

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

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

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

on the second Saturday in April (it being the eleventh day of said month) AD 2015, at seven o'clock in the forenoon until eight o'clock in the evening, then and there to act on the following article, namely:

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

Elected Town Officers, as follows:

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

Town Meeting Representatives as follows:

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

Precinct Six Vote for not more than thirteen for terms of three years
 Vote for not more than one for a term of one year
Precinct Seven Vote for not more than thirteen for terms of three years
 Vote for not more than one for a term of two years

and to return to meet at the place so designated, Dedham High School, 140 Whiting Avenue, for the 2015 Spring Annual Town Meeting in said town on the third Monday in May (it being the eighteenth day of said month) AD 2015, at seven o'clock in the evening, then and there to act on the following articles, namely:

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

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

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

ARTICLE THREE: To see what sum of money the Town will raise and appropriate, or transfer from available funds to defray departmental and incidental expenses of the Town for the fiscal year commencing July 1, 2015, not otherwise provided for, or take any other action relative thereto. *Referred to Finance & Warrant Committee for study and report.*

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

ARTICLE FIVE: To see if the Town, in accordance with the provisions of the General Laws, Chapter 41, §108, will vote to fix the salary and compensation of all elected officials of the Town, or take any other action relative thereto. *Referred to Finance & Warrant Committee for study and report.*

ARTICLE SIX: *By the Finance Committee:* To see if the Town will vote to transfer unexpended balances from line items of special articles of prior years to fund expenses for Fiscal Year 2016, or take any other action relative thereto. *Referred to Finance & Warrant Committee for study and report.*

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

ARTICLE EIGHT: *By the Finance Committee:* To see what sum of money the Town will vote to raise and appropriate, or transfer from available funds to meet additional expenses of the current fiscal year not adequately funded under Article Three of the 2014 Annual Town Meeting (FY'15) or any other article thereof; or to take any other action relative thereto. *Referred to Finance & Warrant Committee for study and report.*

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

ARTICLE TEN: *By the Town Manager at the request of the Director of Finance.* To see if the Town will vote to create one or more special purpose stabilization funds and to specify the purpose or purposes thereof, or take any other action relative thereto. *Referred to Finance & Warrant Committee for study and report.*

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

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

ARTICLE THIRTEEN: *By the Finance Committee:* To see whether the Town will vote to authorize one or more lease/purchase agreements for certain described municipal equipment by certain Town departments as budgeted by them, and to be set forth in a recommendation of the Finance Committee for such term of time and upon such terms as the board or officer authorized to enter into such contract shall deem appropriate, provided that such lease/purchase(s) be made in accordance with the provisions of applicable Town By-laws, and provided further, that each such lease/purchase be subject to annual appropriation, or to take any other action relative thereto. *Referred to Finance & Warrant Committee for study and report.*

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

ARTICLE FIFTEEN: To see if the Town will vote to authorize the use of the following revolving funds pursuant to G.L. c.44 Section 53E ½ for the fiscal year beginning July 1, 2015, such funds to be credited with receipts from the following revenue sources, to be expended under the authority and direction of the following agencies or officials, for the following stated purposes, not to exceed the following spending limits, respectively:

FUND	REVENUE SOURCE	AUTHORITY TO SPEND FUNDS	USE OF FUND	SPENDING LIMIT	RESTRICTIONS COMMENTS
Pool Fund	Pool User Fees	Parks & Recreation Director	Operation and Maintenance of the Dedham Pool	\$225,000	None
Firearms Fee Fund	Firearms Permits	Police Chief	Pay share of State fees/Balance to be expended for needs of Police Department	\$5,000	None
Police Cruiser Fee Fund	Fees for police cruisers used at private details	Police Chief	Police cruiser maintenance, repairs and fuel	\$20,000	None
Surplus Vehicle and Equipment Fund	Receipts from sale of surplus vehicles and equipment	Town Manager	Paying costs and expenses of surplus sales and replacement vehicles and equipment	\$75,000	None
Board of Health Programs	Various Health Clinics & Tobacco Related Fines	Health Director	Paying costs and expenses associated with health clinics, educational programs, and Tobacco enforcement	\$10,000	None
Dedham Recycling Program	Recycling User Fees	Town Manager	Paying costs and expenses associated with Recycling Program not otherwise provided for	\$8,000	None

Council on Aging Programs	Fees from Various Council on Aging Programs	Council on Aging Director	Paying costs and expenses related to said Programs	\$8,000	None
Recreation	Receipts from recreational programs, including dog park	Parks and Recreation Director	Paying costs and expenses related to said Programs	\$175,000	None
Sustainability Fund	Donations and Fees	Town Manager	Paying costs and expenses associated with educational and outreach events	\$2,500	None
Veterans' Fund	Receipts from all Veterans Programs	Veterans' Agent	Paying costs and expenses related to said Programs	\$5,000	None
Ames Building	Rental Income	Town Manager	Paying costs and expenses related to building maintenance	\$500,000	None
Avery School (MBACC)	Rental Income	Town Manager	Paying costs and expenses related to building maintenance	\$2,500	None
Youth Commission	Receipts from all Youth Commission Programs or Events	Town Manager	Paying costs and expenses related to said programs or events	\$25,000	None

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

ARTICLE SIXTEEN: *By the Board of Assessors.* To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to provide for the triennial certification of all Real and Personal Property located within the Town of Dedham, as required by the Massachusetts General Laws, AND to allow for specialized services and support documenting the basis of the values, if required, or take any other action relative thereto. *Referred to Finance & Warrant Committee for study and report.*

ARTICLE SEVENTEEN: *By the Town Manager at the request of the Finance Director.* To see what sum of money the Town will raise and appropriate or transfer from available funds to operate the Sewer Enterprise Fund for the fiscal year commencing on July 1, 2015, or take any other action relative thereto. *Referred to Finance & Warrant Committee for study and report.*

ARTICLE EIGHTEEN: *By the Town Manager.* To see what sum of money the Town will raise and appropriate or transfer from available funds to operate the Endicott Estate

Enterprise Fund for the fiscal year commencing July 1, 2015, or take any other action relative thereto. *Referred to Finance & Warrant Committee for study and report.*

ARTICLE NINETEEN: *By the Town Manager at the request of the Treasurer/Collector.* To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purposes of the costs associated with tax takings, or take any other action relative thereto. *Referred to Finance & Warrant Committee for study and report.*

ARTICLE TWENTY: *By the Dedham Retirement Board.* To see if the Town will vote pursuant to the provisions of G.L. c. 32, §103 (j), to approve the acceptance by the Dedham Retirement Board of an increase of \$2,000 in the maximum base amount on which the cost of living adjustment is calculated for pension payments, which would increase such base amount from \$13,000 to a base amount of \$15,000 as of July 1, 2015, and which, once accepted, may not be revoked, or take any other action relative thereto. *Referred to Finance & Warrant Committee for study and report.*

ARTICLE TWENTY-ONE: *By the Town Manager at the request of the Director of Engineering.* To see if the Town will vote to rescind the authorized but unissued \$356,395.00 balance of the \$6,100,000.00 borrowing approved under Article 4 of the May 16, 2011 Annual Town Meeting Warrant for the Dedham Square Improvement Project, which balance is no longer required to complete the project for which it was authorized, or to take any other action relative thereto. *Referred to Finance & Warrant Committee for study and report.*

ARTICLE TWENTY-TWO: *By the Town Manager.* To see if the Town will vote to authorize the Board of Selectmen to research and develop a plan to participate in a contract or contracts, to aggregate the electricity load of the residents and businesses in the Town of Dedham and for other related services, independently or in joint action with other municipalities, in accordance with the provisions of Chapter 164 of the Acts of 1997, which provision established a competitive marketplace through deregulation and restructuring of the electric utility industry; and further authorize the Town Manager to establish, and/or appoint representatives for a committee to oversee such independent or joint action, or take any other action relative thereto. *Referred to Finance & Warrant Committee for study and report.*

ARTICLE TWENTY-THREE: *By the Planning Board.* To see if the Town will vote to approve the "Comprehensive Concept Plan", reviewed and recommended by the Dedham Planning Board, and on file in the office of the Town Clerk, for a Planned Residential Development ("PRD") at 255 West Street (Dedham Assessor's Map 117, Lot 3) submitted by Concinnitas Corporation and shown on the plan entitled "Comprehensive Concept Plan, 255 West Street, Site Layout Plan C3", dated December 29, 2014, revised through January 16, 2015, prepared by McKenzie Engineering Group, Inc. with the following conditions: (a) the PRD shall have a maximum of seven (7) dwelling units; (b) the maximum total gross floor area of dwelling units with the PRD shall be 29,792 square feet inclusive of all finished basement areas; (c) the minimum dedicated open space within the PRD shall be 48 percent of the total area; and (d) subject to a comprehensive review of the site

development plan by the Planning Board, or take any other action relative thereto. *Referred to Planning Board and Finance & Warrant Committee for study and report.*

ARTICLE TWENTY-FOUR: *By the Planning Board at the request of the East Dedham Revitalization Committee.* To see if the Town will vote to amend the Zoning Bylaws, Section 12.0, Arts Overlay District (AOD) as follows:

Delete Section 12.2 in its entirety, renumbering accordingly, and insert a new Section 12.3, as follows (with text to be deleted shown in strikethrough and text to be inserted shown in bold):

12.1 Purpose: The Arts Overlay District (AOD) is established to encourage the development, preservation and enhancement of Arts-Related Uses, particularly within East Dedham. The district shall preserve and enhance the area as a center for a variety of retail, business services, housing, and office uses and promote a strong pedestrian character and scale throughout the district.

~~12.2 Conflict: Development in the AOD shall be governed by the bylaws underlying zoning district except when developing arts-related uses. For projects incorporating Arts-Related Uses hereunder, certain exceptions may be allowed; in the event of conflicts, the standards with this section shall be applied:~~

12.2 ~~3~~ AOD Boundaries

The boundaries of the AOD are depicted on the Zoning Map on file with the Town Clerk.

12.3 Applicability

The provisions of the Arts Overlay District (AOD) shall apply to all land within the AOD. Any matter not addressed herein shall be governed by the Single Residence B, General Residence, General Business and Limited Manufacturing A provisions of the Zoning By-Law. To the extent of any inconsistency between the provisions of the AOD and any other provisions of the Dedham Zoning By-Law, the provision of the AOD shall govern. Uses allowed by right in the Single Residence B, General Residence, General Business and Limited Manufacturing A shall also be allowed by right in the AOD

And further, insert new sections 12.4 through 12.10, as follows:

12.4 Use Regulation

1. Where a use in the AOD triggers site plan review, the Planning Board shall review the project in accordance with Section 9.5 Site Plan Review of the Dedham Zoning By-Law.

2. Where a use in the AOD requires a special permit, the Planning Board shall be the Special Permit Granting Authority and follow the procedures of M.G.L Chapter 40A.

3. A special permit shall be granted by the Planning Board, unless otherwise specified herein, only upon its written determination that the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. In addition to any specific factors that may be set forth in this By-Law, the determination shall include consideration of each of the following:

- a. Social, economic, or community needs which are served by the proposal;
- b. Traffic flow and safety, including parking and loading;
- c. Adequacy of utilities and other public services;
- d. Neighborhood character and social structures;
- e. Impacts on the natural environment; and
- f. Potential fiscal impact, including impact on town services, tax base, and employment.

12.5 Arts-Related Definitions

Art – The production of art or creative work either written, composed, created or executed by a craftsperson, visual artist, musician, photographer, sculptor, woodworker, digital media, literature, illustrator, printmaker, fabric artist, and culinary artist. Such use may include the fine and applied arts including painting or other like picture, traditional and fine crafts, sculpture, food, writing, print, motion picture production, creating animation, the composition of music, choreography studio and the performing art studio.

