

**Town of Needham  
Board of Selectmen  
Minutes for February 2, 2013  
Broadmeadow School Performance Center**

8:00 a.m. Call to Order:

A meeting of the Board of Selectmen was convened by Vice Chairman Daniel P. Matthews. Those present were John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, Town Manager Kate Fitzpatrick, Town Counsel David Tobin, Support Services Manager Sandy Cincotta, and Recording Secretary Mary Hunt. Gerald A. Wasserman was not present.

Mr. Matthews outlined the Package Alcohol License Framework and said the process is to make sure that all applicants and residents have a fair say before any final decisions are made granting licenses. Mr. Matthews said no vote on licenses will be made today. Mr. Matthews commented one application is directly across the street from a synagogue, and that for religious reasons the application will be held open for testimony until 6 p.m., February 5, 2013. He said however, testimony from the president of the temple will be accepted today at 1 p.m. Mr. Matthews said deliberation on all testimony will be limited to the Board of Selectmen, but the meeting will be open to the public and held at Town Hall. He said a general discussion by the Board will then move to a motion and vote phase regarding individual applications to either approve, deny, or take other action. Mr. Matthews said a vote will require three affirmative votes to approve a license. He commented there are a maximum of 6 licenses that the Board may issue, but that it is considering reserving some licenses for a future time.

Mr. Matthews called the first applicant.

8:20 a.m. Needham Wine & Spirits, LLC., 1257 Highland Avenue

Roy A. Cramer, Attorney, Jack A. Recco, applicant, and Michael F. O'Connell, applicant appeared before the Board to discuss an application for a new All Alcoholic Beverage License. Mr. Cramer highlighted the experience of Mr. Recco and Mr. O'Connell and said they currently own and operate Upper Falls Discount Liquors, 150 Needham Street, Newton, Post Road Liquors, 44 Boston Post Road, Wayland, and Auburndale Wine & Spirits, 2102 Commonwealth Avenue, Newton. Mr. Cramer said the proposed location at 1257 Highland Avenue has ample off street parking, is close to the railroad, furthest from the street, and is a relatively unobtrusive site. He commented there would be an exterior store sign, but no signs in the windows. Mr. Cramer said Upper Falls Discount Liquors has been in operation since 1979, Post Road Liquors since 1975, and Auburndale Wine & Spirits since 1995 and is indicative of many years experience and success. He commented the proposed location for Needham Wine & Spirits will attract other retailers to the under utilized shopping plaza. Mr. Cramer said all employees at the existing stores are "TIPS" certified, and the Needham staff will be as well. He said the store will use an advanced ID

detection system for checking ID's. Mr. Cramer pointed out only one incident of a suspension as the result of service to an underage person occurred in 2008 at Post Road Liquors in Wayland.

Mr. O'Connell told the Board of the 2008 incident at the Wayland store. He said in accordance with the store's "zero tolerance policy" with respect to sales to underage individuals, the employee was immediately terminated. He noted the measures currently in place and said he "can't do enough" to deter the sale of alcohol to minors.

Mr. Cramer mentioned Mr. Recco and Mr. O'Connell both grew up in Needham and are graduates of Needham High School, and understand the culture and issues of the Town. Mr. Cramer noted letters of support and a petition signed by over 300 Needham residents.

Mr. Matthews asked for comments from the Board.

Mr. Borrelli asked for clarification on store traffic and employee parking.

Mr. Matthews commented on the proximity to Memorial Park and asked what measures the owners would take to ensure customers would not bring alcohol to the Memorial Park, as the law forbids. He asked for the proposed hours of operation.

Mr. Matthews invited public comment.

Paul Robey, 38 Brookline Street and Phil Robey, 12 Fletcher Road have known the applicants many years. They spoke of the quality of the business and said it is clean and friendly. They said the owners are involved with customers and Town organizations, and are experts on wine and craft beer. They commented bringing Needham Wine & Spirits would be a wonderful addition to Needham.

Paula Callanan, 1699 Great Plain Avenue said she has been longtime friends and can't imagine having a liquor business in Needham that wouldn't involve Mr. Recco or Mr. O'Connell. She said they are "Needham guys" who understand the Town. She supports the application.

Jeff Page, 272 Charles River Street has been longtime friends and supports the application. He said the character of the owners and the business is exceptional.

Jeanne McKnight, 210 May Street stated that although she serves on the Planning Board, her comments are her own. She said she had patronized Upper Falls Discount Liquors and Post Road Liquors, and has no complaint with the establishments. She commented they are knowledgeable and helpful. Ms. McKnight asked the Selectmen be sensitive about the proximity of liquor stores to residential areas. She requested the Selectmen impose conditions on each license

regarding deliveries and trash pickup. Ms. McKnight noted price competition among other businesses should be considered.

