

SELECT BOARD AGENDA

Regular Meeting

6:00 p.m. May 14, 2024



Needham Town Hall

Select Board Chambers & Zoom

Pursuant to Chapter 2 of the Acts of 2023, meetings of public bodies may be conducted virtually provided that adequate access is provided to the public.

To listen and view this virtual meeting on a phone, computer, laptop, or tablet, download the “Zoom Cloud Meeting” app in any app store or at www.zoom.us. At the above date and time, click on “Join a Meeting” and enter the meeting or click the link below to join the webinar:

Link:

<https://us02web.zoom.us/j/82601013229?pwd=OE82V1MxQnJUZHVXZjFNbWJXRFRJoQT09>

Webinar ID: 826 0101 3229

Passcode: 652800

One tap mobile: [+16469313860](tel:+16469313860).,82601013229#,,,*652800#

This is a public meeting of the Needham Select Board. The meeting is open to the public both in person and via Zoom. Residents are invited to provide comment during the public comment period (as set forth below) and for any item explicitly listed as a public hearing. Public comment is not available during other agenda items.

	6:00	Public Comment Period Residents are encouraged to inform the Office of the Town Manager in advance via email (OTM@needhamma.gov), telephone (781) 455-7500 extension 204, or in person by the end of the business day prior to the meeting of their intent to participate in the public comment period. The Chair will first recognize those who have communicated in advance their desire to speak for up to three minutes. If time allows, others wishing to speak will be recognized in an order determined by the Chair for up to three minutes. The Board’s policy on public participation in meetings can be found here .
1.	6:00	Public Works Week Proclamation • Carys Lustig, Director of Public Works • Shane Mark, Assistant Director of Public Works
2.	6:00	Alcohol License Hearing – Shivmegh LLC, d/b/a Needham Center Fine Wines • Viralkumar Patel, Manager of Record • John Schlittler, Chief of Police

3.	6:30	Climate Action Roadmap • Stephen Frail, Climate Action Plan Committee Chair • Gabby Queenan, Sustainability Manager
4.	6:45	Town Manager • Free Cash Update • Town Manager Report
5.	6:55	Board Discussion • Committee Reports

CONSENT AGENDA

1.	Approve the following donation to Needham Youth & Family Services (YFS): • \$6,250 from Needham Community Council towards future community programming
2.	Approve a request from Jessica Rice, Jog Your Memory 5K, Inc., to hold the road event “Jog Your Memory 5K.” The event is scheduled for Sunday, September 15, 2024, at 9:00 am – 11:00 am. The event and route have been approved by the following departments: Fire, Police, and Public Works.

NOTICE OF APPROVED BLOCK PARTIES

Name	Address	Party Location	Date	Time	Rain Date
Jamie Silverberg	55 Rybury Hill Way	55, 61 & 52 Rybury Hill Way	6/1/24	12pm-8pm	6/2/24



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 5/14/2024

Agenda Item	Public Works Week Proclamation
Presenter(s)	Carys Lustig, Director of Public Works Shane Mark, Assistant Director of Public Works

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	Director of Public Works Carys Lustig and Assistant Director of Public Works Shane Mark will discuss Public Works Week activities along with the benefits and services residents see from the work DPW performs.
2.	VOTE REQUIRED BY SELECT BOARD
	Suggested Motion: That the Board vote to approve and sign the 2024 Public Works Week Proclamation.
3.	BACK UP INFORMATION ATTACHED
	1. Public Works Week Proclamation

TOWN OF NEEDHAM

2024 PUBLIC WORKS WEEK PROCLAMATION

WHEREAS, Public Works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life, and well-being of the people of Needham; and

WHEREAS, The quality and effectiveness of these facilities, as well as their planning, design, and construction, are vitally dependent upon the efforts and skills of public works officials; and these infrastructures, facilities, and services could not be provided without the dedicated efforts of public works professionals; and

WHEREAS, It is in the public interest for the citizens, civic leaders, and children in Needham to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and an informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewer, drains, streets and highways, traffic control, public buildings, solid waste disposal, recycling, parks and forestry, and snow removal; and

WHEREAS, The year 2024 marks the 64th annual National Public Works week sponsored by the American Public Works Association and Public Works employees are recognized as first responders who contribute to the health, safety, and comfort of this community, which greatly depends on these facilities and services; and

WHEREAS, The efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the public's attitude towards and understanding of the importance of the work they perform.

NOW, THEREFORE, be it resolved that the Select Board does hereby proclaim the week of May 19th through May 25th as Public Works Week in the Town of Needham and calls upon all citizens and civic organizations to acquaint themselves with the challenges involved in providing public works services and to recognize Public Works employees and the everyday contributions they make as first responders towards our health, safety, comfort, and quality of life.

Dated this fourteenth day of May, 2024

SELECT BOARD



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 5/14/2024

Agenda Item	Alcohol License Hearing – Shivmegh LLC, d/b/a Needham Center Fine Wines
Presenter(s)	Viralkumar Patel, Manager of Record John Schlittler, Chief of Police

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Select Board, as the local licensing authority, will hold a hearing in accordance with the provisions of M.G.L. c. 138 Sections 12, 34, 64, and 67 and Town of Needham Regulations for the Sale of Alcoholic Beverages. The purpose of the hearing will be to consider the modification, suspension, revocation, or cancellation of the Section 15 Package Store All Alcohol license for Shivmegh LLC, d/b/a Needham Center Fine Wines. A representative of the Police Department will be present to provide evidence.	
2.	VOTE REQUIRED BY SELECT BOARD
a. Move that the Select Board _____ <i>[finds OR does not find]</i> sufficient evidence that, on December 6, 2023, Shivmegh LLC, d/b/a Needham Center Fine Wines violated: a. 204 CMR 2.05(2) permitting an illegality on the licensed premises, to wit: Chapter 138, Section 34, sale or delivery of an alcoholic beverage to a person under twenty-one years of age; and b. Town of Needham Regulations for the Sale of Alcoholic Beverages to wit: Section 3.5.13, requiring use of a digital card scanner to confirm authenticity of identification for patrons appearing under the age of 40; and <i>(should such evidence be found)</i> b. Move that the Select Board suspend Shivmegh LLC, d/b/a Needham Center Fine Wines' Section 15 Package Store All Alcoholic Liquor License for a period of _____ days to be served _____ <i>[immediately and consecutively OR consecutively on set dates in the future to be provided to the Board in writing]</i>; and c. Move that the Select Board authorize the Town Manager to draft and send notice of the Select Board's decision to the Licensee and to the Alcoholic Beverages Control Commission.	



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

3.	BACK UP INFORMATION ATTACHED
a. Violation Notice b. Violation Report c. Five-Year Lookback Summary of Compliance Check Violations by Shivmegh LLC, d/b/a Needham Center Fine Wines d. M.G.L. Chapter 138 Sections 12, 34, 64, and 67 e. Town of Needham Alcohol Regulations	



TOWN OF NEEDHAM
Town Hall
1471 Highland Avenue
Needham, MA 02492-2669

**Office of the
Town Manager**

Telephone: (781) 455-7500
Email: OTM@NeedhamMA.gov

May 3, 2024

Viral Patel
Shivmegh LLC d/b/a Needham Center Wine & Spirits
1013 Great Plain Avenue
Needham, MA 02492

7015 1730 0000 4187 1210

Dear Viral Patel:

On January 25th, 2024 you met with the Chair and Vice Chair of the Needham Select Board and me to discuss the report by the Needham Police Department that your staff served alcoholic beverages to a person under twenty-one years of age during a compliance check on December 6th, 2023, in violation of Massachusetts General Laws, Chapter 138, Section 34. During this check, your staff failed to use a scanner as required by Town of Needham regulations.

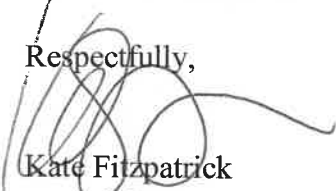
You provided an account of the encounter and steps taken to ensure that future service to underage persons does not occur, to include a discussion regarding how your establishment did not have a scanner at the time of the compliance check. Given the circumstances, the Chair and Vice Chair offered a one-day suspension held in abeyance for the compliance check failure and a two-day suspension for failing to have a scanner in the establishment in lieu of a public hearing.

In an email to Town Staff on April 8th, you declined to accept the suspension agreement and requested a public hearing.

This letter is to inform you that **your public hearing will take place on Tuesday, May 14th, 2024 at 6:00 PM in Needham Town Hall**. Should unforeseen circumstances leave you unable to attend in person, please contact my staff by email at mtucker@needhamma.gov to receive a Zoom link.

The Town of Needham takes its responsibility for licensing liquor establishments seriously. The Select Board is committed to ensuring that the Town remains a community where only safe, responsible service of alcoholic beverages is permitted. If you have any questions, please do not hesitate to contact our office.

Respectfully,


Kate Fitzpatrick
Town Manager

cc: Select Board
John Schlittler, Chief of Police
Tim McDonald, Director of Health and Human Services



Needham Police Department

99 School Street
Needham, Massachusetts 02492
Telephone (781) 455-7570
Fax (781) 453-9496



John J. Schlittler
Chief of Police

Phone (781) 455-7570, ext 216
email: jschlittler@needhamma.gov

NOTICE OF VIOLATION

LICENSEE NAME Needham Center Wine and Spirits

ADDRESS 1013 Great Plain Avenue

This is to notify you that on 12/6/23, 2022 at approximately 5:15 PM, Your licensed establishment was investigated by investigators of the Town of Needham Police Department, during which time it is alleged that you violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: Chapter 138, Section 34, sale or delivery of an alcoholic beverage to a person under twenty-one years of age.

Under MGL, Chapter 30A, You have the right to a hearing on this matter before the Commission regarding the alleged violation.

Service In Hand By: [Signature] Date: 12/6/23
Investigator

Received By: [Signature] Date: 12/6/23
Licensee Representative

Needham Police Department
Incident Report

Page: 1
12/11/2023

Incident #: 23NEE-1750-OF
Call #: 23-51322

Date/Time Reported: 12/06/2023 1732
Report Date/Time: 12/06/2023 1848
Status: No Crime Involved

Reporting Officer: Patrol Austin Broderick

Signature: _____

#	INVOLVED	SEX	RACE	AGE	SSN	PHONE
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1	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
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Military Active Duty: N
BODY: NOT AVAIL.
DOB: [REDACTED] 2
LICENSE NUMBER: [REDACTED]
COMPLEXION: NOT AVAIL.
PLACE OF BIRTH: NOT AVAIL.
ETHNICITY: NOT HISPANIC

2	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
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Military Active Duty: N
BODY: NOT AVAIL.
DOB: [REDACTED]
LICENSE NUMBER: [REDACTED]
COMPLEXION: NOT AVAIL.
PLACE OF BIRTH: NOT AVAIL.
ETHNICITY: NOT HISPANIC

EVENTS (S)

LOCATION TYPE: Specialty Store
NEEDHAM CENTER FINE WINES
1013 GREAT PLAIN AVE
NEEDHAM MA 02492
Zone: 1 C

1 Town By-Law Violation

Attachments for 23NEE-1750-OF

Description	Type
RECEIPT	PDF
Attachment#: 283CDC8BC25A4CF88724D0E382A9F75A	
NOTICE OF VIOLATION	PDF
Attachment#: A970DF09F7AA433FB6AE08097CE901CE	

NARRATIVE FOR PATROL AUSTIN J BRODERICK

Ref: 23NEE-1750-OF

Entered: 12/06/2023 @ 1911

Entry ID: 0709

Modified: 12/06/2023 @ 1912

Modified ID: 0709

On 12/6/2023, Lt. Forbes, Det. Sgt. O'Brien, Officer S. Timmerman and I (Officer Broderick), conducted underage alcohol compliance checks of all the stores and restaurants that hold liquor licenses in Needham. As part of these checks, an underage party went into the establishments and attempted to purchase alcohol using only their real RMV issued licenses as a form of identification. The underage party only had the money that was provided to them prior to these checks. The underage parties credit cards and other identification documents had been secured previously at NPD.

The underage party, operative two, entered Needham Center Wine and Spirits (1013 Great Plain Avenue) at approximately 5:15pm. I remained outside while operative two attempted to purchase a six pack of Bud Light. The cashier, who was identified as [REDACTED], did check operative two's ID, but still sold the beer anyways. Operative two then returned to our vehicle and informed me that they had their ID checked but were still sold the six pack. I took the six pack, the receipt and the spare change from the transaction and returned to the store. I then entered the store and approached the cashier at the register. I identified myself as a Needham Police Officer and advised [REDACTED] that this has been an alcohol compliance check. I then advised [REDACTED] that he had served an underage party.

I then asked to speak with the manager and he got the manager, who was identified as [REDACTED] and advised him of the Alcohol Compliance Check and the violation. I will attach a copy of the Notice of Violation and receipt to this report.



