

**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 Dedham High School Auditorium, 140 Whiting Avenue, for the 2024 Fall Annual Town Meeting in said town on the third Monday in November (it being the eighteenth day of said month) AD 2024, at 7:00 o'clock in the evening then and there to act on the following articles, namely:**

**ARTICLE ONE:** *By the Select Board:* 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 listed below, the funding for which is included in the appropriate departmental budgets under Article Three of the May 20, 2024 Spring Annual Town Meeting (FY'25 budget):

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 and Warrant Committee for study and report.***

**ARTICLE TWO:** *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 May 20, 2024 Spring Annual Town Meeting (FY'25 budget) or any other article thereof, or take any other action relative thereto. ***Referred to Finance and Warrant Committee for study and report.***

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

**ARTICLE FOUR:** *By 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 fiscal years, or take any other action relative thereto. ***Referred to Finance and Warrant Committee for study and report.***

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

**ARTICLE SIX:** *By the School Committee.* To see if the Town will vote to raise and appropriate, borrow or transfer from available funds, an amount of money not to exceed \$105,786,284 to be expended under the direction of the Dedham School Building Rehabilitation Committee to construct, furnish and equip a new elementary school at the current location of the Oakdale Elementary School, 147 Cedar Street, Dedham, at Cedar Street and Madison Street, including the cost of demolition of the existing building and all other incidental and related costs, which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"); the Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) 47.21 percent ( 47.21%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA, or take any other action relative thereto. ***Referred to Finance and Warrant Committee for study and report.***

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

**ARTICLE EIGHT:** To see what sum of money the Town will vote to raise and appropriate, transfer from available funds, or borrow, to pay additional costs of the town hall construction project resulting from a final judgment entered against the Town in litigation with respect to certain costs of the project, including all costs incidental or related thereto; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto. ***Referred to Finance and Warrant Committee for study and report.***

**ARTICLE NINE:** *By Precinct Five Town Meeting Representative James Maher.* To see if the Town will vote to amend the Town of Dedham General By-laws by deleting Section 199-13 in its entirety and inserting in its place the following:

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

- A. The hours in which any park, playground, reservation, or other Town property (“Property”) shall be open and closed shall be established from time to time by the custodian of the Property.
- B. Trespass upon any Property while closed under the provisions of subsection A shall be subject to a fine of \$100.00 per violation and otherwise enforced in accordance with Section 1-6.

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

**ARTICLE TEN:** *By the Town Manager.* To see if the Town will vote to amend the General Bylaws, Chapter 271 (Wetlands Protection), by inserting the text shown below in **bold** and deleting the text shown in ~~strikethrough~~:

Chapter 271 Wetlands Protection

- § 271-1. Purpose.
- § 271-2. Definitions.
- § 271-3. Jurisdiction.
- § 271-4. Exceptions.
- § 271-5. Application for permits and requests for determination.
- § 271-6. Notice and hearings.
- § 271-7. Coordination with other boards.
- § 271-8. Permits, determinations and conditions.
- § 271-9. Regulations
- § 271-10. Security.
- § 271-11. Enforcement.
- § 271-12. Burden of proof.
- § 271-13. Appeals.
- § 271-14. Relation to the wetlands protection act.
- § 271-15. Severability.
- § 271-16. Filing fee schedule for permits for work within the resource areas or one-hundred-foot buffer zone to any resource area protected by this by-law

[HISTORY: Adopted by the Town Meeting of the Town of Dedham as Ch. 28 of the 1996 By-laws; amended 11-18-2013STM by Art. 16. Subsequent amendments noted where applicable.]

## GENERAL REFERENCES

Stormwater management — See Ch. 246.

### § 271-1. Purpose.

A. The purpose of the by-law is to protect the wetlands, related water resources and adjoining land areas in the Town of Dedham by controlling activities deemed by the Conservation Commission likely to have a significant or cumulative effect upon wetland values, including but not limited to the following: public or private water supply, groundwater, flood control, erosion and sedimentation control, storm damage prevention, water pollution prevention, fisheries, shellfish, wildlife habitat, recreation, aesthetics, agriculture and aquaculture values (collectively, "the resource area values protected by this by-law").