Andrew Drayer, 80 Arch Street said Mr. Recco and Mr. O'Connell have a fiercely loyal following and many people would be upset if they were not awarded a license. He said he has known the applicants many years and that they treat everyone with kindness.

Paul Good, 30 Walnut Street said the applicants are great supporters of Town organizations. He commented they are flexible, supportive, and responsible business owners, and would be a great addition to Needham.

Artie Crocker, 17 Fairlawn Street supports the previous comments and the concern about price competition. He asked about imposing conditions in a license stipulating no signs in the windows.

Gene Major, 687 Highland Avenue commented on the Needham Blanchard's Wine & Spirits application. Mr. Major gave the Selectmen a parking site plan, recorded at the Registry of Deeds, showing 3 parking spaces being used by 687 Highland Avenue for 35 years. He is concerned about reconfiguration of the site.

Mr. Matthews asked for comments from the Board.

Mr. Borrelli asked for clarification on the sale of tobacco, delivery times, and signage.

Mr. Cramer summarized that Mr. Recco and Mr. O'Connell have experience and knowledge, and that having Needham Wines & Spirits in Town would be an asset to the community.

Mr. Matthews called the second applicant.

9:10 a.m.

Needham Center Wines & Spirits, 1013 Great Plain Avenue

Emmanuel V. Meimaris, Attorney, Chris Lianos, President, Lianos Liquors Inc., and Rebecca Rethore, Director of Business Development appeared before the Board to discuss an application for a new All Alcoholic Beverages License. Mr. Meimaris highlighted Mr. Lianos's liquor experience beginning in 1995. Mr. Meimaris said Mr. Lianos is responsible and knowledgeable about boutique fine wines, specialty spirits, craft beer, and gourmet foods. He said allowing Mr. Lianos to expand to Needham would be in the best interest of the Town as it would contribute to Needham's economic viability. Mr. Meimaris noted there is ample parking at the rear of the proposed site, which would also allow for discrete deliveries. Mr. Meimaris said numerous letters of recommendation have been submitted.

Mr. Lianos said he currently owns Ball Square Fine Wines in Somerville, MA since 1995. Mr. Lianos told the Board of his knowledge and experience in the liquor business. He commented the majority of his success has to do with hard work, listening to customers, and being a hands-on owner. He said his business model is a good fit for Needham.

Rebecca Rethore stated she is on the wine buying team for Ball Square Fine Wines. She said Mr. Lianos is approachable and his staff is top notch in its expertise and professionalism. Ms. Rethore said Ball Square Fine Wines is the kind of operation that is the “poster child” of excellence.

Mr. Matthews asked for comments from the Board.

Mr. Bulian asked Mr. Lianos how he would safeguard underage customers from entering the rear of the store. He asked for details of the ID system used in Somerville and what system would be used in Needham.

Mr. Borrelli said he visited Ball Square Fine Wines and was impressed by the layout and signage. He asked Mr. Lianos to comment on the possibility of someone accessing the cooler near the rear entrance and leaving the store. Mr. Borrelli asked about delivery times, number of customers, and competition.

Mr. Matthews commented it is a tough location with regard to traffic and parking.

Mr. Matthews invited public comment.

Gareth Charter, 542 High Rock Street said he reviewed all of the applications on line and feels this is the best location in Town. He commented he likes small businesses with a village feel, where he can park and walk to multiple shops. He said he hates seeing vacant storefronts in the center of Town.

Jeanne McKnight, 210 May Street reminded the Board of the Town’s vision for mixed use properties. She reiterated her comments regarding delivery times and dumpster pick up, and that it applies to areas even if presently there are no residents who may be bothered by noises. She said the worst problem for residents near business areas is the early morning dumpster pick up. She said she hopes the Board of Selectmen will have control over this particular issue, even if it means a different arrangement between tenant and landlord.

Randy Deck, 45 Bennington Street supports Vinodivino receiving a liquor license due to the high quality of product and their dedication to customer service.

Artie Crocker, 17 Fairlawn Street is not in favor of a fully licensed liquor store in downtown Needham. He said he envisions a unique wine and craft beer shop.

Todd Ellerin, 401 High Rock Street supports Gordon's Fine Wine & Liquors. He said he is surrounded by liquor stores closer than Gordon's, but finds he keeps going to Gordon's Fine Wine & Liquors in Waltham because he feels they are a cut above the competition. He said education, service, professionalism, and competitive pricing are key.

Lynn Clancy, 24 Oakhurst Circle supports Vinodivino receiving a liquor license. She said the look of the Newton store is something she would like to see in Needham. She commented customer service and pricing is always good.