NEEDHAM CENTER

SALE

1913 Central Plain Ave
Needham, MA

Register # Customer 121
Date 12/1/2024 Time 5:10 PM

Bottle of 1000 1000 20 \$10.20
[N] 50 50 \$0.30

Subtotal	\$10.20
Tax	\$0.00
Deposit	\$0.30
Total	\$10.50

CASH \$10.50



12/01/24

Thank you for visiting us!

www.JCFVine.com

Business	Section Type	License Type	Manager of Record	Prior Violations (Inside 5-Year Review Period)	Penalty Guidelines
Shivmegh LLC d/b/a Needham Center Wine & Spirits	Package Store	All Alcohol	Viralkumar Patel	None	Compliance Check Failure: Up to Two Day Suspension Violation for Failure to Use Scanner: One to Five Day Suspension

Part I ADMINISTRATION OF THE GOVERNMENT**Title XX** PUBLIC SAFETY AND GOOD ORDER**Chapter 138** ALCOHOLIC LIQUORS**Section 12** LICENSES AUTHORIZING SALE OF BEVERAGES TO BE DRUNK ON PREMISES; VETERANS' ORGANIZATIONS, CORPORATIONS, ETC.; SUSPENSION OR REVOCATION; HOURS OF SALE; LIQUEURS AND CORDIALS; LIQUOR LEGAL LIABILITY INSURANCE REQUIREMENT

Section 12. A common victualler duly licensed under chapter one hundred and forty to conduct a restaurant, an innholder duly licensed under said chapter to conduct a hotel, a pub brewer, a continuing care retirement community and a keeper of a tavern as defined by this chapter, in any city or town wherein the granting of licenses under this section to sell all alcoholic beverages or only wines and malt beverages, as the case may be, is authorized by this chapter, subject however, in the case of a tavern, to the provisions of section eleven A, may be licensed by the local licensing authorities, subject to the prior approval of the commission, to sell to travelers, strangers and other patrons and customers not under twenty-one years of age, such beverages to be served and drunk, in case of a hotel or restaurant or continuing care retirement community licensee, only in the dining room or dining rooms and in such other public rooms or areas of a hotel as the local licensing authorities may deem reasonable

and proper, and approve in writing; and provided further, that the limitations relative to service and consumption in a restaurant or hotel or continuing care retirement community only in the dining rooms and such other public rooms or areas deemed reasonable and proper by the local licensing authority shall not be deemed to preclude the restaurant or hotel from allowing a patron to retain and take off the premises only so much as may remain of a bottled wine purchased by the patron in conjunction with a meal and not totally consumed by the patron during such meal; provided further, that the limitations relative to service and consumption in a tavern, club or war veterans' organization licensed pursuant to this section shall not be deemed to preclude the tavern, club or war veterans' organization from allowing a patron, member or guest, as the case may be, to retain and take off the premises only so much as may remain of a bottled wine purchased by the patron, member or guest in conjunction with a meal and not totally consumed by the patron, member or guest during such meal; provided further, that all such wine bottles shall be resealed in accordance with regulations promulgated by the commission and transported in a manner authorized in section 24I of chapter 90 when carried in a motor vehicle, as defined in section 1 of said chapter 90; provided, that no tavern license shall be granted to the holder of a hotel license hereunder. Such sales may also be made, by an innholder licensed hereunder, to registered guests occupying private rooms in his hotel, and in the dining room or dining rooms and in such other public rooms or areas of buildings on the same premises as the hotel and operated as appurtenant and contiguous to and in conjunction with such hotel, and to registered guests occupying private rooms in such buildings and in the case of condominium accommodations that are located appurtenant and contiguous to and also upon the same premises as a hotel, sales may be

made by the hotel licensee as the local licensing authorities may deem reasonable and proper, and approve in writing. Such sales may also be made by a continuing care retirement community licensed hereunder, to residents or guests of residents in rooms in a continuing care retirement community, and in the dining rooms and in such other public rooms or areas of buildings on the same premises as the continuing care retirement community and operated as appurtenant and contiguous to and in conjunction with such continuing care retirement community, and to guests of residents in such buildings; provided, however, that such sales may be made by the continuing care retirement community licensee as the local licensing authorities may deem reasonable and proper and approve in writing. Such sales may be made by a restaurant licensee at such stands or locations in a sports arena, stadium, ball park, race track, auditorium or in any one building at an airport as the local licensing authority may deem reasonable and proper, and approve in writing. A local licensing authority may grant a license for the sale of all alcoholic beverages or a license for the sale of wines and malt beverages at any location on the grounds of a golf course as it deems reasonable and proper. Upon an application for a restaurant license, the local licensing authorities may in their discretion grant such a license authorizing the sale of alcoholic beverages on all days of the week or one authorizing such sale on secular days only, and the decision of such authorities as to which of the two types may be granted upon any particular application shall be final. During such time as the sale of such alcoholic beverages is authorized in any city or town under this chapter, the authority to grant innholders' and common victuallers' licenses therein under chapter one hundred and forty shall be vested in the local licensing authorities; provided, that if a person applies for the renewal of both a common

victualler's license or an innholder's license under said chapter one hundred and forty and a hotel or a restaurant license, as the case may be, under this section and the local licensing authorities refuse to grant said common victualler's or innholder's license or fail to act on the applications therefor within a period of thirty days, such applicant may appeal therefrom to the commission in the same manner as provided in section sixty-seven and all the provisions of said section relative to licenses authorized to be issued by local licensing authorities under this chapter shall apply in the case of such common victualler's license or innholder's license.

If a license granted under this section to a person holding a license as an innholder or common victualler is suspended or revoked for any particular cause, no action shall be taken on account thereof by such authorities with respect to such innholder's or common victualler's license prior to the expiration of the period provided for an appeal under section sixty-seven in case no such appeal is taken, or prior to the disposition of any such appeal so taken, nor thereafter, except for further cause, in case such disposition is in favor of the appellant. Any club in any city or town wherein the granting of licenses to sell alcoholic beverages, or only wines and malt beverages, as the case may be, is authorized under this chapter may be licensed by the local licensing authorities, subject to the approval of the commission, to sell such beverages to its members only, and also, subject to regulations made by the local licensing authorities, to guests introduced by members, and to no others. A member of a club licensed under this section may bring wine to be consumed on the premises with a meal purchased at the club, unless the club objects, which it may do at its sole discretion. At all times the club shall control the handling, serving and dispensing of wine in accordance with this chapter and may refuse to

pour wine for any patron for any reason or for no reason, regardless of whether bottles are opened or unopened. Unopened bottles shall be returned to the patron who shall remove such bottles from the premises at the conclusion of the event, and open bottles shall be returned and resealed in accordance with regulations promulgated by the commission and transported in a manner authorized by section 24I of chapter 90 when carried in a motor vehicle, as defined in section 1 of said chapter 90. The club shall set and charge a reasonable corkage fee, which shall be added to the member's meal expense. Such fee shall be set at not less than \$30 and shall be applied to each bottle of wine that is opened.

The local licensing authorities of any city or town wherein the granting of licenses under this section to sell all alcoholic beverages or only wines and malt beverages, as the case may be, is authorized by this chapter, may, subject to the approval of the commission and irrespective of any limitation of number of licenses contained in section seventeen, issue a license to any corporation the members of which are war veterans and which owns, hires or leases in such city or town a building, or space in a building, for the use and accommodation of a post of any war veterans' organization incorporated by the Congress of the United States, to sell such beverages to the members of such post only, and also, subject to regulations made by the local licensing authorities, to guests introduced by such members and to no others.

The local licensing authorities may determine in the first instance, when originally issuing and upon each annual renewal of licenses under this section, the amount of the license fee, for a tavern license or for any other license under this section for the sale of all alcoholic beverages, or for any other license under this section for the sale of wines and malt beverages, and provided that nothing herein shall prevent such authorities

from establishing license fees differing in amounts within the limitations aforesaid for restaurant licenses authorizing such sale on secular days only. If different license fees are so established the fee for licenses authorizing the sale of alcoholic beverages on all days of the week shall not be more than twenty-five per cent higher than the fee for licensing such sale on secular days only. Before issuing a license to any applicant herefor under this section, or before a renewal of such license, the local licensing authority shall cause an examination to be made of the premises of the applicant to determine that such premises comply in all respects with the appropriate definition of section one and that the applicant is not less than twenty-one years of age and a person of good character in the city or town in which he seeks a license hereunder. No license shall be issued to any applicant who has been convicted of a violation of a federal or state narcotic drugs law.

The local licensing authorities may accept the surrender of a license issued under this section and may issue in place thereof to the same licensee any other form of license authorized under this section, and may allow as a credit on the fee for the new license the license fee paid for the license surrendered but no refund shall be authorized. Different licenses issued as aforesaid for any portion of the same license year to the same licensee shall count as one license for the purposes of section seventeen.

The hours during which sales of such alcoholic beverages may be made by any licensee as aforesaid shall be fixed by the local licensing authorities either generally or specially for each licensee; provided, however, that no such sale shall be made on any secular day between the hours of two and eight o'clock antemeridian and that, except as provided in section thirty-three, no such licensee shall be barred from making such sales on any such day after eleven o'clock antemeridian and before eleven

o'clock postmeridian, and no tavern shall be kept open on any such day between one o'clock antemeridian and eight o'clock antemeridian; provided, further, that any such licensee or his manager shall not be prohibited from being on the licensed premises at any time; provided, further, that the employees, contractors or subcontractors shall not be prohibited from being upon such premises at any time for the purpose of cleaning, making renovations, making emergency repairs to or providing security for, such premises or preparing food for the day's business or opening or closing the business in an orderly manner. The licensing authority shall not decrease the hours during which sales of such alcohol beverages may be made by a licensee until after a public hearing concerning the public need for such decrease; provided, however, that a licensee affected by any such change shall be given 2 weeks notice of the public hearing.

No license issued under this section shall be subject to any condition or requirement varying the occupancy of the licensed premises as certified by any person or state or local agency charged with the administration or enforcement of the state building code or any of its rules or regulations.

No person, firm, corporation, association or other combination of persons, directly or indirectly, or through any agent, employee, stockholder, officer or other person, or any subsidiary whatsoever, licensed under the provisions of sections eighteen or nineteen shall be granted a license under this section.

In cities and towns which vote to authorize under section eleven the granting of licenses for the sale of all alcoholic beverages, specific licenses may nevertheless be granted under this section for the sale of wines or malt beverages only, or both. The licensing authorities may

refuse to grant licenses under this section in certain geographical areas of their respective cities or towns, where the character of the neighborhood may warrant such refusal.

All malt beverages sold by a licensee under this section containing not more than three and two tenths per cent of alcohol by weight shall be expressly sold as such.

No malt beverage shall be sold on draught from a tap, faucet or other draughting device, unless there shall plainly appear on or attached to such device, in legible letters, the brand or trade name of the malt beverage so sold therefrom.

In any city or town wherein the granting of licenses under this section to sell alcoholic beverages or wines and malt beverages is authorized, a person may be granted a general on-premise license by the local licensing authorities, subject to the prior approval of the commission, authorizing him to sell alcoholic beverages without food to patrons and customers subject to all other relevant provisions of this chapter, provided that such beverages shall be sold and drunk in such rooms as the licensing authorities may approve in writing. The annual license fee for such general on-premise license shall be determined by the local licensing authority. For the purposes of section eleven an affirmative vote on subdivision A or B shall be considered an authorization for the granting of general on-premise licenses in a city or town.

A common victualler who holds a license pursuant to this section may provide on premises sample wine or malt beverage tasting; provided however, that such licensee shall not solicit orders for wine or malt for off premises consumption; and provided further, that any such wine

tasting shall be limited to one ounce per serving and any such malt beverage tasting shall be limited to two ounces per serving and food shall be served in conjunction with any such wine or malt beverage tasting.

In any city or town which votes to accept the provisions of this paragraph, a common victualler, who holds a license under this section to sell wines and malt beverages may, upon written approval, also sell liqueurs and cordials pursuant to said license, subject, however, to all other licensing provisions of this chapter.

A common victualler who holds a license for the sale of all alcoholic beverages or holds a license for the sale of wines and malt beverages and who also holds pursuant to this section written approval to sell liqueurs and cordials pursuant to his license may provide on-premises sample liqueurs and cordials tasting; provided however, that a licensee shall not solicit orders for liqueurs and cordials for off-premises consumption; and provided, further, that any such liqueurs and cordials tasting shall be limited to 1/4 of an ounce per serving and food shall be served in conjunction with any liqueurs and cordials tasting.

A common victualler who holds a license for the sale of all alcoholic beverages may provide on premises sample alcoholic beverages tasting; provided, however, that a licensee shall not solicit orders for alcoholic beverages for off-premises consumption; and provided further, that any tasting of alcoholic beverages, other than wines and malt beverages, shall be limited to 1/4 of an ounce per serving and food shall be served in conjunction with any alcoholic beverages tasting.

