall Town Meeting Resource Page and Electronic Book

A digital copy of this book (along with links to recordings of public meetings, electronic voting instructions, informational videos, and more resources), can be found on the Town website:



www.dedham-ma.gov/2025FallTM



or scan the QR code to the right with your mobile device





TOWN OF
DEDHAM
MASSACHUSETTS

Town Moderator, Dan Driscoll

Dear Town Meeting Representatives,

October and November finds us preparing for the second of Dedham's Town Meetings, the Fall Annual Town Meeting.

The Fall Meeting Warrant is generally shorter than the Spring meeting, when the Town's budget is debated.

Nonetheless, there are matters on this Warrant requiring your attention. Hopefully, you have had the opportunity to review the Warrant and perhaps attend or view one or more of the Finance and Warrant Committee and Planning Board hearings where these articles were presented and debated. This Warrant does include several financial matters that you will be asked to vote on. You will also be asked to vote on recommendations from the By Law Review Committee and the Planning Board. Both of these committees are responsible for advising Town Meeting on possible changes in the Town's by laws and the Town's Zoning policies.

Article 13, also an article focused on zoning, has been submitted by six Town Meeting Representatives and one resident. This article looks at the role and scope of commercial development in the Town.

In addition, Article 18 discusses Dedham's response to climate change.

Please feel free to contact me with any questions or concerns at djdriscoll29@gmail.com or 617-510-1797.

Dan Driscoll, Town Moderator



TOWN OF
DEDHAM
MASSACHUSETTS

Finance and Warrant Committee Chair, Dave Roberts

Dear Town Meeting Representatives and the Citizens of Dedham,

The Fall Town Meeting this year will consider what action should be taken on 18 warrant articles. Articles 7 through 13 are under the purview of the Planning Board. The Finance and Warrant Committee (FWC) conducted two public hearings where we heard from proponents and any opponents of each article. Our recommendations are presented at the end of each article.

The FWC would like to highlight the following information for consideration by Town Meeting members:

- Article 4 was presented by the Dedham Public School Administration to both the FWC and the Capital Expenditures Committee during a joint hearing. The initial monetary request (\$350,000) was submitted to support a consultant prepared study for the redevelopment of the current Educational Model. This study would be ongoing at the same time as the Facilities Master Plan that was approved at the Spring 2025 Town Meeting. The FWC did not recommend the initial requested amount but did submit, and by a unanimous vote, recommended a substitute motion decreasing the amount to \$250,000.
- Article 18 asks if the Town will commit to Municipal Decarbonization by 2050.

On behalf of the FWC, I would like to recognize and thank the guidance and assistance of Town Manager Leon Goodwin, Assistant Town Manager Nancy Baker, Finance Director Brady Winsten and Assistant to Administration Doreen LaBrecque.

If you have any questions concerning any of the recommendations, please contact me at bostate72@gmail.com

Regards,
David Roberts, Chair
Finance and Warrant Committee

Note: Unless otherwise stated, all recommendations were unanimous votes of the FWC.

ARTICLE ONE: TRANSFER OF UNUSED FUNDS

Sponsor: Town Manager at the request of the Director of Finance

Article Language: To see if the Town will vote to transfer from amounts appropriated for completed projects to be used as funding sources for approved but incomplete projects, and, to rescind accordingly the amounts to be borrowed for such approved but incomplete projects, or take any other action relative thereto. **Referred to Finance and Warrant Committee for study and report.**

Recommendation of the Finance and Warrant Committee

That the Town vote to transfer from amounts appropriated for completed projects to fund other approved projects, and, in turn, to rescind accordingly the amounts to be borrowed for such approved projects, all as set forth in the Chart below:

Town Meeting Date	Warrant Article	From Project	Amount	Town Meeting Date	Warrant Article	To Project	Amount
11/14/22	10	DHS Turf	\$500,000	5/19/25	4	Maverick Street Culvert	\$500,000

Purpose of the Article

To transfer unused funds from completed capital projects to fund approved but incomplete projects, reducing the amount the Town needs to borrow.

Note: Unless otherwise stated, all recommendations were unanimous votes of the FWC.

ARTICLE TWO: LINE ITEM TRANSFERS FOR CURRENT FISCAL YEAR

Sponsor: Finance and Warrant Committee

Article Language: 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 May 19, 2025 Spring Annual Town Meeting (FY'26 budget) or any other article thereof, or take any other action relative thereto.

Referred to Finance and Warrant Committee for study and report.

Recommendation of the Finance and Warrant Committee

That the following sums of money, totaling \$17,443.00 transferred from available funds as scheduled in the chart on the following page to meet additional expenses for the current fiscal year.

Purpose of the Article

This article transfers money from one municipal account to another for the payment of additional expenses in the current fiscal year ending June 30, 2026.

Reference Information

- Line Item Transfers table on the following page

FROM (Decrease)						TO (Increase)					
Line #	Department Name	Code Description	Org	Obj	Amount	Line #	Department Name	Code Description	Org	Obj	Amount
1	Police	Clerical/Administrative Support	12105100	511326	\$ 12,143	1	Police	Kennel Fees	12105700	530020	\$ 12,143
2	Police	Uniforms/Protective Wear	12105700	558100	\$ 1,000	2	Police	Kennel Fees	12105700	530020	\$ 1,000
3	Assessors	Tax & Utility Data Processing	11405700	530240	\$ 1,000	3	Assessors	Uniform/Protective Wear Allowance	11405100	519180	\$ 1,000
4	Youth Commission	Clerical/Admin	15425100	510725	\$ 3,300	4	Youth Commission	Temporary/Substitutes	15425100	512010	\$ 3,300
					\$ 17,443.00						\$ 17,443.00

LIT #	Descriptions
1-2	A unique situation related to the seizure of four dogs by the Town led to the need to house and train the dogs for behavior modifications in order to work towards re-homing the dogs.
3	Transfer to fund clothing allowance for Assessors field staff.
4	Transfer to cover part time wages during staff vacancies.

Note: Unless otherwise stated, all recommendations were unanimous votes of the FWC.

ARTICLE THREE: APPROPRIATION(S) FROM SPECIAL PURPOSE STABILIZATION FUNDS

Sponsor: Director of Finance

Article Language: To see what sum of money the Town will vote to appropriate from any special purpose fund, or 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.

Recommendation of the Finance and Warrant Committee

That the sum of \$228,839.85 be appropriated from the special revenue fund known as the Public, Education, and Government ("PEG") Access and Cable Related Fund as a grant to the Dedham Visionary Access Corp. for PEG purposes.

Purpose of the Article

To authorize the use of money from special purpose funds or stabilization funds for their intended purposes as directed by Town officials.

ARTICLE FOUR: CAPITAL IMPROVEMENT BUDGET

Sponsor: Town Manager

Article Language: 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.**

Recommendation of the Finance and Warrant Committee

That the Town authorize an expenditure of up to \$250,000 from Free Cash to pay the costs of updating the Education Model for the Dedham Public Schools.

Purpose of the Article

Funds appropriated through Article 4 will support the engagement of a professional consultant to assist the Dedham Public Schools in a comprehensive redevelopment of its Educational Model with a specific focus on how teaching & learning priorities intersect with the District's evolving facility needs and the new facilities master planning process underway.

Reference Information

- Dedham Public Schools Warrant Article 4 Additional Information available on the next two pages



Dedham Public Schools

WARRANT ARTICLE 4 ADDITIONAL INFORMATION

Funds appropriated through Article 4 will support the engagement of a professional consultant to assist the Dedham Public Schools in a comprehensive redevelopment of its Educational Model with a specific focus on how teaching & learning priorities intersect with the District's evolving facility needs and the new facilities master planning process underway.

What Is An Educational Model?

A school district's Educational Model is the big-picture framework that reflects the values of the school district and its community, defining how teaching and learning take place across all schools in the system. A district's Educational Model ties together grade configurations, curriculum, instruction, assessment, and culture, creating a consistent pathway designed to help every student succeed.

Why Do We Need to Redevelop the Educational Model?

Redeveloping our Educational Model represents a proactive, strategic step toward ensuring that Dedham Public Schools remains a future-ready, student-centered district. By engaging professional expertise now, the District will be equipped to make well-informed, creative, and fiscally responsible decisions that balance the dual imperatives of educational innovation and facility sustainability.

Dedham's commitment to educational excellence demands a fresh look at how instructional models, grade configurations, program delivery, and physical learning environments work together.

How Does This Impact Future School Building Decisions?

As the District evaluates its Educational Model, it must simultaneously assess how well existing buildings support those desired learning experiences. The Educational Model review will therefore provide the framework to ensure that future facility investments—whether renovation, consolidation, or new construction—directly reflect the teaching and learning priorities of Dedham's schools.

A range of ideas have surfaced in the community about how to move forward to address the needs of our school buildings —ideas that touch on grade level configuration, school consolidation, program offerings, and how best to use limited resources. Before advancing new building solutions, it is essential for the community to align around a clear and shared vision for how Dedham will educate its students in the years ahead.

The District's Educational Model and the Town's Facilities Master Plan are inherently connected—one defines what the District WANTS teaching and learning to look like, and the other determines WHERE and HOW that vision can be supported through physical spaces. Running these two processes in parallel creates an opportunity for alignment and efficiency.

How Will This Work Actually Connect to the Facilities Master Plan Project?

The redevelopment of the Educational Model will proceed in tandem with strategic facilities planning, so that the District can evaluate creative, feasible solutions that optimize student learning outcomes and the long-term stewardship of community assets. This dual focus will allow Dedham Public Schools to explore innovative approaches such as:

- Reimagining how existing spaces can be repurposed or rehabilitated to support modern instructional practices;
- Evaluating alternative school configurations that better serve student developmental and programmatic needs;
- Considering strategic facility replacement or consolidation where appropriate; and
- Ensuring that any future capital investments are directly informed by educational priorities and equity considerations.

A new Educational Model would integrate academic visioning, community engagement, and facilities strategy into a comprehensive framework for long-term transformation.

By investing in professional guidance, Dedham ensures that decisions about its Educational Model are thoughtful, data-driven, and rooted in community values.

The consultant's role is to provide independent expertise and a systems-level perspective that connects the educational model with physical infrastructure and financial reality.

Why Use a Consultant?

The consultant's deliverable will be a strategic series of options that integrate educational priorities, program structures, and facility planning into an actionable framework. Beyond considerations of consolidation or grade configuration, the roadmap will examine how Dedham's educational systems can evolve to meet future needs. The roadmap will position Dedham to make decisions that are **educationally sound, fiscally responsible, and community-informed**. It will serve as the foundation for both short-term adjustments and long-term capital planning.

Is There Any Flexibility Or Ability to Scale the Study to Budgetary Constraints?

The proposed Article 4 appropriation was designed to provide flexibility. The redevelopment work and study could be scaled in scope and depth depending on available funding and priorities. By structuring the work in a phased manner, Dedham could advance critical educational and facilities alignment work within the community's fiscal capacity. This approach would require an adjusted timeline as phasing will take a longer period of time to complete.

The redevelopment of Dedham's Educational Model represents a strategic opportunity to align educational vision, facilities, and community investment. By engaging a professional consultant, the District seeks to ensure that decisions about the future of our schools are guided by a clear, evidence-based framework that reflects both Dedham's values and the realities of 21st-century education.

Where Can I Find Additional Information?

Additional materials prepared for the School Committee and the Finance and Warrant Committee by the Dedham Public Schools Business Office can be found at:

www.dedham.k12.ma.us/educational-model

Note: Unless otherwise stated, all recommendations were unanimous votes of the FWC.

ARTICLE FIVE: PRIOR YEAR BILLS

Sponsor: Director of Finance

Article Language: 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.**

Recommendation of the Finance and Warrant Committee

That the sum of \$671.24 be appropriated from Free Cash for payment of the following bills from prior fiscal years:

- Town Facilities Electric Utility = \$671.24

Purpose of the Article

To authorize payment of outstanding bills from previous fiscal years that were not paid before the year ended.

ARTICLE SIX: REVOLVING FUND SPENDING LIMITS

Sponsor: Town Manager

Article Language: To see if the Town will vote pursuant to G.L. c.44, §53E½ to establish an annual spending limit or limits for one or more revolving funds provided for under Section 39-39 of the General Bylaws, with such spending limit or limits to be in place from fiscal year to fiscal year unless earlier revised by Town Meeting, or take any other action relative thereto. **Referred to Finance and Warrant Committee for study and report.**

Recommendation of the Finance and Warrant Committee

That the Pool revolving fund annual expenditure limit be increased from \$550,000 to \$650,000, and such expenditure limitations remain applicable from fiscal year to fiscal year until otherwise amended by Town Meeting prior to July 1 in any fiscal year.

Purpose of the Article

To establish annual spending limits for Town revolving funds that would remain in effect unless revised by a future Town Meeting.

Reference Information

- MGL Chapter 44, Section 53E1/2: Page A-4

ARTICLE SEVEN: ZONING BYLAW AMENDMENT - PARKING REQUIREMENTS

Sponsor: Planning Board

Article Language: To see if the Town will vote to amend the Dedham Zoning By-Laws, Dedham Parking Table – Table 3, by deleting the ~~strike through~~ text and inserting the underlined text, as follows:

Principal	Number of Parking Spaces
RESIDENTIAL AND RESIDENTIAL CARE USES	
A. One, two, or multi-family residence	1.5 parking spaces per dwelling unit (2 spaces minimum), except that publicly-supported housing for the elderly shall require 1 space per dwelling unit.
B. Rooming and lodging houses, rental of rooms, bed-and-breakfast accommodations, hotels and motels (exclusive of restaurants, dining rooms, or public assembly facilities open to the general public and requiring additional parking), trailer camps or mobile home, and seasonal camping facilities for adults or families	1.25 parking spaces per guest room, or per 2 persons rated capacity or sleeping accommodations for 2 persons (a double bed shall be considered sleeping accommodations for 2 persons), provided that, for trailer or mobile home camps 1 space shall be located next to each site.
C. Hospitals, nursing, or convalescent homes, living care, and other quasi-medical and institutional facilities providing residential care, including prisons, boarding schools for persons 16 years or age or older, and group homes	1 parking space per 2 persons rated or design capacity.
D. Assisted Living Residence	0.3 parking spaces per dwelling unit; plus 1 parking space per employee on the largest work shift.
COMMERCIAL, BUSINESS, AND OFFICE USES	
A. Retail sales and services not specifically identified below and including the floor area devoted to uses accessory to the principal retail use:	1 parking space per 200 <u>500</u> square feet <u>net</u> floor area or a fraction thereof, provided that:
	(1) Where goods or items for sale are produced or processed on site, such as a bakery, copying <u>copying</u> , or printing shop, or a custom art studio, the area devoted to the production or storage of items to be sold shall be counted as part of the retail floor area.