Mr. Matthews asked for comments from the Board.

Mr. Handel concurred Ms. McKnight is correct concerning the impact on residents regarding deliveries and dumpster pick up. He stated there will be Planning Board jurisdiction on the matter and the opportunity to address those issues, as well as through the licensing process.

Mr. Borrelli asked Mr. Lianos whether the Ball Square Fine Wines store model is the same model that will be used at the Needham location. He asked Mr. Lianos how he would divide his time between shops in Somerville and Needham.

Mr. Meimaris reiterated Needham Center Wine & Spirits will be good neighbors and members of the community, and are amenable to any restrictions regarding deliveries as they do not want to disrupt the public in any way. He commented allowing Ball Square Liquors to expand into Needham will enhance the Town.

Mr. Matthews called the third applicant.

9:40 a.m. Craft Liquors of Needham, Inc., 922-932 Great Plain Avenue  
Trish Farnsworth, Attorney, Ed Spivak, President, Craft Liquors of Needham, Inc. and Richard Weitzen, Attorney appeared before the Board to discuss an application for a new All Alcoholic Beverages License.

Mr. Spivak highlighted his work experience and concept for his business. He said Craft Liquors will not sell tobacco, lottery tickets, or nips, but rather will concentrate on boutique style liquors with an emphasis on craft beer, unique wines, and small batch spirits. He also stated he is considering the sale of cheese and specialty foods. He commented on street and rear parking, and said deliveries will be made at the rear entrance and will not disrupt traffic on Great Plain Avenue. He said the storefront will be fully renovated and no neon signs or advertising will appear in the windows. He said his store will attract people to other businesses in the area. Mr. Spivak commented he is TIPS and ServeSafe certified, all employees will be over age 21, and Massachusetts approved ID scanners will be used. Mr. Spivak said Craft Liquors will integrate with other businesses and be an anchor location in Town.

Richard Weitzen, Attorney, resident, Town Meeting member, and former Park and Recreation Commissioner, said Mr. Spivak will bring a stellar store to a location that has been vacant too long. He commented on parking and delivery, and said the high end boutique concept Mr. Spivak is planning will make Needham great.

Mr. Matthews asked for comments from the Board.

Mr. Handel asked about Mr. Spivak's experience in the liquor industry.

Mr. Matthews asked about the premises, layout, parking, and the proposed hours of operation.

Mr. Borrelli asked about the team of consultants and employees.

Mr. Matthews invited public comment.

Kate Adamson, 100 Thornton Road supports the Craft Liquor application and feels this plan is the most through. She noted the importance of Mr. Spivak focusing on one business.

Resident, supports the Craft Liquor application. He commented on the design and Needham having a great wine and cheese store. He said Mr. Spivak brings marketing, expertise, and design to the table.

Paul Gardner, 14 Mann Avenue, Chairman, Executive Board, Christian Science Church stated his concern for parking and the possibility patrons may use the church parking lot.

Jeanne McKnight, 210 May Street said it would be great to have a store with gourmet foods in the downtown. She noted the tight parking and urged the Board of Selectmen to review the parking situation with the Planning Director. Mr. Matthews asked Ms. McKnight whether development plans of the Theatre Block will have an impact on the 6 parking spaces or add to the parking burden. Ms. McKnight was unsure if the 6 parking spaces were for other commercial uses on Great Plain Avenue or exclusively for a single tenant. She noted the Theatre Block condominium complex development scheduled to start in the Spring 2013, and whether residents will be using the parking spaces in the evening.

Joe Nevin, architect for the applicant, commented on the vision and entrepreneurial spirit of Mr. Spivak. He said the concept is the most complete.

Ken Mackin, MMM Property LLC., landlord, spoke about the history of the building. He said there are 9 total parking spaces, 6 dedicated to Craft Liquors. He said the property has a dedicated loading zone allowing for deliveries off

Dedham Avenue, and will have a shared use dumpster for commercial tenants and a separate dumpster for the residential complex to be built on Dedham Avenue.

Mr. Spivak said he understands parking is an issue and will make sure customers do not park in the church parking lot. He said the Needham community is very important to him and that he will go above and beyond to make sure customers get what they want and need.

A 5 minute recess was taken.

Mr. Matthews called the fourth applicant.

10:25 a.m.

Needham Blanchard's Inc., 679 Highland Avenue

Andrew Upton, Attorney and Christine Elder, applicant appeared before the Board to discuss an application for a new All Alcoholic Beverages License. Mr. Upton highlighted the work experience of Ms. Elder, owner of Blanchard's, Jamaica Plain, and manager of Blanchard's in West Roxbury and Revere. He noted Ms. Elder does not have any alcohol violations, running 3 stores for over 13 years. He submitted 3 letters of support.