No license shall be issued or renewed under this section until the applicant or licensee provides proof of coverage under a liquor legal liability insurance policy for bodily injury or death for a minimum

amount of \$250,000 on account of injury to or death of 1 person, and \$500,000 on account of any 1 accident resulting in injury to or death of more than 1 person. Proof of the insurance coverage required by this section shall be made by filing a certificate of insurance in a form acceptable to the local licensing authority. The insurance shall be subject to sections 5 and 6 of chapter 175A of the General Laws.

Part I ADMINISTRATION OF THE GOVERNMENT**Title XX** PUBLIC SAFETY AND GOOD ORDER**Chapter 138** ALCOHOLIC LIQUORS**Section 34** SALE, DELIVERY OR FURNISHING ALCOHOLIC BEVERAGES
TO PERSONS UNDER TWENTY-ONE YEARS OF AGE;
EMPLOYMENT OF PERSONS UNDER EIGHTEEN YEARS OF
AGE

Section 34. No person shall receive a license or permit under this chapter who is under 21 years of age. Whoever makes a sale or delivery of any alcoholic beverage or alcohol to any person under 21 years of age, either for his own use or for the use of his parent or any other person, or whoever, being a patron of an establishment licensed under section 12 or 15, delivers or procures to be delivered in any public room or area of such establishment if licensed under section 12, 15, 19B, 19C or 19D or in any area of such establishment if licensed under said section 15, 19B, 19C or 19D any such beverages or alcohol to or for use by a person who he knows or has reason to believe is under 21 years of age or whoever procures any such beverage or alcohol for a person under 21 years of age in any establishment licensed under section 12 or procures any such beverage or alcohol for a person under 21 years of age who is not his child, ward or spouse in any establishment licensed under said section 15, 19B, 19C or 19D or whoever furnishes any such beverage or alcohol for

a person under 21 years of age shall be punished by a fine of not more than \$2,000 or by imprisonment for not more than one year or both. For the purpose of this section the word "furnish" shall mean to knowingly or intentionally supply, give, or provide to or allow a person under 21 years of age except for the children and grandchildren of the person being charged to possess alcoholic beverages on premises or property owned or controlled by the person charged. Nothing in this section shall be construed to prohibit any person licensed under this chapter from employing any person 18 years of age or older for the direct handling or selling of alcoholic beverages or alcohol.

Notwithstanding the provisions of clause (14) of section 62 of chapter 149, a licensee under this chapter may employ a person under the age of 18 who does not directly handle, sell, mix or serve alcohol or alcoholic beverages.

Part I ADMINISTRATION OF THE GOVERNMENT**Title XX** PUBLIC SAFETY AND GOOD ORDER**Chapter 138** ALCOHOLIC LIQUORS**Section 64** SUSPENSION OR REVOCATION OF LICENSE; HEARING;
NOTICE; DISQUALIFICATION; SURRENDER OF LICENSE;
REFUNDS

Section 64. The licensing authorities after notice to the licensee and reasonable opportunity for him to be heard by them, may modify, suspend, revoke or cancel his license upon satisfactory proof that he has violated or permitted a violation of any condition thereof, or any law of the commonwealth. If at any hearing a licensee is charged with serving or selling alcohol or alcoholic beverages to a person under twenty-one years of age, written notice of said allegations shall be sent by the licensing authorities to the parent or guardian of such person. If the license is revoked, the licensee shall be disqualified to receive a license for one year after the expiration of the term of the license so revoked, and if he is the owner of the premises described in such revoked license, no license shall be issued to be exercised on said premises for the residue of the term thereof.

If it appears to the commission that a license has been issued under this chapter by the local licensing authorities in excess of the quota prescribed by section seventeen or in violation of section sixteen A or any other provision of this chapter, the commission shall, after notice to said authorities and to the holder of such license and after reasonable opportunity for them to be heard by it, revoke such license, whereupon such license shall be surrendered to said authorities, and the decision of the commission shall be final and conclusive. The holder of a license so revoked shall not be subject to prosecution for any sales theretofore made by him under such license on the ground that such license was illegally issued. The city or town whose licensing authorities issued any license so revoked shall forthwith refund to the holder thereof the entire fee paid therefor and authority is hereby granted to such city or town to pay the same out of any funds available.

Part I ADMINISTRATION OF THE GOVERNMENT**Title XX** PUBLIC SAFETY AND GOOD ORDER**Chapter 138** ALCOHOLIC LIQUORS**Section 67** APPEALS ON REFUSAL TO GRANT OR REVOCATION OF
LICENSE; HEARING; NOTICE OF APPROVAL; REVOCATION
BY COMMISSION; REAPPEAL

Section 67. Any applicant for a license who is aggrieved by the action of the local licensing authorities in refusing to grant the same, or by their failure to act within the period of thirty days limited by section sixteen B, or any person who is aggrieved by the action of such authorities in modifying, suspending, cancelling, revoking or declaring forfeited the same, may appeal therefrom to the commission within five days following notice of such action or following the expiration of said period, upon petition in writing, setting forth all the material facts in the case.

The commission shall hold a hearing upon each such appeal, requiring due notice to be given to all interested parties. The decision of the commission shall be made not later than thirty days after the completion of the hearing.

If the commission approves the action of the local licensing authorities it shall issue notice to them to that effect, but if the commission disapproves of their action it shall issue a decision in writing advising

said local authorities of the reasons why it does not approve, and shall then remand the matter to the said local authorities for further action. The commission shall not in any event order a license to be issued to any applicant except after said applicant's application for license has first been granted by the local authorities.

Pending a decision on the appeal, the action of the local licensing authorities shall have the same force and effect as if the appeal had not been taken. Upon the petition of twenty-five persons who are taxpayers of the city or town in which a license has been granted by such authorities, or who are registered voters in the voting precinct or district wherein the licensed premises are situated, the commission shall, or upon its own initiative the commission may, investigate the granting of such a license or the conduct of the business being done thereunder, and shall, after a hearing, modify, suspend, revoke or cancel such license if, in its opinion, circumstances warrant.

If the local licensing authorities fail to suspend, revoke, cancel or declare forfeited a license or to perform any other disciplinary act when lawfully ordered so to do by the commission upon appeal or otherwise, within such reasonable time as it may prescribe, the commission may itself revoke such license or perform such act, with the same force and effect as if issued or performed by the local licensing authorities, but no license shall be issued by the commission except in ratification of a prior issuance to the same party by the local authorities.

In any case in which the commission finds during said hearing that the licensee pursuant to section 12 has served or sold alcohol or alcoholic beverages to either a person under 21 years of age in violation of section 64 or to an intoxicated person in violation of section 69 within the 24

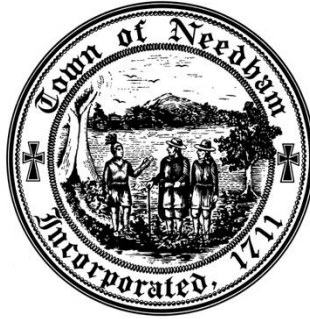
months immediately preceding the date of the alleged violation which is the subject of the hearing, said commission may, in addition to any other sanctions or conditions it may impose, require as a condition precedent to any modification, reinstatement or renewal of said license thereafter that the licensee provide a certificate of insurance for liquor liability of the licensee to a limit of not less than \$100,000 to any one person and \$200,000 to all persons; provided, however, that if the licensee is required to obtain insurance coverage under said section 12, then the licensing authority may increase the limits set by said section 12. In any other case in which the commission may act pursuant to this section, it may increase, but not decrease, the limits of liquor liability insurance, if any, required by the local licensing authorities as a condition precedent to the modification, reinstatement or renewal of a license.

After receipt by the local licensing authorities of a decision from the commission as set forth in the third paragraph hereof, any applicant for renewal of a license or any licensee who is aggrieved by the action of the local licensing authorities modifying, cancelling, revoking or declaring forfeited a license or failing to issue a license, which would in effect renew for one year a license held during the previous year by the applicant may, if the said local licensing authority fails within five days after receipt of said decision to take the action recommended therein, again appeal to the commission, upon petition in writing setting forth all the material facts in the case. In the event of such reappeal, the commission shall hold a hearing on such reappeal, requiring due notice to be given to all interested parties. If the commission, on such reappeal approves the action of the local licensing authorities, it shall issue notice to them to that effect, but if the commission disapproves their action, it shall issue a decision in writing advising said local authorities of the

reasons why it does not approve. This decision of the commission on reappeal shall be final; provided, that in no event shall the commission order the local licensing authorities to issue any licenses to an applicant not a party to the appeal. If the local licensing authorities fail to issue a license which would have the effect of renewing for one year a license held by the applicant during the previous year, subject to the limitation set forth herein, or to perform any other act when lawfully ordered so to do by the commission upon reappeal, within such time as it may prescribe, the commission may itself, after such reappeal, issue such license to a party to the appeal or perform such act, with the same force and effect as if issued or performed by the local licensing authorities.

Hearings by the commission on appeals as required by the provisions of this section may be held in the discretion of the commission when required by public convenience or shall be held upon written request of twenty-five persons who are taxpayers of the city or town in which the license is intended to be exercised, in the nearest of the following cities or towns to the city or town in which the license is intended to be exercised:—Pittsfield, Greenfield, Springfield, Worcester, Fitchburg, Boston, Barnstable, New Bedford, Brockton, Lowell or Salem.

Upon the receipt of such appeal the commission shall forthwith notify the local licensing authorities thereof by mailing registered mail and said request shall be made within ten days of such mailing.



TOWN OF NEEDHAM

REGULATIONS FOR THE SALE OF ALCOHOLIC BEVERAGES

- I. Types of Licenses to be Granted in Needham**
- II. Compliance**
- III. General Rules and Regulations Applicable to Holders of Licenses to Sell Alcoholic Beverages within the Town**
- IV. Rules and Regulations for the Sale of Alcoholic Beverages by Innholders Only**
- V. Rules and Regulations Applicable to the Sale of Alcoholic Beverages in Restaurants**
- VI. Rules and Regulations Applicable to Clubs and Veterans Organizations**
- VII. Rules and Regulations Applicable to Special Event Licenses**
- VIII. Rules and Regulations Applicable to Package Stores**
- IX. Rules and Regulations Applicable to Farmer Series Pouring Permittees**
- X. Violations**

The Needham Select Board, acting as local licensing authority pursuant to the provisions of Massachusetts General Laws Chapters 138 and 140 and other relevant legal authority, promulgates these regulations applicable to the sale and distribution of alcoholic beverages in the Town of Needham. These regulations are in addition and supplemental to all other legal requirements, including but not limited to applicable State and Federal law and regulations.

I. TYPES OF LICENSES TO BE GRANTED IN NEEDHAM

The Town of Needham issues the types of alcoholic beverages licenses listed below. All licenses shall comply with Chapter 138 of the Massachusetts General Laws, and Chapter 204 of the Code of Massachusetts Regulations, as they relate to the specific type of license.

- 1.1 Innholders All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in a hotel dining area with a seating capacity of not less than ninety-nine (99) persons and a living capacity of not less than fifty (50) rooms, under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. The Service of alcoholic beverages to the room of any registered guest is prohibited unless otherwise authorized by the Select Board. (M.G.L. c.138, s.11, D; 11/7/72 election)
- 1.2 Restaurant All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in a restaurant and/or function room under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.11, E; 11/4/80 election; M.G.L. c.138, s.12; Chapter 32 of the Acts of 2014; 4/8/2014 election)
- 1.3 Restaurant Wine and Malt Beverages: issued to qualified applicants to sell only wine and malt beverages in a restaurant under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.12; Chapter 169 of the Acts of 2001; 11/8/01 election)
- 1.4 Club and Veterans' Organization All Alcoholic Beverages: issued to qualified applicant Clubs existing under Chapter 180 of Massachusetts General Laws and Veterans' Organizations duly chartered or authorized by the Laws of the United States or the Commonwealth of Massachusetts to sell all alcoholic beverages under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.12; 11/8/88 election)
- 1.5 Special Event: issued to qualified applicants of non-profit status to sell all alcoholic beverages; or to sell wine and malt beverages only; or to qualified applicants of for-profit status to sell wine and malt beverages only under the applicable regulations of

Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.14)

- 1.6 Package Store All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in packages not to be consumed on the premises under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (Chapter 207 of the Acts of 2012; Approved 11/6/2012 election)
- 1.7 Package Store Wine and Malt Beverages: issued to qualified applicants to sell wine and malt beverages in packages not to be consumed on the premises under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages and any and all conditions stipulated for the specific license. (Chapter 207 of the Acts of 2012; Approved 11/6/2012 election)
- 1.8 Farmer Series Pouring Permit: issued to qualified applicants to sell malt beverages, for consumption on the grounds of a licensed farmer-brewery pursuant to M.G.L. c.138, §19C, as well as on the grounds of the farm operated as appurtenant and contiguous to, and in conjunction with, such farm, and in accordance with the applicable regulations of the Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages and any and all conditions stipulated for in the specific license. For purposes of this policy, the word “license”, “Licensee”, and “licensed premises” shall include a “Farmer Series Pouring Permit”, “Farmer Series Pouring Permittee”, and “premises subject to a Farmer Series Pouring Permit”, respectively, unless otherwise noted.