ARTICLE SEVEN: ZONING BYLAW AMENDMENT - PARKING REQUIREMENTS

Principal	Number of Parking Spaces
COMMERCIAL, BUSINESS, AND OFFICE USES	
	(2) Where display, sale, or related activities customarily take place outdoors, 1/2 the outdoor area devoted or available for such activities shall be added to the floor area.
	(3) Where retail sales or services are conducted in a dwelling as a permitted home occupation or as a non-conforming use, parking for such sales or services shall be in addition to the off-street parking required for the residential use.
	(4) In an enclosed shopping mall, the areas used as a public concourse and not used for storage, display, or sales of goods shall not be counted as floor area of <u>for</u> calculating parking demand. Parking for eating places, entertainment, athletic, and other facilities identified herein separately in categories other than retail sales shall be added to the retail parking required; the Planning Board may authorize paving or constructing 80% of the aggregate required parking spaces, provided that landscaped vacant space remains available for the construction of additional parking, if needed in the future.
B. Professional, business, governmental, and similar offices and banks, including real estate offices and mail order or wholesale offices involving no on-site storage or distribution of goods or commodities	1 parking space per 200 <u>300</u> square feet <u>net</u> floor area. on the ground or street floor, and 1 parking space per 300 square feet floor area on floors above the ground floor. Parking for offices located on residential premises shall be in addition to the required residential parking. Parking for free-standing automatic teller machines shall be provided at the rate of 4 parking spaces per terminal.
C. Physicians and dentists, medical centers, clinics, and other practicing health professionals, including veterinarians and accessory uses, but not room and board	5 <u>4</u> parking spaces for each practicing professional plus 1 additional space per 500 <u>1,000</u> square feet <u>net</u> floor area. If the health professional has an office on residential premises, service parking shall be in addition to the required residential parking.

ARTICLE SEVEN: ZONING BYLAW AMENDMENT - PARKING REQUIREMENTS

Principal	Number of Parking Spaces
COMMERCIAL, BUSINESS, AND OFFICE USES	
D. Restaurant, cafeteria, lunch counter, or dining room open to the public, including those in a hotel, retain retail ² store, or another facility not intended or used for public assembly	2 1 parking spaces per 5 4 seats design or rated capacity, in addition to off-street parking required for the hotel or other uses. Drive-in or take-out service shall provide 1 additional parking space per 250 1,000 square feet of <u>net</u> floor area of such eating establishment. The Special Permit required for an eating establishment may include modifications of these requirements based on the specifics of each case.
E. Testing or research laboratory or research facility not open to general public and not included in or accessory to manufacturing or production	1 parking space per 300 500 square feet <u>net</u> floor area.
F. Funeral homes	2 parking spaces per 5 persons or seats of rated capacity of all rooms available for funeral services and related public functions.; but not less than 12 parking spaces.
G. Club, recreational, amusement, athletic, sports, or exercise facility with participatory activities shall provide parking spaces equal to the sum of the following:	(1) 1/2 the number of participants, players, members, exercise equipment users, etc., at full use of the facilities design capacity, courts, or equipment.
	(2) Where space for spectators is provided: 1/3 the spectator design or actual seating capacity, indoors and outdoors. Where the seating is not fixed and comprises folding chairs or similar accommodations, and there is no maximum occupancy figure, the capacity shall be assumed at 1 seat per 20 square feet of floor or outdoor area available for viewer or spectator seating.
	(3) If the club or other facility includes 1 or more dining rooms or other eating establishments, additional parking shall be provided in accordance with Subsection D above, except that combined spectator and restaurant seats shall be counted to satisfy both requirements simultaneously.

ARTICLE SEVEN: ZONING BYLAW AMENDMENT - PARKING REQUIREMENTS

Principal	Number of Parking Spaces
COMMERCIAL, BUSINESS, AND OFFICE USES	
H. Self-storage facilities	8 1 parking spaces plus 2 additional spaces for each 10,000 square feet of net floor area, or fraction thereof over the first 20,000 square feet.
I. Theater, motion picture theater, public assembly hall, auditorium, <u>religious use</u> or function hall for large public gatherings, whether as a separate facility or as part of an institution	1 parking space per 3 <u>4</u> seats design or actual seating capacity, and, in the absence of permanent seating or permitted occupancy capacity, 1 parking space per 20 <u>10,000</u> square feet of net floor area for public gatherings. Provided, however, that if the Planning Board makes a finding that sufficient parking has otherwise been provided at a hotel complex, the Planning Board may reduce the requirements under this subsection for such areas within said hotel complex to not less than 1 parking space per 6 seats design or actual seating capacity or permitted occupancy capacity. The Planning Board shall make detailed written findings supporting any such reduction under this subsection.
J. Bowling Alleys	5 1 parking spaces per lane.
K. Home Occupation	1 parking space for each person providing paid services who is not a resident of the premises.
INSTITUTIONAL USES	
A. Day Care Center	1 space for every teacher and employee, 1 space for visitors, plus 1 space for every <u>6 students</u> children based on the largest enrollment on site at any given time; the Planning Board may allow a reduction in the number of required parking spaces for the purpose of improving site utilization, but not to increase permitted enrollment if the number of spaces provided is adequate to provide 1 space for every teacher and employee, and to support, without detriment to the neighborhood, drop-off and pick-up areas for the maximum number of children arriving and departing the facility at any 1 time in accordance with a parking and traffic management plan approved by the Planning Board.

ARTICLE SEVEN: ZONING BYLAW AMENDMENT - PARKING REQUIREMENTS

Principal	Number of Parking Spaces
B. Elementary and Middle Schools, and other educational institutions for children under 16 years of age	1 parking space per 16 children design or licensed capacity, but not less than 5 spaces.
C. High Schools, colleges, vocational schools, and other educational institutions for persons over 16 years of age <u>or older</u>	1 parking space per 28 students design or licensed capacity, provided that, if it can be shown that the students are trainees shall not or cannot drive and will require no parking, now or in the future, the standards of paragraph n.3 above shall apply.
D. Civic and veterans organizations, libraries, museums, public utilities buildings, religious and social organizations	1 parking space per 400 500 square feet <u>net</u> floor area, except that for meeting rooms, auditoriums, places of worship, assembly halls, and the like, parking spaces in accordance with Subsection G under "Commercial, Business and Office Uses" above shall be provided; and for restaurants or cafeterias, dining rooms, or other food service facilities, spaces shall be provided as called for respectively in Subsection D under "Commercial, Business and Office Uses" and Subsection C under "Residential and Residential Care Uses" above. Where the use of assembly, food service, or living facilities shall be limited exclusively to members, occupants, students and staff of such institutions and never leased or made available to outsiders or the general public, only the parking spaces needed to satisfy the requirements of the 1 use calling for the highest number of such spaces shall be provided.
E. Substance Abuse Treatment Center	5 1 parking spaces for each practicing professional, plus 1 additional space per 500 1,000 square feet <u>net</u> floor area.
AUTOMOTIVE AND RELATED USES	
A. Service stations and repair <u>Repair</u> garages, including self-service or split island filling stations, body and paint shops, and car washes	5 parking spaces arranged so as not to interfere with access to pumps and service or repair facilities, plus 3 additional spaces per bay or garage door. Where the number of bays or repair/service facility entrances cannot be determined, 1 additional space per 250 square feet floor area shall be provided instead.

ARTICLE SEVEN: ZONING BYLAW AMENDMENT - PARKING REQUIREMENTS

B. Car, truck, trailer, tractor, or other vehicle on wheels or treads, including snow or all-terrain vehicles and construction machinery, or boat sales	1 parking space per 500 square feet <u>net</u> area, indoors or outdoors, used, designed, or available for sales, offices, storage, servicing, or repair. No part of the designated indoor or outdoor parking area shall be used for the display or storage of vehicles to be sold, displayed, serviced, or repaired.
C. Transportation terminals, passenger stations, park-and-ride lots, and similar facilities designed for parking as the principal use	The number of off-street parking spaces shall be based on long-range projection of expected demand. Any part of the parking lot not initially needed shall be landscaped, to be paved when parking demand requires it.
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 <u>1,000</u> square feet <u>net</u> 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 Subsection A above:	1 parking space per 1,000 square feet <u>net</u> floor area, but at least 5 spaces. Where outdoor storage is allowed, 1 additional parking space shall be provided for every 2,000 square feet 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 <u>1,000</u> square feet <u>net</u> floor area, plus 1 parking space per 500 square feet 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 <u>1,000</u> square feet <u>net</u> floor area, but at least 5 parking spaces. 1 parking space per 200 square feet when there is a tasting room.

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

ARTICLE SEVEN: ZONING BYLAW AMENDMENT - PARKING REQUIREMENTS

Recommendation of the Planning Board

The Planning Board held the required public hearing regarding Article 7 on October 8, 2025. On October 22, 2025, the Planning Board voted unanimously (5-0) to recommend approval to Town Meeting.

Purpose of the Article

The purpose of Article 7 is to update the Town's existing Off-Street Parking Requirements (Table 3) to better match minimum required parking with real demand. The revisions will align parking requirements with industry standards and surrounding communities, simplify regulation language, reduce the fiscal and regulatory burden of off-street parking requirements for commercial development, reduce impervious surfaces within the Town, and support the beautification of the Town's commercial corridors (Providence Highway, Washington Street, etc.).

Reference Information

- Planning Board Recommendations Report: Page A-6

ARTICLE EIGHT: ZONING BYLAW AMENDMENT - BUILDING AND LOT COVERAGE CLARIFICATION

Sponsor: Planning Board

Article Language: To see if the Town will vote to amend the Dedham Zoning By-Laws, Chapter 280 of the Town Code, to regulate lot and building coverage, by deleting the ~~strikethrough~~ text and inserting the underlined text, as follows:

1. Amend Section 10.1 (Definitions) by inserting the language in underline, as follows:

BUILDING COVERAGE

The maximum horizontal area, expressed as a percentage of total lot area, occupied by all structures and excluding paved, pervious or landscaped ground level surfaces.

LOT COVERAGE

The maximum horizontal area, expressed as a percentage of total lot area, occupied by all structures, paved and gravel parking areas, driveways, loading areas, and other impervious surfaces.

2. Amend Table 2 (Table of Dimensional Requirements) by deleting the text shown in ~~strikethrough~~ and inserting the language in underline, as follows:

	SRA	SRB	GR	LMA/LM	HB	LB	GB	CB
				RDO/AP				
Maximum Lot <u>Building</u> Coverage (%)	30	30	30	50	40	80	80	80

FOOTNOTES TO TABLE OF DIMENSIONAL REQUIREMENTS

*8. ~~Lot coverage applies to buildings and structures, and not to paved ground level surfaces~~
Reserved for future use.

3. Amend Section 6.2 (Hospitals and Related Facilities) by deleting the ~~strikethrough~~ language and inserting the language in underline, as follows:

C. Dimensional regulations. The following dimensional regulations shall apply

(3) Maximum Building ~~Lot~~ Coverage: 15%.

4. Amend Section 7.5 (Assisted Living Facilities) by deleting the text shown in ~~strikethrough~~ and inserting the language in underline, as follows:

Table 6 - Assisted Living Dimensional Requirements	
Maximum Lot <u>Building</u> Coverage	15%

5. Amend Section 280-7.6 (Senior Campus District Facilities - Table 7) by deleting the text shown in ~~strikethrough~~ and inserting the language in underline, as follows:

ARTICLE EIGHT: ZONING BYLAW AMENDMENT - BUILDING AND LOT COVERAGE CLARIFICATION

Table 7				
Table of Dimensional Requirements - Senior Campus Housing District.				
Use:	Assisted Living Residence	Nursing or Convalescent Home/Hospital	Senior Supportive Housing	Educational or Religious Institutional Use/Charitable or Philanthropic Institutional Use/Child Care Facility
Maximum Lot Building Coverage (%)	15	15	15	30

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

Recommendation of the Planning Board

The Planning Board held the required public hearing regarding Article 8 on October 8, 2025. On October 22, 2025, the Planning Board voted unanimously (5-0) to recommend approval to Town Meeting.

Purpose of the Article

Article 8 establishes new definitions for building coverage and lot coverage, as well as "housekeeping" updates to reflect the new definitions. The changes will provide clarity to reduce impervious surfaces (i.e., asphalt) and promote more greenspace in the Town's commercial corridors.

Reference Information

- Planning Board Recommendations Report: Page A-6

ARTICLE NINE: ZONING BYLAW AMENDMENT - LANDSCAPING REQUIREMENTS

Sponsor: Planning Board

Article Language: To see if the Town will vote to amend the Dedham Zoning By-Laws, Section 280-5.2 (Landscaping), by deleting the ~~striketrough~~ text and inserting the underlined text, as follows:

A. Purpose. It is the intention of this Bylaw to ensure that landscaping is an integral component of site design:

- (1) To enhance the visual appearance and character of the built environment through the use of vegetated landscaping;
- (2) To reduce the visual impact of parking areas, buildings, and paved surfaces on abutting properties and public ways;
- (3) To encourage the use of vegetated landscaping practices that incorporate stormwater best management practices, including but not limited to vegetated buffers, infiltration areas, and shade tree coverage;
- (4) To promote environmental sustainability by supporting biodiversity, reducing heat island effects, and improving air and water quality;
- (5) To support the health, safety, and general welfare of the public through the thoughtful integration of natural elements in site development.

A. B. Applicability.

(1) The requirements of this subsection shall apply to any proposed outdoor parking lot for 10 or more parking spaces and to any alteration of an existing parking lot which will contain 10 or more spaces. However, a lot of any size abutting a parcel used for residential purposes shall provide a minimum of a five-foot landscaped buffer strip, or other type of screening as determined by the Board, along all property lines of such parking lot abutting the residential use. The Planning Board acting through Site Plan Approval may require additional buffer. ~~The specific requirements and standards for landscaping is within Site Plan Approval Design Manual as most recently amended.~~

(2) Existing parking lots covered by § 280-5.1 may proportionally reduce the requirements of this subsection to the ratio of the existing unbuilt-upon space to the space needed to meet the requirements of this Section; or take any action relative thereto.