B. Nothing in this by-law is intended to replace the requirements of the Dedham Floodplain Zoning By-law. Any activity subject to the provisions of both by-laws must comply with the specifications of each.

### § 271-2. Definitions.

A. The following definitions shall apply in the interpretation and implementation of this by-law.

ALTER — Includes, without limitation, the following activities when undertaken to upon, within or affecting resource areas protected by the by-law:

- (1) Removal, excavation or dredging of soil, sand, gravel, or aggregate materials of any kind;
- (2) Changing of preexisting drainage characteristics, flushing characteristic sedimentation patterns, flow patterns, or flood retention characteristics;
- (3) Drainage or other disturbance of water level or water table;
- (4) Dumping, discharging or filling with any material which may degrade water quality;
- (5) Placing of fill, or removal of material, which would alter elevation;
- (6) Driving of piles, erection or repair of buildings, or structures of any kind;
- (7) Placing of obstructions or objects in the water;
- (8) Destruction or alteration of plant life, including cutting of trees;
- (9) Changing water temperature, depth, flow rate, biochemical oxygen demand, or other physical or chemical characteristics of water;
- (10) Any activities, changes or work which may cause or tend to contribute to pollution of any body of water or groundwater;
- (11) Application of pesticides or herbicides.
- (12) Destruction or alteration of wildlife habitat.

(13) Any work within 200 feet of any river as defined in the Massachusetts Rivers Act of 1996, as may be amended from time to time.

COMMISSION — The Dedham Conservation Commission.

PERSON — Includes any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the Commonwealth or political subdivision thereof to the extent subject to Town by-laws, administrative agency, public or quasi-public corporation or body, the Town of Dedham, and any other legal entity, its legal representatives, agents or assigns.

B. All other definitions as set forth in G.L. c.131, § 40 and ~~Massachusetts Regulation 310-CMR or~~ **310 CMR 10.00 et seq.** as amended from time to time ~~issued by the Department of Environmental Protection~~ are hereby made part of this by-law.

§ 271-3. Jurisdiction.

A. Except as permitted by the Conservation Commission or as provided in this by-law, no person shall remove, fill, dredge, or otherwise alter the following resource areas: any freshwater wetland **including but not limited to bordering vegetated wetlands and isolated wetlands**; marshes; wet meadows; bogs; swamps; **any** vernal pool, **including vernal pools not certified by the MassWildlife Natural Heritage & Endangered Species Programs**; banks; reservoirs; lakes; ponds; streams; creeks; beaches; lands under waterbodies; ~~lands subject to flooding or inundation by groundwater or surface water (collectively the "resource areas protected by this by-law" listed in this section);~~ lands within 100 feet of any **all** of the aforesaid resource areas ("**buffer zone**"); **lands subject to flooding or inundation by groundwater or surface water**; and areas within 200 feet of any **perennial rivers or streams ("Riverfront Area") (collectively the "resource areas protected by this by-law")** ~~waterbody which meets the definition of a "river" under the Massachusetts Wetlands Protection Act, G.L. c.131, § 40, Para. 14.~~ Said resource areas need not border surface waters in order to qualify for protection.

B. No person shall dump material of any type within any resource area protected by this by-law, any public right-of-way or upon any publicly owned land. The Conservation Commission shall have the authority to enforce the cleanup of any such illegal dumping.

§ 271-4. Exceptions.