II. COMPLIANCE

- 2.1 The issuance of a license by the Select Board for the sale of alcoholic beverages under M.G.L. c. 138 applies only to said sales and does not release the Licensee from compliance, nor does it assume compliance with the rules, regulations, requirements and procedures of other government boards, agencies or bodies having jurisdiction.
- 2.2 Failure to comply with these regulations, the laws of the Commonwealth of Massachusetts, the Regulations of the Alcoholic Beverages Control Commission (ABCC) or the Town’s bylaws may result in the revocation, suspension or cancellation of the license.

III. GENERAL RULES AND REGULATIONS APPLICABLE TO HOLDERS OF LICENSES TO SELL ALCOHOLIC BEVERAGES WITHIN THE TOWN

This section shall apply to any and all alcoholic beverages licenses issued by the Select Board.

3.1 Hours of Operation

3.1.1 No patron shall be served or sold alcoholic beverages before or after the hours stated in the license.

3.1.2 On-Premises Consumption

3.1.2.1 The hours during which the sale of all alcoholic beverages to be consumed on the premises may be made by any Licensee shall be from 11:00 a.m. to 11 p.m. Monday through Saturday and from 10:00 a.m. to 11 p.m. on Sundays, unless otherwise determined by the Select Board or further limited by statute or regulation.

3.1.2.2 Except for alcohol sold by a Farmer Series Pouring Permittee, the hours during which the sale of all alcoholic beverages may be made in a dining room are further limited to the time when the dining room is open and food service is available to the public. No alcoholic beverages shall be sold or served in a dining room before the dining room is open and food service is available, or after the dining room has been closed and food service has been suspended to the public.

3.1.2.3 No alcoholic beverages shall be served within the licensed premises during the fifteen (15) minutes preceding the hours stated on the license at which service of alcoholic beverages must cease.

3.1.2.4 All bottles, glasses, containers, etc., shall be cleared from all tables and bars within thirty (30) minutes of the established closing hour and all patrons will be off the licensed premises within forty-five (45) minutes of the established closing hour.

3.1.3 Off-Premises Consumption

The hours during which the sale of all alcoholic beverages to be consumed off the premises may be made by any Licensee shall be from 8:00 a.m. to 11:00 p.m. or 8:00 a.m. to 11:30 p.m. on days preceding a legal holiday, unless otherwise determined by the Select Board or further limited by statute or regulation.

3.1.4 Adjustments

The Board may adjust hours for individual and/or classifications of Licensees upon receipt of their request(s) for consideration of special circumstances and/or occasions.

3.1.5 Employees and Staff

With the exception of the Licensee and the manager, all employees shall vacate the licensed premises no later than sixty (60) minutes after the official closing hour designated on the alcohol license. Bona fide employees of the licensed

establishment may remain upon or enter upon the licensed premises outside of the regular hours of operation while actually engaged in cleaning, staff meetings or trainings, opening, closing or preparing for the current or next day's business, but they may not dispense or consume any alcoholic beverage during such non-public hours. In any instance wherein a Licensee will have employees working on the licensed premises in excess of sixty (60) minutes before or after the serving times, the Licensee shall cause notification of the fact to be given by telephone to the Needham Police Department along with the estimate as to how long the work party will be on the premises. This provision shall not limit employees from being on the premises to produce malt beverages in accordance with a license issued pursuant to G.L. c.138, §19C or §19D.

3.2 Payment of Charges and Taxes

Applicants and Licensees must pay, in full, all taxes and charges owed to the Town on a current basis prior to the issuance of a new license, the transfer of an existing license and/or the annual renewal of a license.

3.3 Filing and Application Requirements (excludes Special Event Licenses)

3.3.1 Application for New and Transfer of License.

In addition to the ABCC Application package, Applicants shall provide:

- a. Proof of insurance;
- b. All fees;
- c. Completed and unexpired alcohol awareness training certificate for proposed managers of record;
- d. Copies of any other license issued by the Town of Needham and the ABCC to them for use at the proposed licensed premises, including, but not limited to G.L. c.138, §19C, §19D, §22; and
- e. Any additional information the Select Board shall request.

3.3.2 Application for Renewed License

In addition to the ABCC Renewal Application Form, Applicants shall provide:

- a. Proof of insurance;
- b. Completed and unexpired alcohol awareness training certificates for all employees, including manager of record;
- c. Certificate of inspections, where required; and
- d. Any additional information the Select Board shall request (see Section 5.4 and Section 5.6).

3.3.3 Abutter Notification

When conducting a public hearing to consider the issuance of a license to sell or serve wine, malt and/or alcoholic beverages, the Board shall require the Applicant to notify all owners of property within a 300-foot radius of the premises to be licensed.

3.3.4 Insurance

No license shall be issued for the sale of alcoholic beverages (Special Event licenses excluded) in the Town until such time as the Applicant shall present to the Select Board a certificate of insurance showing that the Applicant carries the following policies of insurance from an insurance company licensed by the Department of Insurance of the Commonwealth of Massachusetts as follows: workers' compensation insurance as required by M.G.L. Chapter 152; and liquor liability insurance in the minimum amount of \$100,000 per person/\$1,000,000 aggregate for personal injury and \$100,000 per occurrence for property damage. Licensees shall notify the Board no later than ten (10) days prior to the cancellation or material change of said coverage. The Board may, pursuant to M.G.L. c.138, §§64A, 64B, 67 increase the minimum amount of required insurance coverage. Failure to maintain such coverage during the license period shall be grounds for revocation.

3.3.5 Fees

All license fees of the Board are incorporated in these rules and regulations as Attachment I, Schedule of Town of Needham Liquor License Fees. These fees shall be non-refundable.

3.3.5.1 Filing Fees All required filing fees shall be paid in full at such time as the application is filed. Filing fees shall not be pro-rated for any reason.

3.3.5.2 License Fees All license fees for the initial issuance of a new license, or for the transfer of an existing license, for a change in the structural composition of a licensed premises, and/or for the annual renewal of a license shall be paid in full prior to the issuance of the license. The initial license fee will be pro-rated based on the number of months remaining in the calendar year at the time of occupancy.

3.3.6 Floorplans and Signage

3.3.6.1 When a submittal of a floorplan is required by the ABCC, Applicants for a new or amended license shall submit an architectural floor plan, drawn to scale, that includes the following information, which will be clearly marked:

- a) the net floor area (net floor area shall be the area of the rooms measured between the interior walls exclusive of stairways, service bars, hallways, etc.) and dimensions of the existing room or rooms and exterior premises requested to be licensed including dining rooms, function rooms, exterior premises and rooms in which alcoholic beverages are to be stored;

- b) the location of any proposed Bar Service Areas, cocktail lounge, or other area where patrons may stand while consuming alcohol;
- c) areas in which seats or benches are to be securely fastened to the floor and areas in which the seats and tables are moveable;
- d) entrances and exits;
- e) kitchens and/or food preparation areas;
- f) take out areas;
- g) storage areas;
- h) restrooms;
- i) cash register areas;
- j) all rooms not being requested to be licensed shall be labeled as to their function, such as, kitchen, coatroom, lobby, etc.;
- k) total occupant load;
- l) areas where food trucks or other mobile food vendors may be parked for the purposes of serving patrons;
- m) outdoor service areas, showing location of seats, tables, trash cans, and physical barriers to segregate the licensed premises from non-licensed areas; and
- n) any other licensed spaces not covered by the above.

3.3.6.2 The number and location of all seats, chairs, and stools upon or within the licensed premises must be approved in writing by the Board. In no event shall the total number of seats, chairs, and stools upon the licensed premises exceed the maximum seating capacity nor the maximum occupancy capacity of the licensed premises.

3.3.6.3 Where outdoor service is proposed, the Applicant shall provide draft signage that will be posted around the licensed premises to aid in restricting the transportation or possession of any alcohol, wine, or malt beverage beyond the limitation of the barrier.

3.3.6.4 No physical alteration, the effect of which would be to constitute a change in the description of the licensed premises as shown on the license, shall be made without prior written approval of the Board.

3.4 Management and Trainings (excludes Special Event Licenses)

3.4.1 Management.

At all times that the licensed premises are open for the sale or service of alcoholic beverages, the Licensee shall have on the premises a manager or assistant manager who has successfully completed an in-person alcoholic beverages server training program satisfactory to the Select Board. The onsite manager/assistant manager shall be responsible for compliance with all applicable laws of the Commonwealth of Massachusetts concerning the sale of alcoholic beverages and the Town's rules and regulations for the provision and consumption of alcoholic beverages. The designated manager/assistant

manager shall have full authority to make decisions concerning the operation of the establishment.

3.4.2 Employee Roster

A current employee roster shall be available upon request to the Town for all licensed establishments. An updated employee roster shall be provided to the Town within 45 days of the hiring of a new employee subject to the training requirements of 3.4.3.

3.4.3 Trainings

3.4.3.1 All managers, assistant managers, and bartenders shall attend an in-person alcoholic beverage server training program satisfactory to the Select Board within 30 days of employment and once every two years thereafter. There shall be an un-expired certificate of program completion on file with the Select Board at all times; provided that for new employees, the certificate may be provided concurrently with the employee roster required under Section 3.4.2.

3.4.3.2 All employees not covered by Section 3.4.3.1 shall complete a Town-approved training program within 30 days of employment, or provide proof of training certification at a Town-approved course within the last three years. All such employees must complete an approved program once every three years. There shall be an un-expired certificate of program completion on file with the Select Board at all times; provided that for new employees, the certificate may be provided concurrently with the employee roster required under Section 3.4.2.

3.4.3.3 It is the obligation of the license manager to inform all employees about the rules and regulations of the Select Board, the ABCC, and any and all applicable Massachusetts laws.

3.5 General and Miscellaneous Provisions

3.5.1 There shall be no alcoholic beverages taken from the premises of an establishment licensed under M.G.L. c.138, §12, except for deliveries for the operation of the business as controlled by G.L. c.138, and with the exception of partially consumed bottles of wine that are purchased with a meal and resealed in accordance with 204 CMR 2.18 or sales conducted pursuant to G.L. c.138, §19C or §19D.

3.5.2 No Licensee shall sell alcoholic beverages in any part of the premises not specified on its license or such other license issued by the ABCC. No change of such area or location shall be made without prior written approval of the

Select Board. The licensed premises shall meet and fully comply with all health standards and regulations applicable to the sale of alcoholic beverages.

- 3.5.3 The licensed premises must be well lighted at all times.
- 3.5.4 There shall be no indecent or immoral entertainment on the licensed premises.
- 3.5.5 Gambling, lotteries, or other illegal machines or games are prohibited except as otherwise permitted by law.
- 3.5.6 The licensed premises shall be subject, at all times, to inspection by members of the Select Board, the Town Manager, Inspector of Buildings, Board of Health or its representatives, Police Department, Fire Department, or any other department or official of the town so directed by the Select Board.
- 3.5.7 No licensed restaurant, Farmer Series Pouring Permittee, or package store may permit the use of any amusement service such as electronic games on the premises.
- 3.5.8 Service of alcoholic beverages shall be by a bartender/server/wait person (applicable to on premise Licensees only, including Farmer Series Pouring Permittees).
- 3.5.9 Licensees shall make all reasonable and diligent efforts to ensure that loitering, disorder, disturbances or illegality of any kind does not occur at the licensed premises. The Licensee shall ensure that business in the licensed premises is conducted in a responsible manner so that no activity shall detract from the quality of life in the Town generally, or in the neighborhood in which the licensed premises are located. The Licensee may be held responsible for such activity, whether present or not. Licensees shall at all times maintain the immediate and surrounding area outside the licensed premises in a state of cleanliness and upkeep.
- 3.5.10 The alcoholic beverage license must be prominently displayed and available for public viewing inside the premises.
- 3.5.11 Licensees shall at all times maintain the immediate and surrounding area outside the licensed premises in a state of cleanliness and upkeep.
- 3.5.12 The alcoholic beverage license must be prominently displayed and available for public viewing inside the premises.
- 3.5.13 The Licensee shall request proof of identification from any patron appearing to be under the age of 40 prior to any alcohol sale and confirm the authenticity of the identification card through the use of a digital card scanner.

IV. RULES AND REGULATIONS FOR THE SALE OF ALCOHOLIC BEVERAGES BY INNOLDERS ONLY

- 4.1 Cocktail lounges are permitted with the approval of the Select Board but limited to approved areas by the Select Board with appropriate identification of the specific location documented by the Inspector of Buildings.
- 4.2 The service of alcoholic beverages to the room of any registered guest is prohibited unless otherwise authorized by the Select Board.
- 4.3 Section 5.3 of these policies shall apply to the restaurant and dining areas of the licensed establishment.
- 4.4 With the approval of the Select Board, an Innholder may sell sealed wine and malt beverages at a concession stand in the lobby of the hotel. Such sales shall be to individuals renting rooms at the establishment only and must be consumed within the rented rooms. Any wine and malt beverage purchased at the concession stand must remain sealed until the purchaser has returned to their room.