C. Maximum lot coverage.

- (1) In Research Development and Office (RDO) zoning districts, the maximum allowable lot coverage shall be 60% of the total lot area.
- (2) In Highway Business (HB) zoning districts, the maximum allowable lot coverage shall be 70% of the total lot area.
- (3) In Limited Manufacturing A (LMA) zoning districts, the maximum allowable lot coverage shall be 60% of the total lot area.

Any project subject to Zoning Bylaw § 280 9.5 (Site Plan Review) shall include a lot coverage calculation, expressed as both square footage and percentage of total lot area, to demonstrate compliance.

ARTICLE NINE: ZONING BYLAW AMENDMENT - LANDSCAPING REQUIREMENTS

~~C.~~ D. Landscaped areas.

(1) Frontage strip. Only landscaping shall be allowed in the landscaped buffer zone which extends across the entire frontage of the lot on a street or highway and for a depth of 20 feet in the Highway Business and Research Development and Office districts, and five feet in the Local Business, General Business, and Limited Manufacturing districts, or of the required minimum front yard, whichever is less. Any commercial, industrial, institutional, or other nonresidential use located in a residential district shall provide a landscaped buffer zone of 20 feet in Single Residence A districts, 10 feet in Single Residence B districts, and five feet in General Residence districts. Existing healthy trees and shrubs shall be preserved within this landscaped buffer zone and planted to supplement and not prevent existing vegetation from surviving. Shrubs shall be planted between each two trees. ~~The specific requirements and standards for landscaping are within Site Plan Approval Design Manual as most recently amended.~~

(2) Lot interior. Trees and shrubs shall also be preserved or planted in the interior of the parking lot (defined as the space enclosing the parking spaces, maneuvering areas, and aisles) so that such landscaped space shall comprise not less than 15% of the paved parking area. This interior landscaped area shall not include the landscaping provided in the frontage strip. Trees and shrubs shall be planted near the middle of rows of parking spaces extending more than 180 feet and to separate parts of the parking lot, and shrubs shall be planted in the landscaped rounding between the end of a row of parking and the curved wedge-shaped spaces or narrow strips not large enough for a tree. The interval between trees shall not be more than 25 feet, and the distance from a tree to the paved area shall be at least five feet. The distance from a shrub or other vegetation to a paved area shall be at least two feet. Landscaping that is less than two feet from the paved area shall not block the line of sight. Other unpaved areas on the lot shall be suitably landscaped with trees, grass, hedges, occasional trees, and flower beds or benches and ornamental structures. ~~The specific requirements and standards for landscaping are within Site Plan Approval Design Manual as most recently amended.~~

~~D.~~ E. Planting requirements. Screening by trees, especially evergreens, and shrubs shall be provided between parking lots and residential areas, highways or streets, and buildings on abutting lots, as specified herein. Trees to be planted shall have a minimum height of 12 feet and a minimum diameter of three inches at four feet height at the time of planting, and shall be planted in one cubic yard of loam, wrapped and guyed to facilitate survival. They shall be of species characterized by rapid growth, hardiness, and suitable for New England climate. Shrubs to be planted shall be of at least five gallon size, and suitable for the purpose of visual screening.

~~E.~~ F. Seasonal planting waiver. Landscaping may be delayed due to seasonal changes with the approval of the zoning enforcement officer for up to six months from the date of issuance of a building permit. A temporary occupancy permit may be issued if the record owner of the property upon which the landscaping is to be completed posts a bond or other acceptable security with the Town Treasurer, such bond to be in the amount of one-and-a-half times the estimated cost of such delayed landscaping construction, as indicated on the approved parking or site plan. Upon completion of all landscaping, substantially in accordance with the approved plan, the zoning enforcement officer shall authorize in writing the release of said security and shall issue a permanent occupancy permit. The owner shall be responsible for the continued vitality of landscaped areas.

ARTICLE NINE: ZONING BYLAW AMENDMENT - LANDSCAPING REQUIREMENTS

F. G. Waiver of landscaping, lot coverage, and planting requirements. Where soil conditions, lot shape, topography, architectural or structural conditions make literal compliance with the terms of this § 280-5.2 impracticable or infeasible, the Planning Board may approve a site plan showing alternative means of complying with the objectives of this § 280-5.2 and may allow the use of ground cover and ornamental screening or buffers, as long as such action is in the public interest and not inconsistent with the intent and purpose of this § 280-5.2. In these instances, the Planning Board shall make detailed written findings of:

(1) Those specific conditions that render literal compliance with the terms of this § 280-5.2 impracticable or infeasible~~7i~~

(2) The specific nature of alternative means of complying with the terms of this § 280-5.2~~7i~~ and

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

Recommendation of the Planning Board

The Planning Board held the required public hearing regarding Article 9 on October 8, 2025. On October 22, 2025, the Planning Board voted unanimously (5-0) to recommend approval to Town Meeting.

Purpose of the Article

Article 9 will update landscaping regulations to include a new landscaping purpose statement and establish maximum lot coverage requirements to promote more greenspace in the large commercial zoning districts.

Reference Information

- Planning Board Recommendations Report: Page A-6

ARTICLE TEN: ZONING BYLAW AMENDMENT - SITE PLAN REVIEW REQUIREMENTS

Sponsor: Planning Board

Article Language: To see if the Town will vote to amend the Dedham Zoning By-Laws, Section 280-9.5 (Site plan review), by deleting the ~~strike through~~ text and inserting the underlined text, as follows:

D. Application. The applicant, who shall be the owner of the building, or a prospective purchaser under a binding purchase-and-sale agreement, or a lessee having the authority to make the modifications and to comply with the conditions which may be imposed by the Planning Board, shall submit a completed application, processing and review fees, a plan or plans, all as set forth in the rules and regulations of the Planning Board. The plan shall show the following information:

(5) ~~Parking spaces and aisles or driveways.~~ Location of all compact, standard, accessible parking spaces and related signage; location of all aisles and driveways.

(28) Information required to determine compliance with parking requirements shall be shown on the plan in a tabular form, including lot area, lot coverage, building coverage, floor area ratio (FAR), and the existing and the proposed total floor area and floor areas dedicated to various uses, the parking spaces required for each principal use, the numbers of existing and proposed parking spaces, and the maximum legal occupancy, where required.

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

Recommendation of the Planning Board

The Planning Board held the required public hearing regarding Article 10 on October 8, 2025. On October 22, 2025, the Planning Board voted unanimously (5-0) to recommend approval to Town Meeting.

Purpose of the Article

Article 10 updates Planning Board Site Plan Review application requirements. The changes require the inclusion of all parking infrastructure (number of spaces, type, sizes, signs, aisle widths, etc.) on a site and mandate site plans include lot coverage and building coverages.

Reference Information

- Planning Board Recommendations Report: Page A-6

ARTICLE ELEVEN: ZONING BYLAW AMENDMENT - SPLIT-LOT ZONING CLARIFICATION

Sponsor: Planning Board

Article Language: To see if the Town will vote to amend the Dedham Zoning By-Laws, by replacing Section 280-2.1(D.)(3), Types of Districts, in its entirety, as follows:

Where a zoning district boundary divides a lot or where a lot is located in more than one zoning district, the use and dimensional provisions applicable to the zoning district in which the lot has frontage may apply to the entire lot.

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

Recommendation of the Planning Board

The Planning Board held the required public hearing regarding Article 11 on October 8, 2025. On October 22, 2025, the Planning Board voted unanimously (5-0) to recommend approval to Town Meeting.

Purpose of the Article

Article 11 will update the regulation of split lots. A "split lot" is a lot located in two (or more) zoning districts. The current split lot regulations are difficult to understand and provide little guidance on use of a split lot property. The changes will provide property owners that have split lots more clarity, predictability, and align with split lot regulations in other communities.

Reference Information

- Planning Board Recommendations Report: Page A-6

ARTICLE TWELVE: ZONING BYLAW AMENDMENT - MIXED-USE DEVELOPMENT MORATORIUM REMOVAL

Sponsor: Planning Board

Article Language: To see if the Town will vote to amend the Dedham Zoning By-laws, Article VII, Special Residential Regulations, by deleting in its entirety §280-7.4(f), Moratorium, which text is shown below in strikethrough:

~~F. Moratorium:~~

~~[Added 5-20-2019 ATM by Art. 19]~~

~~(1) Purpose:~~

~~(a) The Town amended the Zoning Bylaw in 2004 to include regulation of mixed use developments. Since that time, multiple mixed-use projects-buildings have been approved and built with residential apartments over commercial spaces.~~

~~(b) The continuing high demand for mixed-use developments, including development of commercial space and apartments and condominiums, raises novel legal, planning, economic, and public safety issues and creates a need to review the current regulation of this use. The Town needs time to consider and study the future implications and impact of mixed use developments upon the Town as a whole, as well as the consistency of the already completed mixed-use developments with the Town's current and future development and housing goals. Imposition of a temporary moratorium on mixed use developments will allow sufficient time to simultaneously assess the challenges and successes of existing mixed-use projects, determine consistency of additional mixed-use development with the Town's overall development and housing goals, and, further, determine whether refinements or modifications of the mixed-use zoning bylaw could better align the Bylaw with the Town's future economic and housing goals.~~

~~(2) Temporary 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 issuance of special permits for the use of land or structures for mixed use developments. The moratorium shall be in effect through November 30, 2019 or the date on which the Town adopts amendments to the Zoning Bylaw concerning Mixed Use Development, whichever occurs earlier. During the moratorium period, the Town shall undertake a planning process to study, review, analyze and address whether any revisions the Zoning Bylaw relative to Mixed Use Development are needed or desirable to provide for mixed use development consistent with the Town's future general planning goals for economic development and housing.~~

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

Recommendation of the Planning Board

The Planning Board held the required public hearing regarding Article 12 on October 8, 2025. On October 22, 2025, the Planning Board voted unanimously (5-0) to recommend approval to Town Meeting.

Purpose of the Article

Article 12 will delete language related to a Mixed-Use Moratorium in the Dedham Zoning By-Law. The moratorium is no longer valid.

Reference Information

- Planning Board Recommendations Report: Page A-6

ARTICLE THIRTEEN: ZONING BYLAW AMENDMENT - USE TABLES FOOTNOTE REMOVAL

Sponsor: Wm. Shaw McDermott, Hope McDermott, Paul Reynolds, Bethany Gauthier, Allie Castino, and Robin Gold as Town Meeting Representatives, and resident Michael Butler

Article Language: To see if the Town will amend the Dedham Zoning By-Law by deleting the second sentence of footnote 17 of PC in the relevant Use Tables of the Dedham Zoning By-Law, as illustrated by the deletion requested as follows:

17. PC – Planned Commercial development may be allowed on a lot or lots consisting of a minimum of five acres or any development project where at least 60% of the net floor area is occupied by a use meeting the definition of "Laboratory, Research and Development," and "Laboratory, Research and Development (Manufacturing)" as stated in Section 10 (Definitions), located in the LMA, LMB, HB, GB, CB, or RDO Districts in accordance with §280-6.3, upon approval of a Major Nonresidential Project Special Permit.

Planned Commercial development may be allowed on a lot or lots for any development project where at least 60% of the net floor area is occupied by a use meeting the definition of "Laboratory, Research and Development," and "Laboratory, Research and Development (Manufacturing)" as stated in Section 10 (Definitions), and that meet all the following criteria: 1.) are within a SRA Zoning District; 2.) abut Route 128/95; and 3.) consist of a minimum of ten (10) acres;

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

Recommendation of the Planning Board

The Planning Board held the required public hearing regarding Article 13 on October 8, 2025. On October 22, 2025, the Planning Board voted 3-1 to recommend indefinite postponement to Town Meeting. Vice Chair Porter, Member O'Brien, and Member McGrail all voted in favor, Member Podolski voted opposed, and Chair Bethoney recused himself.

Purpose of the Article

Article 13 will delete the second sentence of footnote 17 of Planned Commercial Development (PC) in Use Tables of the Dedham Zoning By-Law. The language to be deleted was approved by Fall 2022 Town Meeting (Article 7) by a vote of 184 to 45 to allow life science-style and other technology related campuses on a select group of properties abutting Route 128/95 through a conditional permit by the Planning Board.

Reference Information

- Planning Board Recommendations Report: Page A-6
- Planning Board Historical Context and Timeline Memo: Page A-12

ARTICLE FOURTEEN: DESIGN REVIEW BOARD TIMELINE ADJUSTMENTS

Sponsor: Planning Director

Article Language: To see if the Town will vote to amend the Dedham Sign Code, (Section 237-8), by deleting the ~~striketrough~~ text and inserting the underlined text, as follows:

D. DRAB shall decide the waiver request within ~~60~~ 35 days from the date of filing and shall file a written decision on such request within 14 days of the date of the decision. Failure by DRAB to file its written decision within the time required shall be deemed an approval of the waiver request. The required time for said decision and filing may be extended by written agreement between the applicant and DRAB.

E. DRAB may by an affirmative vote of ~~four~~ three of its members grant waivers from the provisions of this chapter, subject to the criteria in this chapter.

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

Recommendation of the Finance and Warrant Committee

That it be so voted.

Purpose of the Article

To reduce the Design Review Advisory Board's decision deadline from 60 to 35 days and reduce the vote requirement for granting waivers from four members to three members.

Note: Unless otherwise stated, all recommendations were unanimous votes of the FWC.

ARTICLE FIFTEEN: GENERAL BYLAW AMENDMENTS - DECENNIAL BYLAW REVIEW

Sponsor: Select Board at the request of the Decennial Bylaw Review Committee

Article Language: To see if the Town will vote to amend the Town of Dedham General By-laws, as recommended by the Decennial By-law Review Committee, by making non-substantive, ministerial amendments thereto, including correction of grammar and punctuation, enhancing readability, minor reformatting, rendering certain terms internally consistent and/or consistent with the Town Charter, eliminating gendered, obsolete and transitional language, inserting a general severability clause and deleting such clauses in various by-laws; all as set forth in more detail in a document entitled, "Article 14 – Recommendations of the Decennial By-law Review Committee – General By-law Amendments", on file in the office of the Town Clerk and available on the Town's website at <http://www.dedham-ma.gov>, or take any other action relative thereto. **Referred to Finance and Warrant Committee for study and report.**

Recommendation of the Finance and Warrant Committee

That it be so voted.