A. The permit and application required by this by-law shall not be required for maintaining, repairing, or replacing, but not substantially changing or enlarging, an existing and lawfully located structure or facility used in the service of the public to provide electric, gas, **sewer**, water, telephone, telegram or other communication services provided that written notice has been given to the Commission prior to the commencement of work. This exception shall not apply to the application of herbicides. The permit and application required by this by-law shall not be required for work performed for normal maintenance or improvement of land in agricultural use or in aquacultural use, ~~provided that written notice has been given to the Commission prior to the commencement of work.~~

B. The permit and application of this by-law shall not apply to emergency projects necessary for the protection of the health or safety of the public, provided that the work is to be performed by or has been ordered to be performed by an agency of the Commonwealth or a political subdivision thereof, provided that advance notice, oral or written, has been given to the Commission prior to the commencement of work or within 24 hours after commencement, provided that the following conditions are met:

- (1) The Conservation Commission or its agent certifies the work as an emergency project.
- (2) The work is performed only for the time and place certified by the Conservation Commission for the limited purposes necessary to abate the emergency.
- (3) Within 21 days of commencement of an emergency project a permit application shall be filed for review as provided by this by-law.
- (4) Upon failure to meet these and other requirements of the Commission, the Commission may, after notice and a public **meeting hearing**, revoke or modify an emergency project approval and order restoration and mitigation measures.

C. ~~Other than~~ **Except where otherwise** stated in this section, the ~~exceptions-minor activity exemptions~~ provided in the ~~under the~~ Wetlands Protection Act (**G.L. c. 131, § 40**) and the regulations promulgated pursuant thereto (**310 CMR 10.00 et seq.**) shall ~~not~~ apply **to the wetland resource areas protected** under this by-law.

§ 271-5. Application for permits and requests for determination.

A. Written applications shall be filed with the Commission to perform activities regulated by this by-law affecting the resource areas protected by this by-law. The application shall include such information and plans as are deemed necessary by the Commission to describe proposed activities and their effects on the resource areas protected by this by-law. No activities shall commence without receiving and complying with a permit issued pursuant to this by-law.

B. Activities which require a Notice of Intent under this by-law but not under G.L. c.131, § 40 or as it may be amended from time to time may use the abbreviated Notice of Intent at the discretion of the Commission.

C. The Commission may accept as the application and plans under this by-law the Notice of Intent and plans filed under the Wetlands Protection Act, G.L. c.131, § 40 ~~as it may be amended from time to time~~ and **310 CMR 10.000, et seq., as amended**.

D. Any person desiring to know whether ~~or not~~ a proposed activity ~~of~~ **within** an area **subject to protection** is subject to the by-law, may in writing request a determination from the Commission. Such a request for determination shall contain data and plans specified by the regulations of the Commission. In the absence of regulations, the same notice, plans, and specifications required to be filed by an applicant under G.L. c.131, § 40, or as it may be amended from time to time, will be accepted as fulfilling the filing requirements of this by-law.

E. At the time of an application or request, the applicant shall pay a filing fee **as** specified in the ~~appended schedule located in § 271-16 of this by-law~~ **Commission's rules and regulations**. This fee is in addition to that required by the Wetlands

Protection Act, G.L. Ch. 131, Sec. 40, or as it may be amended from time to time. **Fees are payable by check to the Town of Dedham at the time of request or filing and are not refundable.** The Commission may waive the filing fee and costs and expenses for an application or request filed by a government agency or when the Commission determines that a project serves an overwhelming public purpose.

§ 271-6. Notice and hearings.

A. Any person filing an application or a request for determination with the Commission shall ~~at the same time~~ give written notice thereof, by certified mail (**return receipt request**), **certificates of mailing**, or hand delivery to all abutters ~~according to the most recent records of the Assessors, including those across a traveled way or a body of water~~ **at their mailing addresses shown on the most recent applicable tax list of the assessors, including owners of land directly opposite any public or private street or way, and including abutters to the abutters within 300 feet of the site of the project or wetland, including any in another municipality or across a body of water.** The notice to abutters shall enclose a copy of the application or request, with plans, or shall state where copies may be examined and obtained by abutters free of charge. When a person requesting a determination is other than the owner, the request, the notice of the hearing and the determination itself shall be sent ~~by the Commission~~ to the owner as well as the person making the request. **An affidavit of the person providing such notice, with a copy of the notice mailed or delivered, shall be filed with the Commission. Notices shall be provided to abutters in accordance with G.L. c. 131, § 40, 310 CMR 10.00, et. seq., and any regulations promulgated by the Commission hereunder.**