Art Center – A facility where creative arts are produced, exhibited, performed, taught and sold such as drawing, painting, music, sculpture, metal and woodworker, culinary arts, printmaking, ceramics, digital media and broadcasting, textiles, fabric art, performance and dance, literature, illustration, industrial art which includes art gallery, art school, artist studio, concert hall, dinner theatre, live theatre, movie theatre with seating capacity of not more than 100, museum, retail sales of goods and services, provided. The facility is operated in a unified way under one management.

Art and Community Center – A facility containing an Art Center and one or more additional uses such as full service restaurant, community space open to the general public for community activities, events and other similar community activities not associated with the arts.

Creative Art Home Occupation – The use of any portion of a dwelling or building accessory thereto as an office, studio, or workroom for architect, landscape architect, industrial designer, craftsperson, visual artist, musician, photographer, sculptor, woodworker, digital media, literature, illustrator by a person who owns the premises, provided that:

- a) Such use is clearly incidental and secondary to the use of the premises as a dwelling;
- b) Not more than two person other than residents of the premises regularly provided paid services in connection with such use;
- c) commodity or service can be sold or provided to another person who is not on

- the premises provided the space is less than 100 square feet;
- d) No offensive noise, traffic, vibration, smoke, dust, odor, heat, or glare is produced as a result of the home occupation;
- e) There is no exterior display or exterior sign except as permitted under the Sign Code;
- f) There is no exterior storage of materials or equipment, and no other exterior indication of such use or variation from the residential character of the premises;
- g) All parking for such home occupation, other than for residents of the premises, shall be provided off street. Adequate off-street parking shall be provided in accordance with the provisions of the Zoning By-Laws; and
- h) Such use has been approved in writing by the Building Commissioner.

Specialty artistic manufacturing/production – An establishment for the preparation, manufacturing, production, display, and sale of individually crafted artwork, jewelry, furniture, sculpture, pottery, leathercraft, hand-woven articles, and related items of unique artistic works.

Specialty artistic manufacturing/production small-scale – An establishment for the preparation, manufacturing, production, display, and sale of individually crafted artwork, jewelry, furniture, sculpture, pottery, leathercraft, hand-woven articles, and related items of unique artistic works. Such manufacturing shall not be of mass-production or assembly line nature and will be consistent with an artisan or craftsman custom producing individual items. The maximum amount of space for this use shall be 2,000 square feet or less.

12.6 Dimensional Requirements

The following dimensional requirements shall govern within the AOD for the uses listed in the Table of Dimensional Requirements for the AOD. Within the AOD, these requirements shall supersede any contrary or inconsistent requirements in the Zoning By-Law including, but not limited to, the requirements set forth in Section 4.0. Except as set forth below, the dimensional requirements (Table 2) shall continue to apply to other uses allowed in the Single Residence B, General Residence, General Business and Limited Manufacturing A.

Use	Area (sq. ft.)	Frontage (ft.)	Front Setback (ft.)	Side Setback	Rear Setback	Floor area ratio
Art Center	N/A	N/A	0	N/A	N/A	.5
Art and Community Center	120,000	200	25	15	15	.5
Artist in combination with dwelling units	16,000	50	0	N/A	N/A	.5
Artist	N/A	N/A	0	10	10	.5
Specialty artistic manufacturing/production small	N/A	N/A	0	10	10	.5
Specialty artistic	N/A	N/A	0	15	15	.5

manufacturing/production						
--------------------------	--	--	--	--	--	--

Notes to Table:

1. More than one principal building is allowed on the same lot, whether characterized as residential or non-residential
2. Buildings may be connected across internal lot lines with the AOD.

12.7 Table of Allowable Uses

PRINCIPAL USE	Arts Overlay District			
	SRB	GR	GB	LMA
Residential Uses				
Creative Art Home Occupation.	YES	YES	YES	YES
Building containing 3 dwelling units in combination with artist	NO	NO	YES	SP
Exempt and Institutional Uses				
Art Center	NO	NO	SP	SP
Art and Community Center	NO	NO	SP	NO
Commercial Uses				
Artist	NO	NO	YES	YES
Manufacturing and Processing Uses				
Specialty artistic manufacturing/production small	NO	NO	SP	SP
Specialty artistic manufacturing/production	NO	NO	NO	SP

12.8 Landscaping and Screening Requirements

1. All outdoor refuse collection and loading areas shall be screened from adjoining streets and abutting residential properties by a visually impermeable six foot high landscape screen or fence or through use of appropriate landscaping, unless enclosed by building walls.
2. All parking areas shall be screened from abutting properties and from adjoining streets.
3. Buffer: Unless already densely planted in its natural state, a 5 foot buffer shall be provided along the property boundary that abuts a residential property. The buffer shall be landscaped as follows:
 - a) Materials - Plant materials characterized by dense growth which will form an effective year-round screen shall be planted to form the screen. Screening shall consist of natural materials. To the extent practical, existing trees and vegetation shall be retained and used to satisfy the provisions of this section.
 - b) Height - Natural screening shall be at least five (5) feet in height when planted. Height shall be measured from finished grade.

4. Except for access driveways, sidewalks, and paths only landscaping shall be allowed in the landscape buffer.

5. Parking lot interior landscaping: 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 ten (10) percent of the paved parking area. One tree per 10 parking spaces shall be required that are a minimum caliper size of 3 inches at the time of planting, as measured by the America Nursery and Landscape Association ANSI Z60.1 Standard (Nursery Stock). This interior landscaped area shall not include the landscaping provided in the frontage strip. Trees and shrubs shall be planted in the landscaped rounding between the end of a row of parking and the curved wedge-shaped spaces. Where the landscaping area is not large enough for a tree, shrubs and/or perennials shall be planted instead. Shrubs to be planted shall be of at least 2 to 2.5 feet in height. The distance from a shrub or other vegetation to a paved area shall be at least two (2) feet. Landscaping that is less than two (2) 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.

6. Where soil conditions, lot shape, topography, architectural or structural conditions make literal compliance with the terms of this Section 12.8 impracticable or infeasible, the Planning Board may approve a site plan showing alternative means of complying with the objectives of this Section 12.8 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 Section 12.8.

12.9 Required Parking

1. The following required parking shall govern within the AOD for the uses listed in the Table of Required Parking for the AOD. Within the AOD, these requirements shall supersede any contrary or inconsistent requirements in the Zoning By-Law including, but not limited to, the requirements set forth in Section 5.1.4 Required Parking Spaces Table 3. Except as set forth below, the parking requirements (Table 3) shall continue to apply to other uses allowed in the Single Residence B, General Residence, General Business and Limited Manufacturing A.

2. Required Parking Table

Principal Use	Number of Required Parking
Residential Uses	
Building containing 3 dwelling units in combination with artist	1. 5 parking spaces per dwelling unit plus 1 parking space per every 250 square feet of gross floor area of non-residential space
Exempt and Institutional Uses	

Art Center	1 parking space per 3 occupants according to occupancy rate under the Massachusetts State Building Code, plus 1 parking space per 300 square feet of gross floor area for other space not used for assembly.
Art and Community Center	1 parking space per 3 occupants according to occupancy rate under the Massachusetts State Building Code, plus 1 parking space per 300 square feet of gross floor area for other space not used for assembly.
Commercial Uses	
Artist	1 parking space per every 250 square feet of gross floor area
Manufacturing and Processing Uses	
Specialty artistic manufacturing/production small	1 parking space per 1,000 sq. ft. gross floor area or 1 parking space for each 3 employees on largest shift, whichever is greater.
Specialty artistic manufacturing/production	1 parking space per 1,000 sq. ft. gross floor area or 1 parking space for each 3 employees on largest shift, whichever is greater.

3. Alternative Parking – The Planning Board may grant a modification of any provision of this Section 12.9 provided that such waiver shall not cause substantial detriment to public safety. In granting a waiver, the Planning Board may require as a condition of approval the use of mitigating measures such as carpools, shuttles from an off-site lot, assigned employee parking spaces with reduced stall dimensions, or the designation of compact car parking spaces with reduced dimensions.

12.10 Modification of Landscaping & Parking Standards

Where soil conditions, lot shape, topography, architectural or structural conditions make literal compliance with the terms of Section 12.8 or Section 12.9 impracticable or infeasible, the Planning Board may approve a site plan showing alternative means of complying with the objectives of this Bylaw and may allow the use of alternative landscaping, buffers or parking, provided it determines that such alternatives to be in the public interest and not inconsistent with the intent and purpose of this Bylaw. For any modification, the Planning

Board shall make detailed written findings of:

- 1) specific conditions that render literal compliance with the terms of this Bylaw impracticable or infeasible,
- 2) the specific alternative means of complying with the terms of this Bylaw, and
- 3) an analysis of the manner in which the modification is in the public interest and not inconsistent with the intent and purposes of this Bylaw.

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

ARTICLE TWENTY-FIVE: *By the Planning Board.* To see if the Town will vote to amend the Zoning Map of the Town of Dedham, by changing a portion of Map 96-Parcel 109 from Limited Manufacturing A to Single Residence B, changing a portion of Map 96- Parcel 15 and Map 96-Parcel 17A from General Business to General Residence, changing Map 95-Parcel 74 and Map 95-Parcel 75 from Limited Manufacturing A to General Business, changing Map 95-Parcel 76 and Map 95-Parcel 77 from Limited Manufacturing A and General Residence, to General Business, changing Map 95-Parcel 78, Map 96-Parcel 1, Map 96-Parcel 2, Map 96-Parcel 3, Map 96-Parcel 3A, Map 96-Parcel 4, Map 96-Parcel 18, Map 96-Parcel 27, Map 96-Parcel 31, Map 96-Parcel 32, Map 96-Parcel 33, Map 96-Parcel 38, Map 96-Parcel 110, Map 96-Parcel 112 from General Residence to General Business, changing a portion Map 96-Parcel 13, Map 96-Parcel 14, Map 96-Parcel 15, Map 96-Parcel 28, Map 96-Parcel 29 and Map 112-Parcel 146 from General Residence to General Business. The zoning map changes for said parcels are shown on a map prepared by the Town of Dedham Geographic Information System (GIS) and available for review in the Office of the Town Clerk, or take any action relative thereto. *Referred to Planning Board and Finance & Warrant Committee for study and report.*

ARTICLE TWENTY-SIX: *By the Planning Board.* To see if the Town will vote to amend the Zoning Bylaws, Section 9.6 Design Review Advisory Board, as follows, with text to be deleted shown in strikethrough and text to be inserted shown in bold:

9.6.1 Establishment.

1. There shall be a Design Review Advisory Board comprised of five unpaid voting members, including two members qualified by education or training and experience in design professions (architecture, landscape architecture, **graphic design**, or urban planning), appointed one each by the Board of Selectmen and the Planning Board; one member qualified by education or training and experience in historic preservation, design, or a related field appointed by the Historic District Commission or Civic Pride Committee; one member, who shall be a building contractor or an engineer experienced in commercial or industrial building construction, appointed by the Planning Board; and one member owning retail or other commercial business in town, appointed by the Board of Selectmen. The Planning Director shall be ex-officio non-voting member of the Design Review Advisory Board. The members shall be appointed **for three (3) year alternating terms.**

~~and may be reappointed to the following terms:~~

Design professional member appointed by Board of Selectmen _____ 3 years
Design professional member appointed by the Planning Board _____ 3 years

Design specialist appointed by Historic District Commission or Civic Pride	2 years
Building Contractor or Engineer	2 years
Business owner	1 year

2. The Board may from time to time designate as non-voting associate members for a period not exceeding one year persons nominated by civic organizations that hold an interest in or have special knowledge of specific projects, issues, or areas of Dedham and are willing and able to actively participate in the work of the Design Review Advisory Board.

9.6.2 Duties.

The Board shall develop, with assistance and input from local civic organizations and interested citizens, design guidelines for areas of town having different visual and functional character. It shall meet at the call of the chair to review and make recommendations for building projects defined in Subsection 9.6.3 hereof. Administrative and logistic support for the Design Review Advisory Board shall be provided by the Planning Board, but the Board may also seek support and advice from the Historical Society and other entities and individuals concerned about Dedham's visual character.