Purpose of the Article

To make non-substantive corrections to the General Bylaws, including fixing grammar and punctuation, updating outdated terminology, making language gender-neutral, and improving consistency with the Town Charter.

Reference Information

- Summary of Proposed Bylaw Changes (Articles 15 and 16): Page A-17

ARTICLE SIXTEEN: GENERAL BYLAW AMENDMENTS - DECENNIAL BYLAW REVIEW

Sponsor: Select Board at the request of the Decennial Bylaw Review Committee

Article Language: To see if the Town will vote to amend the Town of Dedham General By-laws, as recommended by the Decennial Bylaw Review Committee, by making minor substantive revisions, including but not limited to: (1) following consultation with the Police Chief, clarifying that paid details are first offered to full-time Dedham Police Officers and deleting by-laws addressing action already addressed and prohibited by state law generally, many of which are better addressed through criminal prosecution, including but not limited to: disorderly conduct, defacing or destroying lawful notice; discharging of fireworks, indecent exposure, public consumption, evading taxi fares, loitering, obstruction of or bonfires in public ways, violations of heavy commercial vehicles bans, and release of impounded cars following arrest for a charge of driving under the influence; (2) making provisions concerning violations of laws addressing parking for the disabled consistent with state law; (3) imposing a penalty of \$300/day for retailers who violate their approved hours of operation and for persons who violate requirements for securing street opening permits or permits for construction of access ways on public ways, or for discharging groundwater onto public ways or sidewalks that would create hazardous or icy conditions; and (4) clarifying that projectiles cannot be discharged for the purpose of harming a person or property and that vehicles cannot be abandoned on Town property or in the public way; all as set forth in more detail in a document entitled, "Article 14 – Recommendations of the Decennial By-law Review Committee - General By-law Amendments", on file in the office of the Town Clerk and available on the Town's website at <http://www.dedham-ma.gov>, or take any other action relative thereto. **Referred to Finance and Warrant Committee for study and report.**

Recommendation of the Finance and Warrant Committee

That it be so voted.

Purpose of the Article

To make substantive updates to the General Bylaws, including clarifying police detail procedures, removing outdated provisions better handled by state law, updating disabled parking requirements, and establishing new penalties for certain violations.

Reference Information

- Summary of Proposed Bylaw Changes (Articles 15 and 16): Page A-17
- Strikethrough version of proposed bylaw changes (Article 16): Page A-21

Note: Unless otherwise stated, all recommendations were unanimous votes of the FWC.

ARTICLE SEVENTEEN: DOG LICENSE FEE WAIVER

Sponsor: Town Clerk

Article Language: To see if the Town will vote to accept the provision of G.L. c. 140, §139(c), allowing the Town to waive the license fee for a dog owned by a person aged 70 or older, or take any other action relative thereto. **Referred to Finance and Warrant Committee for study and report.**

Recommendation of the Finance and Warrant Committee

Voted 6-3 that it be indefinitely postponed.

Purpose of the Article

To allow the Town to waive dog license fees for residents aged 70 or older, as permitted by state law.

Reference Information

- MGL Chapter 140, Section 139(c): Page A-5

ARTICLE EIGHTEEN: MUNICIPAL DECARBONIZATION BY 2050

Sponsor: Town Manager at the request of the Sustainability Advisory Committee

Article Language: To see if the Town will vote to commit to Municipal Decarbonization (defined as the elimination of all on site burning of fossil fuels in municipal buildings and vehicles) by 2050 in accordance with state climate goals or take any other action thereto.

WHEREAS, the reliance on fossil fuels in Massachusetts poses significant threats to environmental health by polluting air and water and exacerbating climate change impacts; and

WHEREAS, communities across Massachusetts are already experiencing adverse effects attributable to global climate change; and

WHEREAS, the predominant cause of climate change remains the combustion of fossil fuels; and WHEREAS, Massachusetts has historically been at the forefront of combating climate change; WHEREAS, the Massachusetts Clean Energy and Climate Plan for 2050 underscores the imperative for state agencies and local governments to spearhead the transition towards clean energy;

WHEREAS, the Massachusetts Energy and Climate Plan for 2050 establishes a target of achieving 100% net-zero greenhouse gas emissions from fossil fuel combustion in municipal operations by 2050;

WHEREAS, the Massachusetts Clean Energy and Climate Plan for 2050 sets forth the ambition of achieving Net Zero greenhouse gas emissions by 2050, wherein emissions are balanced by removal efforts;

WHEREAS, Dedham has the potential to transition to 100% clean, renewable energy sources while simultaneously enhancing energy efficiency, promoting conservation measures, and electrifying transportation, heating, and water systems;

WHEREAS, the establishment of a Net Zero Carbon Energy goal by 2050 will drive the adoption of cleaner energy sources, bolster energy efficiency and resilience, and mitigate adverse impacts associated with fossil fuel dependency;

Be It Resolved, that the members of Dedham Town Meeting call on Town government to commit to a climate mobilization effort, with appropriate support from the state and federal governments, to bring municipal net carbon emissions to zero as quickly as possible, with a target date of 2050.

Referred to Finance and Warrant Committee for study and report.

Recommendation of the Finance and Warrant Committee

That it be so voted.

Purpose of the Article

To support a resolution by the Town to commit to eliminating the use of fossil fuels in all municipal buildings and vehicles by 2050, aligning with state climate goals and the Massachusetts Clean Energy and Climate Plan.

MUNICIPAL FINANCE TERMINOLOGY

The following terms are frequently used in the Annual Town Report and at Town Meeting. Definitions are provided in order to provide an understanding of their meaning:

APPROPRIATION: Authorization to spend Town funds for a specific purpose.

CAPITAL IMPROVEMENTS: Construction, renovation or improvement of buildings or grounds which exceeds \$50,000.

CAPITAL OUTLAY EXPENDITURE EXCLUSION: A type of tax override that allows towns to raise funds for capital projects. Its rules are similar to those for debt exclusions, except the cost is only added to the levy for the year in which the project is undertaken.

CHAPTER 70: State aid funding to public elementary and secondary schools.

CHERRY SHEET: Named for the cherry colored paper on which the Massachusetts Department of Revenue traditionally has printed it, listing the amounts of state and county assessments, as well as the estimated state distribution (State Aid).

COLA: Cost of Living Adjustment

COLLECTIVE BARGAINING: A process in which employees, through their unions, negotiate contracts with employers to determine terms of employment (i.e., pay, hours, benefits, etc.)

DEBT EXCLUSION: A debt exclusion allows towns to raise funds to pay for debt incurred by the town. The amount of the payment is added to the levy for the life of the debt, and is not included in calculations of the new levy limit for future years. A debt exclusion requires a two-thirds majority vote to borrow at town meeting and requires a majority vote at a special town election.

ENTERPRISE FUND: A separate fund inclusive of the direct and indirect costs to provide a service and amounts of revenue to support the fund in exchange for the service (i.e., sewer enterprise fund).

EXCESS LEVY CAPACITY: If a community sets its levy below its levy limit, the difference between them is called excess levy capacity. The levy limit is not affected by excess capacity, however, meaning that in future years a town can tax up to that limit regardless of the previous levy. For example, a one percent levy increase one year allows the town to raise the levy by 4 percent the next year - the normal 2 ½ percent, plus the 1 ½ percent not taxed the year before.

FREE CASH: The amount certified annually by the State Bureau of Accounts by deducting from Surplus Revenue (formally the "Unreserved Fund Balance" or "Excess and Deficiency") all uncollected taxes of prior years. Surplus Revenue is the amount by which the cash accounts receivable and other assets of the Town exceed the liabilities and reserves. Surplus revenues build up mainly from unexpended balances of general appropriations and from excess receipts from non-tax sources (Local Receipts) over estimated receipts. Free Cash may be appropriated by vote of the Town Meeting.

Municipal Finance Terminology continued on next page →

MUNICIPAL FINANCE TERMINOLOGY (CONTINUED)

GENERAL OVERRIDE: Residents can vote to increase tax levies beyond the levy limit, as long as the community is below the levy ceiling. The increase is included in the levy for that year and added to the base used to calculate future levy limits. An override requires a majority vote of the town at a special town election.

GENERAL STABILIZATION FUND: This fund serves as a general financial reserve for the Town. Money may be appropriated to the Fund up to ten percent of the preceding year's tax levy, but the Fund may not exceed ten percent of the total tax valuation of the Town. The Fund may be used for any legal purpose by a two-thirds vote of the Town Meeting. Interest earned remains in the Fund.

LEVEL FUNDING: Appropriates the same amount of money as the prior year to each department, and includes cost increases.

LEVEL SERVICES: No cuts are made and the budget is prepared to accommodate for changes that provide the same services and staffing levels as the previous year. These changes can include COLA increases, inflation, contractual obligations, etc.

LEVY CEILING: The maximum amount a community may levy under all conditions. A community's levy ceiling is 2 ½ percent of the aggregated valuation of all taxable properties.

LEVY LIMIT: The maximum amount a community may levy in a year. The levy limit can increase only by 2 ½ percent each year, plus adjustment for new growth and the addition of the debt service for previously voted tax overrides, such as debt exclusions.

MAJOR CAPITAL FACILITIES STABILIZATION: This is another special purpose reserve created by vote of Town Meeting. Expenditures may be made from the fund only on a two-thirds vote of Town Meeting. It is a management policy of the Town that this fund be used for major construction or renovation of buildings estimated to cost \$4 million or more.

MITIGATION STABILIZATION: These are special purpose reserves created by vote of Town Meeting. Like the General Stabilization Fund, expenditures from these funds require a two-thirds vote of Town Meeting.

MWRA: The Massachusetts Water Resources Authority was established in 1985 to provide water supply services and sewer collection, treatment and disposal services to the region. To fund its operations and debt the MWRA sets user rates and assesses each town in the area according to the metered flow of water through the sewers. Dedham funds its sewer assessment from billings based upon a metered water use rate set by the Selectmen. The Town is not assessed water use charges.

NEW GROWTH: A community can increase its levy limit annually based on new development and other growth in the tax base. Property that has increased in value because of new construction, new subdivision parcels and condominium conversions, and new properties are all considered new growth. An increase in property value assessed during triennial reevaluation (appreciation) is not considered new growth.

Municipal Finance Terminology continued on next page →

MUNICIPAL FINANCE TERMINOLOGY (CONTINUED)

OTHER AVAILABLE FUNDS: Certain receipts, when received by the Town, must be set aside and reserved for particular appropriation. These include the Endicott Estate Receipts, Sale of Cemetery Lots and Graves, and Parking Meter Receipts. In addition, funds from the Overlay Surplus (the accumulated amount of the overlay for various years not used or required to be held in the overlay account) may be used by a town to offset budget requests for the next year. Also, all unused balances from prior years' Special Article Appropriations may be transferred to meet a new appropriation.

OVERLAY SURPLUS: The Overlay is the amount from the property tax levy in excess of appropriations and other charges. It is used to cover abatements and exemptions granted locally or on appeal. The Overlay Surplus is the unused portion of previous years' overlays.

PROPERTY TAX LEVY: The total revenue a community raises through property taxes. Often just called the "levy," it is the largest source of revenue for most Massachusetts cities and towns. This is different from the tax rate, which is the tax amount charged individual properties per \$1,000 of property valuation. The tax rate is set each year by the town.

SPECIAL PURPOSE FUND: An account designated for specific uses as defined by law or Town Meeting.

RESERVE FUND: This fund is established by the Town Meeting and may be composed of (a) an appropriation (not exceeding 5% of last year's levy), (b) money transferred from existing accounts or funds, or (c) both. The Reserve Fund amounts to an omnibus appropriation, to be transferred by vote of the Finance Committee for extraordinary or unforeseen expenditures where the Committee decides such expenditures would be approved by Town Meeting. "Extraordinary" covers items, which are not in the usual line, or are great or exceptional. "Unforeseen" includes items which were unforeseen at the time of the Town Meeting, when appropriations were voted.

REVOLVING FUND: A special account funded by specific revenues (such as user fees) that can only be spent for related purposes without annual appropriation.

SELECTED STATUTES AND BYLAWS REFERENCED

Below are statutes and bylaws referenced in the warrant articles, in the order they are referenced:

MGL Ch. 44, Section 53E1/2 - Revolving Funds

Section 53E1/2. Notwithstanding section 53, a city or town may authorize by by-law or ordinance the use of 1 or more revolving funds by 1 or more municipal agencies, boards, departments or offices, which shall be accounted for separately from all other monies in the city or town and to which shall be credited any fees, charges or other receipts from the departmental programs or activities supported by the revolving fund. Expenditures may be made from such revolving fund without further appropriation, subject to the provisions of this section; provided, however, that expenditures shall not be made or liabilities incurred from any such revolving fund in excess of the balance of the fund or in excess of the total authorized expenditures from such fund, and no expenditures shall be made unless approved in accordance with sections 41, 42, 52 and 56 of chapter 41.

Interest earned on any revolving fund balance shall be treated as general fund revenue of the city or town. No revolving fund may be established under this section for receipts of a municipal water or sewer department, a municipal hospital, a cable television access service or facility or for receipts reserved by law or as authorized by law for expenditure for a particular purpose. Revolving fund expenditures shall not be made to pay wages or salaries for full-time employees unless the revolving fund is also charged for the costs of fringe benefits associated with the wages or salaries so paid; provided, however, that such prohibition shall not apply to wages or salaries paid to full-time or part-time employees who are employed as drivers providing transportation for public school students; provided further, that only that portion of a revolving fund which is attributable to transportation fees may be used to pay the wages or salaries of those employees who are employed as drivers providing transportation for public school students; and provided further, that any such wages or salaries so paid shall be reported in the budget submitted for the next fiscal year.