Ms. Elder highlighted her work experience, joining the family business in 2000. She commented she will be the manager of Needham Blanchard's Inc., and will be involved in all aspects of the business and build out of the proposed site. She said her staff travels the world to find the best wine, beer, and spirits for the customer, with the goal of providing value, variety, and quality. She said all employees are TIPS certified and sign an extensive employee policy guideline, indicative of a "zero tolerance policy". Ms. Elder said a "mystery shopping" service is utilized to monitor age verification services. Ms. Elder said Needham Blanchard's will participate in community events and has been awarded "Best Business" by Main Streets Boston, and "Best Wine and Spirit Shop" from various news outlets. Ms. Elder showed photos of the proposed site and described the intended design. She said Blanchard's will focus on selling wine, artisanal ales, specialty spirits, breads, and cheeses. Ms. Elder said the store will not sell nips or half-pints, and kegs will be by special order.

Mr. Upton reviewed specifics of the site including size, parking, landscaping, delivery and traffic flow.

Mr. Matthews asked for comments from the Board.

Mr. Bulian asked about the I.D. policy.

Mr. Borrelli asked about the traffic impact on Putnam Street and noted the street is a private drive. He asked if any abutters have been contacted about the proposal. Mr. Borrelli asked about traffic volume and peak times.

Mr. Matthews said a formal notice of opposition has been received from Temple Beth Shalom, which is directly across the street from the proposed site. He noted time has been reserved at 1 p.m. for members of the temple to testify and that the hearing will remain open until 6 p.m., Tuesday, February 5, 2013 for those unable to attend today's hearing due to religious reasons. Mr. Matthews noted the concern of the congregation that locating a package store across the street from the temple will be detrimental to their religious, spiritual, and educational activities. Mr. Upton noted Blanchard's reached out to the temple making a presentation, and answered follow up questions with the temple board chairman and their counsel. Mr. Matthews said emails from congregants expressing opposition have also been received. Mr. Matthews said he is concerned the proposed site is extremely challenged due to traffic, particularly during commuter hours.

Mr. Matthews invited public comment.

Jodine Kuhlman, 298 Webster Street said parking and traffic is a big concern as she works in the building next to the proposed site. She said traffic congestion could be a problem for school children going down Webster Street. She is concerned about the number of licenses being considered and asked the Board proceed with great caution.

Barry Greene, Attorney, 687 Highland Avenue is concerned with parking, traffic, and deliveries. He concurred a new building on the site could improve the area. He asked to see more detail to understand the impact to his property.

Sylvia Lewinstein, 105 High Street supports a license for Vinodivino. She said she likes the smaller, boutique wine stores for Needham.

Diana Traylor, 31 Bennington Street supports Vinodivino because of the proximity to her home. She prefers a small wine shop.

Don Cohen, 40 Damon Road supports Vinodivino because he feels it is a small boutique shop providing great wines.

Jeanne McKnight, 210 May Street said having Blanchard's would bring price competition to Needham. She noted it is a difficult traffic site, and noted the expansion of the nursing home at the corner of Gould Street and Highland Avenue. She said a new building will require a special permit.

Theodore Jick, 7 Russell Road supports Vinodivino because they will not sell significant amounts of spirits, but will sell mostly wine. He said Vinodivino will be an asset to the community.

Jennifer Kratochwill, 1016 Webster Street supports Vinodivino and feels it fits in with Trader Joe's and CVS in the plaza.



Dennis McNamara, 24 Oakhurst Circle supports Vinodivino and feels it would be an asset to the community.

Stephanie Kaufman, 16 Manson Road supports Vinodivino as it will have a positive impact on the community. She said the product is high quality.

Michael Kratochwill, 1016 Webster Street supports Vinodivino as the shop will fill a storefront that has been empty for a long time and it will be an asset to the community.

Kevin Riccardelli, 1063 Reservoir Street supports Vinodivino saying it will be an asset to the community.

Mr. Matthews asked for comments from the Board.

Mr. Handel commented planning and liquor license issues must be kept separate because any business will have parking and delivery concerns.

Mr. Borrelli asked about delivery and trash removal times.

Mr. Matthews clarified the corporate name, asked the proposed business hours, and the estimated development costs.

Ms. Elder thanked the Board for the opportunity. She reiterated her business experience and said she has worked hard as a woman in a male dominated business to keep customers, neighbors, and abutters happy, and has remained compliant with the licensing authorities.

Mr. Matthews called the fifth applicant.

11:05 a.m.