9.6.3 Jurisdiction.

The following projects shall be submitted to the Design Review Advisory Board for their review and advisory report:

1. All new construction, additions to and exterior alterations of existing buildings, ~~and all new signage or alterations of existing signs~~ in the Central Business (CB), General Business (GB), Highway Business (HB), Local Business (LB), Limited Manufacturing (LMA), Limited Manufacturing Type B (LMB), and Research, Development, and Office (RDO) districts.
2. Any project ~~that All projects~~ subject to ~~parking plan approval~~, site plan review, or Major Nonresidential Project, ~~or requiring a Special Permit or variance from the Board of Appeals.~~ , if located in RDO, PC, PR, or LM districts.

9.6.4 Applicability.

A copy of preliminary or conceptual architectural plans shall be transmitted to the Board for review and advisory report. The Design Review Advisory Board shall consider the size or scale, bulk, architectural style, material, texture, color, location, orientation, signs, lighting, landscaping, and site layout in relation to the surrounding area and the visual character of the neighborhood and the town, and shall make written recommendations to the applicant or owner, to the approving town agency, and to the Building Commissioner, referring to the applicable design guidelines. Such recommendations shall be advisory and shall be given due weight by the owner and the Planning Board or other approving agency or official. In the event that the Planning Board, or special permit granting authority, does not adopt the substance of such recommendation, it shall state in writing in its decision the reasons therefor. ~~, including the lack of authority, where applicable.~~

9.6.5 Procedures.

~~Whenever possible, the owner or applicant shall make an appointment and consult with the Design Review Advisory Board prior to the formal submission of preliminary plans to the Planning Board or other town agency, and the recommendations may be voluntarily adopted or negotiated by the applicant. Otherwise, within five (5) working days after formal submission to the Planning Board, Board of Appeals, or the Building Commissioner, the applicant shall transmit a completed Design Review Advisory Board application form together with all supporting materials and one seven (7) complete sets of plans to the Design Review Advisory Board, and request its review and recommendations within twenty one 21 days of transmittal or such longer period as the applicable legal requirements may allow. The Design Review Advisory Board may request additional information, may seek to meet with the applicant, or may determine that the project does not warrant design review. An official decision, action, or approval required by law to be taken within a certain time period or by a certain date shall not be postponed beyond the required date while awaiting Design Review Advisory Board comments.~~

- ~~1. Town agencies and officials may consult the Design Review Advisory Board relative to construction projects not subject to its mandatory review, and the Board shall select projects for its review and recommendations based on time availability and their importance to the image and visual character of Dedham.~~

9.6.5 Exemptions.

Any project subject to Section 9.6.3.2 that does not include any new building construction, addition to existing building, exterior alterations to a building and/or any new or changes to landscaping.

9.6.6 Procedures.

1. Whenever possible, the owner or applicant shall make an appointment and consult with the Design Review Advisory Board prior to the formal submission of plans to the Planning Board the recommendations may be voluntarily adopted or negotiated by the applicant. Projects subject to Section 9.6.3 shall be transmitted to Design Review Advisory Board by the Planning/ Zoning Office for its review and recommendations within thirty five (35) days of transmittal or such longer period of time that may be needed to review and make a recommendation. A longer period of time to review a project shall be agreed to be extended by the applicant. An official decision, action, or approval required by law by the Planning Board shall be taken within a certain time period or by a certain date shall not be postponed beyond the required date while awaiting Design Review Advisory Board comments.

2. Town agencies and officials may consult the Design Review Advisory Board relative to construction projects not subject to its mandatory review and the Board shall select projects for its review and recommendations based on time availability and their importance to the image and visual character of Dedham.

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

ARTICLE TWENTY-SEVEN: *By the Planning Board.* To see if the Town will vote to amend the Zoning Bylaws, Section 9.5, Site Plan Review, as follows, with text to be deleted shown in strikethrough and text to be inserted shown in bold:

9.5 SITE PLAN REVIEW

9.5.1 Purpose.

The purpose of this section is to protect the health, safety, convenience, and general welfare of the inhabitants of the Town by providing for a review of plans for uses and structures which may have significant impacts on traffic, municipal, and public services and utilities, environmental quality, community economics, and community values in the Town. The site plan review process provides for a comprehensive review of proposed projects within an expedited time frame.

9.5.2 Applicability.

Site plan review and approval by the Planning Board shall be required before a building or occupancy permit can be issued. Site plan review has two (2) levels: MINOR site plan review and MAJOR site plan review:

Threshold for MINOR site plan review:

1. For any construction or additions to any structure which increases its usable floor space or parking requirements;
2. For any change to a use which increases parking requirements;
3. For increases or changes in outdoor uses subject to parking requirements, such as outdoor sales or spectator sports;
4. For the construction, alteration, or expansion of a parking lot or parking structure, including changes to parking spaces, circulation aisles, driveway access, location of landscaped areas, or any other feature comprising a part of the parking plan;
5. For any modification not shown on a parking or site plan previously approved by the Planning Board.

Threshold for MAJOR site plan review:

1. Any new construction, addition, or alteration of a building so as to create or result in more than 5,000 square feet gross floor area, even where a part of the building is being demolished.

2. Any change of use to more than 5,000 square feet gross floor area which requires the addition of more parking spaces irrespective of existing parking spaces or the relocation of existing parking spaces.
3. Any new parking area for a multifamily dwelling with three or more dwelling units; or take any action relative thereto.

9.5.3 Exemptions.

The following are exempt from Section 9.5:

1. One or two family dwellings;
2. Farms on parcels of more than five (5) acres or two (2) qualified acres as set forth in G.L. c. 40A, s.3;
3. Buildings devoted to a religious use or educational use and owned by or leased to an agency or political subdivision of the Commonwealth of Massachusetts, a religious denomination, or a nonprofit educational corporation, or a child care center; provided, however, that such entities shall be subject to minor site plan review limited to the imposition of reasonable conditions as set forth in G.L. c. 40A, s.3;
4. Premises subject to Section 9.4.

9.5.4 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:

1. Legal boundaries of the parcel with dimensions, bearings, and radii, including any easements on the property and its area, and showing boundaries of zoning districts, including flood plain;
2. Abutting owners and streets;
3. Material or planting species where applicable;
4. Existing or proposed: buildings and structures;
5. Parking spaces and aisles or driveways;

6. Pavement and curbs;
7. Landscaping and vegetation;
8. Topography existing and proposed with two (2) foot contours (grading);
9. Water and sewer lines;
10. Drainage in detail;
11. Wetlands;
12. Traffic signs, easements, and rights of way;
13. Access and curb-cuts;
14. Safety provisions;
15. Loading berths;
16. Dumpster and snow storage areas;
17. Utilities and electrical service;
18. Pedestrian ways;
19. Polar diagram showing the direction and intensity of outdoor lighting;
20. Zoning district boundaries;
21. Elevations and floor plans of existing and proposed buildings; location and design of all signs and exterior lighting, **and material list of all exterior finishes**;
22. A tabulation of floor areas (and outdoor areas, where this is applicable) devoted to various principal uses, the applicable parking requirements, the estimated cost of construction and of landscaping meeting the requirement for parking plans;
23. Title block, showing address, scale, north arrow, seal and signature of the registered architect, engineer, land surveyor, or landscape architect responsible for a particular component of the site plan, and a locus plan at 1" = 200' scale showing abutting lots;
24. The location, showing distances from property lines, dimensions, and use of existing and proposed buildings, structures, additions, and demolitions, also fences, streams, and other conduits;

25. The location and size of underground utilities, including water, sewer, and drain piping, the inverts of manholes and drain catch basins, underground or overhead electric and other conduits;
26. The location and size of existing and proposed vegetation;
27. The location and size of any proposed signage on the site;
28. Information required to determine compliance with parking requirements shall be shown on the plan in a tabular form, including lot area, 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; and
29. Other information needed or helpful for verifying compliance with the applicable parking requirements, and any waivers requested shall be noted on the parking plan.

9.5.5 Major Site Plan: Additional Information.

1. A separate traffic and access report may be required by the Planning Board shall be submitted, citing and substantiating the number of cars and trucks expected to enter and leave the premises in a 24-hour period and during the morning and afternoon peak hours; traffic volumes, pavement width, and Level of Service on each road abutting or serving the site; signalization and turning movements for any intersection abutting or within 500 feet of the site; any special conditions affecting it; and mitigating measures proposed.
2. The applicant may also submit other explanatory or relevant exhibits and materials to assist the Planning Board in evaluating the site plan and its effect on the neighborhood.

9.5.6 Procedures.

Upon receipt of all required items, the Planning Board shall distribute copies thereof to the Conservation Commission, Chief of Police, Chief of Fire Department, Public Works Commissioner, Building Commissioner, Board of Selectmen, and other boards or officials believed by the Planning Board to be affected, with the request for a review or comment within 35 days, and failure to do so comment shall be deemed to indicate no objection. Site plan review for lots requiring nine (9) or fewer parking spaces shall be submitted to the Planning Director for review and report to the Planning Board. Site plan review for lots requiring ten (10) or more parking spaces shall be submitted to the Planning Board's Peer Review Consultant for review and report to the Planning Board. **The Planning Board shall determine whether or not site plan modifications in accordance with Section 9.5.9 Modification Site Plan Review for lots requiring ten (10) or more parking will require peer review.**

The Planning Board shall **not** hold ~~an~~ advertised public hearing on site plan review, but shall, within 30 days of receipt of the complete plans, application, and fees, **contact the applicant to schedule a review meeting and provide written notice to owners of property abutting the site.** ~~invite the applicant and his representatives to a meeting, the posted agenda of which shall list the review of the site plan as an item. Within said 30 days, the Planning Board shall also send written notice to property owners abutting the site.~~ The Planning Board shall in writing within 90 days of said meeting approve, with or without conditions and modifications, or disapprove the site plan. In the event of disapproval, the Planning Board shall state in writing where the site plan fails to conform, to the letter or intent of this bylaw or of any other laws or regulations, or to the applicable professional standards.

9.5.7 Approval.

Site plan approval shall be granted upon determination by the Board that the plan meets the following objectives. The Board may impose reasonable conditions at the expense of the applicant, including performance guarantees, to promote these objectives. Any new building construction or other site alteration shall provide adequate access to each structure for fire and service equipment and adequate provision for utilities and storm water drainage consistent with the functional requirements of the Planning Board's Subdivision Rules and Regulations. New building construction or other site alteration shall be designed to address the qualities of the specific location, the proposed land use, the design of the building form, grading, egress points, and other aspects of the development, in order to:

1. Minimize the volume of cut and fill, the number of removed trees 6" caliper or larger, the length of removed stone walls, the area of wetland vegetation displaced, the extent of storm water flow increase from the site, soil erosion, and threat of air and water pollution;
2. Maximize pedestrian and vehicular safety, both on the site and accessing and exiting the site;
3. Minimize obstruction of scenic views from publicly accessible locations;
4. Minimize visual intrusion by controlling the visibility of parking, storage, or other outdoor service areas viewed from public ways or premises residentially used or zoned.
5. Minimize glare from headlights, minimize light glare into the night sky, and minimize overspill into adjacent properties; and installation of lighting to minimize glare into the night sky and spill into adjacent properties;
6. Minimize unreasonable departure from the character, materials, and scale of buildings in the vicinity, as viewed from public ways and places.
7. Minimize contamination of groundwater from on-site waste-water disposal systems

or operations on the premises involving the use, storage, handling, or containment of hazardous substances;

8. Ensure compliance with the provisions of this Zoning By-Law, including parking and landscaping.

9.5.8 Regulations.

The Planning Board shall adopt and may from time to time revise by vote at a duly posted meeting its regulations for site plan reviews and the processing and consultant review fees for site plan reviews. The cost of consultant review and inspections shall be borne by the applicant, who shall be billed for costs in excess of the initial review fee, and shall be refunded any part of the fee not used, together with any interest accrued thereon. The schedule of Planning Board fees shall be available at the offices of the Town Clerk and the Planning Board.