A revolving fund shall be established pursuant to this section by by-law or ordinance. The by-law or ordinance shall specify for each fund: (1) the programs or activities for which the revolving fund may be expended; (2) the departmental receipts in connection with those programs or activities that shall be credited to the revolving fund; (3) the board, department or officer authorized to expend from such fund; and (4) any reporting or other requirements the city or town may impose. The establishment of any fund shall be made not later than the beginning of the fiscal year in which the fund shall begin. Notwithstanding this section, whenever, during the course of any fiscal year, any new revenue source becomes available for the establishment of a revolving fund under this section, such a fund may be established in accordance with this section upon certification by the city auditor, town accountant, or other officer having similar duties that the revenue source was not used in computing the most recent tax levy.

The city or town shall, on or before July 1 of each year, vote on the limit on the total amount that may be expended from each revolving fund established under this section. In any fiscal year, the limit on the amount that may be spent from a revolving fund may be increased with the approval of the city council and mayor in a city or with the approval of the board of selectmen and finance committee in a town.

Upon termination of a revolving fund, the balance in the fund at the end of that fiscal year shall revert to surplus revenue at the close of the fiscal year.

The director of accounts may issue guidelines further regulating revolving funds established pursuant to this section.

Source: malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter44/Section53E%201~2

MGL Ch. 140, Section 139(c) - Fees; certificate or statement that dog has been spayed; service dogs defined by Americans with Disabilities Act; dogs owned by persons aged 70 or over; refunds

(c) No fee shall be charged for a license issued under this section for a service animal as defined by the Americans with Disabilities Act or regulations promulgated thereunder. No fee shall be charged for a license for a dog owned by a person aged 70 years or over in a city or town that accepts this provision. No license fee or portion thereof shall be refunded because of the subsequent death, loss, spaying or removal from the commonwealth or other disposal of the dog, nor shall a license fee or portion thereof paid by mistake be paid or recovered after it has been paid over to a city or town under section 147.

Source: malegislature.gov/Laws/GeneralLaws/PartI/TitleXX/Chapter140/Section139

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TOWN OF DEDHAM

PLANNING BOARD

2025 FALL TOWN MEETING RECOMMENDATIONS REPORT

October 31, 2025

This report summarizes the seven (7) Planning Board-sponsored zoning amendments and one (1) Town Meeting member sponsored zoning amendment that appear on the 2025 Fall Town Meeting Warrant and the Planning Board's Recommendations to Town Meeting. The Town Meeting warrant, documents, and information are available on the Fall Town Meeting 2025 website here: www.dedham-ma.gov/2025FallTM

Article 7 Purpose

The purpose of Article 7 is to update the Town's existing Off-Street Parking Requirements (Table 3) to better match minimum required parking with real demand. The revisions will align parking requirements with industry standards and surrounding communities, simplify regulation language, reduce the fiscal and regulatory burden of off-street parking requirements for commercial development, reduce impervious surfaces within the Town, and support the beautification of the Town's commercial corridors (Providence Highway, Washington Street, etc.).

Background Summary

Table 3 of the Zoning Bylaw regulates the required minimum number of off-street parking spaces for specific uses (single family dwellings, office, restaurants, etc.). Table 3 has not been updated since 1978. As such, the requirements for off-street parking spaces have not kept pace with modern standards or surrounding community practices. The result is an oversupply of parking spaces for certain uses and excessive pavement in the Town's commercial corridors.

Proposed Zoning Change

PZNR staff have been working diligently with the Planning Board to develop Article 7 since July 2024. In summary, the Table 3 updates include:

- Clarify existing language while adjusting parking ratios by use type (office, retail, restaurants, etc.);
- Base revisions on a comparative analysis of 12 surrounding communities and data averages acquired by the Institute of Transportation Engineers (ITE) parking averages for commercial uses; and
- Maintain ability to provide more than the minimum parking required as needed.

No changes to parking requirements for residential uses (single family dwellings, multi-family dwellings, etc.) are proposed.

Work to Date by the Planning Board:

- Review of existing off-street parking regulations (October 2024)
- Review/discuss revisions/updates to existing off-street parking regulations (December 2024)
- Review/discuss revisions to proposed off-street parking regulations (May 2025)
- Submission of Fall 2025 Town Meeting Article 7

Planning Board Recommendation

The Planning Board held the required public hearing regarding Article 7 on October 8, 2025. On October 22, 2025, the Planning Board voted unanimously (5-0) to recommend approval to Town Meeting.

Article 8 Purpose

Article 8 establishes new definitions for building coverage and lot coverage, as well as “housekeeping” updates to reflect the new definitions. The changes will provide clarity to reduce impervious surfaces (i.e., asphalt) and promote more greenspace in the Town’s commercial corridors.

Background Summary

As part of Article 7’s purpose to update minimum parking requirements for commercial uses, the Planning Board sought to correspondingly increase the amount of greenspace in the Town’s commercial corridors. To achieve this goal, new definitions for building coverage and lot coverage are needed. Building coverage is ratio of the total square footage of building footprints (dwellings, sheds, garages, etc.) as compared to a property size. Lot coverage is the ratio of total square footage of building footprints and impervious surfaces (driveways, walkways, etc.) as compared to a property size. By regulating both building and lot coverages, the Planning Board can set maximum requirements for the amount of coverage on a property (see accompanying Article 9) which as a direct influence on the amount of greenspace needed on a property.

In July 2025, PZNR staff reviewed lot and building coverage definitions of surrounding communities to develop new definitions.

Proposed Zoning Changes

- Establish new definitions for Building Coverage and Lot Coverage (280-10.1);
- Amend the Table of Dimensional Requirements (Table 2) to change Maximum Lot Coverage to Maximum Building Coverage; and
- Replace Lot Coverage with Building Coverage within the Hospitals and Related Facilities (280-6.2), Assisted Living Facilities (280-7.5), and Senior Campus District Facilities (280-7.6).

Planning Board Recommendation

The Planning Board held the required public hearing regarding Article 8 on October 8, 2025. On October 22, 2025, the Planning Board voted unanimously (5-0) to recommend approval to Town Meeting.

Article 9 Purpose

Article 9 will update landscaping regulations to include a new landscaping purpose statement and establish maximum lot coverage requirements to promote more greenspace in the large commercial zoning districts.

Background Summary

Article 9 provides additional regulations to increase greenspace in the Town’s commercial corridors. Section 280-5.2 of the Zoning Bylaw regulates landscaping requirements for any properties that provide more than ten (10) off-street parking spaces, with review by the Planning Board. After reviewing surrounding communities landscaping regulations, the Dedham Zoning Bylaw provides stringent landscaping requirements. However, most communities regulate the amount of lot coverage allowed on a property. Regulating lot coverage on a property is the most effective means to provide more greenspace on a property. As such, Planning Department staff analyzed relevant GIS data for impervious surfaces in Dedham’s large commercial corridors to develop maximum lot coverages for commercial districts.

Proposed Zoning Changes

- Establish new purpose statement to reinforce landscaping as an integral component of site design;
- Add new maximum impervious coverage percentages for RDO, HB, and LMA¹ zoning districts to promote and increase greenspace;
- Enable waivers for lot coverage;
- Require site plans to show lot coverage calculations; and
- “Housekeeping” changes to remove all references to a Site Plan Approval Design Manual from landscaping regulations which does not exist.

Planning Board Recommendation

The Planning Board held the required public hearing regarding Article 9 on October 8, 2025. On October 22, 2025, the Planning Board voted unanimously (5-0) to recommend approval to Town Meeting.

Article 10 Purpose

Article 10 updates Planning Board Site Plan Review application requirements. The changes require the inclusion of all parking infrastructure (number of spaces, type, sizes, signs, aisle widths, etc.) on a site and mandate site plans include lot coverage and building coverages.

¹ Research, Development and Office (RDO), Highway Business (HB), and Light Manufacturing A (LMA)

Background Summary

In May 2025, the Planning Board requested application documents required as part of Site Plan Review be updated to include the location of all compact, standard, and accessible parking spaces within site plans. Materials submitted were inconsistently omitting such parking details to allow the Planning Board to make effective decisions.

Proposed Zoning Changes

The following changes are proposed to be included on Site Plan Review applications per Zoning Bylaw Section 280-9.5(D.):

- Locations of all compact, standard, and accessible parking spaces;
- Identification of all parking signage; and
- Added lot coverage and building coverage to information required.

Planning Board Recommendation

The Planning Board held the required public hearing regarding Article 10 on October 8, 2025. On October 22, 2025, the Planning Board voted unanimously (5-0) to recommend approval to Town Meeting.

Article 11 Purpose

Article 11 will update the regulation of split lots. A “split lot” is a lot located in two (or more) zoning districts. The current split lot regulations are difficult to understand and provide little guidance on use of a split lot property. The changes will provide property owners that have split lots more clarity, predictability, and align with split lot regulations in other communities.

Background Summary

The issue with a "split lot" is that a single property located within two or more zoning districts creates significant challenges for future use of a property in the form of conflicting regulations, potentially limiting the usability of the land and ultimately leading to uncertainty. The majority, if not all, of split lots in Dedham involve a property that has both residential and commercial zoning.

Standard planning practices have zoning district boundary lines follow lot lines, streets, lots, and other natural boundaries in order to avoid split lots. The best solution is a rezoning effort similar to the Bridge Street Corridor Plan, which was overwhelmingly approved at Spring 2025 Town Meeting to eliminate split lots along Bridge Street. Applying a similar approach town wide is a significant undertaking that could take many years. Therefore, in the meantime, changing the current regulation is the most efficient path forward.

Proposed Zoning Changes

- Update split lot regulations to permit the use and dimensional regulations of the zoning district in which the lot has frontage to apply the entire lot. This means properties that have commercial zoning in the front of a property and residential to the rear may elect to have the commercial zoning apply to the property. Currently the only allowance for split lots is the lot area requirements of the zoning district in which principle use (usually the building) is located can apply to the entire lot.

Existing requirements under the Dedham Zoning By-Law will still provide protection to abutting lots, including general building and parking lot setbacks, buffer areas, lot coverage, and landscaping requirements. Furthermore, existing uses will continue to be protected with the proposed change.

Planning Board Recommendation

The Planning Board held the required public hearing regarding Article 11 on October 8, 2025. On October 22, 2025, the Planning Board voted unanimously (5-0) to recommend approval to Town Meeting.

Article 12 Purpose

Article 12 will delete language related to a Mixed-Use Moratorium in the Dedham Zoning By-Law. The moratorium is no longer valid.

Background Summary

In May 2019, Town Meeting adopted a temporary moratorium (Article 19) on issuance of special permits for the use of land or structures for mixed use developments. The intention of the moratorium was to study the future implications and impact of mixed-use developments in Dedham. The moratorium expired on November 30, 2019, and mixed-use developments have since been permitted. The outdated moratorium language remains within the By-Law and Article 12 will delete it.

Proposed Zoning Changes

- Removal of Section 280-7.4 (F.) Mixed Use Moratorium.

Planning Board Recommendation

The Planning Board held the required public hearing regarding Article 12 on October 8, 2025. On October 22, 2025, the Planning Board voted unanimously (5-0) to recommend approval to Town Meeting.

Article 13 Purpose

Article 13 will delete the second sentence of footnote 17 of Planned Commercial Development (PC) in Use Tables of the Dedham Zoning By-Law. The language to be deleted was approved by Fall 2022 Town Meeting (Article 7) by a vote of 184 to 45 to allow life science-style and other technology related campuses on a select group of properties abutting Route 128/95 through a conditional permit by the Planning Board.

Background Summary

Accompanying this report is supplemental information describing the historical context and timeline for the development of Article 7 from Fall 2022 Town Meeting. Also enclosed is a presentation by the Planning Board on October 22 2025, summarizing the motivations for the original (2022) zoning and the current zoning context relative to Article 13. The information shows the Planning Board undertook a transparent and thorough approach toward incentivizing commercial growth of the life science industry in the Town of Dedham.

At the public hearing and during deliberations, Planning Board members raised several questions and concerns about Article 13:

- Article 7 of 2022 was not “spot zoning” (a zoning change solely for the economic benefit of a property owner) and in fact met established legal criteria and was approved by the Attorney General.
- Article 7 of 2022 was intentionally written to create a small, targeted area for life science campus-style developments close to highways and minimize impacts to Dedham’s neighborhoods and traffic patterns.
- The Planning Board is empowered to impose conditions, limitations and safeguards to protect any potential developments under the zoning in question from impacting residential neighborhoods. In fact, the authority of the Planning Board to protect the interests of neighbors and the town at large is greater with a technology campus type project than it would be for several types of projects that could be developed “by-right” in this same area, including educational campuses.
- Article 7 of 2022 was consistent with previous master plan’s and the current Designing Dedham 2035 Master Plan, which discuss increasing the life science/technology industry and expanding the Town’s commercial base, and encouraging local job growth.
- A YES vote on Article 13 by Town Meeting members will not prevent the developer from proposing the preliminary “Campus at 128” development project to the Planning Board. The developer filed preliminary plans on September 26, 2025 with the Planning Board that begin the process to freeze zoning on specific properties for seven years.

Every Planning Board member stated they were committed to a robust and transparent community process should a development be filed with the Planning Board. Multiple Planning Board members stated concerns that a YES vote on Article 13 by Town Meeting members would significantly reduce the ability of the Planning Board to work with a developer to reduce the impacts of a potential project on the community and create a project that best works for the Town of Dedham.

Planning Board Recommendation

The Planning Board held the required public hearing regarding Article 13 on October 8, 2025. On October 22, 2025, the Planning Board voted 3-1 to recommend indefinite postponement to Town Meeting. Vice Chair Porter, Member O’Brien, and Member McGrail all voted in favor, Member Podolski voted opposed, and Chair Bethoney recused himself.

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TOWN OF DEDHAM PLANNING BOARD

Supplemental Information for Article 13 Historical Context & Timeline

In response to questions from Town Meeting members and Dedham residents, this handout is to provide context and timeline of the development of Article 7 of Fall 2022 Town Meeting proposed by the Planning Board and approved by Town Meeting 184 to 45. The following timeline shows the Planning Board undertook a transparent and thorough approach toward incentivizing commercial growth of the life science/technology industry in the Town of Dedham.

What is Article 7 of Fall 2022 Town Meeting?

Article 7 allows life science-style campuses on a select group of properties abutting Route 128/95 through a conditional permit by the Planning Board. Article 13 of Fall 2025 Town Meeting seeks to delete the changes that were approved by Town Meeting in Fall 2022.