V. RULES AND REGULATIONS APPLICABLE TO THE SALE OF ALCOHOLIC BEVERAGES IN RESTAURANTS

5.1 Purpose

It is the policy and purpose of the Select Board acting as the Licensing Board of the Town of Needham to limit the issuance of alcoholic licenses as an accommodating and incidental part of a Common Victualler's primary and principal business endeavor of preparing and serving food to the public in a restaurant and function room.

The issuance of alcoholic licenses will be utilized so as to both enhance the dining experience of individuals patronizing Needham restaurants and to foster the economic development of business areas in the Town by encouraging and promoting foot traffic in those areas where restaurants are located. The Board will consider when deciding upon a license application the foregoing factors and any other matter deemed appropriate by the Board including by way of description but not limitation: proximity to residential neighborhoods, traffic, parking, appropriateness of menu and other aesthetic considerations including the physical layout of the interior of the establishment. Licenses will not be granted to establishments whose principal business activity is fast food, take-out, or which has any "drive-through" component.

5.2 Common Victualler's License

No alcohol license will be issued to any Applicant unless such Applicant is the Licensee named in a common victualler's license and has operated a restaurant for the twelve-month period immediately preceding the filing of an application.

5.3 Food Service

Service of food must be available in all areas in which alcoholic beverages are to be served. Meals must be served on solid dinnerware with silverware accompanying the same. No paper plates or plastic cutlery is permitted.

5.4 Fire Safety Inspections

Chapter 304 of the Acts of 2004, An Act Relative to Fire Safety in the Commonwealth, requires that every license holder under M.G.L. Chapter 138 Section 12 must submit as a precondition of renewal of the license “a valid certificate of inspection issued by a local inspector and signed by the head of the fire department for the city, town or district in which the premises is located.” No license shall be issued for the sale of alcoholic beverages in the Town until such time as a copy of the valid certificate of inspection has been filed with application.

5.5 Bar Service

The sale or service of alcoholic beverages for consumption at any unapproved Bar Service Area is prohibited. For the purposes of these regulations, Bar Service Area is defined as service across a counter at which alcoholic drinks are prepared to patrons who may or may not be waiting to dine. For those establishments with no table service, the Bar Service Area shall include the entire area where patrons may consume alcohol. Bar Service Areas are permitted only in locations expressly approved and authorized by the Select Board. Such authorization may be granted under the following conditions:

- a) The Board makes a finding that it is in the best interest of the Town to allow the service of alcoholic beverages in the Bar Service areas
- b) No more than a total of fifteen (15) seats or twenty percent (20%) of the total seats in the premises, whichever is less, shall be allowed in the Bar Service area(s), except that the Board may authorize a greater number where such seats are intended for food service customers as part of the Licensee’s business plan;
- c) The seats in the Bar Service areas are included when calculating the number of seats in the premises;
- d) All food and beverages on the menu served in the public dining room shall be available for service to the patrons in the Bar Service areas.

5.6 Reporting

Licensees shall provide the Select Board with a statement certified by a Certified Public Accountant as to the percentage the annual sales for the previous period of October 1-September 30 of alcoholic beverages compared to the total annual sales of food and alcoholic beverages. If the percentage exceeds fifty percent (50%), the Select Board may investigate to determine whether the service of alcoholic beverages has become more than incidental to the service of food on the premises. If the Board determines that the sale of alcoholic beverages has become more than incidental to the sale of food on the premises, it may after hearing require the Licensee to reduce its alcohol sales or take any other action permitted by law, including suspension or revocation of the license.

VI. RULES AND REGULATIONS APPLICABLE TO CLUBS AND VETERANS ORGANIZATIONS

- 6.1 Every club Applicant to be eligible to be licensed to sell any or all alcoholic beverages within the Town of Needham must be a corporation duly organized and existing under Chapter 180 of the General Laws of the Commonwealth of Massachusetts and has maintained club facilities for not less than three (3) years prior to the filing of an application. The within provisions may be waived by the Select Board.
- 6.2 Every Veterans organization to be eligible to be licensed to sell any and all alcoholic beverages within the Town of Needham must be duly chartered or authorized by the Laws of the United States or the Commonwealth of Massachusetts.
- 6.3 Each Applicant shall furnish a copy of its Charter or other legal evidence of its eligibility as herein specified when requested by the Select Board.
- 6.4 Each eligible club and veteran's organization must have the exclusive legal right to the possession and enjoyment of indoor facilities of not less than 2,000 square feet of floor space on one or more floors and which may consist of one or more rooms.
- 6.5 Each Licensee hereunder acting by and through its Board of Directors or other governing body shall appoint a manager or bartender who is of good moral character and a responsible person. The manager or bartender will be in charge during open hours acting for and on behalf of the Board of Directors or other governing Board. Acting for and on behalf of the Board of Directors the manager or bartender shall be responsible for the conduct of the members and guests, accountable for keeping order and the prevention of undue noise and disturbances on the licensed premises and the neighborhood.
- 6.6 Section 5.3 of these policies shall apply to all clubs and veterans' organizations.

VII. RULES AND REGULATIONS APPLICABLE TO SPECIAL EVENT LICENSES

- 7.1 Hours of Sale
Request for the sale of alcohol under a Special Event License is limited to between the hours of 11:00 a.m. and 12:00 a.m. on Monday through Saturday, and 12:00 p.m. and 12:00 a.m. on Sundays.
- 7.2 Notice
Special Event Licenses are exempt from the legal notice and publication requirements.
- 7.3 Eligibility
 - 7.3.1 No Special Event License shall be granted to any person while their application for an On-Premises license is pending before the Select Board.

7.3.2 No person shall be granted a Special Event License for more than 30 days in a calendar year.

7.5 Application

The Applicant shall provide the following information and documents to the Select Board:

- a) Town of Needham Select Board Event Information Sheet
- b) Descriptive information about the event (invitation, flyer, letter of explanation, etc.)
- c) Written indication of the manner by which service, sale, delivery, and/or dispensing of alcoholic beverages are to be controlled.
- d) Written evidence of the owner's permission to use the proposed licensed premises.
- e) Proof of Non-profit Status (if request is for all alcoholic beverages).
- f) Sketch/floorplan of the proposed licensed premises detailing where alcohol will be served, sold, delivered, and/or dispensed.
- g) Designation and identification in writing of all individuals who will serve, sell, deliver, and/or dispense alcoholic beverages and evidence of whether or not said individuals have completed in the past three years an appropriate Massachusetts alcoholic beverages server training program.
- h) Acknowledgement that the person holding the special license has purchased the alcoholic beverages from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder. A person holding a section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04)

7.6 Conditions

The Special Event Manager shall provide for the orderly and safe conduct of the event, shall be responsible for the proper sale, service, delivery, dispensing and consumption of alcoholic beverages, shall be physically present during the duration of the entire event and shall sign the Event Information Sheet. The Special Event Manager shall display such Special Event License where sale of alcoholic beverages is taking place.

7.7 Alcohol Training

The Select Board may require the Special Event Manager or individuals serving or handling alcohol at the event to complete a training program to prevent service to underage or intoxicated persons.

VIII. RULES AND REGULATIONS APPLICABLE TO PACKAGE STORES

8.1 General Provisions

- 8.1.1 Employees at the licensed premises on which a Section 15 license is exercised must be 21 years of age except that such Licensees may employ

a person under the age of 21 who does not directly handle, sell, store, or prepare for display any alcoholic beverages. Notwithstanding the foregoing, food store employees 18 years of age or older may handle, store, or prepare any alcoholic beverages for display.

- 8.1.2 No seating, chairs, stools, or tables for use by customers or patrons shall be placed or permitted by a retail package store Licensee upon or within the licensed premises, or upon any area under the direction and control of the Licensee without the Select Board's consent.
- 8.1.3 Where the liquor licenses are granted to serve the public, Licensees shall be open to the public and, except in exigent circumstances, operate on all days and hours in accordance with the terms of the issued liquor license. The closing of the licensed premises to the public, for a period of five (5) consecutive days or more, or for any period totaling ten (10) days during the calendar year without the prior approval of the Select Board may be deemed to be an abandonment of the Liquor License and sufficient grounds for revocation of the Liquor License.
- 8.1.4 Package Store Licenses may be granted to food stores as defined in these regulations, but will not be granted to convenience stores.
- 8.1.5 Alcohol-related signage displayed so that it is visible to the public will be limited. As a condition of the license, the Licensee will comply with the Town of Needham Sign By-law, as from time to time amended.
- 8.1.6 Advertisement at local sporting events or school events and sponsorships of sporting teams where participant's uniforms carry the name, logo or advertisement for any business which derives more than 25% of its gross revenues from the sale of alcoholic beverages is prohibited.
- 8.1.7 "Nips" or bottles of spirits containing fewer than eight (8) fluid ounces shall not be located in an area directly accessible by customers, and shall be offered for sale upon the request of a customer from a location within the premises to which customers do not have direct access, such as behind a counter.

8.2 Deliveries

- 8.2.1 For all deliveries conducted off the licensed premises, the Licensee shall keep written records including the date of sale, quantities and sizes of items purchased, method of payment transaction, and name and address of purchaser. In addition to the preceding requirements, the amount of the beverages that were delivered, the date and time of delivery, the signature of the person receiving the delivery and the type of identification card used to confirm age. Such written records shall be maintained by the

Licensee within or upon the license premises for a period of not less than one year and must be readily available for inspection by the Town.

- a) Deliveries must be made during the operating hours of the store.
- b) Deliveries shall be made by persons no less than 21 years of age.
- c) A copy of Off-Premises Transportation Permit, license to deliver issued by the ABCC, shall accompany application at time of submittal.

8.2.2 Hours for product deliveries to establishment and/or pick-up of bottle returns should be arranged so that activity does not interfere with the quiet enjoyment of the neighborhood.

8.3 Sample Tastings

Consumption of alcoholic beverages within or upon the retail package store licensed premises, or upon any area under the direction and control of the Licensee, by any person is strictly prohibited except for sample tasting.

8.4 Food Store Alcohol License Requirements

8.4.1 A food store is defined as a farm stand, grocery store, or supermarket, which sells at retail, food for consumption on or off the gross premises, whether alone, or in combination with grocery items or other non-durable items typically found in a grocery store and sold to individuals for personal, family or household use. Such food store shall carry fresh and processed meats, poultry, dairy products, eggs, fresh fruits and produce, baked goods and baking ingredients, canned goods and dessert items. Notwithstanding the foregoing, a food store for the purposes of these regulations shall not be a convenience store, any business that sells gasoline, or a business which derives more than 25% of its gross revenues from the sale of alcoholic beverages. The retail space used to display alcoholic beverages shall not exceed twenty-five percent (25%) of the total retail space on the premises. The Select Board shall determine whether an Applicant is a food store as set out herein and in compliance with any and all requirements.

8.4.1 A convenience store is defined as an establishment that sells at retail food and other non-durable items to individuals more on a daily basis, such as but not limited to small quantities of food, candy, newspapers, and tobacco products. Convenience stores are frequently open with only one staff member on duty at a time, are usually open later than 10:00 p.m. and may or may not sell gasoline. The Select Board reserves the right to consider each of these factors when determining if an Applicant will be considered a convenience store.

8.4.2 Regular sales and operation of the food store must continue during all

times when the sales of alcoholic beverages are permitted.

- 8.4.3 Package store licenses issued to food stores shall be limited to wine and malt beverages only; provided, however, that a farm stand, as defined in 330 CMR 22.02, shall be eligible for an all-alcohol package store license.

IX. RULES AND REGULATIONS APPLICABLE TO FARMER SERIES POURING PERMITTEES

9.1 Applicants

Applicants for a Farmer Series Pouring Permit shall hold a Farmer-Brewery License (M.G.L. c.138, §19C) from the ABCC at all times. If an Applicant for a Permit does not have a valid ABCC Farmer-Brewery License at the time of Application, issuance of the Permit shall be conditioned on receipt of such ABCC license.

9.2 Purpose

The issuance of Farmer Series Pouring Permits shall be utilized so as to foster the economic development of the Town by encouraging and promoting patronage in those areas where Farmer Series Pouring Permittees are located. The Select Board shall consider when deciding upon a license application the foregoing factors and any other matter deemed appropriate by the Board including by way of description but not limitation: proximity to residential neighborhoods, traffic, parking, community engagement, and other aesthetic considerations including the physical layout of the interior of the establishment.

9.3 Water Station

At all times, there shall be a free, self-service water station for patrons and customers to use without staff assistance. This provision may be waived by the Select Board upon a showing of good cause and only if a sign is posted by the bar stating that tap water is available upon request and free of charge.

9.4 Occupancy

Where required by the Select Board, the Licensee shall delegate a staff member to keep and maintain an accurate count of all individuals occupying the premises to ensure compliance with building code occupancy limits.