B. The Commission shall ~~conduct~~ **hold** a public hearing ~~meeting~~ on any application or request for determination **of applicability**, with written notice given at the expense of the applicant, ~~Said notice shall be published~~ **by publishing said notice** at least five **business** days prior to the ~~meeting hearing~~ **meeting** in a newspaper of general circulation in **the Town of Dedham. The Commission shall issue a determination of applicability within 21 days of the receipt of a complete application, unless the applicant agrees to an extension of that deadline.**

~~C. The Commission shall commence the public hearing within 21 days from receipt of a completed application or request for determination.~~

~~D. The Commission shall issue its permit or determination within 21 days of the close of the public hearing.~~

**C. The Commission shall commence the public hearing within 21 days from the receipt of a completed Notice of Intent or Abbreviated Notice of Resource Area Delineation, unless the applicant agrees to an extension of the aforesaid public hearing commencement deadline in writing. The public hearing held under the Bylaw may be continued in the same manner and conditions as under the Wetlands Protection Act and Regulations.**

~~E~~D. The Commission in its discretion may combine its hearing under this by-law with any hearing required to be conducted under the Wetlands Protection Act, G.L. c.131, § 40, or as amended from time to time.

~~F. The Commission shall have authority to continue the hearing to a date certain announced at the hearing, for reasons stated at the hearing, which may include receipt of additional information offered by the applicant or others, information and plans required of the applicant, deemed necessary by the Commission in its discretion, or comments and recommendations of boards and officials listed in § 271-7 of this by-law. In the event the applicant objects to a continuance or postponement, the hearing shall be closed and the Commission shall take action on such information as is available.~~

**E. The Commission shall issue its Order of Conditions, Order of Resource Area Delineation, or its Determination of Applicability in writing within the time frame specified in G.L. c. 131, § 40, and 310 CMR 10.00, et seq., unless an extension is authorized in writing by the applicant.**

§ 271-7. Coordination with other boards. [Amended 11-17-2014 ATM by Art. 18]

Any person filing a permit application or a request for determination with the ~~e~~Commission shall ~~at the same time provide a copy thereof, by certified mail or hand delivery, to the Town Manager's Office, Board of Selectmen, Planning Board and other local departments and boards as deemed necessary by the Commission. The applicant shall have the burden of satisfying the Commission that copies were mailed or delivered~~ **provide a copy thereof by certified mail, electronic mail, or hand delivery to other boards, local departments, or town officials who may have jurisdiction over the proposed work.** The Commission shall not take final action until such boards and officials have had ~~14 days from receipt of~~ **at least 10 days** notice to file written comments and recommendations with the Commission, which the Commission shall take into account but which shall not be binding on the Commission. The applicant shall have the right receive any such comments and recommendations, and to respond to them at a hearing of the Commission prior to final action.

§ 271-8. Permits, determinations and conditions.

A. If the Commission after a public hearing determines that the activities which are the subject of the application are likely to have ~~an adverse or cumulative effect upon the resource areas~~ **a significant individual or cumulative adverse effect on the resource area values** protected by this by-law, the Commission, within 21 days of the close of the **public** hearing, shall issue or deny a permit for the activities requested.

**B. If a permit is issued** ~~it issues a permit~~, the Commission shall impose conditions which the Commission deems necessary or desirable to protect those values, and all activities shall be carried out in accordance with those conditions.

**C. Upon the issuance of a permit**, ~~If it issues a permit (or (Order of Conditions), the Commission~~ **applicant** shall record it in the Registry of Deeds of ~~or the Land Court~~ **Registry District**, and no work shall be undertaken until ~~reimbursement of any costs is received by the Commission~~ **written proof is submitted to the Commission that the permit was recorded.**

~~DB.~~ The Commission is empowered to deny a permit for failure to meet the requirements of this by-law; for failure to submit necessary information or plans requested by the Commission; for failure to avoid or prevent unacceptable **significant individual or cumulative adverse effects upon the wetland values** ~~adverse or~~



~~cumulative effects~~ upon the wetland values protected by this by-law; or where conditions are not adequate to protect those values, or if in the Commission's judgment such denial is necessary to preserve the environmental quality of the areas subject to this by-law.