9.5.9 Modification Site Plan Review

A modification to an approved site plan or an approved parking plan shall be submitted to the Planning Board with a written description of the proposed modification along with the necessary plans that show the modification with accompanying detail. Modified site plans or approved parking plans will, in most instances, be subject to the same review and procedures of Section 9.5.6.

However, for insignificant modifications, the Planning Board may determine that a particular modification does not warrant a notice to abutters or require peer review. After said determination the modification shall be placed on the next available agenda for a vote.

For modifications that do not require notice and/or peer review, the Planning Board shall act on the modification within thirty (30) days of receipt after said determination. A copy of the determination and revised plan shall be filed with the Town Clerk, Building Commissioner and Engineering Department.

~~9.5.9~~ **9.5.10** Lapse.

Any approval of a site plan which has been granted pursuant to this By-law shall lapse, if a substantial use thereof has not sooner commenced, except for good cause, within two (2) years from the grant thereof or, in the case of a permit for construction, if construction has not begun, except for good cause, within such two (2) year period.

~~9.5.10~~ **11** Appeal.

The decision of the Planning Board shall be filed with the Town Clerk. Any appeal shall be filed in accordance with G.L. c. 40A, s.17 to a court of competent

jurisdiction. If 20 days elapse without the Town Clerk being notified that an appeal has been filed, the Planning Board shall endorse its approval and any required conditions or modifications on the plans and distribute copies thereof to the applicant and to the Building Commissioner.

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

ARTICLE TWENTY-EIGHT: *By Trust Fund Commissioner Brian M.B. Keaney.* To see if the Town will vote to amend section 39-2 of the By-Laws by inserting the word "spring" before the word "annual" in each instance, or take any other action relative thereto. *Referred to By Law Review Committee and Finance & Warrant Committee for study and report.*

ARTICLE TWENTY-NINE: *By Trust Fund Commissioner Brian M.B. Keaney.* To see if the Town will vote to amend Section 85-12 (a) of the By-Laws by adding the following at the end of the first sentence: ", unless the article would adopt or amend a zoning by-law, in which case the Planning Board's recommendation shall be the original motion," or take any other action relative thereto. *Referred to By Law Review Committee and Finance & Warrant Committee for study and report.*

ARTICLE THIRTY: *By Trust Fund Commissioner Brian M.B. Keaney.* To see if the Town will vote to create a Socially Responsible Investment Study Committee consisting of one member of the Finance and Warrant Committee, one member of the Commission on Trust Funds, one member of the Financial Policies Committee, appointed by said committees, and two members appointed by the Board of Selectmen, at least one of whom shall have financial or investment expertise and both whom shall be residents, with the Director of Finance or her designee serving as a non-voting member. The Committee shall be charged with studying the advisability of taking into account environmental, social, and corporate governance issues when investing Town funds, and to issue a set of guidelines if they find it to be appropriate, or take any other action relative thereto. *Referred to By Law Review Committee and Finance & Warrant Committee for study and report.*

ARTICLE THIRTY-ONE: *By Trust Fund Commissioner Brian M.B. Keaney.* To see if the Town will vote to codify a policy unanimously adopted by the Board of Selectmen on September 11, 2008 and to "provide more effective notice to the public" (940 CMR 29.03 (2)(b)) by adding a new chapter to the By-Laws, to be assigned a number by the Town Clerk, as follows:

The chairman of each multiple member body shall be responsible for:

- (i) Ensuring that their committee's webpage includes a list of members and other key personnel and their contact information, including phone numbers and email addresses.
- (ii) Posting meeting dates on the Town's website as soon as meetings are scheduled.
- (iii) Posting meeting agendas on the Town's website at least 48 hours prior to the meeting.
- (iv) Submitting to the Town Clerk and posting on the Town's website a draft version of

meeting minutes within ten days of the meeting date.

(v) Submitting to the Town Clerk and posting on the Town's website an official version of meeting minutes within five days of the minutes being approved. or take any other action relative thereto. *Referred to By Law Review Committee and Finance & Warrant Committee for study and report.*

ARTICLE THIRTY-TWO: *By Trust Fund Commissioner Brian M.B. Keaney.* To see if the Town will vote to add three new sections to the By-Laws, as set forth below, and further to authorize the Town Clerk to identify and assign appropriate numbers for said sections.

Section__

Snow Removal - Residences

The owner or occupant of any residentially zoned land abutting a paved sidewalk in the Town shall cause all snow and ice to be removed from said sidewalk by plowing, shoveling, scraping or otherwise so as not to damage such sidewalk, and within eight hours between sunrise and sunset after such snow and ice have come upon the sidewalk. Only so much of said sidewalk that shall afford a space wide enough to accommodate the passage of two pedestrians shall be required. Violations of this section shall be punishable by a fine of \$25 per day that the snow and ice are not so removed.

The Board of Selectmen is authorized to promulgate rules and regulations consistent with this section relative to the ticketing procedures to be utilized. The Board is also authorized to exempt citizens upon petition showing demonstrable extreme hardship due to a combination of health and financial distress.

Section__

Snow Removal - Apartments / Condominiums

The owner of any residential property utilized for apartment house or multi-unit condominium use that abuts a paved sidewalk in the Town shall cause all snow and ice to be removed from the entire width of such sidewalk by plowing, shoveling, scraping or otherwise so as not to damage such sidewalk, and within the first three hours between sunrise and sunset after such snow and ice have come upon such sidewalk. Violations of this section shall be punishable by a fine of \$50 for each day the snow and ice are not so removed.

The Board of Selectmen is authorized to promulgate rules and regulations consistent with this section relative to the ticketing procedures to be utilized.

Section__

Snow Removal - Businesses

The owner or occupant of any land abutting upon a sidewalk of a public way in the Town, which said property is used for business purposes other than farm business, shall cause all snow and ice to be removed from such sidewalk. Such snow and ice shall be so removed

by plowing, shoveling, scraping or otherwise so as not to damage such sidewalk, and within the first three hours between sunrise and sunset after such snow and ice has come upon such sidewalk. Violation of this section shall be punishable by a fine of \$50 per day that the snow and ice are not so removed.

The Board of Selectmen is authorized to promulgate rules and regulations consistent with this section relative to the ticketing procedures to be utilized, or take any other action relative thereto. *Referred to By Law Review Committee and Finance & Warrant Committee for study and report.*

ARTICLE THIRTY-THREE: *By the Town Manager at the request of the Design Review Advisory Board.* To see if the Town of Dedham will vote to amend the General Bylaws, Chapter 237 Signs, as follows, with text to be deleted shown in strikethrough and text to be inserted shown in bold:

Article I: General Provisions

SECTION 237-1. Purpose.

The purpose of this chapter is to establish reasonable regulations for the design, construction, installation, and maintenance of all exterior signs in the Town of Dedham in order to:

- A. Encourage the use of signs as an effective means of communication, to promote public access and awareness of goods and services and to improve the town's ability to attract sources of economic development and growth;
- B. Maintain and enhance the aesthetic environment by promoting visual order and clarity on town streets and appropriate relationship between signs and the buildings and environment to which they relate;
- C. Promote pedestrian and traffic safety by controlling the location, design, and placement of signs on Town streets;
- D. Protect property values by ensuring the appropriate location, size, number and use of signs in neighborhoods and business districts.

SECTION 237-2. Authority.

This chapter is adopted pursuant to Chapters 93 and 43B of the General Laws of Massachusetts.

SECTION 237-3. Applicability and Effect.

A. sign may be erected, placed, established, painted, created or maintained in the town only in conformance with the standards, procedures, exemptions, and other requirements of this chapter.

B. The effect of this chapter as more specifically set forth herein is:

- (1). To establish a permit system to allow a variety of types of signs subject to the standards and the permit procedures of this chapter;
- (2). To **allow signs that are not expressly prohibited** ~~all signs not expressly permitted~~ by this chapter; and
- (3). To provide for the enforcement of the provisions of this chapter.

Article II Definitions

SECTION 237-4. Definitions and interpretation.

Words and phrases used in this chapter shall have the meanings set forth in this section. Words and phrases not defined in this section but defined in Massachusetts Building Code shall be given the meanings set forth therein.

Animated or ~~f~~Flashing ~~s~~Sign:

Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

Applied ~~l~~Lettering:

A sign or informative text which is created by applying each letter individually, adhering them directly to a wall or the surface of a window, without any contrasting background material.

Awning:

An awning or canopy is any device, fixed or retractable, made of canvas or duck cloth, which extends over or otherwise cover a sidewalk, courtyard, walkway, eating area, driveway, or other area or space, whether that area or space is intended for pedestrians, vehicles or other purposes. (see Table 1 Footnote #1, for controls)

Awning ~~s~~Sign:

Any and every sign displayed on an awning or canopy. An awning or canopy on which the only commercial message is a maximum of ~~three (3)~~ **six (6)** inches in height shall not be considered a sign for purposes of this chapter.

Back-Lighted Sign:

Any wall mounted sign which is illuminated by a diffused light source providing so-called "halo effect" to allow light to extend beyond the actual limits of the sign panel or individual letters. Any such illumination shall be by steady, white, non-neon lighting.

Banner:

Any sign of lightweight fabric or similar material that is mounted to a pole or a building by a frame at one or more edges. National flags, state, or the official flag of any institution or business shall not be considered **B**anners.

Beacon:

Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source or any light with one or more beams that rotate or move.

Billboard:

A freestanding off-premises sign larger than one hundred square feet (100) of sign panel area, or a sign affixed to a building covering more than twenty percent (20) of the wall area to which it is affixed.

Board:

~~The Design Review Advisory Board.~~ **Zoning Board of Appeals**

Building mMarker:

Any sign indicating the name of a building, date of construction or other incidental information about its construction or history.

Building sSign:

Any wall sign, projecting sign, suspended sign, or any sign attached to any exterior part of a building.

Business iIdentification sSign:

A sign identifying or directing attention to the name of the building, development, business, product, activity or service sold, provided, or offered upon the lot.

Center iIdentification sSign:

A sign identifying only the name and location of an entire planned commercial, office or industrial complex developed or managed under one ownership or single control.

Changeable sSign eCopy:

A sign or portion thereof with characters, letters, or illustrations that can be changed without altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for the purposes of this chapter. A sign on which the only copy that changes is an electronic or mechanical indication of time or

temperature shall be considered a time and temperature portion of a sign and not a changeable copy sign for purposes of this chapter.

Commercial Message:

Any sign wording, logo, or other representation that directly or indirectly names, advertises or calls attention to a business, product, service, or other commercial activity.

Commissioner:

The Building Commissioner of the town or a designee of the Commissioner.

Department:

~~The building department of the Town of Dedham.~~

**Design Review Advisory Board:
DRAB.**

Digital Display Sign:

A sign utilizing a digital display. This sign type utilizes a light source derived from LCD, LED, or other display technologies, featuring changeable graphics and streaming video. A digital display is effective at close viewing range. Free-standing digital display signs shall be allowed only in Planned Commercial (PC) developments provided the message on same is not legible from a public way. This sign type is not considered an animated or flashing sign for purposes of this Chapter.

Directory Sign:

A sign located at or near the entrance of a multi-tenant building, lot, park or campus, the sole purpose of which is to provide a listing of the names of the individual tenants or users located therein.

Externally Illuminated Sign:

A sign which is lighted from a source which is outside of the sign panel, with the light source mounted on the building face, the sign structure, or on the ground.

Flag:

Any fabric, ~~banner, or bunting~~ containing distinctive colors, patterns, or symbols used as a symbol of a government, political subdivision, business corporation or other entity **on a pole or suspended from a building.**

Free-Standing Sign:

Any sign supported by structures or supports that are placed on or anchored in the ground and that are independent from any building or other structure.

Incidental sSign:

A sign, generally informational, that has a purpose secondary to the use of the lot on which it is located such as 'no parking', 'entrance', 'loading only' or similar directives. No sign with a commercial message legible from a position off the lot on which the sign is located shall be considered incidental.