Volante Farms, Inc., 292 Forest Street

David Volante appeared before the Board to discuss an application for a new license to sell Wine and Malt Beverages. Mr. Volante gave an overview of his family owned and operated business since starting in Newton in 1917 and moving to Needham in 1961. Mr. Volante stated his business was a seasonal farm stand and garden center up until March 2012 when it expanded the farm stand to include a deli, bakery, ice cream, and kitchen. He stated the business is now a year round operation. Mr. Volante said his application is to add approximately 300 ft. of space within the existing floor plan to sell wine and craft beer, focusing on local products. Mr. Volante discussed the floor plan, stated normal business hours will remain unchanged, and no additional signage will be added. He said upgraded 3D scanners will be added and all ID's will be scanned.

Mr. Matthews asked for comments from the Board.

Mr. Bulian asked how will Volante Farms assure high school age employees and inventory are safeguarded.

Mr. Borrelli said the application is unique. He asked about the start up timeframe, delivery, and parking.

Mr. Matthews clarified the full name of the applicant, and asked the proposed hours of operation. He commented on the temporary location within the floor plan and asked Mr. Volante if he would be agreeable to receiving an initial permit for the temporary space followed by another hearing for the permanent space. Mr. Matthews noted emails from residents have been received supporting the application.

Mr. Matthews invited public comment.

Artie Crocker, 17 Fairlawn Street supports the application for Volante Farms.

Toby Seggerman, 864 Webster Street supports Vinodivino as it is a different type of store and would be an asset to the Town. He also stated his support for Volante Farms.

Resident, 24 Mount Vernon Avenue supports the application for Vinodivino and said they have a great selection of quality wine. He likes the boutique feel of the shop.

Jan Flynn, 47 Mellon Street supports the Volante Farm application. She also stated her property abuts the parking lot of Vinodivino. She said community outreach and owner response to neighborhood concerns is why she is supportive of the Vinodivino application.

T.J. Murphy, 20 Dawson Drive supports the Volante Farm and Vindivino license applications.

Mr. Volante made final comments stating he has a proven community track record and that having the ability to sell wine will be an added convenience for residents. He said it is nice to hear the encouraging words from residents. Mr. Volante said connections to farm brewers who can talk about their craft will be educational for residents.

Mr. Matthews called the sixth applicant.

11:40 a.m. Highland Avenue Wine and Spirits, 33 Highland Avenue  
Arthur Pearlman, Attorney, and Marc Idelson, applicant, and Richard Rymsha, applicant appeared before the Board to discuss an application for a new All Alcoholic Beverage License.

Mr. Pearlman introduced Mr. Idelson, saying he is a resident of Needham and a successful businessman. Mr. Pearlman introduced Mr. Rymsha, a resident of Sandwich, and said he has been in the liquor business for over 25 years. Mr. Pearlman explained why the proposed site was selected, saying it is not near the center of Town, there will be no impact on traffic, and deliveries will be made at the rear of the property. He said all employees will be TIPS trained and an ID scanner will be used to validate ID's.

Mr. Matthews asked for comments from the Board.

Mr. Borrelli asked who will be the on-site manager, and whether Mr. Idelson had any previous retail liquor experience. He asked how activities will be monitored with two floors of retail area.

Mr. Matthews noted some people may think this site is on a particularly difficult stretch of Highland Avenue.

Mr. Matthews invited public comment.

Jeanne McKnight, 210 May Street said this site may attract people from other towns to shop in the area adding to the economic viability of Needham.

Mr. Pearlman made final comments saying this is a viable site that does not interfere with any residential area or create more traffic already in downtown Needham. He suggested this business would have a positive impact on the Town.

A 30 minute lunch recess was taken.

Mr. Matthews called the seventh applicant.

12:30 p.m.

Gordon's Fine Wine and Liquors, 855 Highland Avenue

George Guinta, Jr., Attorney, David Gordon, Applicant, and Richard Gordon, Applicant appeared before the Board to discuss an application for a new All Alcoholic Beverages license.

Mr. Guinta said he is excited to represent Gordon's as he is an existing customer of Gordon's Liquors in Waltham. He commented they have a great selection of wine and craft beer, good service, knowledgeable staff, many educational programs, and great prices.

Richard Gordon said his family has been in business for four generations and he is proud of the family values in the business and within the community. He said since 1934 Gordon's has had a remarkable reputation.