May 2022

In 2022, the Life Science industry was booming in Massachusetts. Communities such as Burlington, Lexington, Waltham, Watertown, and Woburn were seeing increased growth of the industry and making zoning changes locally to further encourage growth of the industry. As Dedham is continually seeking new sources of commercial tax growth (In Dedham the FY2025 commercial/industrial/personal property tax rate is \$26.20 per \$1,000 of assessed value and residential is \$12.62 per \$1,000 of assessed value), it made sense for the Town to seek growth of life science industry in Dedham. Dedham, at that time and currently, has little to no direct life science industry. Additionally, the March 2022 draft Designing Dedham 2035 Master Plan had two related strategies for the life science industry in its Economic Development chapter, both of which were ultimately adopted by the Planning Board.

- **Goal 4, Strategy 4.5:** Incentive the investment in growing industries such as biotech, medical research, and clean energy, among others
- **Goal 5:** Retain a strategic balance and mix of uses across the Town to respond to future economic trends in industrial or other uses and align growth and changes with the community's vision.

Planning staff developed a list of potential ideas for Fall 2022 Town Meeting for consideration by the Planning Board. Included in the list was to "Assess Dedham's Zoning Bylaw with regard to attracting life science/Tech companies to Dedham." Dedham has stagnant commercial growth (if

not shrinking), and the life science industry could provide additional tax revenue needed for future investments necessary by the Town (schools, park and building improvements, etc.)

The Planning Board's minutes of the May 25, 2022 meeting reference support of the idea by Board members.

June 2022

Staff prepared a memo to the Planning Board in June 2022 providing an overview of Dedham's existing zoning with regard to life science industry and efforts by other municipalities to increase and/or attract the industry. The Town had not made any changes since the late 1990's to keep up with the ever expanding life science and technology industry. Staff also provided Board members a report from the Massachusetts Life Science Center providing life science industry statistics:

- #1 in industry investment in Research and Development per capita.
- University and research institutions receive more than \$1 billion in NIH funding annually
- The highest percentage of adults in the nation with a bachelor's degree and the highest percentage with advanced degrees.
- Best K-12 schools and universities in the U.S.
- 18 of the top 20 biopharma companies in the world have locations in Massachusetts.
- \$13.66 billion in venture capital funding for biopharma companies was invested in Massachusetts.
- MassBio (a non-profit that represents Massachusetts Life Science industry) projected 20 million sq. ft. of bio manufacturing and lab space to be built by the year 2024.
- An estimated 40,000 net-new jobs needed to meet the demands of the industry in Massachusetts.

Board members supported the effort to provide incentives to allow for a larger life science-style campus in demand by the industry and reduced permitting consideration. The Board further stated their support to ensure any impacts of a potential life science campus on existing residential communities be heavily weighed.

August 10, 2022

Planning staff developed a draft zoning amendment for the Planning Board's consideration at their August 10, 2022 meeting. Also provided to the Board were maps of zoning districts and properties near Route 128/95 to be considered. Staff also recommended a more targeted approach of incentivizing the life science industry by allowing such development via the zoning bylaw's Planned Commercial Development (PCD) regulations, which require a minimum of five acres for eligibility. PCD's also provide more permitting considerations, allowing the Planning Board more discretion and control over larger-scale projects. Changes proposed in the first draft were:

- Update the current life science related use "Research and Development Facilities" Zoning Bylaw definition with current industry definitions as found in surrounding municipalities;
- Add a new life science manufacturing use definition;
- Amend the Zoning Bylaw Use Table to update existing and new life science use categories; and

- Amend footnote (19) to allow life science uses to be considered as part of Planning Commercial Developments (PCDs). PCD's must be a minimum of five acres.

The Planning Board requested staff seek to target the Route 128/95 corridor for the life science zoning amendments, which would likely provide the larger properties of interest by the industry and provide better transportation access with less traffic impact to the general public.

August 24, 2022

At the Planning Board's August 24, 2022 meeting, staff provided a second draft zoning amendment targeting the life science industry. The second draft had been reviewed by the Town's legal counsel. The primary changes to the second draft recognized life science industry development trends have been toward more "campus" like settings that would not be able to occur in Dedham except for the Single Residence A (SRA) Zoning District along Route 128/95. As such, changes proposed in the second draft were:

- Allow life science uses in parcels in the Single Residence A (SRA) Zoning District that provide at least 10 acres of land and that abut Route 128/95.

October 12, 2022

The Planning Board held the initial advertised public hearing for Article 7 on October 12, 2022. Planning staff provided additional revisions and comments from Town Counsel to the Planning Board. More specifically:

- Specifying that only properties abutting Route 128/95 and that are ten acres could be in conflict with state zoning laws regarding "uniformity". The "uniformity" clause stipulates that permitted uses in a zoning district should be uniform across a zoning district. As Article 7 sought to only allow properties abutting Route 128/95 and at least ten acres, the Attorney General may have questions on such language.

Planning Board members noted that life science campus-style projects involve additional facilities and uses, such as residential, restaurants, and other commercial uses. To support a campus type use, the Board supported additional language that any eligible project provide at least 60% of the net floor area be occupied by a use that met the proposed updated definitions of "Laboratory, Research and Development" and "Laboratory, Research and Development (Manufacturing)". As such, the Board voted 5-0 to recommend the Article 7 as amended to Town Meeting.

October 26, 2022

On October 26, 2022, the Planning Board took a reconsideration vote of Article 7 after reviewing a list of the potential six (6) properties provided by Planning staff that could be eligible for a Planned Commercial Development in the Single Residence A zoning district. Chairman Bethoney recused himself on the reconsideration vote due to a professional relationship with one of the property owners. Therefore, the Board voted 4-0 to recommend as amended Article 7 to Town Meeting.

As is customary for Town Meetings, the Planning Board provides a report and recommendations of all zoning articles to Town Meeting members. On October 31, 2022, the Planning Board mailed to all Town Meeting members its Fall 2022 Town Meeting Report. Specifically, the Planning Board provided the following report on Article 7:

Article 7 Purpose

Article 7 is a zoning amendment that seeks to increase the life science industry within Dedham.

Background Summary

Massachusetts is a global leader in the life science industry. Whether it is the number of leading academic medical centers, universities, corporate headquarters, emerging biotech companies, and government support, the greater Boston area is seen as the epicenter of the life science industry. Due to the unmet demand of the life science industry for space, there is significant opportunity for municipalities to develop their own footprints for the life science industry.

Life science developments provide a municipality with beneficial short (construction) and long term employment opportunities, significant real estate tax revenue, and other benefits. While the Town of Dedham is ranked “Silver” on MassBio’s list of “BioReady Communities”, unlike Needham, Waltham, Burlington, and other communities along Route 128/95, the Town has not seen any substantial life science developments.

The Town of Dedham has made a concerted effort to become more attractive to the life sciences industry. In 1995, Town Meeting approved the establishment of the Research, Development, and Office Zoning District (RDO). As part of the approval, the new use, “Research, experimental, or testing laboratory” was established. In addition, Dedham is categorized as a “Silver” Bio-Ready community by MassBio as already stated. However, the Planning Board is seeking to make updates to the Dedham Zoning By-law to further encourage expansion of the life science industry in Dedham. The Planning Board has analyzed surrounding communities and heard from industry professionals to understand current trends and needed updates. As such, the following is a summary of the proposed zoning amendments before Town Meeting:

- Update the current life science related use “Research and Development Facilities” Zoning Bylaw definition with current industry definitions as found in surrounding municipalities.
- Add a new life science manufacturing use definition.
- Amend the Zoning Bylaw Use Table to update existing and new life science use categories and allow life science uses to be considered as part of Planning Commercial Developments (PCDs).
- Expand use of PCDs to allow life science uses in SRA Zoning Districts that provide at least 10 acres of land and that abut Route 128/95.
- As current life science industry development trends on larger properties have been toward more “campus” like settings with multiple uses, allow life science developments as part of a PCD flexibility of providing multiple uses.

Planning Board Recommendation

The Planning Board held the required public hearing regarding Article 7 on October 12, 2022. At the meeting on October 26, 2022, the Planning Board voted unanimously (4-0) to recommend approval as amended to Town Meeting.

November 2022

Due to formatting issues with a zoning table (Table 2 use table ran across multiple pages) as part Article 7 in the 2022 Fall Town Meeting warrant book, the Planning Board provided to mini-Town Meeting and Town Meeting a handout that corrected the formatting issues

SUMMARY OF PROPOSED BY-LAW AMENDMENTS

ARTICLES 15 AND 16**

*****The references to Article 14 in Articles 15 and 16 of the printed Warrant and Recommendations is incorrect and reflects the numbering of an earlier version of the warrant.***

NOTE: Town Meeting is voting under Articles 15 and 16 on all of the recommended amendments contained in a document entitled, ARTICLE 14* – RECOMMENDATIONS OF DECENIAL BY-LAW REVIEW COMMITTEE – GENERAL BYLAW AMENDMENTS, posted on the Town website at www.dedham-ma.gov.

For convenience, the amendments are summarized below, and the minor substantive amendments to be voted under Article 16 are reproduced at the end of this document.

Article 15 (non-substantive ministerial revisions)

The following revisions were made throughout the Charter:

- Replace “Board of Selectmen” and “Selectmen” with “Select Board” and “Chairman” with “Chair”;
- Render pronouns gender neutral;
- Correct grammar and punctuation;
- Capitalize the words “By-laws”, “By-law” and “Special Town Meeting”;
- Delete obsolete and transitional language;
- Delete enforcement sections in various By-laws and instead refer to §1-6, which addresses enforcement for all Town By-laws;
- Add the word “meeting” following the words “by vote of the Town” to clarify that it is Town Meeting that must take the relevant action;
- Delete and standardize enforcement provisions in various By-laws to be consistent, referring to §1-6 or indicating how the penalties differ from those in §1-6;

SUMMARY OF PROPOSED BY-LAW AMENDMENTS

ARTICLES 15 AND 16**

The following revisions to specific sections of the By-laws make them more readable, concise, or consistent with the Charter or General Laws:

- Insert in Chapter 1 a new §1-9, entitled Severability, applicable to the all By-laws, as follows:
 - These General By-laws are severable, and if any of chapter, section, subsection or provision thereof shall be declared unconstitutional or invalid by a final judgment or order of a court of competent jurisdiction, said judgment or order shall not affect or impair any of the remaining provisions.
- Update dated language in §12-8 (e.g., “the aging” to “older adults”);
- Clarify in §61-4 responsibilities of the Library Trustees by breaking the section into two parts: A. Trust Funds; and B. Budget;
- Render the By-laws consistent with the Town Charter
 - Remove references in §61-4 to Library Trustees appointing Library Director);
 - To delete §88-1 on leasing of Town buildings and facilities as it conflicted with authority of the Town Manager in the Charter;
 - To update §85 on Town Meeting to conform to Charter (e.g., spring and fall annual town meetings” and clarification of Annual Town Election, rather than “Annual Town Meeting for election of Town Officers”);
- Clarify in §129 that enforcement of building number requirements shall receive warnings before enforcement is undertaken pursuant to §1-6;
- Replace in §183-6 long-form references to the general laws with short-form references;
- Delete in §192-2(b)(1) reference to an incorrect statute; and
- Delete transitional language in §208-5 and §208-6 relative to implementation of plastic bag ban.

SUMMARY OF PROPOSED BY-LAW AMENDMENTS

ARTICLES 15 AND 16**

Article 16

The following revisions were made to specific sections of the Charter:

- Revise language in §30-15 to clarify that paid details are first offered to full-time Dedham Police Officers;
- Delete language in §100-4 concerning public consumption constituting a misdemeanor requiring arrest and a fine, as that is already addressed by state law;
- Delete in §136, after consultation with Police Chief, provisions prohibiting actions already addressed under state law, likely better enforced under state law, including: indecent, disorderly conduct in public ways; defacing or destroying lawful notice; indecent exposure, evading taxi fares;
- Delete in §154, after consultation with Police Chief, provisions prohibiting actions already addressed under state law, likely better enforced under state law against: discharging of fire works, firearms, sale of imitation handguns; in same section, added, after consultation with Police Chief, the word, “projectiles” to the By-law concerning the possession or discharging of devices for throwing missiles or projectiles for purposes of harming a person or property or disturbing the peace or endangering the public health safety or welfare on a public way;
- Delete several provisions of Chapter 199, after consultation with Police Chief, relative to activities in public ways that are either outdated and obsolete or addressed by, and likely better enforced criminally under, state law, such as loitering, climbing trees, sledding on public streets or sidewalks, riding horses on sidewalks, performances in public ways, obstruction of public ways, bonfires in public ways, transport of flammable materials on public ways, willful destruction of public property, hanging of string lights;
- Insert in §204-14 a penalty of \$300/day for retailers that violate their approved hours of operation;

SUMMARY OF PROPOSED BY-LAW AMENDMENTS ARTICLES 15 AND 16**

- Clarify that each violation of §§250-3 (street opening permit required), 250-4 (permit required for construction of access ways onto public ways) and 250-9 (discharging, diverting or causing ground or surface water collected by a pump in a manner that would create a hazardous or icy condition or damage to a public way or sidewalk), is subject to a penalty of \$300;
- Clarify in §265-6 that vehicles cannot be abandoned on any Town property or public way;
- Delete §265-14, after consultation with Police Chief, where truck ban violations are enforced under state law;
- Revise §§265-20 and 265-21, after consultation with Police Chief, to track relevant state law relative to parking for persons with disabilities; and
- Delete §265-23, after consultation with Police Chief, concerning release of impounded car following a DUI, where the matter is addressed in state law.

ARTICLE I
Interpretation and Rules of Construction; Penalties

§ 1-9 Severability.

These General By-laws are severable, and if any of chapter, section, subsection or provision thereof shall be declared unconstitutional or invalid by a final judgment or order of a court of competent jurisdiction, said judgment or order shall not affect or impair any of the remaining provisions.

ARTICLE II
Police Services
[Adopted 5-18-2009ATM by Art. 30]

§ 30-15. Determination of need; costs.