Internally illuminated sSign:

A sign that is lighted by a source concealed behind a translucent sign panel.

LED Illuminated Sign:

A sign that is illuminated from a light emitting diode.

Lot:

~~Any piece or parcel of land or a portion of a subdivision, the boundaries of which have been established by some legal instrument of record, that is recognized and intended as a unit for the purpose of transfer of ownership.~~

An area of land in single ownership with definite boundaries, established by a recorded plan or deed, including a lot created by combining several previously recorded lots, and used or available for use as the site of one or more buildings or for any other purpose.

Marquee:

Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Monument sSign:

Any detached sign whose sign surface is attached to a proportionate base or structural frame, the width of which shall be a minimum of one-half the width of the widest part of the sign face. Said base shall not exceed a height of three (3) feet above the average finished grade. An enclosed or solid sign base shall not be required if the sign face is within one (1) foot of the average finished grade.

Multi-tenant Lot:

Any lot with more than one business or more than one use with exterior signs.

Neon sSign:

~~A neon sign is any sign comprised of any electric discharge tubing manufactured into shapes that form letters, parts of letters, skeleton tubing, outline lighting, other decorative elements, or art forms, and filled with various inert gases whether contained within a sign frame, letter frame or as exposed lettering.~~

Nonconforming sSign, Pre-existing:

Any sign that does not comply with the requirements of this ~~C~~chapter, and **which was either erected on a date prior to April 8, 1996 the effective date of this Chapter or which conformed to the provisions of this Chapter in effect on the date of the erection of the sign.**

Normal gGrade:

Normal grade shall be construed to be the lower of (i) existing grade prior to construction or (ii) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the lot, whichever is lower.

Off-premises Sign:

A sign pertaining to products, accommodations, services, or activities not located on the premises.

On-pPremises sSign:

A sign pertaining exclusively to the premises on which it is located or to the products, accommodations, services, or activities on the premises.

Pennant:

Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string.

Pole or pPylon sSign:

Any sign that is supported by uprights, braces, columns, poles, or other vertical members which are not attached to a building and where the bottom edge of the sign face is located three (3) feet or more above the normal grade at the base of the sign.

Portable sSign:

Any sign not permanently attached to the ground or some type of permanent structure; a sign designed to be transported by means of wheels; a sign converted to or located on A- or T-frames other than a Sandwich Board sign with a sign permit; an inflatable sign or tethered balloon; and a sign attached to or painted on a vehicle parked and visible from the public right-of-way, unless such vehicle is used in the normal day-to-day operations of the business.

Principal bBuilding:

The building in which is conducted the principal use of the lot on which it is located. Lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other clearly accessory uses shall not be considered principal buildings.

Principal fFaçade:

Any facade that constitutes the primary visual and functional orientation of the building or tenant space, characterized by a combination of such features as principal entry, storefront, and visibility from streets or parking areas.

Projecting sSign:

Any sign affixed to a building or wall in such a manner that its leading edge extends more than twelve (12) inches beyond the surface of the building or wall. A projecting sign may be either perpendicular or parallel to a wall and may have a message on more than one (1) face.

Real Estate Open House sSign:

Any Real Estate sign advertising an open house showing may be displayed in the front yard of the subject property provided that such sign location does not block passage on the sidewalk and complies with the size specified in the Sign Code and further that such sign is installed and removed on the day of the open house.

Residential sSign:

Any sign for residential uses that contains no commercial message except advertising for goods and services offered on the premises where the sign is located, provided that offering such goods or services conforms with all requirements of applicable zoning and town regulations.

Roof sSign:

A sign which is located above, or projected above, the lowest point of the eaves or the top of the parapet wall of any building, or which is painted on or fastened to the roof.

Sandwich Board Sign:

A non-illuminated, free-standing sign located on an A- or T-frame support, which advertises goods or services sold or available at adjacent premises, ~~if located on a public sidewalk, within 30 feet of the main entrance of said premises, subject to sign permit (see Table 1, Footnote #9 7 for controls), which may not restrict free pedestrian passage. A sign permit issued by the Dedham Building Department is required for any sandwich board sign erected on private or public property, including the public sidewalk. Sandwich Board signs are prohibited on any public way or sidewalk not under the control of the Dedham Department of Public Works.~~

Setback:

The distance from the property line to the nearest part of the applicable building, structure, or sign, measured perpendicularly to the property line.

Sign:

Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify ~~the purpose of~~ a person or entity, or to communicate information of any kind to the public.

Street fFrontage:

~~The distance for which a lot line of a lot adjoins a street or streets.~~ **A linear measurement of the distance between side lot lines along the street where the signage will be viewed.**

Sign hHeight:

The height of a sign shall be computed as the distance from the base of the sign at the normal grade to the top of the highest attached component of the sign.

Sign Package:

An optional master sign plan for an entire lot and/or multi-tenant building that includes drawings, material, color specifications, number of signs, types of signs and locations, as recommended by DRAB.

Sign area Panel:

The area of a sign face (which is also called the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representations, emblem, or other display for applied lettering, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is

placed for all other signs, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets all applicable regulations and is clearly incidental to the display itself.

Suspended sSign:

A sign that is suspended from the underside of a horizontal plane surface and is supported by that surface.

Temporary sSign:

Any sign that is not permanently mounted, except for a window sign, that is in place for a period of not more than thirty (30) days.

Waiver Application Packet: A completed Waiver Application for Hearings, Application for Abutters List, Dedham Times Legal Ad Form, Letter of Authorization from the property owner and additional materials in support of the waiver request.

Wall aArea:

The area of a wall within a single plane.

Wall sSign:

Any sign parallel and attached to a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and displays only one (1) sign surface.

Window sSign:

Any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service that is placed ~~inside~~ **within** a window or upon the interior face of a window panes or glass, **including lettering applied to the window surface and a sign panel hung within or mounted close to the transparent portion of a window** so as to be ~~that is~~ visible from the exterior of the window.

Article III Administration

SECTION 237-5. Permits; review by Design Review Advisory Board required.

No sign ~~requiring a permit~~ shall be erected, enlarged, redesigned, structurally altered, or used without the review of the ~~Design Review Advisory Board~~ **DRAB** and a sign permit issued by the Building Commissioner, except as provided for elsewhere in this chapter. Permits shall be issued only for signs in conformance with this chapter.

SECTION 237-6. Applications; issuance of permits, notification of denial.

~~A. All applications for sign permits shall be submitted to the Commissioner on application forms approved by the Commissioner.~~

A. Application and hearing fees shall be established and revised from time to time by DRAB Town Meeting at a level not exceeding that sufficient to defray the estimated cost of administering this article. There shall be an application and hearing fee.

~~C. The Commissioner shall review all sign permit applications for completeness and compliance with this chapter prior to submission to the Design Review Advisory Board.~~

~~D. The Commissioner shall transmit all completed sign applications to the Board for review except as provided in Section 237-8, below. The Board may hold hearings and request additional information as necessary for their review. The Board shall provide a written recommendation to the Commissioner, the applicant, the Board of Selectmen, and any other parties in interest within 30 days of the receipt of the sign application. This response period may be extended with the concurrence of the applicant. However, the Commissioner's decision on a sign permit application shall not be delayed beyond the time period required by law unless the Board notifies the Commissioner of such extension of time. Otherwise, the failure of the Board to provide a recommendation within the 30 day review period shall be deemed a favorable recommendation.~~

~~E. If, after a review of the application by the Board, the Commissioner finds that the proposed sign conforms in all respects with this chapter, the Commissioner shall issue a sign permit within thirty (30) days of the filing of the application. If the Commissioner finds that said proposed sign is not in conformance with this chapter, the Commissioner shall within the thirty (30) day period after the filing of the application notify the applicant in writing of the reasons why such permit was denied and shall forward a copy of such notice of disapproval to the Board. The Commissioner shall also provide a copy of sign permit approvals to the Board.~~

B. All applications for sign permits shall be submitted to the Planning and Zoning Board Office. The DRAB at their December meeting shall vote on the upcoming year submittal deadline and meeting schedule. The 30 day review process starts on submittal deadline and meeting schedule that is posted.

C. The Planning Director and Building Commissioner shall review all sign permit applications for completeness and compliance with the Sign Code. Once an application is deemed complete it will be placed on the next available agenda of DRAB. In cases where an application does not comply with the Sign Code; the applicant will be notified by the Planning and Zoning Board Office that a waiver needed for whatever element of a sign does not comply with the Sign Code.

D. DRAB shall hold a meeting within 30 days of submittal of a sign permit application to review the application and provide a recommendation letter. The recommendation letter may recommend in favor or against the applications, or may recommend in favor on condition of specified modifications. Upon the written assent of the applicant the review period may be extended to provide additional time for review of the application. DRAB shall provide a written recommendation to the Building Commissioner and the applicant within 10 business days after the recommendation is so voted. The failure of DRAB to provide a recommendation within 10 business days shall be deemed a favorable recommendation.

E. Once the recommendation letter is issued the applicant may apply for a sign permit with the Building Department. Cases where a sign waiver is needed, an applicant may not apply for sign permit until the waiver is granted by the Board.

SECTION 237-7 Inspection; certificate of compliance; notice of deficiencies.

During the sixth month after the issuance of a permit or at such earlier date as the applicant may request, the Commissioner shall cause an inspection of the lot for which each such permit for a new sign or for modification of an existing sign has been issued. If the construction is complete and in full compliance with this chapter and with the building and electrical codes, the Commissioner shall issue a certificate of compliance. If construction is not substantially complete or not in full compliance with this chapter and applicable codes, the Commissioner shall give the owner or applicant notice of the deficiencies and shall allow an additional thirty (30) days from the date of inspection for the deficiencies to be corrected. If the deficiencies are not corrected by such date, the permit shall lapse. If construction is completed within said 30 days and the deficiencies corrected, the Commissioner shall issue a certificate of compliance.

SECTION 237-8 Replacing signs **shown on Sign Package**.

Where the owner of a property has a **recommended Sign Package** on file with the Board **DRAB**, and the Building **Department** Commissioner drawings and material and color specifications for a signage plan for an entire lot or multi-tenant building and where the application is to replace one of the signs described on the drawings that is and in conformance with the specifications, the Commissioner shall notify the Board of his intent to issue a **sign permit for a sign that conforms to a Sign Package** without Board review seven days prior to taking such action.

Article IV General Regulations

SECTION 237-9 Permits required.

Signs identified as "P" on Table 1 shall be erected, installed, or created only in conformance with a duly issued and valid sign permit. Such permits shall be issued only in accordance with the following requirements and procedures.

Section 237-10 Public right of way signs.

No sign shall be allowed in the public right-of-way, except as follows and in conformance with the following conditions:

- A. Permanent bus stop signs erected by a public transit company;
- B. Permanent informational signs of a public utility regarding its poles, lines, pipes, or facilities;
- C. Awning, projecting, and suspended signs projecting over a public right-of-way in conformance with all other regulations of this chapter.
- D. Temporary emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the public right-of-way.
- E. Sandwich Board signs in conformance with all other regulations of this chapter.
- F. Banner signs including signs with commercial message approved by the Board of Selectmen.**

SECTION 237-11 Town-Owned property – temporary signs.

Temporary signs promoting events, programs or functions sponsored by charitable, cultural, educational or religious organizations based in Dedham are permitted on town-owned property upon fifteen (15) days notice to the town agency with jurisdiction for the property, subject to space availability at places designated by the agency; provided, however, that an organization may at each location place a single sign not to exceed nine (9) square feet; provided, further, that such signs may be installed only during the period from thirty (30) days prior to the event to three (3) days subsequent to the event. For the purposes of this section multi-day events occurring at least once per week may be treated as a single event.

SECTION 237-12 Town-owned property – sponsorship signs.

Notwithstanding the prohibition of roof signs and commercial signs attached to fences cited in Section 237-15, sponsorship signs supporting municipal recreational facilities and activities are permitted on Town-owned property subject to the approval of the Town agency with the jurisdiction for such property, provided in the case of roof signs that such signs be limited to forty (40) square feet in size and shall be limited to the following locations, with no more than one (1) sign allowed at each such location; Memorial Field, Condon Park, Rustcraft Road and Stone Park.

