

**Town of Needham
Board of Selectmen
Minutes for March 18, 2014
Selectmen's Chamber
Needham Town Hall**

6:45 p.m. Informal Meeting with Citizens:
Thomas Crimlisk, 4 Memorial Circle spoke with the Board about his concern for a broken sidewalk on Highland Avenue near the High School. He also asked if the Town could take care of trees encroaching on his property.

7:00 p.m. Call to Order:
A meeting of the Board of Selectmen was convened by Chairman Daniel P. Matthews. Those present were John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, Marianne B. Cooley, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. Appointments and Consent Agenda:
Motion by Mr. Bulian that the Board of Selectmen vote to approve the Appointments and Consent Agenda as presented.

APPOINTMENTS

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| 1. Traffic Management Advisory Committee | Stephen Delisi (term expires 6/30/2015) |
| 2. Council of Economic Advisors | Richard Putprush (term expires 6/30/2016) |

CONSENT AGENDA

1. **Approve 2014 Mobile Food Truck license for Blue Ribbon Barbecue, Inc. Catering. All required forms have been completed and are on file.**

7:00 p.m. Public Hearing - Electronic Billboards:
Mr. Matthews stated the Board of Selectmen will hold a public hearing regarding a proposed amendment to the Town's by-laws that would allow electronic billboards to be erected along property that abuts the Needham stretch of Route 128/Route 95. He said there is an article on the May Annual Town Meeting warrant to amend the Town's by-law for inclusion of electronic billboards in Section 5.2 of the sign by-law. Mr. Matthews said both favorable and unfavorable comments have been received from residents, as well as an email from the Needham Business Association supporting the proposed by-law change. He noted the record will remain open for two weeks to receive written comment from other boards and committees.

Roy Cramer, Attorney and Andrew Goldberg, Logan Communications appeared before the Board to discuss the proposed amendment. Mr. Cramer said the State authorized electronic billboards last year when it put final regulations in place. He said electronic billboards are safe, efficient, and will have a positive impact on Needham, including increased revenue and the ability for public service announcements. He noted the proposed by-law amendment has been written

narrowly and restrictively, explaining billboards are allowed only in commercial zoning districts along the Route 128 corridor. Mr. Cramer explained the features and advantages of using an electronic billboard. He said electronic billboards are not a distraction to drivers and have height, spacing, and location limitations. Mr. Cramer noted the MBTA is exempt from local control, and while it has no plans to erect a billboard at this time, the Town would have no authority regarding potential revenue or public service announcements. A map and photos were shown indicating potential areas where billboards could be located along Route 128. Mr. Cramer said the Council of Economic Advisors and the Needham Business Association have voted in favor of the amending the sign by-law. He stated the Planning Board, Design Review Board, and the Finance Committee will discuss the issue at their next meeting.

Mr. Matthews invited public comment.

Claire Fusaro, 57 Brookline Street said she was surprised to see the public hearing notice and said the greenway entrance into Needham along Route 128 is beautiful and makes a nice statement about the Town. She commented she remembers the effort by Lady Bird Johnson to beautify America by removing billboards along highways across the country. She said billboards are a bad idea for the neighborhoods that abut Route 128. Ms. Fusaro asked if there was a limit to the number of potential billboards. She asked why is the Town is rushing to include the item at May 2014 Town Meeting, and feels the issue could be vetted more. Ms. Fusaro said she is not convinced the MBTA would site a billboard in Needham and said the Town could counter a proposal. She asked the Board of Selectmen consider withdrawing the Article before Town Meeting.

Larry Cohen, 77 Warren Street agreed with the comments made by Ms. Fusaro. He said the efforts by Lady Bird Johnson continue in the organization called "Scenic Massachusetts" formed several months ago to address concerns of the proliferation of electronic billboards. He noted current litigation in federal court testing State regulations, and said that may be a reason for the Town to slow down and wait for the results of the case. Mr. Cohen asked for a night time rendering of the roadway, and feels electronic billboards will be most problematic at night. He commented the Town may want to consider limiting the hours of operation, transferability of ownership, and imposition of fines for any wrongdoing in connection with the billboard.

Felix Taranto, owner of property where billboard would be located, said he is excited about the advertisement opportunity for shops, restaurants, and small businesses in Needham, as well as for Amber Alerts. He is in favor of electronic billboards.

Adriano Verano, 32 Henderson Street said electronic billboards are a great opportunity for businesses in Needham. He commented he likes that billboards and

signs that are allowed along Route 128, and not in the middle of Town. He noted the potential revenue would also be good for Needham.

Scott Muldoon, 83 Fair Oaks Park said he is unclear of the benefit to Needham and asked about potential revenue. He commented Needham takes pride in its environment moving toward becoming more “green” and said it is an image that makes him proud. Mr. Muldoon said the use electronic billboards are a bad statement for what Needham represents.

Mr. Cramer responded to some of the points made by residents saying even though there is about 6 miles of highway in Needham, only about 1.0 mile is available for using electronic billboards. He said realistically there would not be more than 2 or 3 sites available for electronic billboards. He stated the anticipated annual revenue for the Town is approximately \$50,000, with increases negotiated every 5 years by the Board of Selectmen. He noted the advocacy group “Scenic Massachusetts” and commented that while the group does not like billboards, their opinion is respected. However, the State’s pilot program on billboards was favorable and includes regulations. He noted the Board of Selectmen, as special permit granting authority, will be required to look at each proposed location and deem it appropriate or not.

Mr. Matthews commented on potential sites, and asked what right does the Board of Selectmen have to say, as a matter of esthetics, that a location is good or not?

Mr. Cramer pointed out Section 5.7.3 of the proposed amended by-law includes electronic billboard design criteria.

Ms. Cooley asked for names of towns closest to Needham that have billboards.

Mr. Goldberg said there are 2 billboards in Westboro on Route 9.

Mr. Borrelli commented on the amended by-law preempting the MBTA from erecting a billboard. He asked if the 2 or 3 potential billboard sites include the possibility of the MBTA construction of a billboard. Mr. Borrelli asked about the impact fee agreement associated with the billboard.

Mr. Goldberg said construction of a billboard by Needham cancels the ability of the MBTA to construct a billboard.

Mr. Handel said he has no position yet, but said he is concerned it would be a major step forward for the Town, and whether the billboard is electronic or not should not matter. He said he is concerned with the way the by-law is written as it gives the Board of Selectmen special permitting authority, but feels the kind of special permit required falls under the Design Review Board or Planning Board. He said the Board of Selectmen typically do not make esthetic decisions. He also said a decision should not be made based on the fact the Town will receive revenue, but whether or not there should be a change to the look of Route 128.

Mr. Borrelli said he voted against putting the issue on the Annual Town Meeting warrant, and commented he feels there are too many questions still to be answered.

Mr. Bulian said he has not made a decision yet and wants to hear from the Finance Committee, the Planning Board, and the Design Review Board. He said more feedback is necessary from other Boards and the public.

Mr. Cramer made final comments and thanked the Board of Selectmen for their time.

Mr. Matthews closed the public hearing and said the Board of Selectmen will take the matter under advisement with additional written and formal comments from the Design Review Board and the Planning Board.

8:00 p.m.

Adjourn:

Motion by Mr. Bulian that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of March 18, 2014.

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

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=>