David Gordon said the success of the business over the last 79 years is due to service, education, and selection. He commented on the fine wine culinary center,

the selection of fine wines, and the growing craft beer choices at the Waltham location. He said 350 customers from the Needham area currently travel to Waltham on a monthly basis to purchase wines and liquors. Mr. Gordon said all employees are TIPS certified, high tech advanced ID scanners are used, and Gordon's has a policy of carding anyone under 40 years of age. He indicated the business has no violations on its record. Mr. Gordon said they are an active member of the community contributing to various organizations, and received the "Best of Boston" and "Retailer of the Year" awards. Mr. Gordon showed photos of what the Gordon's store in Needham would look like. Mr. Gordon indicated the proposed site will have 20 parking spaces, close to the commuter line, will not abut any residential areas, and deliveries will occur in the morning. He said education and low prices will set Gordon's apart from the competition.

Mr. Matthews asked for comments from the Board.

Mr. Borrelli asked about parking and deliveries.

Mr. Matthews commented the proposed site is within 500 ft. of a church and said a letter was received from Revered Shaw, Carter Memorial United Methodist Church objecting under the provisions of the statute. He also clarified the name of the business and proposed hours of operation.

Mr. Guinta noted that while the church is within 500 ft. of the proposed site, it is just within the limit and while the church may be concerned with underage drinking, Gordon's is committed to prohibiting underage drinking.

Mr. Bulian asked whether Gordon's has spoken with church leadership.

Mr. Matthews invited public comment.

Dave Carmisciano, 15 Dawson Drive supports the application for Gordon's Fine Wines & Liquors. He said Gordon's provides a wonderful experience for their customer and will bring a sense of community to Needham.

Jeanne McKnight, 210 May Street indicated she has no affiliation with the church, but understands its opposition. She asked whether lottery tickets and tobacco will be sold.

Artie Crocker, 17 Fairlawn Street said if applicants are going to make statements regarding no signage in the windows, he feels it should be part of the alcohol license.

Mr. Guinta made final comments stating Gordon's has been in business for over 75 years and has a commitment to service, education, selection, pricing, and responsible sales. He noted the business has no violations and would be a great asset to the Town of Needham.

1:00 p.m. Mr. Matthews invited members of Temple Beth Shalom to speak.

Paul Alpert, Attorney, 116 Pine Street, Michael Bailit, President, Temple Beth Shalom, Ed Zaval, Executive Vice President, Temple Beth Shalom appeared before the Board to discuss the application of Needham Blanchard's, Inc., for an All Alcoholic Beverages License.

Mr. Alpert explained TBS is a congregation of more than 700 families. He spoke about the weekly religious education classes, adult programs, and religious services. He said the busiest times for the temple are also the busiest times for a liquor store. He commented having a liquor store directly across the street from the temple is contrary to the spiritual mission and goals. He noted the statute is specifically designed to protect houses of worship. He said the temple did not receive a statutory notice that Bickford's received a liquor license, and said the temple would have contested it had it been aware of it.

Mr. Zaval, 120 Windsor Road commented he appreciates the Board's consideration of the TBS argument. He asked the Board consider the spiritual activities of the temple when making its decision.

Mr. Bailit, 33 Perry Drive thanked the Board for its thoughtful and deliberate process.

Mr. Matthews called the eighth applicant.

1:10 p.m. Vinodivino 3, LLC., 922 Highland Avenue  
Raphael Keller-Go, applicant and owner of Vinodivino, and Stephen J. Buchbinder, Attorney appeared before the Board to discuss an application for a new All Alcohol Beverages License.

Mr. Keller-Go said Vinodivino is a specialty wine boutique with a proven track record. He said the first store opened in Newton in 2004 and in Brookline in 2010. Mr. Keller-Go provided photographs of the exterior and interior of the existing stores, as well as design illustrations for the proposed Needham wine boutique. He said the store concept is to be small, so only 250 wines are carried in each store, compared with over 1,000 in most other stores. He commented most wines in his stores are priced less than \$20, making them ideal for everyday enjoyment. Mr. Keller-Go said his reputation has been built on service to his customers and wine education. Mr. Keller-Go said the proposed store in the Trader Joe's plaza would be extraordinarily convenient for Needhamites. He said, as with his other stores, the Needham store will have 1,000 sq. ft. of retail space, and the long vacant storefront would be occupied again. Mr. Keller-Go told the Board that on January 14, 2013 Vinodivino reached out to neighbors and abutters at the Needham Village Club to present them with the plans and to listen to their concerns. He said many issues were successfully addressed including

parking, traffic, deliveries, refuse disposal, signage, and safety of minors. He commented all employees are TIPS certified and professionally trained to prevent sales to minors. He noted Vinodivino has no violations. Mr. Keller-Go discussed community involvement.

Mr. Matthews asked for comments from the Board.

Mr. Handel asked if Vindivino plans to use the Highland Avenue entrance.

Mr. Borrelli asked how many parking spaces will be used by employees, and the impact on the Urgent Care Center.