SECTION 237-13 Exempt signs.

The following do not require a permit under this chapter:

- A. Any sign erected or required by public agencies pursuant to federal, state, or local law.
- B. Public signs erected by or on behalf of a governmental body to post legal notices, to identify public property, to convey public information, and to direct or regulate pedestrian or vehicular traffic.
- C. Any sign inside a building, not attached to a window or door, that is not visible from a distance of more than three (3) feet beyond the lot line of the lot or parcel on which such sign is located.
- D. On-premises traffic control devices on private property, the face of which meet Department of Transportation standards and which contain no commercial message of any sort.

SECTION 237-14 Private property – exempt signs.

The following signs are allowed on private property without sign permits:

- A. On all residential properties, one sign, either attached or freestanding, indicating only the name of the owner or occupant, street number, and permitted uses or occupations engaged in thereon, not to exceed two (2) square feet in area.
- B. On all residential properties, one temporary, unlighted, on-premises sign announcing or identifying **occasional** ~~casual~~ sale, such as a yard or garage sale or an institutional or school fair, provided that such sign shall not exceed nine (9) square feet.
- C. In any location, one temporary unlighted real estate sign advertising the sale, rental, or lease of the premises or subdivision on which it is erected, such sign not to be larger than nine (9) square feet.
- D. In any location, one temporary unlighted sign not larger than nine (9) square feet indicating the name and address of the parties involved in construction on the premises. Said sign shall not be installed until the construction work commences on the property and shall be removed immediately upon completion of the project.
- E. In any location, unlighted non-commercial signs, provided that each such sign shall not exceed nine (9) square feet.
- F. In any location within the SC District, lighted or unlighted signs **visible** ~~illegible~~ from a position outside of the SC District, provided that each such sign shall not exceed fifteen (15) square feet. Such signs shall not be included in a determination of Maximum Total Sign Area for a lot within the SC District.
- G. In any location, one temporary unlighted real estate open house sign may be displayed in the front yard of the subject property, provided that such sign location does not block passage on the sidewalk and complies with the size limitations specified in this chapter and further that such sign is both installed and removed on the day of the open

house.

SECTION 237-15 Prohibited sign types.

The following are prohibited:

Animated or flashing signs

Beacons

Billboards

Commercial signs attached to fences or rocks

Digital Display Sign except for Planned Commercial Development

Neon signs

Pennants

Portable commercial signs other than Sandwich Board signs in Districts LB, GB, and CB with sign permit

Roof signs

Signs having red or green lights erected within sight of a traffic signal unless approved as non-hazardous by the Chief of Police

Signs which obscure or tend to block a clear view of traffic, warning and control signs or signals, pedestrian crosswalks, or handicapped access ramps, or any sign that the Commissioner determines may endanger public safety.

Wind-driven, whirling, turning, or spinning signs.

Article V Special Regulations

SECTION 237-16. Central Business District.

These regulations shall be in addition to existing relevant general regulations contained in the Sign Code.

A Signs.

(1) Location. Any wall sign installed on a building with an architectural sign band shall be located within that sign band which is the horizontal plane of the facade of the building defined by architectural details such as cornices, lintels, pediments, pilasters and windows.

(2) Design. Sign design shall conform to the materials specified in the Design Guidelines incorporated in Appendix A.

B. Awnings.

(1) Location. The awning location on the building shall not obscure or cover the architectural sign band of the building.

(2) Design. The shape of the awnings **may** shall be triangular as viewed from the side and **may** contain a valance with sufficient area for lettering.

(3) Colors. The color of the awning shall be consistent with the overall design scheme for the building and the Central Business District. The color of the awning material shall be selected from the range of colors provided for in Appendix A.

SECTION 237-17. Design Guidelines.

~~The following Design Guidelines shall apply to the review of all sign applications by the Board.~~

- ~~1. Sign scale shall be appropriate in relation to development scale, viewer distance and travel speed, and sign sizes on nearby structures.~~
- ~~2. Sign size, shape, and placement shall serve to define or enhance such architectural elements of the buildings as columns, sill lines, cornices, and roof edges, and not to interrupt, obscure, or hide them.~~
- ~~3. Sign design shall be compatible with other signage on the same or adjacent structures, providing continuity in mounting location and height, proportions, materials, or other important qualities.~~
- ~~4. Sign materials, colors, lettering style, and form shall be compatible with building design, neighborhood context, and use.~~
- ~~5. Sign legibility shall not be impaired by excessive complexity, multiple lettering styles or colors, or other distracting elements.~~

In reviewing sign applications DRAB shall apply design guidelines in “Building Better: A Design Manual for Building Improvements and Design Bulletins” by RBA Group adopted on April 11, 2013. ~~should be used for all sign applications that are reviewed by the BOARD for all Zoning Districts. For sign applications that do not follow these Design Guidelines, a design waiver must be sought from the BOARD as part of the review process.~~

SECTION 237-18 Illumination.

- A. No sign shall be lighted except by a steady, stationary, non-neon light, shielded and directed solely at ~~or internal to the sign.~~
- B. External illumination shall be by steady, stationary, non-neon light, shielded and directed solely ~~(or by silhouette)~~ at the sign. The foregoing is **also** applicable to ~~signs exterior to a building, and to permanent interior signs which are designed to be visible through a door or window.~~
- C. Internal illumination shall be by white, steady, stationary, non-neon light, directed on translucent materials to illuminate the sign. No more than ~~three (3)~~ **four (4)** colors shall be used. Black and white shall not be considered colors.

- D. Times of illumination. No sign shall be illuminated in any district beyond the business hours of the establishment to which it pertains, nor between 12 a.m. midnight and 6 a.m. unless allowable business hours extend into such period.
- E. No internally illuminated signs shall be permitted in ~~any~~ residential districts, the Limited Manufacturing Districts, Central Business, General Business, or Local Business districts.
- F. No illumination shall be permitted which casts light or glare beyond the perimeter of the property on which the sign is located.
- G. No illumination shall be permitted which casts light or glare onto any residential premises or onto any portion of a way as to create a traffic hazard.
- H. No pylon, pole, or sign-supporting structure shall be illuminated, except as required by other applicable state or federal law.
- ~~I. The illumination of any sign shall not exceed one hundred fifty (150) foot lambert.~~

SECTION 237-19 Computation of sign area and height.

The following principles shall control the computation of sign area and height:

- A. The sign area of a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two (2) identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and when such faces are part of the same sign structure, the sign area shall be computed by the measurement of one of the faces.
- B. The permitted sum of all individual signs on a lot shall be computed by applying the formula contained in Table 2 for Maximum Total Sign ~~Area~~ **Panel Area** to the lot frontage for the district in which the lot is located. Lots fronting on two (2) or more streets are allowed the permitted sign area for each street frontage. However, the total ~~sign~~ **Sign Panel** area that is oriented toward a particular street may not exceed the portion of the lot's sign area allocation that is derived from the lot, building, or wall area frontage on that street. The computation of frontage shall only include the actual, physical frontage of a lot on a street.
- C. If not located in a larger landscaped area, all free-standing signs shall be located with a curbed, landscaped area extending a minimum of three (3) feet on all sides of the sign base.
- D. A sign projecting more than twelve (12) inches from the face of a building shall be at least ~~ten (10)~~ **eight (8)** feet above ground level and its upper edge no more than

fourteen (14) feet above ground level. Such sign shall be located only as allowed elsewhere in this chapter.

- E. No wall sign, except window signs which identify a business occupying space in a level above the ground floor level, shall extend higher than the lowest of (i) twenty-five (25) feet above grade; or (ii) **below the second floor window frame** ~~the top of the sills of the first level of windows above the first story;~~ or (iii) the lowest point of the roof.

SECTION 237-20 Construction and maintenance standards.

All signs shall be constructed and maintained in accordance with the following standards:

- A. All signs shall comply with applicable provisions of the state building code, General By-Laws, and the electrical code of the town at all times.
- B. Except for banners, flags, temporary signs, and window signs conforming in all respects with the requirements of this chapter, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.

Article VI: Nonconforming Signs and Signs without Permits

SECTION 237-21 Removal of nonconforming existing sign: permit for conforming sign.

The owner or person in control of any lot or other premises on which exists a sign that does not conform with the requirements of this chapter and for which there is no current and valid sign permit shall remove such sign. The owner or person in control of any lot or other premises on which exists a sign without a permit but which would otherwise comply with this chapter shall apply for a permit.

SECTION 237-22 Continuation of certain existing signs.

A sign that would be permitted under this chapter only with a sign permit, but which was lawfully in existence on the seventeenth of June nineteen hundred and ninety-six and which was constructed in accordance with the by-laws and other applicable laws in effect on the date of its construction, but which by reason of its size, height, location, design, or construction does not conform to the requirements of this chapter may remain in place ~~without a sign permit~~ and be repaired and maintained, but not expand in size or in degree of nonconformity. A change in the information on the face of a ~~p~~**Pre-existing n**~~Nonconforming s~~**Sign** is allowed by replacing a ~~the s~~**Sign p**~~Panel~~ in an existing frame or repainting the information on an existing **Sign p**~~Panel~~ **with review by DRAB and a sign permit.** Maintenance shall be limited to cleaning and refinishing existing sign frames and supports, but shall not include any modifications to the frames and, in the case of a free-standing or monument sign, shall not include any modification to the support structure.

SECTION 237-23 Requirements for sign modification.

A sign permit shall lapse and become void whenever there are modifications to a preexisting nonconforming sign other than as described in section 237-22. Upon notification by the Building Commissioner of such modification, the owner shall, within forty-five (45) days, make the sign conform to the prior permit, remove the sign, or re-apply for a new sign **with review by DRAB and a sign permit.**

SECTION 237-24 Removal of sign when business is discontinued.

A sign permit shall lapse and become void when there has been a discontinuance of the activities, business, goods or services described on the sign. ~~Upon notification by the Building Commissioner, T~~ **the owner shall remove a sign shall be removed within 45 30 days of discontinuance of the activities, business, goods or services described on the sign. A Freestanding Pre-existing Non-conforming Sign structure shall be removed after three-hundred and sixty five days have elapsed where all signage on said structure has been or is required to be removed for discontinuance of the activities, business, goods or services.**

SECTION 237-25 Previously nonconforming sign still in violation.

Nothing in this chapter shall be construed to make permissible a pre-existing sign which was constructed or displayed in violation of this chapter or any predecessor to this chapter and which continues not to be in conformance with the requirements of this chapter.

SECTION 237-26 Sign Area; setback.

Notwithstanding any provision to the contrary, a ~~an~~ **pre-existing** nonconforming sign with a sign area greater than allowable under this chapter and/or with a setback from a public way less than allowable under this chapter may be replaced with a sign erected on the same lot with a sign area greater than allowable under this chapter and/or a setback less than allowable under this chapter upon the issuance of a waiver by the Board of Appeals; provided, however, that the maximum sign area of any sign **waived erected** under this paragraph shall be no greater than seventy percent (70%) of the sign area of the nonconforming sign being replaced and the minimum setback of any sign erected under this paragraph shall be no less than the current setback of the nonconforming sign being replaced.

Article VII. Enforcement

SECTION 237-27. Violations.

- A. Each sign installed, created, erected, or maintained in violation of this chapter shall be considered a separate violation when applying the penalty portions of this chapter.
- B. Each such day of a continued violation shall be considered a separate violation when applying the penalty portions of this chapter.

SECTION 237-28. Enforcement and remedies.

A. The Commissioner may enforce the provisions of this chapter in accordance with section 1-6 of these bylaws; provided however, that except where he determines that public safety requires immediate abatement of any violation, the Commissioner shall, prior to initiating such enforcement, for purposes of a warning, give written notice to abate the violation of this chapter by delivery of same to the premises where said violation is or has occurred, or by certified mail, return receipt requested, addressed to the owner, resident or person in charge of the premises.

