

Planning Board

John R. Bethoney, Chair
Ralph I. Steeves, Vice Chair
Robert D. Aldous, Clerk
James E. O'Brien IV
Michael A. Podolski, Esq.

TOWN OF DEDHAM
COMMONWEALTH OF MASSACHUSETTS



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**PLANNING BOARD
MINUTES**

Thursday, March 26, 2018, 7 p.m., Selectmen's Chambers

Present: John R. Bethoney, Chair
Robert D. Aldous, Clerk
James E. O'Brien IV
Michael A. Podolski, Esq.
Mark Bobrowski, Esq., Consultant
John Sisson, Economic Development Director
Susan Webster, Administrative Assistant

Not Present: Ralph Steeves

Call to order 7:15 p.m. The Pledge of Allegiance was recited. Plans, documents, studies, etc., referred to are incorporated as part of the public records and are on file in the Planning and Zoning office. Mr. Steeves was not present for this meeting.

**DELIBERATIONS
ZONING ARTICLES
MAY 15, 2018, TOWN MEETING**

The recording for the deliberations could not be heard due to malfunction. The minutes are taken from Mrs. Webster's notes.

ARTICLE 20

Mr. Podolski moved to open this continuation of the Public Hearing held on March 26, 2018. Mr. Aldous seconded the motion. The vote was unanimous at 4-0.

Mr. Zahka said he spoke with Mr. Bobrowski this weekend about the language in this article. The article originally stated that there should be a landscaped strip of at least 15 feet along the front, rear, and side lot lines of an Age Restricted Housing Development. It has been changed to 20 feet. Mr. Aldous commented that consideration should be given to a buffer of 25 feet. Mr. Bobrowski said that the requirement of an Age Restricted Housing Development being within 500 feet of a shopping center should be removed. Mr. Zahka said that if the Planning

Board wants to do that, it would have to be done at a subsequent Town Meeting. It cannot be done at this Town Meeting.

Mr. Bobrowski said that the language on age restriction is not clear since it could mean all persons must be 55 or older. Federal and state law allows such developments to qualify with one person being 55 or older in 80% of the units. He said this needs to be made very clear. Mr. Zahka said this was fine with him. It will be incorporated into the Special Permit and the lease agreement.

Mr. O'Brien asked for clarification. He has a daughter with Down Syndrome, and may live with Mr. O'Brien and his wife for the rest of his life. He asked if she would be eligible to live with them in an Age Restricted Housing Development if they moved there, even if she was not 55 years old. Mr. Zahka said she would not. He spoke with the Dedham Housing Authority, and there is provision for people with disabilities moving in, as they cannot discriminate based on age. In this case, he is not clear what the answer is, but will find out. Mr. Bethoney asked about the scenario in which grandparents living in an Age Restricted Housing Development are awarded custody of a grandchild, and what would happen. Mr. Zahka said that they would eventually have to move out. He will look into this as well, but did not think they would be allowed to stay. The law could change, however.

Mr. Podolski moved to close the Public Hearing, seconded by Mr. O'Brien. The vote was unanimous at 4-0. Mr. Podolski moved to support Article 20 at Town Meeting as amended by Mr. Bobrowski, seconded by Mr. O'Brien. The vote was unanimous at 4-0. Mr. Bethoney advised Mr. Zahka to be prepared to defend this article at Town Meeting.

ARTICLE 21

Mr. Podolski moved to support Article 21 at Town Meeting as amended by Mr. Bobrowski, seconded by Mr. O'Brien. The vote was unanimous at 4-0.

ARTICLE 22

This article was proposed by John Sisson, Economic Development Director. Mr. Bethoney said that he discussed this article with him. Mr. Sisson thanked the Board for giving him material to review after the Public Hearing on March 26, 2018. He agreed that this article would benefit from more discussion, and he would like to do that. He requested that the Planning Board vote to indefinitely postpone the article. Mr. O'Brien moved to indefinitely postpone the article, seconded by Mr. Podolski. The vote was unanimous at 4-0. A report will be sent to Nancy Baker, Assistant Town Manager, with these results.

Old/New Business: Nothing.

Mr. Podolski moved to adjourn, seconded by Mr. Aldous. The vote was unanimous at 4-0. The meeting ended at 9:30 p.m.

Respectfully submitted,

Robert D. Aldous, Clerk

/snw