The Chief of Police shall possess the discretion to determine the appropriate level of police service in the Town to ensure public safety. If the Chief of Police in the exercise of their discretion, determines that a paid detail is needed for any work to be done on or within the limits of or impacting traffic on a public way or road or a private way that is open to or is otherwise used for public vehicular travel within the Town, or for any related construction, maintenance or related work or at any public function in the Town, the Chief shall possess the authority to require the presence of a sworn police officer or officers on a paid detail basis. All costs incurred will be the sole responsibility of the party engaged in the work, construction, and/or maintenance or of the host of the public function that created the public safety need for a sworn police officer on a paid detail basis, except as may be preempted by state law with respect to state public works projects. The Chief shall have the further discretion to determine the number of officers assigned in any such instance necessary to maintain public safety. The Chief or their designee shall review all situations which may require details on a case by case basis and shall confer with the authorized representative designated by the Town to implement a public works project prior to exercising their discretion with respect to such project. When the Chief or their designee decides that a paid detail is required, the detail shall first be offered to full-time sworn Dedham Police Officers.

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Summary of By-law Amendments – Proposed Minor Substantive Amendments under Article 16
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ARTICLE I
Public Consumption

[Adopted as Ch. 13, Sec. 41, of the 1996 By-laws; amended 11-18-2013STM by Art. 16]

§ 110-1. Consumption of intoxicating beverages.

No person shall, within the limits of any public way located within the Town, whether that public way be a Town way, county highway, state highway, or a private way open to the public, consume intoxicating beverages. This section shall also be construed so as to prohibit the following: The consumption of intoxicating beverages by any person while such person is standing, sitting, walking, running, or otherwise present within such way or is within any vehicle, whether parked or moving, which is within the limits of such public way.

§ 110-2. Prohibited activities.

Drunkenness, breach of the peace, profanity or other disorderly conduct offensive to the general public are strictly forbidden. Possession of alcoholic beverages in unsealed containers, or the drinking of alcoholic beverages in any public building or on any public property, including parks, cemeteries, school houses and school grounds, and public squares or public ways is forbidden.

§ 110-3. Exception.

The foregoing §§ 110-1 and 110-2 shall not apply to any activity duly licensed by the [Select Board](#) under the applicable provisions of the Massachusetts General Laws.

Deleted: Board of Selectmen

§ 110-4. [Reserved.](#)

Deleted: Enforcement

Deleted: It shall be the duty of any police officer of the Town to arrest any person who violates the provisions of §§ 110-1 and 110-2 and to cause such person to be brought before a Justice of the District Court of Northern Norfolk, Dedham, Massachusetts upon a complaint for violation thereof. Violations of §§ 110-1 and 110-2 may also be enforced in accordance with § 1-6 of these By-laws, provided, that such violations shall be subject to a fine of \$100 for the first offense, and \$300 for the second and any subsequent violations.¶

Summary of By-law Amendments – Proposed Minor Substantive Amendments under Article 16
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DISORDERLY CONDUCT
Chapter 136
DISORDERLY CONDUCT

- § 136-1. Reserved.
- § 136-2. Reserved.
- § 136-3. Reserved.
- § 136-4. Reserved.
- § 136-5. **Trespassing, peeping toms prohibited.**

[HISTORY: Adopted by the Town Meeting of the Town of Dedham as Ch. 13, Secs. 11, 13, 18, 23, and 24, of the 1996 By-laws. Amendments noted where applicable.]

§ 136-1. Reserved.

§ 136-2. Reserved.

§ 136-3. Reserved.

§ 136-4. Reserved

§ 136-5. **Trespassing, peeping toms prohibited.**

No person shall enter upon the premises of another for the purpose of committing any wanton or malicious act, nor for the purpose or with the intention of invading the privacy of another by peeping into windows of a house or spying upon any person or persons resident therein.

- Deleted: Indecent, disorderly conduct¶ prohibited on public ways**
- Deleted: Evading taxi, bus fare prohibited**
- Deleted: Defacing, destroying lawful¶ notice prohibited**
- Deleted: Indecent exposure, graffiti prohibited**

- Deleted: Indecent, disorderly conduct prohibited on public ways.¶**
No person shall behave in any indecent or disorderly manner, or use profane, indecent or insulting language in any public place or on any sidewalk or street in the Town, to the annoyance or disturbance of any other person there being or passing in a peaceable manner.¶
- Deleted: Defacing, destroying lawful notice prohibited.¶**
No person shall willfully or maliciously deface or tear down any bill, placard or notice, posted for a lawful purpose except the same be affixed to premises owned by him or under his control.¶
- Deleted: Indecent exposure, graffiti prohibited.¶**
No person shall make any indecent figures or write any indecent or obscene words upon any fence, building or structure in any public place, or wantonly expose his naked person to the view of other persons then and there passing or being in any street or public place, or in or near any dwelling house, or commit a nuisance upon any sidewalk or against any tree, building or structure adjoining the same.
- Deleted: Evading taxi, bus fare prohibited.¶**
No person shall evade the payment of a fare for the engagement of a vehicle for hire.

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Chapter 154
FIREWORKS AND WEAPONS

§ 154-1. Reserved. § 154-3. Possession of toy pistols on
§ 154-2. Reserved. public ways prohibited.
§ 154-4. Reserved.

- Deleted: Firecrackers
- Deleted: , discharge of firearms prohibited
- Deleted: Discharge of firearms regulated
- Deleted: Sale of imitation handguns regulated

[HISTORY: Adopted by the Town Meeting of the Town of Dedham as Ch. 13, Secs. 10, 31, 35, and 56, of the 1996 By-laws. Amendments noted where applicable.]

GENERAL REFERENCES

Noise — See Ch. 192. Streets and sidewalks — See Ch. 250.
Parks and public places — See Ch. 199.

§ 154-1. Reserved.
§ 154-2. Reserved.
§ 154-3. Possession of toy pistols on public ways prohibited.
No person shall have in possession any toy pistol, cap pistol, or device for throwing missiles or projectiles of any kind, with intent to use the same to the injury of persons or property, nor display such so as to disturb the peace or endanger the public health, safety, or welfare upon any public way of the Town.
§ 154-4. Reserved.

- Deleted: Firecrackers, discharge of firearms prohibited.
- Deleted: No person shall at any time fire India crackers, or other explosive articles, or discharge any firearms, cannon or swivel in any street or way, or near any dwelling house, except in performance of some legal duty.¶
- Deleted: Discharge of firearms regulated.¶
No person shall fire or discharge any gun, fowling-piece, or firearm within 200 feet of any street in the Town of Dedham or on any private grounds, except with the consent of the owner thereof; provided, however, that this section shall not apply to the use of such weapons at any military exercise or in the lawful defense of the person, family, or property of any citizen.
- Deleted: Sale of imitation handguns regulated.¶
No firm or business shall sell or offer for sale, possess or use or attempt to use or give away, any toy or imitation pistol or revolver which substantially duplicates an actual pistol or revolver, unless said imitation or toy pistol or revolver shall be colored in colors other than black, silver, blue or aluminum, and further provided that the barrel of said toy or imitation shall be closed with the same material of which imitation is made. It shall not be a violation of this section to possess an imitation pistol or revolver for use in a theatrical or television production

Summary of By-law Amendments – Proposed Minor Substantive Amendments under Article 16
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PARKS AND PUBLIC PLACES

§ 199-3

Chapter 199

PARKS AND PUBLIC PLACES

§ 199-1.	<u>Reserved.</u>	§ 199-8.	<u>Reserved.</u>
§ 199-2.	<u>Reserved.</u>	§ 199-9.	<u>Reserved.</u>
§ 199-3.	<u>Reserved.</u>	§ 199-10.	<u>Reserved.</u>
§ 199-4.	<u>Reserved.</u>	§ 199-11.	<u>Reserved.</u>
§ 199-5.	<u>Reserved.</u>	§ 199-12.	Throwing snow on cleared way prohibited.
§ 199-6.	<u>Reserved.</u>	§ 199-13.	Trespass upon parks after hours prohibited.
§ 199-7.	<u>Reserved.</u>	§ 199-14.	<u>Reserved.</u>
		§ 199-15.	Regulation of news boxes.

[HISTORY: Adopted by the Town Meeting of the Town of Dedham as Ch. 13, Secs. 14 through 16, 22, 25, 26, 28 through 30, 34, 36, 37, 44, 60, and 62, of the 1996 By-laws; amended 11-18-2013STM by Art. 16. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Advertising materials — See Ch. 102.	Noise — See Ch. 192.
Public consumption of alcoholic beverages — See Ch. 110, Art. I.	Property maintenance — See Ch. 210.
Disorderly conduct — See Ch. 136.	Streets and sidewalks — See Ch. 250.
Garbage, refuse and waste materials — See Ch. 160.	

- Deleted: Loitering on stoops, walls prohibited
- Deleted: Climbing trees in public ways¶ and places regulated
- Deleted: Sledding on public ways and¶ places regulated
- Deleted: Tampering with public drinking fountain prohibited
- Deleted: Dangerous conduct on public¶ ways prohibited
- Deleted: Riding horse on sidewalk¶ prohibited
- Deleted: Parades, performances in public ways regulated
- Deleted: Obstruction of passage on¶ public ways prohibited
- Deleted: Bonfires in public ways regulated
- Deleted: Fires, transport of inflammable¶ materials on public ways prohibited
- Deleted: Willful destruction of public¶ property prohibited
- Deleted: Strings of lights

Summary of By-law Amendments – Proposed Minor Substantive Amendments under Article 16
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§ 199-1. Reserved.

§ 199-2. Reserved.

§ 199-3. Reserved.

§ 199-4. Reserved.

§ 199-5. Reserved.

§ 199-6. Reserved.

§ 199-7. Reserved.

§ 199-8. Reserved.

§ 199-9. Reserved.

§ 199-10. Reserved.

§ 199-11. Reserved.

§ 199-12. Throwing snow on cleared way prohibited.

No person shall lay, throw, or place, or cause to be laid, thrown or placed, any ice or snow on that portion of any street within the Town which has been cleared or ploughed for travel.

§ 199-13. Trespass prohibited upon certain property while closed.

✱ The hours in which any park, playground, reservation, or other Town property ("Property") shall be open and closed shall be established from time to time by the custodian of the Property.

§ 199-14. Reserved.

§ 199-15. Regulation of news boxes.

For the purposes of this section, 'news box' shall mean a vending machine used for the sale and/or distribution of newspapers or similar printed material. It is not the intent of this section to prohibit or interfere with the dissemination of information protected under the United States or State constitutions, but simply to ensure that the location of news boxes protects the public safety of the Town of Dedham; supports pedestrian and driving safety and convenience; provides reasonable access for the use and maintenance of poles, posts, traffic signals, hydrants, and mailboxes; avoids visual blight; and maintains community aesthetics and the values of surrounding properties.

A. No person, firm, corporation, association, partnership, trust, or other type of entity shall place, install, use, or maintain any news box on any public property or public way without obtaining a written permit therefore from the Select Board.

- (1) The application for the permit shall fully and specifically describe the news box by setting forth its size by height, depth, and width or any other relevant dimensions if varying in height, depth and width, the name and business address of the applicant, the exact date or dates said news box

Deleted: Loitering on stoops, walls prohibited.¶
No person shall be or remain upon any doorstep, portico, or other projection from any house or building or upon any wall or fence on or near any street or public place after being requested by any occupant of the premises or by any constable or police officer to remove therefrom

Deleted: Dangerous conduct on public ways prohibited.¶
No person shall kick a football, play ball, play at any game at which a ball of any kind is used, fly kites or throw snowballs in any manner so as to endanger the public health, safety or welfare on any public way of the Town, nor shall any person throw stones, sticks or other dangerous missiles, or shoot with bows and arrows or any air gun, or willfully frighten any domestic animals on any public way of the Town

Deleted: Parades, performances in public ways regulated.¶
instrument, or sing, parade or march in any public way or public place, except in connection with a funeral, without the written permit of the Selectmen

Deleted: Bonfires in public ways regulated.¶
No person shall make a bonfire in any public way or public place without first having obtained in writing the permission of the Chief of the Fire Department

Deleted: Fires, transport of inflammable materials on public ways prohibited.¶
No person shall set fire to or burn, or cause to be moved through any way or street of the Town, any waste material, paper, wood or any inflammable substance on any wagon, cart, buggy, push-cart or on any vehicle, with the intention of setting fire to or burning same on any way or street of the Town

Deleted: Willful destruction of public property prohibited.¶
public playground, planting space, flower bed, grass, border, guidepost or guideboard, official sign, post, or signaling device for the direction of traffic, lamp-post or lamp or lantern, or any building, fence, or monument, or ...

Deleted: Climbing trees in public ways and places regulated.¶
No person except an employee or sub-contractor of the Town or an employee of a utility company shall climb any tree on any public way or in any public place in the Town ...

Deleted: Tampering with public drinking fountain prohibited.¶
No person shall place on or in any drinking fountain, trough or basin of water set up or established in any public way or other public place for the use of man or beast, any dirt, ...

Deleted: Riding horse on sidewalk prohibited.¶
No person shall ride a horse upon any sidewalk of the Town

Deleted: Obstruction of passage on public ways prohibited.¶
any public way of the Town any vehicle or anything whatsoever so as to obstruct a free passage of travelers. No person shall allow any property for which he is responsible ...

Deleted: Strings of lights.¶
Outdoor strings or series of lights, accessory to any commercial use, comprising no message and not permanently mounted on a structure, are prohibited; provided, however, that such lights may be permitted by ...

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will be in place or operation, the exact place where said news box will be located, the manner by which said news box shall be affixed or held in place, and the description of any object to which said news box shall be affixed. Further reasonable information which may affect the public safety, health, or order in the community may be requested from the applicant. An annual application fee, the amount of which will be determined upon passage of this By-law and annually thereafter by the Select Board, which fee will be reasonably related to the costs of processing said application, shall be paid for each news box licensed.

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(2) Within 20 days of receipt of such completed application, the Select Board shall grant a permit or shall order a hearing within an additional 10 days, giving at least five days written notice to the applicant.

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(3) Within 10 days next following the close of the hearing, the Select Board shall grant such permit if the proposed news box will meet the conditions of this By-law and other applicable laws or shall deny such application upon a finding that the proposed news box would violate one or more conditions of this By-law or other applicable laws. Failure to act upon an application within 40 days shall constitute constructive grant of a permit.

