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**Planning Board**

**Michael A. Podolski, Esq., Chair**

**John R. Bethoney, Vice Chair**

**Robert D. Aldous, Clerk**

**Ralph I. Steeves**

**James E. O’Brien IV**

**Planning Director**

**Richard J. McCarthy Jr.**

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**TOWN OF DEDHAM**

**PLANNING BOARD**

**MEETING MINUTES**

**October 13, 2016, 6:30 p.m., Dedham High School**

**Present:** John R. Bethoney, Vice Chair, Acting Chair

Robert D. Aldous, Clerk

Ralph I. Steeves

James E. O’Brien IV

Richard J. McCarthy, Jr., Planning Director

Call to order 6:30 p.m. The Pledge of Allegiance was recited. Plans, documents, studies, etc., referred to are incorporated as part of the public record and are on file in the Planning office. Mr. Podolski was not present for this meeting, so Vice Chair John Bethoney assumed the role of Chair.

**PUBLIC HEARING:**

**Discussion of Proposed Zoning Articles 15, 16, 17, and 18**

Mr. Steeves moved to open the public hearing, seconded by Mr. Aldous, voted unanimously, 4-0. He then moved to waive reading of the public notice, seconded by Mr. Aldous, voted unanimously, 4-0. Public Hearing notice for the proposed zoning articles for the spring Town Meeting was posted in Town Hall on September 15, 2016, and advertised in the *Dedham Times* on September 16, 2016, and September 23, 2016. Abutting towns, City of Boston, Metropolitan Area Planning Council, and Department of Community Development were notified on September 20, 2016, via certified mail, return receipt. Positions on each article were taken at the end of the Public Hearings.

**Article 18 Moratorium on Marijuana Establishments** (by Trust Fund Commissioner Brian M.B. Keaney and Board of Health Member Jason Brogan)

Mr. Steeves moved to open the Planning Board on Article 18, seconded by Mr. O’Brien, and voted unanimously, 4-0.

Mr. Keaney explained that there will be an election in a few weeks, and one question on the ballot will be to legalize recreational marijuana. The current poll concerning this was 50/50. In case it passes, he wants to make sure that no distillery pops up in East Dedham Square, Oakdale Square, or Dedham Square. If it is legalized and someone wants to open one up in Dedham, he wants the Town to tell they were they can go and where it would be appropriate for a marijuana distillery. He does not want this to be located a block away from a school. The moratorium will allow the Town to wait a year until the next Annual Town Meeting to come up with a Zoning Bylaw as to where and when it would be appropriate. If the ballot question fails, it will be a moot point and indefinitely postponed.

Mr. McCarthy thought this was a good idea. When medical marijuana was legalized, there was first a temporary moratorium so that analysis could be done to determine the best locations and put a zoning bylaw in place. In this case, it is recreational marijuana, and is actually going to be legal within a week of the election; medical marijuana became legal quite a bit after the election. He said he believed that the Attorney General will approve a moratorium, as it did with medical marijuana. No one in the audience spoke in favor or in opposition to this proposed Zoning Bylaw change.

Mr. Steeves moved to close the public hearing, seconded by Mr. Aldous, and voted unanimously 4-0. Mr. Steeves moved to support Article 18, seconded by Mr. Aldous, voted unanimously 4-0.

Mr. Aldous stated that he felt that the Board could consider Articles 15 and 16 at the same time. Mr. Bethoney agreed.

**ARTICLE 15 Amend Zoning Bylaw by Adding New Use: Brewery, Distillery, or Winery**

**With Tasting Room** (by Planning Board at request of East Dedham Revitalization

Committee)

**ARTICLE 16 Amend Zoning Bylaw by adding a new definition to Section 10 after “Assisted**

**Living Residence” and before “Buffer Zone”**

Mr. Steeves moved to open the Public Hearings on Article 15 and 16, seconded by Mr. Aldous, and voted unanimously 4-0.

Mr. McCarthy said that the Town was approached by a company that manufactures sake, which is an alcoholic drink. A couple of years ago, Castle Island Brewing Co. went before the Town of Norwood, but Norwood’s Zoning Bylaw at that time did not allow the use. The industry has now drawn interest and grown quickly, and discussion has been held to allow a brewery, distillery, or winery with a tasting room. This sake company is not a brewery or winery with a restaurant; it is more of a manufacturing, producer, and distributor with tasting sessions. Article 15 allows a Special Permit in the LMA zoning district, and Article 16 defines what a brewery, distillery, or winery with a tasting room is. Mr. McCarthy obtained definitions from other towns who allowed this in their Zoning Bylaw, and made changes to fit Dedham’s Zoning Bylaws. Article 15 says where it can be put (only LMA zone by Special Permit), and Article 16 says what the use is.

Mr. Aldous asked if it would interfere with M.S. Walker. Mr. McCarthy said it would not. They are in the LMB zoning district; this is the LMA zoning district. It is a completely separate, new use on the use table, and a new definition of a brewery. Nothing is being touched other than the definition of a brewery. Mr. O’Brien said the public should know that each of these do not set a precedent or guarantee that another entity would be approved. Mr. Aldous asked if a liquor license would be necessary. Mr. Steeves said it is for tasting, not imbibing. No one in the audience spoke in favor or in opposition to this proposed Zoning Bylaw change.

**ARTICLE 17 Amend Zoning Bylaw by adding new parking requirement to Section 5.1.4**

**Required Parking Spaces, Table 3, Industrial and Warehouse Uses**

Mr. Steeves moved to open the public hearing, seconded by Mr. Aldous, voted unanimously, 4-0. Article 17 establishes the parking requirement for brewery, distillery, or winery with a tasting room at one space per 1,000 square feet. No one in the audience spoke in favor or in opposition to this proposed Zoning Bylaw change.

Mr. Steeves moved to close the Public Hearing for Articles 15, 16, and 17, seconded by Mr. O’Brien, and voted unanimously 4-0. Mr. Steeves moved to support Articles 15, 16, and 17, seconded by Mr. Aldous, and voted unanimously 4-0. Mr. McCarthy will prepare the recommendations for these articles.

Respectfully submitted,

Robert D. Aldous, Clerk

/snw