9.5 Food Service

The Permittee shall ensure that food service is available to its patrons at all times that alcohol is served for on-premises consumption. The Permittee may satisfy this provision by (i) holding a Common Victualler's license and operating a full-service kitchen; (ii) arranging for food to be brought onto the premises by mobile food truck vendors; (iii) contracting with nearby restaurants; (iv) allowing patrons to have food delivered for consumption on the premises; or (v) such other arrangement as the Select Board deems appropriate. The Permittee shall submit a plan for food service with its application.

X. VIOLATIONS

10.1 Violations

Any violation of the License terms and conditions, these Regulations, the Regulations of the Alcoholic Beverages Control Commission, the laws of the Commonwealth, including General Laws Chapter 138, or the Town's General Bylaws may be grounds for action by the Select Board, including the modification, suspension, revocation, nonrenewal or cancellation of a license.

10.2 Suggested Orders

Except as provided in Section 10.3, the suggested orders listed below shall be a guide for the Select Board. The Board, in its discretion, may impose an order that is more lenient or more severe than suggested by the guidelines when the facts surrounding a violation so warrant. In determining the appropriate action in any given case, the Select Board shall consider the violation, the facts of the case, other relevant factors including the Licensee's prior record, and aggravating or mitigating circumstances. Dates of suspension will be determined by the Select Board and suspensions of more than one-day will be served consecutively.

Offense	Suggested Order
1 st Offense	One to five day suspension
2 nd Offense	Six to ten day suspension
3 rd Offense	Ten to thirty day suspension
4 th Offense	Revocation

10.3 Compliance Checks

The Town conducts, and expects to continue to conduct, routine compliance checks of Licensees, including, but not limited to, service to underage persons checks using agents of the Needham Police Department. The following schedule of recommended discipline is a guideline intended to illustrate the range of disciplinary action that the Select Board may impose for service to underage violations identified in compliance checks, which are intended to be educational by design. The Select Board is not limited by these guidelines and may impose greater or lesser discipline based on consideration of the violation alleged, the facts of the case, other relevant factors including the Licensee's prior record, and aggravating or mitigating circumstances. Dates of suspension will be determined by the Select Board and suspensions of more than one-day will be served consecutively.

Offense	Suggested Order
1 st Offense	One to two day suspension.
2 nd Offense	Up to five-day suspension.
3 rd Offense	Up to ten-day suspension. Licensee shall be required as a condition of the license to provide the Board with a satisfactory written plan, under signature of the manager of record and any person or entity holding more than a 10% ownership interest in the license, to assure that a further offence will not occur.
4 th Offense	Minimum ten-day suspension. Based on relevant circumstances as determined by the Board, the Board may order a longer suspension of any length, imposition of conditions on or other modifications of the license, disqualification of the manager of record, or compulsory initiation by the Licensee of transfer of ownership to a responsible party to be approved by the Board.

10.4. Training

All employees involved in the improper sale of alcohol and the in-store manager at the time of the violation (as determined by the license Manager of Record) shall not serve alcohol until they complete another training course (either virtually or in-person) in accordance with Section 3.4.3, notwithstanding when the course was last completed and provide proof of said training to the Select Board. In addition, these employees must complete in-person training in accordance with Section 3.4.3 no later than the next such training offered by the Town of Needham and provide proof of said training to the Select Board.

10.5 Prior Violations

In calculating the number of prior offenses under this guideline, the Select Board will consider determined violations occurring within the five (5) years preceding the date of current violation.

10.6 Hearings

- 10.6.1 A Licensee shall have a right to notice and public hearing before modification, suspension, revocation, nonrenewal or cancellation of a license by the Board, except that the Board may under emergency circumstances as allowed by Law suspend the license pending hearing.

10.6.2 A Licensee may waive its right to hearing, and the Board in such cases may make findings and act without hearing on recommendation of the Town Manager. The Board may, however, require that a hearing be held notwithstanding such a waiver, in which case the Licensee shall have notice of hearing and an opportunity to be heard before action is taken on modification, suspension, revocation, nonrenewal or cancellation of a license, except that Select Board may under emergency circumstances as allowed by Law suspend the license pending hearing.

10.7 Notice of Suspension

On the days when Suspension of License is being served, the Licensee will publicly post at its public entrance(s) a notice of the Suspension in a form as the Board or Town Manager may direct. The Board may also post notice of violation hearings, findings, decisions, and orders to the Town's website and Town's social media.

APPROVED:	6/14/77
Amended and revised:	11/18/97
Amended and revised:	2/9/99
Revised fee schedule:	12/7/99
Revised fee schedule:	12/5/00
Revised and approved:	8/20/02
Fee changes	12/21/04
Addition of Liquor	
Liability Insurance:	1/25/05
Addition of One-Day License:	1/25/05
Amended and revised:	11/14/06
Amended and revised:	6/22/10
Amended and revised:	12/18/12
Amended and revised:	5/13/14
Amended and revised:	9/10/2014
Amended and revised:	11/9/2016
Amended and revised:	7/25/2017
Amended and revised:	8/18/2020
Amended and revised:	7/26/2022
Amended and revised:	4/25/2023

SELECT BOARD

ACTING AS

NEEDHAM LICENSING BOARD



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 5/14/2024

Agenda Item	Climate Action Roadmap
Presenter(s)	Stephen Frail, Climate Action Plan Committee Chair Gabby Queenan, Sustainability Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	The Climate Action Plan Committee (CAPC) was established to guide the Town in developing a plan that meets or exceeds the State's climate mitigation and resilience goals. Needham's draft Climate Action Roadmap outlines our commitment to achieving Net Zero greenhouse gas emissions by 2050, as mandated by the Commonwealth of Massachusetts and directed by the Needham Select Board. The roadmap is the result of extensive research, community engagement, and collaboration with various stakeholders. The roadmap was approved in its current form by a vote of the CAPC. The roadmap outlines specific targets, milestones, and actionable strategies across all sectors of our community. The CAPC is seeking the Select Board's vote to adopt the Climate Action Roadmap.
2.	VOTE REQUIRED BY SELECT BOARD
	Suggested Motion: Move that the Select Board vote to adopt and publish the Climate Action Roadmap.
3.	BACK UP INFORMATION ATTACHED
	a. Climate Action Roadmap



Sustainable Needham

Climate Action Roadmap

Prepared by the Climate Action Planning Committee of Needham



Acknowledgments

Needham Climate Action Planning Committee (CAPC)

Stephen Frail, Chair
Nick Hill, Vice Chair
Rachel Bright
Marianne Cooley, Needham Select Board
Artie Crocker, Needham Planning Board
Paul Dellaripa
Natasha Espada, Needham Planning Board
Joe Higgins
Kevin Keane, Needham Select Board

Town Staff Support for the CAPC

Cecilia Simchak, Assistant Director of Finance,
Town of Needham
Kathryn Copely, Administrative Specialist of
Design and Construction, Town of Needham
Hank Haff, Director, Building Design
& Construction, Town of Needham

CAPC Interns, 2022 & 2023:

Andy Atallah, Resident, Student,
Middlebury College
Rachel Alpert-Winna, Student, Emory University
Joseph Sten, Resident, Student,
Boston University

Working Groups

Clean Energy Supply

Liz Gregg, Mothers Out Front, Needham
Nick Hill, Needham CAPC
George Kent, Resident
Carys Lustig, Director of Public Works,
Town of Needham
Eileen Mullen, Green Needham
Mathew Tuttleman, Resident
Donna Vello, Green Needham

Climate Smart Zoning & Planning

Natasha Espada, Needham CAPC
Jacob Knowles, BR+A Consulting Engineers
Andrea Love, Payette
Oscar Mertz, Resident
Lee Newman, Director of Planning &
Community Development, Town of Needham
David Roche, Former Building Commissioner,
Town of Needham
Justin Savignano, Assistant Town Engineer,
Town of Needham

Governance

Peter Atallah, Resident
Rachel Bright, Needham CAPC
Cyndi Gonzalez, Former Chief Information
Officer, Town of Needham
Amy Haelsen, Director of Communications &
Community Engagement, Town of Needham
Moe Handel, Former Member of Needham
Select Board
Karen Price, League of Women Voters of
Needham
Cecilia Simchak

Natural Resources/Zero Waste

Deb Anderson, Director of Conservation,
Town of Needham
Maureen Commene, Green Needham
Artie Crocker, Needham CAPC
Clayton Hutchinsen, Conservation Specialist,
Town of Needham
Joe Leghorn, Needham Community Farm
Ally Littlefield, Public Health Division,
Town of Needham
Christine Mittaz, Student, Needham High School
Ed Olsen, Superintendent of Parks
& Forestry, Town of Needham
Mike Retzky, Superintendent of Water,
Sewer and Drains, Town of Needham
Eleanor Rosellini, Green Needham
Isabell Wells, Resident

Net Zero Buildings

Lynn Deninger, CannonDesign
Barry Dulong, Director,
Building Maintenance, Town of Needham
Reg Foster, Chair, Needham Housing Authority
Tali Golan, Sherman, Trip Advisor
Hank Haff
Joe Higgins, Needham CAPC
Matthew Mayerhofer, Trip Advisor
Shannon Nelligan, Assistant Director of
Building Maintenance, Town of Needham
Bill Paulsen, Realtor, Rotarian
Ed Quinlan, Green Needham

Zero Emissions Transportation

Carol Brown, Congregational Church
of Needham
Paul Dellaripa, Needham CAPC
Jackie DeWolfe, Resident
Michael Greis, Green Needham

Robbie Havdala, Needham Public Schools
JP Mittaz, Green Energy Consumers Alliance
Nick Morris-Kliment, Christ Episcopal Church
John Regan, Fleet Supervisor, Town of Needham

Sustainable Needham Advisory Group Members

Georgina Arrieta-Ruetenik, Resident
Kim Hewitt, Former Director,
Needham Free Public Library
Peter Atallah
Keith LaFace, Resident
Hans Bhatra, Needham High School
Environmental Club
Andrea Longo Carter, Needham School
Committee
Kathleen Ward Brown, Needham Board
of Health
Carys Lustig
Alexandra Clee, Assistant Town Planner,
Town of Needham
Louise Miller, Needham Finance Committee
Hannah Corrigan, Assistant Director Parks
& Recreation, Town of Needham
Lee Newman
Paul Corwin, Resident
Bill Paulsen
Rob Dangel, Resident
Robert Pettitt, Trustees of the Needham
Free Public Library
Matthew DeMarrais, Superintendent,
Recycling & Solid Waste, Town of Needham
Karen Price
Jackie DeWolfe
John Regan
Reg Foster
Kate Robey, Needham Center at the Heights
Dave Greenstein, Resident
Claire Rodgers, Associate Energy Engineer,
Olin College
Amy Haelsen
Eleanor Rosellini
Hank Haff
Justin Savignano
Moe Handel
Mathew Tuttleman

Consultant

 **KIM LUNDGREN
ASSOCIATES, INC.**
Customized Solutions for the Community You Want



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SELECT BOARD

Marianne Cooley, Chair

Kevin Keane, Vice Chair

Marcus Nelson

Heidi Frail

Cathy Dowd

The fight to save our planet is on, and Needham is committed to doing our part.

To paraphrase President John F. Kennedy, “The problems of mankind...can be solved by mankind.” And so in this spirit, we look to science and good environmental stewardship to move Needham towards a carbon-free future. This roadmap is part of that effort.

Over the past decade, the Town of Needham has made significant investments in improving the energy efficiency of Town buildings, increasing the availability of solar-powered electricity, and switching street lights to more efficient LED lights.

Since Needham embarked upon its efficiency efforts, the urgency of reducing greenhouse gas emissions has increased significantly. Climate change is here. We have all seen it in the form of more frequent intense storms, extended heat waves, wind events, droughts, and damage to utilities and infrastructure, trees, and our own gardens.

Recognizing the importance of tackling climate change, the Massachusetts Legislature passed the 2022 Act Creating a Next-Generation Roadmap for Massachusetts Climate Policy, committing the state with all its communities to achieving Net Zero greenhouse gas emissions by 2050, with interim targets in 2030 and 2040. Further, the Town has responded to an October 2021 Needham Town Meeting resolution asking the Select Board to act now to reduce the greenhouse gas emissions across the municipal, business, and residential sectors of Needham.

During the Summer 2021 Select Board goal setting process, the board chartered the Climate Action Planning Committee (CAPC) to advise the Select Board on prioritizing climate actions, and the CAPC has done so. We are pleased to report that current CAPC recommendations are being implemented: Municipal Electrical Aggregation, adopting the State’s Specialized Energy Code, hiring a Sustainability Manager, understanding Needham’s greenhouse gas profile, and generating this Climate Action Roadmap.

We thank the Climate Action Planning Committee and everyone who participated in creating this Climate Action Roadmap, and we are committed to supporting the implementation work that lies ahead.

Letter from the Climate Action Planning Committee

CLIMATE ACTION PLANNING COMMITTEE

Stephen Frail, Chair

Nick Hill, Vice Chair

Rachel Bright

Marianne Cooley

Artie Crocker

Paul Dellaripa

Natasha Espada

Joe Higgins

Kevin Keane

We are pleased to present the Town of Needham's Climate Action Roadmap, a comprehensive plan that outlines our commitment to achieving Net Zero greenhouse gas (GHG) emissions by 2050, as mandated by the Commonwealth of Massachusetts and directed by the Needham Select Board.

