

**Town of Needham
Select Board
Special Meeting
Minutes for Monday, March 6, 2023
Select Board's Chamber
and
Via ZOOM**

5:30 p.m.

Call to Order:

A special meeting of the Select Board was convened by Chair Marianne Cooley. Those present were Marcus Nelson, Kevin Keane, Heidi Frail, and Matthew Borrelli. Kate Fitzpatrick, Town Manager, Dave Davison, ATM/Finance, Katie King, ATM/Operations, and Myles Tucker, Support Services Manager were also in attendance. Mary Hunt, Recording Secretary recorded the meeting by Zoom.

Ms. Cooley commented that while tonight's meeting is not a public hearing, a number of residents are in attendance. She noted the Development Agreement for the Castle Farm/484 Charles River Street Project - Foster Property Development Agreement is a requirement of the Purchase and Sale Agreement and has been being worked on for quite some time. She said Christopher Heep, Town Counsel, has reviewed a letter dated February 28, 2023, from attorney Dan Hill, noting the letter does not raise any concerns which merit renegotiation of terms of the deal, nor suggest a need to delay Select Board approval of the Agreement. Ms. Cooley noted an anonymous letter sent to Town Meeting Members this past weekend and that the Town asked Attorney Hill whether he could disclose his clients. She said no response has been received, and that attorney Hill has been engaged with a goal of attempting to delay, change, or stop the development. She reiterated the Town is working on the development because it enables Needham to purchase 33 acres + of conservation, passive recreation land, which was overwhelmingly approved and requested by Town Meeting. Ms. Cooley noted minor language tweaks related to the buffer, but other than that it is the Agreement that people saw last week. She noted broad terms of the deal conveyed last September 2022, brought to Town Meeting in October 2022, and included in the Development Agreement in December 2022 are the same, and sets out what the Town is trying to accomplish.

Ms. Cooley asked for comments from the Select Board.

Ms. Frail reiterated she believes the deal, negotiated by and on behalf of the Town, is wonderful. She commented she understands the bit of opposition to the deal but hopes to reassure people that the deal is "solid." She said she looks forward to seeing the project through to fruition.

Ms. Cooley said more work needs to be done, but the process is one from which the Select Board and the Town will benefit, in terms of being able to access the land.

Mr. Borrelli reiterated this is the culmination of over a year and a half and a kickoff to the Zoning Board of Appeals, and a lifetime opportunity for the Town to purchase the land. He said it will be very special, noting many concerns will be brought to and addressed by the ZBA during the process.

Mr. Keane commented overall it is a good deal, but that he is sympathetic to arguments that the Town could “get stuck with the short end of the stick” on severability and other issues.

Mr. Nelson concurred, noting the ZBA process and the due diligence in making sure people who have questions will be heard. He stated moving forward with the property is positive and that the ZBA will make the best decisions possible with input from residents.

Ms. Cooley reiterated she believes the project is wonderful for Needham and the Conservation Commission sees it as a legacy it can leave for the Town.

Motion by Mr. Borrelli that the Select Board authorize the Town Manager to execute the Development Agreement and Purchase and Sale Agreement with Northland Residential Corporation.

Second: Ms. Frail. Unanimously approved 5-0.

Ms. Cooley referred to the Property Line Agreement deferred from the Select Board meeting on Tuesday, February 28, 2023. She noted the Agreement is necessary because during the survey of the ANR lots, the boundaries were not able to be found in the field, noting the lines essentially needed to be recreated for the purposes of conveying the property in a formal way. She stated the boundary lines being discussed are between the ANR lots and existing Town owned land.

Ms. Fitzpatrick confirmed the Engineering Division and Conservation Commission both approved the lot lines.

Motion by Mr. Borrelli that the Select Board authorize the Town Manager to execute the Agreement with the Charles H.W. Foster 2000 Trust for the purposes of confirming as a matter of record the property lines separating the Town property located at 0 Charles River Street containing 29.7 acres and the two 3 acres lots on Charles Rivers Street owned by the Charles H.W Foster 2000 Trust.

Second: Mr. Keane. Unanimously approved 5-0.

5:42 p.m.

Adjourn:

Motion by Mr. Borrelli that the Select Board vote to adjourn the Select Board’s special meeting of Monday, March, 6, 2023.

Second: Mr. Nelson. Unanimously approved 5-0.

A list of all documents used at this special Select Board meeting is available at:

<http://www.needhamma.gov/Archive.aspx?AMID=99&Type=&ADID=>