**E. In reviewing activities within the buffer zone, the Commission shall presume the buffer zone is important to the protection of other resource areas because activities undertaken in proximity have a high likelihood of adverse impact, either immediately, as a consequence of disturbance, or over time, as a consequence of daily operation or existence of the activities. These adverse impacts from construction and use can include, without limitation, erosion, siltation, loss of groundwater recharge, poor water quality, and loss of wildlife habitat. The Commission may establish, in its regulations, design specifications, performance standards, and other measures and safeguards, including setbacks, no-disturb areas, no-build areas, and other work limits for protection of such lands, including without limitation strips of continuous, undisturbed vegetative cover, unless the applicant convinces the Commission that the area or part of it may be disturbed without harm to the values protected by the bylaw.**

~~FG.~~ A permit shall expire three years from the date of issuance. Notwithstanding the above, the Commission in its discretion may issue a permit expiring five years from the date of issuance for recurring or maintenance work, provided that annual notification of time and location of work is given to the Commission. Any permit may be ~~renewed~~ **extended at the Commission's discretion for additional one to three year periods as deemed necessary** ~~once for an additional one-year period~~, provided that a request for renewal is received in writing by the Commission at least 30 days prior to expiration.

~~GD.~~ The Commission is also empowered to revoke a permit which it has issued for failure to perform the permitted work in accordance with any conditions set forth by the Commission in the issued permit or for violations of the Wetlands Protection Act, Massachusetts General Law, Chapter 131, Section 40, or as amended from time to time, this by-law, or any other Local, State or Federal law or regulation. The Commission shall hold a public hearing for the purpose of revoking a permit. Such a public hearing will be advertised at least five working days prior to the hearing in a newspaper of general circulation in Dedham **at the permit-holder's expense.**

~~HE.~~ The Commission in an appropriate case may combine the permit or other action on an application issued under this by-law with the Order of Conditions issued under the Wetlands Protection Act.

#### § 271-9. Regulations.

**A.** After public notice and public hearing, the Commission may promulgate rules and regulations to effectuate the purposes of this by-law. Failure by the Commission to promulgate such rules and regulations or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this by-law.

**B.** At a minimum, these regulations shall reiterate the terms defined in this bylaw, define additional terms not inconsistent with the bylaw, and impose filing and consultant fees. The regulations may also include specific limitations on

**development within the buffer zone to any resource area protected hereunder, including but not limited to imposition of a No-Disturb Zone within the buffer zone.**

§ 271-10. Security.

As part of a permit issued under this by-law, in addition to any security required by another municipal or state board, agency or official, the Commission may require that the performance and observance of the conditions imposed hereunder be secured wholly or in part by a proper bond or deposit of money or negotiable securities or the undertaking of financial responsibility sufficient in the opinion of the Commission, to be released in whole or in part upon issuance of a certificate of Compliance for work performed pursuant to the permit.

§ 271-11. Enforcement.

A. The Commission, its agents, officers, and employees shall have the authority to **request permission to** enter upon privately owned land for the purpose of performing their duties under this by-law and may make or cause to be made such examinations, surveys or sampling as the Commission deems necessary.

B. The Commission shall have the authority to enforce this by-law, its regulations and permits issued thereunder by violation notices, ~~administrative enforcement~~ orders, ~~in accordance with § 1-6 of these By-laws,~~ and/or civil and criminal court actions.