The Sustainable Needham Climate Action Roadmap represents a collective response to the urgent challenges of climate change. It is the result of extensive research, community engagement, and collaboration with various stakeholders. Our goal is to secure a sustainable and resilient future for our town while reducing our carbon footprint and mitigating the impacts of climate change.

This roadmap outlines specific targets, milestones, and actionable strategies across all sectors of our community. It covers essential areas such as energy efficiency, renewable energy, transportation, waste management, land use, and community engagement. The roadmap emphasizes the importance of collaboration, innovation, and inclusivity in achieving our shared goals.

Throughout the planning process, we have considered the unique characteristics of Needham, including its demographics, infrastructure, and local resources. We have also acted upon the valuable feedback and input received from residents, businesses, and community organizations.

By implementing the strategies outlined in this roadmap, Needham will not only reduce GHG emissions but also create opportunities for economic growth, improve public health, and enhance the overall quality of life in Needham. The roadmap emphasizes the role that each of us plays in achieving our Net Zero goals.

We are excited about the transformative potential of this roadmap and look forward to working closely with the entire community. Together, we can make a significant difference and leave a lasting legacy for future generations.

Thank you for your dedication to the well-being of our town and your commitment to climate action. We invite you to review the complete Sustainable Needham Climate Action Roadmap for detailed strategies and implementation steps. We are confident that, with your involvement, Needham will emerge as a leader in sustainability and inspire other communities to follow suit.

What We Have Accomplished

2011

Public Services Administrative Building is built and uses geothermal energy

2014

First Solarize Needham yields 99 new solar PV installations on homes

2016

Solar array installed at Needham Recycling and Transfer Station, producing 25% of the Town's electricity



2019

Solarize Needham Plus generates 52 new solar PV installations

2021

Mitchell & Newman Elementary Schools, Pollard Middle School undergo lighting upgrades projected to save 142,056 kWh annually



2020

Needham adopts Stretch Energy Code and becomes a Green Community

2020

Sunita L. Williams Elementary School opens with a roof-mounted 155 kW solar array earning LEED Silver rating

2021

LED Streetlight Project completed, saving 21,637 kWh annually

2021

Needham Town Meeting passes resolution to declare a Climate and Ecological Emergency

2022

Climate Action Plan Committee is chartered by the Select Board

2023

Needham Town Meeting passes the Specialized Energy Code

What We Will Do Next



ACTIONS

In the coming years, Needham is committed to taking the following actions.

2023

Needham hires its first Sustainability Manager



2030

Needham will aim to electrify 20% of residential and 25% of commercial buildings

2040

Needham will strive to electrify 80% of passenger vehicles

2050

Needham will aim to achieve net zero emissions across our entire community



A Clean Future Together

Needham is a place where civic engagement thrives, we embrace the role of responsible stewards, and we set high expectations for all of us to meet together. We take pride in the strategic and prudent decisions that have shaped our community, and **Sustainable Needham**—Needham's first Climate Action Roadmap—is our commitment to embracing smart choices today for a safer, cleaner future together.

Through **Sustainable Needham**, we are involving our entire community in making smarter decisions about how we get around town, heat and cool our buildings, source our electricity, and more. We will rely on the collective participation of residents, businesses, civic organizations, and the municipality itself to get the job done. Ultimately, we will draw on best practices to make the investments and create the opportunities needed to safeguard our health and safety and that of our future generations.

The goals, strategies, and actions in this Roadmap are organized into
SIX KEY FOCUS AREAS



CLEAN ENERGY



GOVERNANCE



NATURAL RESOURCES
& WASTE



NET ZERO BUILDINGS



RESILIENCE &
PUBLIC HEALTH



TRANSPORTATION

Why We Are Taking Action

Residents of Needham are already experiencing the impacts of climate change such as extreme heat, intense storms, and destructive flooding. If we do not prepare for climate change, residents will face a range of consequences from increasing costs to repair infrastructure to severe public health impacts. We must take action now for the following reasons:



Save money and conserve resources as the cost of taking action now is far less than the cost of climate change later.



Preserve Needham's history, culture, and quality of life because residents deserve a healthy and safe place to live.



Prepare for current and future climate impacts that are becoming more frequent and intense.

Since 1980, the US has experienced over 370 major climate-related disasters with a combined total of over \$2.6 trillion in damages and over 15,000 fatalities.¹ As the costs of failing to reduce climate change become more apparent, the value of avoided Greenhouse Gas (GHG) emissions becomes clearer too. The Social Cost of Carbon (SCC)² quantifies reduced emissions in terms of avoided damage. Governments and major companies are using the SCC to guide decision-making. Our analysis assumes \$190 per ton in alignment with EPA's calculated 2023 value for the SCC. By utilizing the SCC to calculate the cost of our GHG emissions, we can better understand the economic impacts of decisions that would increase or decrease our emissions.



The Roadmap's three guiding principles represent Needham's values and goals for implementation:



REDUCE GHG EMISSIONS

Prioritizing the reduction of Needham's greenhouse gas emissions to address climate change.



EQUITY AND INCLUSION

Addressing challenges that disproportionately affect underserved communities and prioritizing opportunities that benefit them.



RESILIENCE

Strengthening Needham's ability to adapt to climate impacts through a robust social network, reduced economic stressors, and direct investment in ecological systems.

Main Climate Hazards

Climate Change in Needham

We know climate change is here. We've already experienced its impacts in the form of localized flooding, more intense storms, droughts, and oppressive heat waves. It takes a toll on our infrastructure, energy bills, health, taxes, and property. While climate change will be experienced by everyone, the impacts will not be equal. Low-income families, people with pre-existing health conditions or disabilities, seniors, and youth are particularly vulnerable. But we've got what it takes to be resilient—to act now so that Needham emerges stronger tomorrow.



INTENSE STORMS

70% INCREASE

in the amount of precipitation falling in heavy rain events between 1958 and 2010 in the Northeast.³

9.9%

increase in total precipitation by 2050.⁴



IMPACTS

- Downed trees
- Power outages
- Property damage



HEAT WAVES

5.5

Average number of days above 90 degrees F from 2016-2021.⁵

21

Projected number of days above 90° F by 2050.⁶



IMPACTS

- Heat-related illness and death
- Higher energy demand
- Increased risk of vector borne disease
- Strain on electricity grid
- Increased risk of fires



DROUGHT

22 WEEKS

with moderate to severe drought in Norfolk County in 2022.⁷

UP TO A 10 DAY

increase in annual maximum number of consecutive dry days expected by 2100 in Massachusetts.⁸



IMPACTS

- Stress on wildlife
- Diminished water supply
- Damage to local farm crops
- Increased food insecurity



FLOODING

220 HOMES AND BUSINESSES

were impacted by the August 8, 2023 flooding event.⁹

25%

increase in annual days with total precipitation > 1 inch by 2050.¹⁰



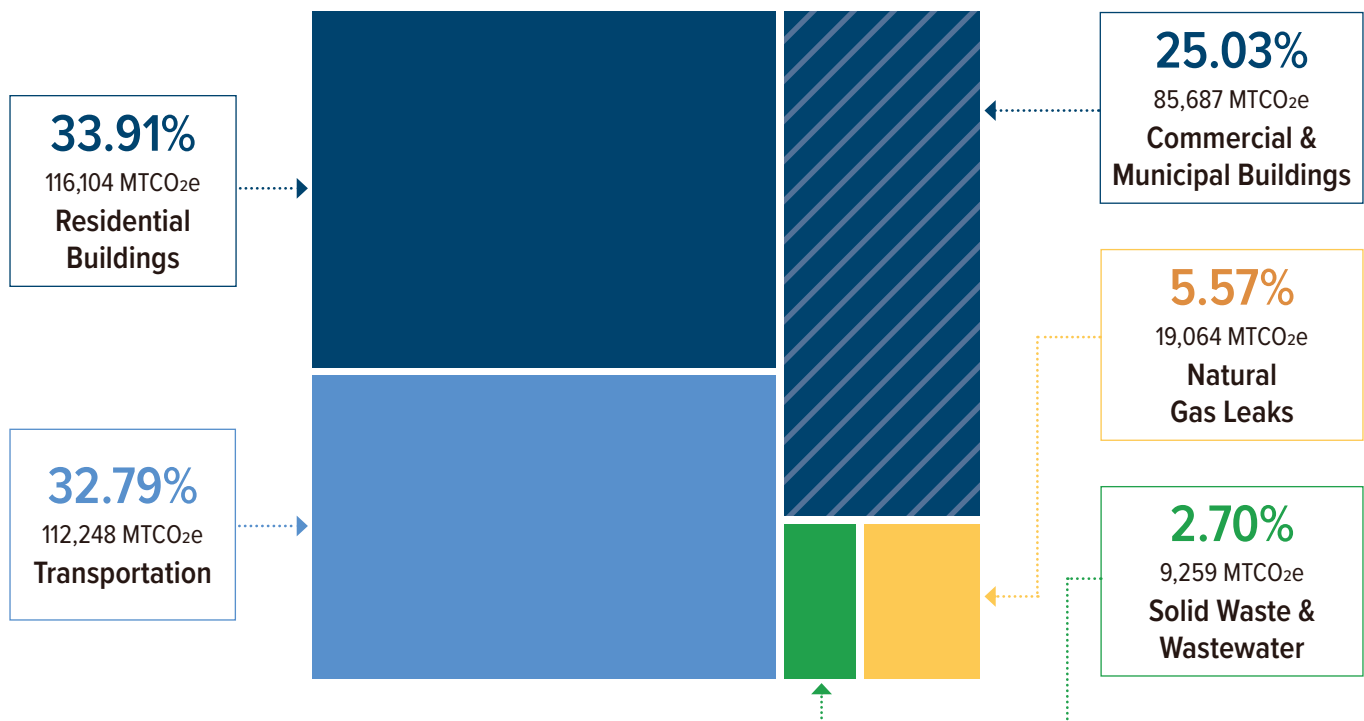
IMPACTS

- Damage to critical facilities, infrastructure, homes, and businesses
- Costs to taxpayers
- Risk to humans and wildlife
- Pollution from stormwater runoff

Assessing Our Contribution

The key to addressing climate change in Needham is reducing our greenhouse gas (GHG) emissions. GHGs are the planet-warming product of burning fossil fuels like natural gas and oil to power our homes, businesses, and vehicles. Emissions are also produced when trash and food waste are incinerated or decompose in a landfill. To create an actionable and data-driven climate action plan, we need to identify and understand the sources of GHG emissions in Needham. A community wide GHG inventory with a 2021 baseline year identifies the largest sectors and sources of emissions. The inventory provides a foundation to develop high-impact strategies and actions for **Sustainable Needham**.

In 2021, Needham generated 342,362 metrics tons of carbon dioxide equivalent (MTCO_{2e}) community-wide, including the public and private sectors. Energy used to power buildings accounts for the majority of our emissions (65%). These emissions are related to lighting, heating and cooling, and powering the appliances and devices we use. The second largest source of GHG emissions was the transportation sector (33%), primarily from private passenger vehicles with small additions from commercial vehicles and public transit. Municipal operations, including energy consumed by Town-owned buildings, facilities, and vehicles, account for less than 3% of Needham's total GHG emissions. As a result, the high-impact strategies laid out in this Climate Action Roadmap specifically target community-wide actions.



Needham's 2021 GHG Emissions by Sector = **TOTAL 342,362 MTCO_{2e}**

Pathways to Reducing Emissions

Reducing our direct GHG emissions is the primary way that we can reduce our contribution to climate change.

Achieving Net Zero by 2050

Reducing our GHG emissions is the primary way we can reduce our contribution to climate change. We can directly affect our sources of emissions by changing what types of energy we use, how efficiently we use it, and how much waste we generate. The strategies outlined in this Climate Action Roadmap are designed to help us reach our climate goals. The chart below models the opportunity for GHG reductions in our community through 2050. The different bands in the graph correspond to the remaining emissions after Needham's high-impact strategies are implemented. To achieve these reductions, an additional overarching strategy to purchase 100% of our electricity from new renewable energy resources is required—aligning with Massachusetts's Renewable Energy Portfolio Standard (REPS) and related investments in solar and off-shore wind projects. This will ensure we maximize GHG reductions as we transition our homes, businesses, and vehicles to operate using electricity.