B. All such remedies provided herein shall be cumulative and shall not impair the authority of the Commissioner to take any action authorized or required by the State Building Code or other local, state or federal law.

SECTION 237-29. Appeals **Waiver from requirements.**

~~A. Any person aggrieved by the Commissioner's action or failure to act, including abutters and abutters to abutters, may file an appeal within thirty (30) days with the Town Clerk and the Board of Appeals. The members of the Board of Appeals constituted pursuant to G.L.c.40A shall decide on appeal within seventy-five (75) days of the date of filing said appeal with the Town Clerk or the Board of Appeals, whichever is later. If the Board of Appeals denies relief to the applicant, it shall forthwith notify the applicant in writing of its decision with reasons. If, on appeal from the denial of a permit, said permit is approved, the Commissioner shall issue the permit.~~

~~B. The Board of Appeals may by an affirmative vote of four of its members, after determining that a proposed sign complies with Section 237-17 of this chapter and that it is consistent with the Purpose of this chapter as stated in Section 237-1, grant relief or waivers as described in Subsection C of this section except that no relief or waivers may be granted from the requirements of Article V, Special Regulations 237-16, Central Business District, and 237-18, illumination.~~

~~C. The Board of Appeals may by an affirmative vote of four (4) of its members grant relief or waivers from the provisions of this chapter upon making a written finding that such are warranted owing to any circumstances including a) that literal compliance with the provisions of this chapter is not practical or is unfeasible or b) that such relief or waivers are recommended by the Design Review Advisory Board; provided that in all cases the desired relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the by-law; provided further, however, that no such relief or waivers may be granted for signs subject to Sections 237-14, 237-15 or Article VI of this chapter no such relief or waivers may be granted from the requirements of Article V, Special~~

~~Regulations Section 237-16, Central Business District and 237-18, Illumination. Not less than fourteen (14) days prior to the filing of an application with the Board of Appeals under this section, the applicant shall submit a scaled drawing of the proposed sign(s) and a description of the proposed relief or waivers to the Design Review Advisory Board for review. Upon filing of an application with the Board of Appeals, the applicant shall provide a copy thereof to the Design Review Advisory Board. At least seven (7) days prior to the Board of Appeals public hearing, the Design Review Advisory Board shall provide a written recommendation to the Board of Appeals and to the applicant. Failure to provide such recommendations within such time shall be deemed a favorable recommendation.~~

A. No waiver may be granted by the Board from Section 237-15 Prohibited Sign Type.

B. A waiver request shall be submitted on a Board application, together with a Waiver Application Packet. The application must identify each section or sections of the Sign Code where a waiver is being sought and include a statement explaining the reasoning why a waiver is being sought. Applicants shall apply to DRAB first for sign review in order for DRAB to make a recommendation on the waiver request. The Board cannot act on any waiver unless DRAB has made a recommendation that has been forwarded to the Board prior to the hearing.

C. Seven (7) copies of the Waiver Application Packet shall be filed with the Town Clerk with DRAB's recommendation. In cases where an applicant simultaneously applies to DRAB for sign review which requires a sign waiver the Planning and Zoning Office will forward DRAB's recommendation letter to the Board prior to the hearing.

D. A hearing for any waiver request shall be held within 65 (sixty-five) days from the date of filing with the Town Clerk. A decision shall be made within (100) one hundred days from the date of filing. The Board shall cause notice of such hearing to be published in a newspaper of general circulation and said notice shall be sent to the applicant, abutters and abutters to abutters within (300) three-hundred feet of the property line of the application as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town.

E. The Board may by an affirmative vote of four (4) of its members grant waivers from the provisions of this chapter.

SECTION 237-30. Severability Waiver criteria.

~~If any provision of this chapter, or the application thereof to any person or circumstance, shall be held invalid by any court of competent jurisdiction, such invalidity shall not affect the other provisions, or application thereof, of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are~~

~~hereby declared to be severable.~~

The Board may grant a waiver upon making a written finding that:

- A. literal compliance with the provisions of this chapter is not practical or is unfeasible or
- B. such waivers are recommended by the DRAB, and

provided that in all cases the desired relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the by-law.

SECTION 237-31. Appeal.

Any person aggrieved by the Commissioner's action or failure to act may file an appeal within thirty (30) days with the Town Clerk. An appeal from the provisions of the Sign Code is heard by the Board. A hearing for any appeal shall be held within 65 (sixty-five) days from the date of filing with the Town Clerk. A decision shall be made within (100) one hundred days from the date of filing. The Board shall cause notice of such hearing to be published in a newspaper of general circulation and said notice sent to applicant, abutters and abutters to abutters within (300) three-hundred feet of the property line of the application parties of interest within (300) three-hundred feet of the property line of the application as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town.

SECTION 237-32. Severability.

If any provision of this chapter, or the application thereof to any person or circumstance, shall be held invalid by any court of competent jurisdiction, such invalidity shall not affect the other provisions, or application thereof, of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are hereby declared to be severable.

APPENDIX A

~~Dedham Central Business District~~

~~Awning & Sign Background Colors~~

Color	Pantone No.	Sunbrella Equivalent
-------	-------------	----------------------

BLUE		
8 shades	DS 213-1 C DS 202-1 C DS 201-1 C DS 201-2 C DS 201-3 C DS 206-1 C DS 206-2 C	Navy
GREEN		
3 shades	no match no match	Spruce Forest Green Hemlock Tweed
RED		
7 shades	DS 85-1 C DS 85-2 C DS 79-1 C DS 79-2 C DS 78-1 C DS 80-1 C DS 79-4 C	Burgundy Jockey Red Terracotta
NEUTRALS		
6 shades (or combined w/ whitestripe)	DS 329-5 C DS 329-3 C DS 329-4 C 329-6 C 329-7 C DS 330-7 C	Taupe Charcoal Grey Cadet Grey

Awning Colors

Color	Shades
Sunbrella® or Equivalent color and material	
BLUE	Admiral Navy Regatta Regatta Tweed
GREEN	Forest Green Forest Green Tweed

RED	Crimson Red Burgundy Terracotta
BLACK	
NEUTRALS Or Combined w/white stripe	Sand Toasty Beige Grey

Wall Mount	Awning Sign (1)	N	P	P	P	P	P	P	P	N
	Building Marker (5)	A	A	A	A	A	A	A	A	A
	Identification (3)	A	A	A	A	A	A	A	A	A
	Incidental	N	A	A	A	A	A	A	A	A
	Marquee	N	N	N	P	P	P	N	N	N
	Projecting	N	P	P	P	P	N	N	N	N
	Residential (6)	A	A	A	A	A	N	N	N	A
Window	Applied Lettering (7)	N	P	P	P	P	P	P	P	P
	Sign Panel	N	P	P	P	P	P	P	P	P
Misc.	Banner (4)	P	P	P	P	P	P	P	P	N
	Flag	P	P	P	P	P	P	P	P	P

A = Allowed without sign permit
P = Allowed only with sign permit
N = Not allowed

1. The following provisions shall apply to all awning signs: a.) Awning signs may only be located at the first floor level and must be painted on or attached flat against the surface of the awning ~~or canopy~~ **or attached at an angle projecting through the awning** and shall not extend beyond the valance or any other part of the awning ~~or canopy~~ nor be attached to or displayed on the sides or underside; b.) The area of an awning sign shall not exceed 25% of the surface area of the awning ~~or canopy~~ eligible for placement of signs; c.) Awning signs shall not be back lit or internally illuminated; d.) Awnings must be made of canvas or duck cloth and be completely opaque.
2. Lots in the RDO district with street frontage providing actual physical access onto a major highway such as Route 1A, Providence Highway or any other street designated as a numbered highway by the Commonwealth and having at least two travel lanes in each direction, are subject to the signage regulations for the HB district and may use only the frontage on a major highway in computing the amount allowed under HB regulations.
3. One sign containing only name and address of occupant, not to exceed 4 sq. ft.
4. ~~Each sign permit shall be for a specified period not to exceed one (1) year.~~ Community/Cultural banners may be permitted by the Board of Selectmen on private property or on the public ways for periods of not more than thirty (30) days. Banners may be approved **for up to thirty (30) days** ~~a limited time period~~ by the Building Commissioner without DRAB ~~Design Review Advisory Board~~ review.

5. No commercial message of any kind allowed on sign if such message is legible from any off-premises location.
6. May include only building name, date of construction, or historical data on historic site; must be cut or etched into masonry, bronze, wood, or similar material.
7. Area of signage may not exceed 25% of the window area. ~~and installation shall conform to definition as listed in "Definitions."~~
8. In multi-tenant residential complexes, each tenant shall be allowed a residential sign, either freestanding or wall-mounted. In addition, there may be one additional sign, either freestanding or wall-mounted, listing the name and address of the complex, total area not to exceed 25 sq. ft.
9. Each business is allowed one sandwich board sign, **within 30 feet of the main entrance of said premises** whether on a public sidewalk or private property. The sign may be displayed only during business hours and must be removed after business hours. A sandwich board sign shall not be included in the calculation of total signage allowed on the site.

The sign frame shall be no greater in size than 2 feet wide and 3 feet 6 inches high. The message panels attached to the frame shall be no greater than 2 feet wide by 3 feet high.

The sign must be located in front of the establishment it advertises. Under no circumstances shall a sign obstruct vehicular/bus stops, benches, fire hydrants, or other features legally in the right of way, nor shall it obstruct parking access, handicapped parking access, or vehicular paths of travel. A minimum clear sidewalk width of 48 inches shall be maintained.

The sign frames must be constructed of materials that present a finished appearance and use durable weather-resistant materials including, but not limited to, painted or decay-resistant wood, metal, or wrought iron. Natural chalkboard or corkboard shall be used for message area.

Sign lettering shall either be painted in a professional-looking manner, computer-generated, or handwritten on a chalkboard. Lettering and number characters shall not exceed 8 inches in height.

Logos are encouraged.

The following are prohibited: Sign frames constructed of rough cut plywood, cardboard, paper, fabric, or non-rigid materials or use of whiteboards, magnetic letters, illumination, or changeable letters on tracks.

TABLE 2 - SIGN DIMENSIONS AND LOCATION

Delete the entire table below

DISTRICT	MAXIMUM TOTAL SIGN AREA PER LOT (NOTE 1)	SIGN TYPE	MAXIMUM NUMBER	MAXIMUM AREA OF SIGNAGE	MAXIMUM HEIGHT	MINIMUM FRONT	SETBACK SIDE
Residence	4 Total Square Feet (Note 3)	Wall	per residence — 1	4 sf (Note 8)	5 ft (Note 8)	3 ft	5 ft
		Estanding	per lot — 1	4 sf (Note 8)			
GB	1.0 sf per 1f of street frontage	Wall	per building — N/A	5% wall area	(Note 6)		
LB/GB	1.0 sf per 1f of street frontage	Wall	per building — N/A	5% wall area	(Note 6)	5 ft	5 ft (Note 6)
		Estanding	per lot — 1	20 sf	8 ft (Note 2)		
HB	2.0 sf per 1f of street frontage	Wall	per building — N/A	20% wall area	(Note 6)	25 ft (Note 7)	10 ft
		Estanding	per lot — 1	100 sf (Note 5)	20 ft		
LMA/LMB	1.0 sf per 1f of street frontage	Wall	per building — N/A	10% wall area	(Note 6)	25 ft (Note 7)	10 ft
		Estanding	per lot — 1	40 sf	12 ft		
AP/RD ⊖ (Note 9)	2.0 sf per 1f of street frontage	Wall	per building — N/A	5% wall area	(Note 6)	25 ft (Note 7)	10 ft
		Estanding	per lot — 1	40 sf	12 ft		

PG	(Note 4)						
SG (Note 10)	2.0 sf per 1f of street frontage	Wall	per building —N/A	10% wall area	(Note 6)		
		Freestanding	per lot —1	40-sf	12 ft	5 ft	10 ft