C. Upon request of the Commission, the Town Manager, ~~and Select Board~~ **Board of Selectmen and the Town Counsel may authorize Town Counsel to** ~~shall~~ take legal action for the enforcement under civil law. Upon request of the Commission the Chief of Police ~~shall~~ **may** take legal action for enforcement under criminal law. [Amended 11-17-2014 ATM by Art. 18]

D. Municipal boards and officers, including any police officer or other officer having police powers, shall have authority to assist the Commission in enforcement.

**E. Whoever violates any provision of this bylaw, regulations hereunder, or permits issued hereunder, may be punished by a fine of \$300 per day per offense. Each day or portion thereof during which a violation continues shall constitute a separate offense, and each provision of the bylaw, regulations, or permit violated shall constitute a separate offense.**

**F. As an alternative to criminal prosecution in a specific case, the Commission may issue citations with specific penalties pursuant to the non-criminal disposition procedure set forth in G.L. Ch. 40 § 21D, which has been adopted by the Town under Section 1-6 of the General By-Laws.**

**G. The following schedule of fines shall apply to violations enforced pursuant to non-criminal disposition procedures of G.L. c. 40, § 21D:**

<b>First violation:</b>	<b>Warning</b>
<b>Second violation:</b>	<b>\$100.00</b>
<b>Third violation:</b>	<b>\$200.00</b>

**Fourth and subsequent violations: \$300.00**

§ 271-12. Burden of proof.

The applicant for a permit shall have the burden of proving by a preponderance of the credible evidence that the work proposed in the application will not have unacceptable adverse or cumulative effect on the resource areas protected by this by-law. Failure to provide adequate evidence to the Commission supporting this burden shall be sufficient cause for the Commission to deny a permit or grant a permit with conditions.

§ 271-13. Appeals.

A decision of the Commission shall be reviewable in the Superior Court in an action filed within 60 days thereof, in accordance with G.L. c.249, § 4.

§ 271-14. Relation to the ~~w~~Wetlands ~~p~~Protection ~~a~~Act.

This by-law is adopted under the Home Rule Amendment of the Massachusetts Constitution and Home Rule statutes, independent of the Wetland Protection Act, G.L. c.131, § 40, or as it may be amended from time to time, and regulations thereunder.

§ 271-15. Severability.

The invalidity of any section or provision of this by-law shall not invalidate any other section or provision thereof, nor shall it invalidate any permit or determination which previously has been issued.

§ 271-16. Filing fee schedule for permits for work within the resource areas or one-hundred-foot buffer zone to any resource area protected by this by-law.

**The Commission's authority to promulgate Regulations pursuant to Section 271-9 of this by-law shall include the authority to promulgate a filing fee schedule for permits for work within the resource areas or one-hundred-foot buffer zone to resource areas protected by this by-law.**

~~A. Rules:~~

- ~~(1) Permit fees are payable at the time of application and are non-refundable.~~
- ~~(2) Permit fees shall be calculated by this Commission per schedule below.~~
- ~~(3) Town, County, State and Federal projects are exempt from fees.~~
- ~~(4) Failure to comply with the law after official notification shall result in fees twice those normally assessed.~~

~~B. Fees.~~

- ~~(1) Minor project (house additions, tennis court, swimming pool utility work, etc. associated with existing single family dwelling): \$100 + \$1/square feet of resource area disturbed.~~
- ~~(2) Single family dwelling, new construction: \$250 + \$1/square feet of resource area disturbed, 0.02/square feet land subject to flooding or 100 feet buffer zone or 200 feet riverfront area disturbed.~~
- ~~(3) Subdivisions (road and utilities only): \$250 + \$2/feet of roadway sideline within a~~

~~resource area protected by this by-law and within 100 feet of any resource area protected by this by-law or 200 feet of a river as defined under the Massachusetts Rivers act.~~

~~(4) Multifamily Dwellings, Commercial and industrial projects: \$500 + \$1/square feet of resource area disturbed, 0.02/square feet land subject to flooding or 100 feet buffer zone or 200 feet riverfront area disturbed.~~

~~(5) Permit extensions. No Permit Extensions shall be permitted for Wetland Delineations~~