Mr. Matthews is concerned with the proposed small size of the store and the scope of the business. He commented on the application for an All Alcoholic Beverage License saying businesses evolve and needs change. He is concerned that while the allocated space is ideal for the described business, the large footprint of the building is part of the license. Mr. Matthews asked Mr. Keller-Go if he would be concerned if the ability to expand were limited. Mr. Keller-Go said it would be of no concern.

Mr. Matthews invited public comment.

Mark Fisher, 52 Richard Road supports the application for Vinodivino. He said this business will be an asset to Needham if approved.

Jeanne McKnight, 210 May Street said if this application is approved an amendment to the special permit that applies to the entire plaza will be required. She said she was impressed knowing the applicant reached out to the neighbors. Ms. McKnight said the Board must be explicit that violations under special permits are also a violation to the license. She commented it is incumbent on the Board to be very careful about the terms for dumpsters, signage, and deliveries.

Heather O'Neil, 44 Beddington Street said she was impressed by the Brookline store. She supports the application.

Richard Kramer, 38 Richard Road supports the application and feels it will fit in with what people want in Needham. He said staff at the Newton store is knowledgeable, personable, and helpful.

Jim Scannell, 60 High Street is concerned with heavy trucks passing his house, and said large trucks in the parking lot make it impossible to park. He said he is unsure how Vinodivino will help the neighborhood. Mr. Matthews asked Mr. Scannell to send a letter to the Town Manager stating his concerns.

Chris Lhulier, 1147 Great Plain Avenue supports the Vinodivino application. He said the store would be a good fit for the personality of Needham.

Artie Crocker, 17 Fairlawn Street commented the plaza “is a victim of its own success” and is a difficult situation. He said he has nothing against Vindivino, but suggested other sites in Town may have more parking space.

Gil Brodsky, 19 Russell Road is a regular customer at Vindivino in Newton. He commented he would prefer to park in the Heights and shop at the various stores in the plaza.

Dave DiCicco, 24 Mellen Street said there are no parking spaces left in the parking lot for any business. He commented if the business does not do well there is nothing to stop them from selling domestic beer under a full liquor license. He said there are no loading docks for trucks. He is opposed to the Vinodivino application due to limited parking and proximity to his neighborhood. Mr. DiCicco said he is in favor of the application for Volante Farms. He said the Volante family has been fantastic for Needham, very supportive of youth activities, and have invested in their business.

Scott Barker, 13 West Street shares his concern about traffic and deliveries, but feels Vinodivino would add to the community. He supports the application.

Mr. Buchbinder made final comments and said limiting the retail portion of the business to 1,000 sq. ft. and limiting the type of product sold to wine and beer are not a problem. He commented on the parking issue of the plaza and suggested Vinodivino will have less traffic than other retail businesses. He said delivery trucks are smaller.

Mr. Keller-Go limited his comments saying Vinodivino is a specialty wine boutique with a proven track record.

Mr. Matthews called the ninth applicant.

1:45 p.m.

Panella’s Market and Deli, 50 Central Avenue

Jeffrey Panella, applicant and Trish Panella, applicant appeared before the Board to discuss an application for a new All Alcoholic Beverages License. Mr. Panella gave an overview of his education and work experience. He said Panella’s market was established in 1922. He commented Panella’s Market and Deli will reopen in the spring, and having the ability to sell beer and wine would complement the business. He said parking is not a problem, the location is away from the center of Town, and there will be no traffic issues. Mr. Panella said staff will be well trained, TIPS certified, and scanner technology will be used.

Mr. Matthews asked for comments from the Board.

Mr. Borrelli asked whether the store will open even if a liquor license is not granted. He asked about Mr. Panella's retail alcohol experience and about his relationship with the two other applicants.

Mr. Matthews noted the Panella store has been closed for a few years, and asked Mr. Panella why he feels he can make it work now.

Mr. Matthews invited public comment.

Jeanne McKnight, 210 May Street said the establishment is in a neighborhood business district where grocery stores are allowed, but general retail is not allowed. She said the sale of alcohol in a grocery store as an accessory may be allowed, but encouraged the Board to consider the limitations of the area. She made a general comment applying to many applicants, saying deliveries in the early morning can be noisy and that Trader Joe's committed to purchasing equipment that would make deliveries quieter. She encouraged the Board to consider it a requirement for all applicants doing business in a sensitive site.

Mr. Matthews noted the application indicated an All Alcoholic Beverages License, but confirmed the application is for beer and wine only.

Mr. Panella made final comments stating the market is a family owned business and be an asset in the Town of Needham.

Mr. Matthews called the tenth applicant.

1:55 p.m.