Insert new table below:

DISTRICT	MAXIMUM TOTAL SIGN AREA PER LOT (NOTE 1) sq. ft.	SIGN TYPE	MAXIMUM NUMBER	MAXIMUM AREA OF SIGNAGE	MAXIMUM HEIGHT	MINIMUM SETBACK FRONT	MINIMUM SETBACK SIDE
Residential	4 sq. ft.	Wall	1 per residence	4 sq. ft.			
		Freestanding	1 per residence	4 sq. ft.	5 ft. (Note 9)	3 ft.	5 ft.
		Identification	(Note 5)	4 sq. ft.			
Central Business (Note 12)	1 sq. ft. per 1 linear foot of street frontage	Wall	N/A	10 % of wall area	(Note 7)		
		Freestanding	1 per lot	20 sf.	8 ft (Note 2)	5 ft	5 ft
		Identification	1 per lot (Note 5)	4 sq. ft.			
		Awning		25 % of awning			
		Window		25 % of window area			
Local Business/General Business (Note 12)	1 sq. ft. per 1 linear foot of street frontage	Wall	N/A	10 % of wall area	(Note 7)		
		Freestanding	1 per lot	20 sf.	8 ft (Note 2)	5 ft	5 ft
		Identification	1 per lot (Note 5)	4 sq. ft.			
		Awning		25 % of awning			
		Window		25 % of window area			
Highway Business	2.0 sq. ft. per 1	Wall	N/A	20 % of wall area	(Note 7)		

(Note 12)	linear foot of street frontage	Freestanding	1 per lot	100 sq. ft. (Note 5)	20 ft.	10 ft. (Note 8)	10 ft.
		Identification	1 per lot (Note 5)	4 sq. ft.			
		Awning		25 % of awning			
		Window		25 % of window area			
Limited Manufacturing A & B (Note 12)	1 sq. ft. per 1 linear foot of street frontage	Wall	N/A	10 % of wall area	(Note 7)		
		Freestanding	1 per lot	40 sf.	12 ft.	10 ft. (Note 8)	10 ft.
		Identification	1 per lot (Note 5)	4 sq. ft.	(Note 5)		
		Awning		25 % of awning			
		Window					
Research Development & Office (Note 12)	2.0 sq. ft. per 1 linear foot of street frontage	Wall	N/A	5 % of wall area	(Note 7)		
		Freestanding	1 per lot	40 sf.	12 ft.	10 ft. (Note 8)	10 ft.
		Identification	1 per lot (Note 5)	4 sq. ft.			
		Awning		25 % of awning			
		Window		25 % of window area			
Planned Commercial (Note 4)		Identification	1 per lot (Note 5)	4 sq. ft.			
		Awning					
		Window					
Senior Campus (Note 11)	1.0 sq. ft. per 1 linear foot of street frontage	Wall	N/A	10 % of wall area	(Note 7)		
		Freestanding	1 per lot	40 sf.	12 ft.	5 ft	10 ft.
		Identification	1 (Note 5)	4 sq. ft.			
		Window		25 % of window area			

Note 1 The maximum total area of all signs on a lot, except incidental, building marker, and identification signs and flags shall not exceed the lesser of the listed calculations

- Note 2 In no case shall the actual sign height exceed the actual sign setback from any adjacent lot that is zoned and used for residential purposes.
- Note 3 For multi-tenant residential projects, each lot may have a free-standing or wall-mounted sign not to exceed 15 feet.
- Note 4 Dimensions and locations shall be determined during approval process and shall be based on underlying district.
- Note 5 ~~Shall be based on one side only for sign panels mounted back-to-back which are not currently viable signs.~~ **One sign containing only name and address of occupant, not to exceed 4 sq. ft.**
- Note 6 ~~See Section 7(d) for description of height and locations for wall signage.~~ **Shall be based on one side only for sign panels mounted back-to-back that are viewable from one side only.**
- Note 7 ~~The front setback requirement for free-standing signs may be reduced provided that, for each foot of setback reduced, the height of the sign shall be reduced by a corresponding amount (one foot of setback reduction for one foot of sign height reduction). However, in no case shall the front setback be reduced below sixteen (16) feet.~~ **See Section 237-19 for description of height and locations for wall signage.**
- Note 8 ~~For institutional uses (items B. 1-8 of the Use Regulation Table in Section II-2 of Chapter 18) in a residential district, sign area for any commercial message on a sign may not exceed 20 square feet, with a maximum vertical dimension of six (6) feet.~~ **The front setback requirement for free-standing signs may be reduced provided that, for each foot of setback reduced, the height of the sign shall be reduced by a corresponding amount (one foot of setback reduction for one foot of sign height reduction). However, in no case shall the front setback be reduced below sixteen (16) feet.**
- Note 9 ~~Lots in the RDO District with street frontage providing actual physical access onto Route 1A, Providence Highway, or any other street designated as a numbered highway by the Commonwealth, and having at least two (2) travel lanes in each direction, are subject to the signage regulations for the HB District.~~ **For institutional uses (items B. 1-8 of the Use Regulation Table in Section II-2 of Chapter 18 of Dedham Zoning Bylaws) in a residential district, sign area for any commercial message on a sign may not exceed 20 square feet, with a maximum vertical dimension of six (6) feet.**
- Note 10 ~~Lighted or unlighted signs illegible from a position outside of the SC District, provided that each such sign shall not exceed fifteen (15) square feet, are exempt from the provisions set forth in this Table (see Section 6(e)).~~ **Lots in**

the RDO District with street frontage providing actual physical access onto Route 1A, Providence Highway, or any other street designated as a numbered highway by the Commonwealth, and having at least two (2) travel lanes in each direction may use only the frontage on a major highway in computing the amount of signage allowed under HB regulations.

Note 11 **Lighted or unlighted signs visible from a position outside of the SC District, provided that each such sign shall not exceed fifteen (15) square feet, are exempt from the provisions set forth in this Table Section 237-14.**

Note 12 **The amount of wall signage and compliance with the Sign Code for a multi-tenanted building is calculated based upon leased lines of each individual storefront. In cases where a multi-tenanted building has tenant space without any storefront fronting on said street; the landlord may reserve a portion of the wall area for tenant(s) signage without any storefront.**

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

ARTICLE THIRTY-FOUR: *By the Town Manager.* To see if the Town will vote to authorize, in accordance with the provisions of Section 73-5 of the Revised By-Laws of the Town of Dedham and G.L. c.30B, §12(b), the execution of a contract extension with Wheelabrator Millbury, Inc., for the disposal of residential acceptable waste, for an additional ten (10) years to December 31, 2027, or take any other action relative thereto. *Referred to By Law Review Committee and Finance & Warrant Committee for study and report.*

ARTICLE THIRTY-FIVE: *By the Board of Selectmen.* To see if the Town will vote in accordance with the provisions of G.L. c.32B, §20(b)(iii), to designate the Health Care Security Trust (HCST) Board of Trustees as the custodian of its Other Post Employment Benefits Fund, created under Article 19 of the 2009 Annual Town Meeting, and further, to authorize appropriate Town officials to negotiate an Investment Agreement with the HCST Board of Trustees and execute the same on such terms and conditions as the Town deems acceptable, and to take such other action as may be necessary to carry out the vote taken hereunder including the withdrawal and transfer of monies in the OPEB account as may be directed by the HCST Board of Trustees and the execution of any and all instruments as may be necessary to effectuate the purposes of the vote taken hereunder, or take any other action relative thereto. *Referred to Finance & Warrant Committee for study and report.*

ARTICLE THIRTY-SIX: *By the Town Manager.* To see if the Town will vote to authorize the Board of Selectmen to submit to the General Court a Home Rule Petition for Special Legislation relative to placement in the Robin Reyes Fund of local options meals and room tax receipts in a form substantially similar to the following:

An Act Relative to the Robin Reyes Capital Stabilization Fund in the Town of Dedham

SECTION 1. Notwithstanding the provisions of section 53 of chapter 44 of the General Laws or any other general or special law to the contrary, the town of Dedham shall deposit directly and without further appropriation receipts received annually by said town in connection with collection of the local meals excise under section 2 of chapter 64L of the General Laws and the local room occupancy tax under section 3A of chapter 64G of the General Laws to the Robin Reyes Major Capital Facilities Stabilization Fund (the "Robin Reyes Fund"), a special purpose stabilization fund created by vote of the town under Article 3 of the November 16, 2009 Special Town Meeting in accordance with the provisions of section 5B of chapter 40 of the General Laws for the purposes of receiving and segregating funds for major facility improvements, facility replacements, new facilities or for debt service on bonds and notes issued for these purposes.

SECTION 2. No later than March 15 and September 15 in each fiscal year, and more frequently as may be requested by the town manager, the finance director shall certify to the board of selectmen, finance and warrant committee, and town manager the amount available for expenditure in the Robin Reyes Fund.

SECTION 3. The finance director of the town of Dedham, in consultation with the town manager, and following a meeting with the board of selectmen for which at least one week's notice is provided on the official website of the town, shall hereby be authorized to promulgate appropriate policies to address any accounting or reporting requirements necessary to properly implement this act.

SECTION 4. Notwithstanding the provisions of section 1 of this act providing for all receipts described in said section to be credited directly and without further appropriation to the Robin Reyes Fund, in fiscal year 2016 only 2/3 of such receipts shall be so credited, and in fiscal year 2017 only 5/6 of such receipts shall be so credited, with the remainder in each such fiscal year to be considered General Fund revenues as would otherwise be required by law.

SECTION 5. Notwithstanding the provisions of section 5B of chapter 40 of the General Laws, no change may be made by the town to limit or expand the purpose for which the Robin Reyes Fund may be expended except upon a 2/3 vote of town meeting following a positive recommendation from the board of selectmen and finance and warrant committee; provided, further, that the limitation imposed by this section shall not prohibit said town of Dedham, following the positive recommendation of the board of selectmen and finance committee, from voting by a 2/3 vote to dissolve the Robin Reyes Fund, and after the effective date of such vote, all receipts described in section 1 of this act shall be considered General Fund revenues as required by law.

SECTION 6. This act shall take effect upon passage.

provided, however, that the General Court may make clerical or editorial changes of form only to such bill, unless the Board of Selectmen approves amendments to the bill prior to enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general

public objectives of this petition; or take any other action relative thereto. *Referred to Finance & Warrant Committee for study and report.*

ARTICLE THIRTY-SEVEN: *By the Town Moderator.* To see if the Town will vote to amend the composition of the School Building Rehabilitation Committee, originally formed under Article 5 of the December 4, 2000 Special Town Meeting, as follows:

One (1) member of the Board of Selectmen or designee; Two (2) members of the School Committee or designees; One (1) member of the Finance & Warrant Committee or designee; One (1) member of the Capital Expenditure Committee or designee; Superintendent of Schools or designee; Principal of affected school or designee; Town Manager or designee; and Three (3) members at large, appointed by the Moderator, for terms of one, two and three years, or take any other action relative thereto. *Referred to Finance & Warrant Committee for study and report.*

ARTICLE THIRTY-EIGHT: *By Petition of Carla M. Foley, et al.* To see if the Town will vote to amend Article 34, Section 3 of the Dedham Annual Town Meeting of 2013 to read as follows:

For the purposes of this Act, Dedham Square shall be the geographical area in the Town of Dedham consisting of Bryant Street, Eastern Avenue, those portions of Washington Street from Bryant Street to Star Lane, Harris Street, and those portions of High Street from Maple Place to Harvard Street, or take any other action relative thereto. *Referred to Finance & Warrant Committee for study and report.*

Given under our hands and seal of the Town of Dedham this 5th day of March AD 2015.

BOARD OF SELECTMEN
James A. MacDonald, Chairman
Michael L. Butler, Vice-Chair
Dennis J. Guilfoyle
Dennis J. Teehan, Jr.

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

TOWN OF DEDHAM - NORFOLK, SS.

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

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

Dated at Dedham, Massachusetts, the 5th day of March, AD 2015