~~(a) Single family dwelling or minor project: \$50 per year (maximum three years).~~

~~(b) Other: \$100 per year (maximum three years).~~

~~(6) Request for determinations of applicability: \$50~~

~~(7) Wetland delineation and delineation review: \$0.50 per linear foot of resource area delineated, to a maximum of \$100 per existing single family dwelling.~~

~~(8) Control of nuisance vegetation, including aquatic vegetation: \$100 per acre of resource area proposed to be treated, including total water resource area and associated buffer zone. Minimum fee of \$150.~~

~~C. NOTE: These fees are in addition to the local portion of the state fee for Notices of Intent and Requests for Determination of applicability charged under G.L. c.131, § 40 and as it may be amended from time to time.~~

~~D. The above fee schedule may be reduced by the Conservation Commission. Any such change shall be made at a posted public hearing of the Commission not less than 30 days prior to the date upon which the change is to be effective, and copies thereof shall be posted in a conspicuous location in the office of the Conservation Commission and with other lists of fees available in the office of the Town Clerk.~~

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

**ARTICLE ELEVEN:** *By Library Trustee Brian Keaney.* To see if the Town will vote to amend the General Bylaws, Chapter 85 (Town Meetings) by deleting the text shown in strikethrough:

§85-29 Collective bargaining agreements to be included in report of Finance and Warrant Committee

The Town Meeting shall not vote upon any action to implement a collective bargaining agreement which has not been included in the report of the Finance and Warrant Committee in accordance with the requirements of § [85-6](#) of this chapter, unless at least 14 days prior to the vote all Town Meeting Members have been otherwise furnished a copy of the agreement and of the recommendation of the Finance and Warrant Committee or of any Town officer, board, department or committee responsible therefor as to action by the Town Meeting. ~~This provision may be waived in any instance by a vote of at least 2/3 of the Town Meeting Members present and voting.~~ Or take any other

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

**ARTICLE TWELVE:** *By Library Trustee Brian Keaney.* To see if the Town will vote to amend the General Bylaws, Chapter 85 (Town Meetings) by deleting §85-29 in its entirety:

§85-29 Collective bargaining agreements to be included in report of Finance and Warrant Committee

~~The Town Meeting shall not vote upon any action to implement a collective bargaining agreement which has not been included in the report of the Finance and Warrant Committee in accordance with the requirements of § **85-6** of this chapter, unless at least 14 days prior to the vote all Town Meeting Members have been otherwise furnished a copy of the agreement and of the recommendation of the Finance and Warrant Committee or of any Town officer, board, department or committee responsible therefor as to action by the Town Meeting. This provision may be waived in any instance by a vote of at least 2/3 of the Town Meeting Members present and voting. Or take any other action relative thereto. ***Referred to Bylaw Review Committee and Finance and Warrant Committee for study and report.***~~

**ARTICLE THIRTEEN:** *By Town Meeting Representatives Drew Pepoli (Precinct 7) and Andrew Czazasty (Precinct 7).* To see if the Town will vote to authorize the Selectboard to petition the Massachusetts General Court to amend Section 6-6 of the Town Charter, by deleting the language shown in strikethrough and inserting the words in bold:

SECTION 6-6 Removals and Suspensions

**(a)** Any appointed town officer, member of a multiple member body **not appointed by the town moderator**, or employee of the town, not subject to the civil service laws, a collective bargaining agreement or contract to the contrary, and whether appointed for a fixed or indefinite term, shall be subject to suspension, termination or removal by the appointing authority for cause in accordance with a procedure set forth in the town's personnel by-laws, if any, or otherwise as the appointing authority, with the approval of the town manager, determines to be in the best interests of the town.

Nothing in this section shall be construed as granting a right to such a hearing when a person who has been appointed for a fixed term is not reappointed when the original term expires.

**(b)** Any member of a multiple member body **appointed by the town moderator, and whether appointed for a fixed or indefinite term, shall be subject to removal in accordance with either procedure set forth below:**

**1.** **By the town moderator for cause in accordance with a procedure set forth in the town's personnel by-laws, if any, or otherwise as the town**

moderator, with the approval of the town manager, determines to be in the best interests of the town.