Bin Ends, 65 Crawford Street

Robert Smart, Attorney and John C. Hafferty, applicant appeared before the Board to discuss a new All Alcoholic Beverages License. Mr. Smart noted Mr. Hafferty is the owner of Bin Ends in Braintree and has many customers from Needham. Mr. Smart said the proposed location is the best facility for unloading and parking, and there are no traffic issues or sensitive locations nearby. He said the area is virtually unknown to many Needham residents, and will put the area "on the map" as the storefront will face Route 128.

Mr. Hafferty said Bin Ends is a unique, award winning, fine wine, craft beer, and artisan retailer based in the Commonwealth. He commented he is a resident of Braintree and gave an overview of his education and experience. He said Bin Ends opened its first location in Braintree in May 2008. He said the store is the first of its kind in New England and is a destination operation specializing in off-price specialty fine wine, craft beer, and artisan spirits. He stated Bin Ends does not sell lottery tickets, tobacco products, nips, pints, or kegs. Mr. Hafferty said all employees are TIPS certified and remain vigilant at all times to uphold the laws and regulations in respect of the sale and consumption of alcoholic beverages. He said state of the art scanners are used to verify ID's. He said Bin Ends has never been cited for a violation of the ABCC regulations and does not offer residential



delivery. Mr. Hafferty discussed the environment of the Bin Ends store, the selection of the proposed site, its business model, handicapped access, and access of delivery trucks. Mr. Hafferty noted the proposed regular business hours, and said additional hours are added during holiday season. He said the Bin Ends philosophy is to be actively engaged and socially responsible within the community, and recognizes its responsibility to its stakeholders, customers, shareholders, suppliers, and the local community.

Mr. Matthews asked for comments from the Board.

Mr. Borrelli asked about the number of parking spaces and expected demand at the proposed location. Mr. Borrelli asked for clarification on company shareholders.

Mr. Matthews asked for a letter clarifying John C. Hafferty as manager of record on the application. He also asked for clarification in writing on the proposed hours of operation, including extended holiday hours. Mr. Matthews asked how long would it take, if the application is approved, to be up and running.

Mr. Matthews invited public comment.

Jeanne McKnight, 210 May Street said price competition is good for consumers so this type of business is intriguing. She is concerned about signage visible from Route 128 and the image of the new Needham Crossing interchange.

Jim Scannell, 60 High Street is a customer of Bin Ends and has never been disappointed. He is looking forward to a Bin Ends location in Needham.

Judy Ravetch, 107 Gould Street said Gould Street is a heavily travelled street and is concerned with police speed traps and increased traffic. She noted many children are in the area, and wondered if this was the type of store voters wanted in Needham. She shared her concern about signage and increase traffic for a business serving residents from many other towns.

Lee Dinghy, 211 Melrose Avenue, Braintree said as a former Selectman in Braintree he can appreciate the process Needham is going through. He said it is important to select the right businesses. He supports Bin Ends and stated the business has never been a problem for Braintree. He commented Mr. Hafferty is very involved and well respected in the community. He said Bin Ends offers a niche market with a very professional staff. He commented Bin Ends won't take away from the other businesses, but will compete with them.

Artie Crocker, 17 Fairlawn Street commented Needham does not allow billboards.

Mr. Matthews asked for additional comments from the Board.

Mr. Handel asked about traffic flow during a typical weekday and weekend.

Mr. Borrelli asked if Mr. Hafferty expects a similar target market as the Braintree store.

Mr. Hafferty made final comments stating Bin Ends, developed by Innovative Distributing Concepts, and the 65 Crawford Street location meets the main criteria of meeting the common good for the Town of Needham. He said his concept and team is the right fit for the Town. He stressed his business philosophy of commitment to the community and that his team looks forward to becoming an active member and asset to Needham.

Mr. Matthews thanked everyone for attending and participating in the public hearing. He said once the public hearing is closed to evidentiary matters, the record will remain open for written comments until Tuesday, February 5, 2013 at 5:00 p.m. Mr. Matthews said the Board will resume on Tuesday, February 5, 2013 at 6:00 p.m. to take evidence limited to participation with respect to the application for Needham Blanchard's Inc., for people who were unable to attend today's hearing due to religious reasons. Mr. Matthews said the Board will then proceed to discussion and decision regarding the applications. He said the meeting will be open, public, and televised, but not for public participation. He noted decisions will be made by motion and vote regarding individual applications to either approve, deny, or take other action. He said no grant of license can be adopted without 3 affirmative votes in favor of the application. Mr. Matthews thanked the Town staff, applicants, cable TV, and members of the public for their participation.

2:25 p.m. Mr. Matthews closed the public hearing.

A list of all documents used at this Board of Selectmen meeting are available at:

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