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(4) Notice of the denial of an application for permit shall be in writing and accompanied by a statement of the reasons therefore. The Select Board may impose conditions upon the permit but said conditions may only relate to compliance with applicable laws or to public safety, health, or order, or to steps required to be taken to guard against creation of a nuisance or to insure adequate safety and security for the public. Subject to rights of appeal provided by law, no applicant having been denied a permit as aforesaid shall submit the same or similar application within one year of said denial without including in said new application facts showing that the circumstances upon which the original denial was based have substantially changed.

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B. Location.

- (1) News boxes located within a public way must be placed parallel to the curb and not more than six inches from the wall of the building.
- (2) No news box shall be located within 100 feet of any school bus stop.
- (3) No news box shall be located within three feet ahead or 15 feet to the rear of any designated commercial or public bus stop (other than a school bus stop), taxi stand or place marked for handicapped parking.
- (4) No news box shall be located within 15 feet of any fire hydrant or within 10 feet of any fire or police alarm box or other emergency facility.
- (5) No news box shall be chained, bolted, or otherwise attached to property owned or maintained by the Town of Dedham.
- (6) No news box shall be located within five feet of any driveway, public or private;
- (7) No news box shall be located within three feet of any crosswalk.
- (8) No news box shall be located so as to interfere with any bus bench or shelter.
- (9) No news box shall be placed at any location whereby the clear space for the passageway of pedestrians is reduced to less than four feet.
- (10) No news box shall be located on a public way on which parking is prohibited.

Summary of By-law Amendments – Proposed Minor Substantive Amendments under Article 16
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- C. No news box shall be used for advertising signs or publicity purposes other than that which is essential to identify on no more than two sides of the news box the printed matter offered for sale therein. No letter thereon shall exceed two square inches in size.
- D. Each news box shall be maintained in a clean and neat condition and in good repair at all times, and it shall be of one color that does not unnecessarily contrast with the immediate surroundings except that the lettering may contrast with such one color. No reflectorized paint, day-glo, fluorescent, or scotchlite reflective materials or materials of like nature may be used on such news box.
- E. The owner who places or maintains such news box shall have their name or Massachusetts agent's name, address, and telephone number affixed thereto in a place where such information may easily be seen.
- F. Reserved.
- G. Any violation of this By-law or any permit granted hereunder shall be subject to a fine of \$200. Any such violation shall be cause for cancellation, suspension, revocation, or modification, after hearing, upon three days written notice, sent registered or certified mail, to the name and address set forth in the permit application or the name and address affixed to said news box. If, after hearing, the applicant fails to comply with the order of the Select Board, said Select Board may order the removal of said news box and place it in storage in a secure place. The cost of removal and storage shall be paid by the permit holder.
- H. Any news box which remains empty and unused as a news box for more than 60 days shall be removed by the owner thereof or person who places or maintains such news box upon written notice by addressing the same to the name and address set forth in the permit or affixed to said news box. If said news box is not removed within 10 days of said notice, the Town may remove same. If no name and address is available on an application for a permit or affixed to a news box which has remained empty and unused as a news box for more than 60 days, the Town may post notice on said news box and remove same after 10 days from the posting of said notice.
- I. Any news box which has been removed pursuant to this By-law and not claimed within 60 days thereof may be disposed of by the Town.

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Deleted: All persons who have placed or intend to place news boxes in the Town of Dedham shall within 30 days from passage of the within by-law by the Town Meeting and approval by the Attorney General, or such additional time as the Board of Selectmen may allow in their discretion, comply with the said provisions.

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Deleted: Sledding on public ways and places regulated.¶
No person shall coast upon any sled or sleds upon any sidewalk or any street or public place except upon such streets or places as the Selectmen may by public notice designate for such purposes

Summary of By-law Amendments – Proposed Minor Substantive Amendments under Article 16
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ARTICLE II
Regulation of Other Types of Sales

§ 204-14. Hours of retail sales regulated.

- A. No store or place of business engaged in the retail sale of any commodity except fuel products shall be open for the transaction of retail business between the hours of 12:00 midnight and 6:00 a.m.
- B. This section shall not apply to the sale of food or alcoholic beverages to be consumed on the premises at which they are sold or to be consumed off the premises on which they are sold when such sale is by a licensed common victualler primarily engaged in the sale of food to be consumed on such premises. This section shall not apply to the sale of food, exclusive of alcoholic beverages, to be consumed off premises.
- C. The [Select Board](#) may, upon application by the owner or manager of a store or place of business engaged in the retail sale of any commodity, grant a one-day permit to remain open for the transaction of retail business between the hours of 12:00 midnight and 6:00 a.m. as part of a special event, upon such terms and conditions as the [Select Board](#) shall determine as necessary for the public health and safety. No store or place of business may be granted a permit under this provision for more than 12 days in any calendar year.
- D. This section shall not be deemed to repeal or replace § 204-13 of the Revised By-Laws and each by-law shall be deemed separately enforceable. An adjudication that § 204-13 or this section of the Revised By-Laws or any part of either such section is unconstitutional or invalid shall not operate to affect the constitutionality or validity of the other By-law or any part thereof which can be given effect without the provision deemed unconstitutional or invalid.
- E. This section shall not apply to a retail drugstore dispensing prescription medication provided that said business obtains a Special Permit granted by a majority of the [Select Board](#) after a public hearing, upon a showing of public need and public good.
- F. Violations of this bylaw shall be subject to a fine of \$300 for each violation.

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Summary of By-law Amendments – Proposed Minor Substantive Amendments under Article 16
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Chapter 250

STREETS AND SIDEWALKS

§ 250-3. Street opening permits.

No person or utility shall make any excavation, modify, or fill any excavation within the limits of any public way without first obtaining a Street Opening Permit to do so from the Director of Public Works. Any excavation within the Town's streets, sidewalks, or other public Right of Way shall only be permitted in accordance with the current Town of Dedham, Street Opening Regulations. The granting of such permit shall require all such activities to conform to the current Town of Dedham, Street Opening Regulations.

§ 250-4. Construction of access ways onto public ways regulated.

- A. It is the intent of this section to protect the public safety and convenience by controlling the location of and construction of certain access ways which connect to public ways or ways used as public ways for the use of motor vehicles.
- B. Access ways as defined herein shall not be constructed or used until a permit has been issued therefor.
- C. Effect on existing uses. Access ways in use at the time this section becomes effective shall not be affected by this section unless said ways are widened by more than 50% of their existing width or relocated so that they will connect to the public way at a different point.
- D. Access ways requiring a permit:
 - (1) For purposes of this section, an access way shall be defined as: A way that (i) serves a land area or land use that may be described as Residential, Business, Manufacturing, or Industrial, or any

other similar designation; and (ii) connects or abuts a public way or a way used as a public way and falls under the jurisdiction of the Street Commissioners ([Select Board](#)).

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- (2) A permit shall not be required for:
 - (a) A way that connects with or abuts a State Highway under the jurisdiction of the State Highway Division of the Massachusetts Highway Department; or
 - (b) A way of less than 30 feet width that constitutes a residential driveway access or an accessway designed to serve any residential property entirely within the Town of Dedham; and
 - (c) A way within the Town of Dedham that would come under the Subdivision Control Law or Major Site Plan Review as currently in effect in the Town of Dedham,

E. Method of obtaining a Permit for Construction of an Access Way:

- (1) Applicant — shall mean any person, firm, corporation or any other legal entity who can construct an access way as described herein.
- (2) The applicant shall notify the Street Commissioners ([Select Board](#)) of their intent to construct said access way in writing, and submit with said notice a plan showing in detail sufficient information to determine the following: (Note: In many cases a print of the plan required by the

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Summary of By-law Amendments – Proposed Minor Substantive Amendments under Article 16
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Parking By-law can be used for the plan to be submitted as required herein if it shows the required information.)

- (a) The point at which the access way will connect with the public way.
- (b) The width of the access way and the radii of the curves connecting with the public way. Location of islands and/or dividers, if any.
- (c) The grades of the access way, particularly in relation to sight distances, maneuverability and drainage.
- (d) The number of motor vehicles which may be stored or parked in the area to be served by the access way. The Street Commissioners shall have the right to determine whether or not an access way will or may serve 25 or more parking or storage facilities with or without regard to the existence of other access ways to the same general area.

F. Issuance of required permit:

- (1) A permit for the construction or use of an access way as defined herein shall not be issued until the Select Board, acting as Street Commissioners, hold a duly advertised public hearing concerning the same by advertising once in a newspaper having a general circulation in the Town of Dedham at least seven days before the day of the hearing.
- (2) If the applicant satisfies all the requirements of this section enumerated in Subsection E(2), above, and if the Street Commissioners shall determine that such proposed plan does not constitute a public hazard, a permit shall be issued to the applicant forthwith in a form satisfactory to the Select Board.
- (3) If the applicant in the opinion of the Select Board is unable to comply with the requirements of this section in any one or all respects, said Select Board shall not issue such permit until the applicant is able to prove compliance with this section at a re-hearing, if deemed necessary by said Board.

- G. Enforcement: In addition to enforcement under § 1-6 of these By-laws, if the Select Board determines that an access way has been constructed in violation of this section or constructed in a manner inconsistent with a permit issued therefor, said Select Board may close or obstruct the entrance of such access way at a point where it intersects the public way and said access way shall remain closed until the provisions of this section are strictly observed by the landowner.

§ 250-9. Discharge of collected ground or surface water.

- A. Discharge of water. No person shall discharge or divert or cause to be discharged or diverted ground or surface water collected by mechanical pump within a building or any surface water collected on private property, including but not limited to pools, in a manner that would create a hazardous or icy condition or cause damage to a public way or sidewalk. No person shall allow a discharge to continue for more than 10 minutes after being notified to cease by the Director of the Department of Public Works or by a police officer of the Town.

§ 250-10 Enforcement.

This By-law may be enforced in accordance with § 1-6, provided, however, that each violation of §§ 250-3, 250-4 or 250-9 shall be subject to a fine of \$300.

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Deleted: Any person who violates this by-law shall be punished by a fine of not more than \$300. Each day or portion thereof during which a violation continues shall constitute a separate offense.¶

Deleted: As an alternative to criminal prosecution, the Director of Public Works or any police officer of the Town may elect to enforce this by-law by utilizing the noncriminal disposition procedure set forth in¶

Deleted: G.L. c.40, § 21D, as may be amended from time to time.

Deleted: The fine for each noncriminal violation

Deleted: and each day or portion of a day on which a violation exists shall constitute a separate offense

Summary of By-law Amendments – Proposed Minor Substantive Amendments under Article 16
See www.dedham-ma.gov for the full text of the proposed By-laws amendments in the document entitled, Article 14 – Recommendations of the Decennial By-law Review Committee – General Bylaw Amendments. *Note that reference to “Article 14 is from a previous version of the warrant, which are now Articles 15 and 16.

Chapter 265

VEHICLES AND TRAFFIC

§ 265-6. Abandonment of vehicles.

No person shall abandon any vehicle on any Town property or public way for such time and under such circumstances as to cause such vehicle reasonably to appear to have been abandoned.

Deleted: within the
Deleted: and no person shall leave any vehicle at any place within the Town

ARTICLE IV

§265-14 **RESERVED**

ARTICLE VI

Parking for Persons with Disabilities

[Adopted as Ch. 13, Sec. 52, of the 1996 By-laws; amended 11-18-2013STM by Art. 16]

§ 265-20. Parking reserved for disabled veterans or handicapped persons.

Any person who has lawful control of improved or enclosed private property used as off-street parking for businesses, auditoriums, sporting or recreational facilities, cultural centers, or general public use where the public has the right of access as invitees or licensees, shall cause such parking areas, including temporary parking areas, to comply with 521 CMR 23.00 and any other applicable law and regulation concerning accessible parking.

Deleted: Traffic Violations
[Adopted as Ch. 13, Sec. 50, of the 1996 By-laws; amended 11-18-2013 STM by Art. 16]
¶
§ 265-14¶
Fines for violations of truck ban.¶
¶
§ 265-14¶
Fines for violations of truck ban.¶
Violation of any truck ban imposed by the Board of Selectmen or Town Meeting shall be enforced in accordance with the provisions of § 1-6 of these By-laws.¶
¶

§ 265-21. Parking used only by disabled veterans or handicapped persons.

Any vehicle parked or standing in any part of any way under control of the Town that obstructs a curb ramp designed for use by persons with disabilities as means of egress to a street or public way, or to occupy or obstruct any parking space reserved for a vehicle used by a disabled veteran or other person with a disability whose vehicle bears the distinguishing license plate, may, at the direction of the Police Chief or the Chief's designee and consistent with G.L. c. 40, § 22D, remove any such offending vehicle and have it stored at the expense of the owner of the vehicle. The owner of such a vehicle shall also be subject to a fine of \$300.

Deleted: Handicapped
Deleted: Owners or persons in control of private ways or improved or enclosed property used as off-street parking areas for businesses, shopping malls, theaters, auditoriums, sporting or recreational facilities, cultural centers, or other places where the public has a right of access shall reserve parking spaces in said off-street parking areas for any vehicle owned and operated by a disabled veteran or handicapped person whose vehicle bears the distinguishing license plate or placard authorized by G.L. c.90, § 2, in accordance with the provisions of G.L. c.40, § 21(23)

ARTICLE VIII

§263-23 **RESERVED**

Deleted: No person other than a disabled veteran or handicapped person shall park or leave a vehicle unattended within parking spaces designated as reserved for vehicles owned and operated by disabled veterans or handicapped persons as authorized by G.L. c.40, § 21, clause 23 or in such manner as to obstruct a curb ramp designed for use by handicapped persons as a means of egress to a street or public way.

Deleted: Vehicles Impounded for OUI Arrests
[Adopted Ch. 13, Sec. 59, of the 1996 By-laws]¶
¶
§ 265-23¶
Time restriction for release.¶
¶
§ 265-23¶
Time restriction for release.¶
No motor vehicle impounded pursuant to an arrest for operating under the influence (OUI) of intoxicating substances pursuant to state law may be released prior to the passing of 12 hours following arrest.¶

Summary of By-law Amendments – Proposed Minor Substantive Amendments under Article 16
See www.dedham-ma.gov for the full text of the proposed By-laws amendments in the document entitled, Article 14 – Recommendations of the Decennial By-law Review Committee – General Bylaw Amendments. *Note that reference to “Article 14 is from a previous version of the warrant, which are now Articles 15 and 16.