**2. By the Select Board for cause pursuant to a process initiated by a resident or official of the Town of Dedham, as follows:**

**i. A written complaint shall be submitted to the town clerk by any registered voter or town official;**

**ii. The complaint must specify the name of the appointee whose removal is sought, the multiple-member body on which they serve, and the reason for seeking removal;**

**iii. The complaint must be signed by a minimum of 200 registered voters, with no fewer than 20 signatures from each precinct of the town, and identify a "lead complainant" for purposes of this section 6-6(b)(2).**

**iv. Upon filing of the complaint by the lead complainant, the town clerk shall review and certify the signatures of registered voters. If the complaint has been signed by the requisite number of registered voters, the town clerk shall forward the complaint to the Select Board.**

**v. Upon receipt of the complaint from the town clerk, the Select Board shall provide the person whose removal is sought with the opportunity for a hearing, to be held within 30 days. The appointed member in question shall be notified in writing at least 15 days before the hearing date. Provided, however, that if the person whose removal is sought resigns before the date of the hearing, the hearing shall not proceed.**

**vi. The hearing, conducted by the select board, will include opportunities for the lead complainant and the appointee to present evidence and sworn testimony.**

**vii. Following the hearing, and before it makes a decision, the Select Board shall consider the evidence presented and determine whether that evidence demonstrates one or more of the following criteria, which shall constitute "cause" for purposes of this Section 6-6(b)(2): 1) misconduct or unethical behavior, 2) incompetence or neglect of duty, 3) failure to attend meetings regularly, 4) violation of town by-laws or policies, or 5) conviction of a felony.**

**viii. The Select Board shall issue a written decision within 10 days of the hearing and the decision will be communicated to the appointed member, the complainant, and the town clerk. If the individual is removed, the decision will specify the effective date of removal which shall not be more than 30 days from the issuance of the written decision.**

Provided, however that the General Court may make clerical or editorial changes of form only to the bill, unless the Selectboard approves amendments to the bill before enactment by the General Court, and that the selectboard is authorized to approve amendments which shall be within the scope of the general public objectives of the petition; or take any other action relative thereto. ***Referred to Finance and Warrant Committee for study and report.***

**ARTICLE FOURTEEN:** *By the Town Manager at the request of the Director of Engineering.* To see if the Town will vote to transfer from the School Committee for school purposes to the Select Board for the purpose of permanently maintaining a public sidewalk and related improvements thereon consistent with continued use for school access purposes, the care, custody, management and control of that portion of the Avery Elementary School property at 140 Whiting Avenue depicted as "Parcel E-1" on the plan entitled: "Massachusetts Department of Transportation Highway Division Plan and Profile of Improvements at Avery Elementary School in the Town of Dedham Norfolk County Preliminary Right of Way Plans," dated 8/19/2024, as that plan may be amended, or take any other action relative thereto. ***Referred to Finance and Warrant Committee for study and report.***

**ARTICLE FIFTEEN:** *By the Select Board.* To see if the Town will vote to accept the alteration of the layout of Pine Street, a public town way in the Town, in the manner ordered by the Select Board and placed on file with the Town Clerk as required by law; and further to authorize the Select Board to dispose of any interests the Town may hold in land removed from the layout of Pine Street by this alteration or at any time in the past, all upon such terms and conditions and for such consideration as the Select Board deems appropriate, or take any other action relative thereto. ***Referred to Finance and Warrant Committee for study and report.***

**Given under our hands and seal of the Town of Dedham this 27th day of September AD 2024.**

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Dennis J. Teehan, Jr., Chair

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Erin Boles Welsh, Vice Chair

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James A. MacDonald

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Dimitria Sullivan  
**SELECT BOARD**

A true copy, attest:

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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.

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

Dated at Dedham, Massachusetts, the 27th day of September, AD 2024