Impact of Strategies

HIGH IMPACT STRATEGIES

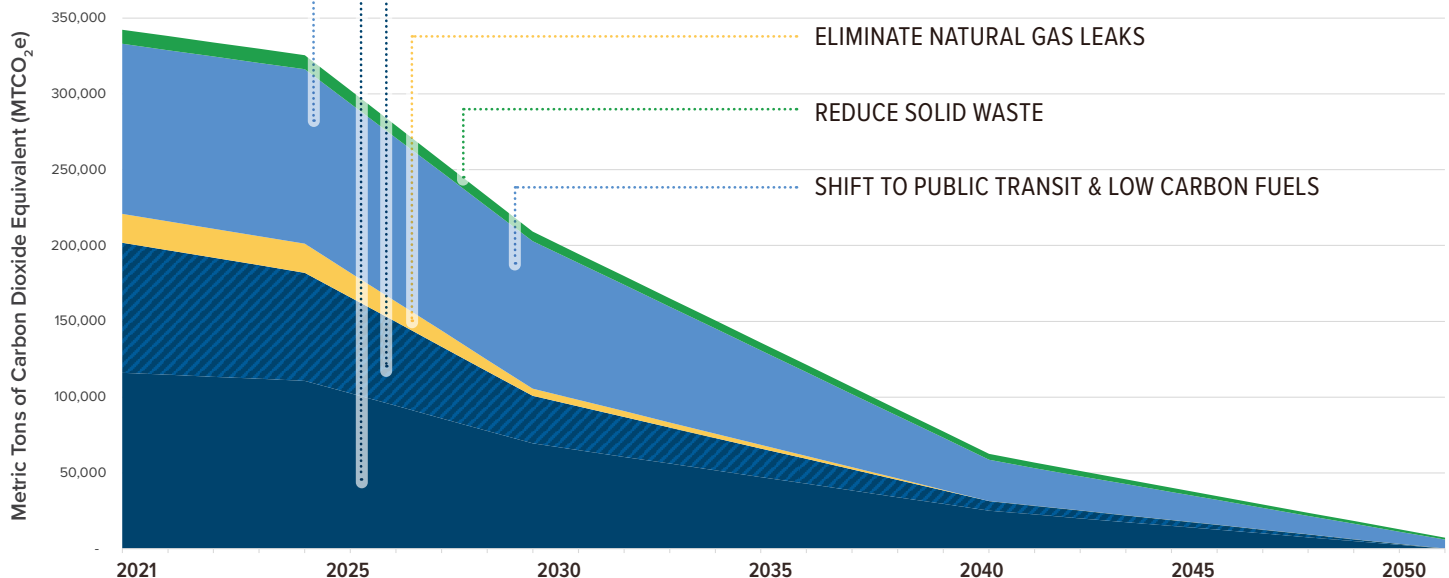
ELECTRIFY TRANSPORTATION

ELECTRIFY BUILDINGS & PURSUE EFFICIENCY

ELIMINATE NATURAL GAS LEAKS

REDUCE SOLID WASTE

SHIFT TO PUBLIC TRANSIT & LOW CARBON FUELS



GHG Emissions by Sector

- Residential Buildings
- Commercial Buildings
- Transportation
- Natural Gas Leaks
- Solid Waste & Wastewater

High Impact Strategies

ELECTRIFY TRANSPORTATION

GHGS REDUCED: 120,000 MTCO₂e

SOCIAL COST OF CARBON AVOIDED: \$22.8M

Transportation represents the second largest source of GHG emissions. To tackle emissions from the transportation sector, we will need to transition a significant number of both passenger and commercial vehicles to EVs; these milestones are in alignment with the MA Decarbonization Roadmap and the 2025-2030 Climate and Clean Energy Implementation Plan.

ELECTRIFY BUILDINGS & PURSUE EFFICIENCY

GHGS REDUCED: 111,400 MTCO₂e

SOCIAL COST OF CARBON AVOIDED: \$21.2M

Energy use in buildings accounts for almost two-thirds of Needham's GHG emissions. To rapidly reduce emissions, we must eliminate the direct use of fossil fuels for heating, cooking, and other uses in both new and existing buildings. All electrification efforts should be accompanied by high efficiency retrofits to minimize the demand for new renewable energy.

ELIMINATE NATURAL GAS LEAKS

GHGS REDUCED: 19,100 MTCO₂e

SOCIAL COST OF CARBON AVOIDED: \$3.6M

Natural gas leaks in buildings, which account for 5% of Needham's emissions, can be a significant contributor to climate change, as it is a source of methane (CH₄). Methane is a potent greenhouse gas with a global warming potential (GWP) that is over 25 times greater than carbon dioxide (CO₂).

REDUCE SOLID WASTE

GHGS REDUCED: 8,200 MTCO₂e

SOCIAL COST OF CARBON AVOIDED: \$1.6M

Between now and 2050, we need to steadily increase diversion rates to ultimately reach 90% (which is the threshold for "zero waste"). This means diverting organic waste (e.g., food waste) to compost, reducing our use of plastics and other non-recyclable materials, and preventing as much waste as possible from being incinerated.

SHIFT TO PUBLIC TRANSIT & LOW CARBON FUELS

GHGS REDUCED: 3,000 MTCO₂e

SOCIAL COST OF CARBON AVOIDED: \$570K

Increased use of public transportation can decrease vehicle miles traveled and will further reduce emissions from transportation. With the uptake in transit-oriented development, Needham is moving towards more sustainable options. As heavy-duty trucks lag in EV transition due to market and technology limitations, state and federal standards to reduce these residual emissions in the short-term.



Decarbonizing Our Electricity Supply

How "clean" our electricity is will be determined by which resources we use to generate it. The greater the percentage of clean energy sources, the less carbon is emitted to serve our needs. Purchasing 100% of our electricity from new renewable sources will ensure significant GHG reductions as we transition our buildings and vehicles away from fossil fuels. The High Impact Strategies listed above assume that the carbon intensity of our electricity will be zero in 2050.

Action Plan Summary

The **Sustainable Needham** planning process identified goals, strategies, and actions under each focus area that will reduce our contribution to climate change and prepare our community for climate impacts.



CLEAN ENERGY

Goal EN.1 Needham achieves 100% renewable energy by 2050.

EN.1.1 Provide residential and commercial customers with electricity options that are clean, local, and competitively priced.

⚙️ EN.1.1.A Design and implement a Municipal Electricity Aggregation program to drive the development of local renewable capacity and community solar.

EN.1.1.B Create and implement an outreach campaign to educate residents about the Municipal Electricity Aggregation program and encourage residents to opt up to the greenest option.

EN.1.2 Accelerate local renewable energy installation.

⚙️ EN.1.2.A Identify sites to install solar plus storage on public property.

✳️ EN.1.2.B Re-establish a solarize campaign and expand it to include storage and other complimentary technologies.

⚙️ EN.1.2.C Update zoning and permitting bylaws to encourage the installation of solar PV, particularly over parking lots and commercial buildings.

Goal EN.2 Needham has a resilient energy infrastructure and supply.

EN.2.1 Collaborate with local and regional entities to drive the transition to clean, renewable energy.

EN.2.1.A Formalize a collaboration with Eversource to address gas leaks, plan for infrastructure upgrades, and invest in electrification.

EN.2.2 Strengthen and expand back-up power infrastructure.

EN.2.2.A Explore opportunities for microgrids to improve energy reliability and resilience in the face of climate impacts.

⚙️ EN.2.2.B Identify candidate sites and assess the feasibility of network geothermal systems and the expansion of energy storage capacity for critical facilities.



NET ZERO BUILDINGS

Goal BU.1 Buildings in Needham are designed, constructed, and maintained to be energy efficient and minimize greenhouse gas emissions.

BU.1.1 Implement high-efficiency and carbon neutrality standards for new construction and significant renovations.

✓ BU.1.1.A Adopt Specialized Energy Code ("Net-Zero") for all new construction including municipal buildings, residential, and commercial developments.

✳️ BU.1.1.B Enable Commercial Property Assessed Clean Energy (PACE) by opting into MassDevelopment Program and develop supporting programs to drive participation.

BU.1.1.C Require municipal building construction and renovations to calculate embodied carbon and life cycle costs and encourage reductions where feasible.

⚙️ BU.1.1.D Partner with Needham Housing Authority to identify funding opportunities for sustainability upgrades in existing affordable housing units.

BU.1.2 Pursue deep energy efficiency through retrofits and electrification in existing buildings.

⚙️ BU.1.2.A Pursue upgrades to existing municipal facilities to achieve net zero energy performance and publish energy use data to increase transparency.

✳️ BU.1.2.B Develop educational materials and conduct a targeted outreach campaign around MassSave incentives to residential and commercial property owners.

BU.1.2.C Establish a local energy coaching program where trained coaches can engage directly with residents and businesses on electrification and efficiency upgrades.



TRANSPORTATION

Goal TR.1 Needham accelerates the transition to electric vehicles.

TR.1.1 Promote and encourage EV adoption among Needham residents.

- * TR.1.1.A Install EV charging stations in priority parking locations such as apartment buildings, municipal buildings, and local businesses.
- TR.1.1.B Create a public awareness campaign for electric vehicles, available charging stations, and existing incentives for EVs.

TR.1.2 Transition all municipal vehicles to electric models by 2030.

- * TR.1.2.A Create and adopt an EV-first policy that requires Town-owned and leased vehicles to adopt readily available EV technology at time of replacement, where feasible.

Goal TR.2 Needham has low-carbon mobility options accessible to all.

TR.2.1 Decrease single occupancy vehicle trips.

- * TR.2.1.A Create a bike network plan and launch an outreach campaign to educate residents about active mobility options for local trips.
- TR.2.1.B Invest in high-comfort bicycle and pedestrian infrastructure and expand bike lane connectivity.
- TR.2.1.C Identify opportunities and work with community partners and neighboring towns to connect the Needham Rail Trail to other local trails and commercial points of interest.
- TR.2.1.D Update zoning by-laws to reduce minimum parking requirements in an effort to reduce vehicle trips and increase safety for pedestrian and bicycle traffic.

TR.2.2 Increase public transit ridership and reduce transit-related emissions through operational improvements and electrification.

- TR.2.2.A Support electrification of transit vehicles through installation of level 3 chargers at strategic locations throughout town.
- TR.2.2.B Collaborate with MBTA to improve operations including route efficiency, expanded service, last-mile options, improved affordability, and electrifying railway.
- ⚙️ TR.2.2.C Revise local zoning requirements to ensure compliance with MBTA Communities zoning law.



NATURAL RESOURCES & WASTE

Goal NA.1 Public and private landscapes are designed to be climate resilient, manage stormwater, maximize tree canopy, and promote community resilience and carbon sequestration.

NA.1.1 Protect and enhance tree canopy and open space.

- * NA.1.1.A Develop and enact a Tree Preservation Bylaw covering the removal and restoration of trees on private land.
- NA.1.1.B Identify private parcels of land with a high natural resource or recreation value and pursue local, state, and federal funding to acquire and preserve them as open space.
- ⚙️ NA.1.1.C Conduct a baseline tree inventory to map and track tree canopy and identify heat islands and other areas to enhance the canopy.

NA.1.2 Implement sustainable landscaping practices and green infrastructure on private and public lands.

- NA.1.2.A Create a municipal planting policy that prioritizes adaptive and native species and supports pollinators and other wildlife.
- NA.1.2.B Incentivize developers to obtain UMASS Clean Energy Extension Pollinator-Friendly Certification for medium- and large-scale solar installations.

Action Plan Summary

The **Sustainable Needham** planning process identified goals, strategies, and actions under each focus area that will reduce our contribution to climate change and prepare our community for climate impacts.



NATURAL RESOURCES & WASTE

- NA.1.2.C Accelerate the uptake of sustainable landscaping practices through rebates, incentives, and education.
- NA.1.2.D Develop and enact an ordinance to phase out the use of gas-powered lawn equipment on public and private property.

Goal NA.2 Needham manages waste responsibly and reduces waste where possible.

NA.2.1 Reduce consumption and maximize reuse.

- NA.2.1.A Develop and implement a public outreach campaign to educate residents about how to reduce waste to meet the goals of the state's Solid Waste Master Plan.
- NA.2.1.B Expand existing plastic bag ordinance to target other types of single-use plastics and packaging.
- ⚙️ NA.2.1.C Partner with local organizations, businesses, and the library to expand and increase use of mini "Re-Use-It Swap Shops" and lending libraries in multiple locations across the community.

NA.2.2 Increase diversion to recycling and composting.

- NA.2.2.A Allocate additional resources and infrastructure for Needham's Community Food Waste Recycling Program.
- NA.2.2.B Maintain and publicize online resources to help community members recycle or donate textiles, mattresses, hazardous materials, and other hard-to-recycle items.
- * NA.2.2.C Audit the waste stream in municipal facilities and schools from purchasing to disposal and develop and implement plans to reduce waste.

Goal GO.1 Needham has a culture of climate action through enhanced education and leadership.

GO.1.1 Increase the Town's organizational capacity to implement the Climate Action Roadmap.

- GO.1.1.A Educate municipal departments, Town Boards, Committees, and Town Meeting about the *Climate Action Roadmap* objectives and its applicability to operations and procedures.
- * GO.1.1.B Report implementation progress of the *Climate Action Roadmap* to Town Boards, Committees, Town Meeting, and the general public on an annual basis and update the GHG inventory and Roadmap every 5 years.
- ✓ GO.1.1.C Hire a Sustainability Manager to oversee the implementation of the Climate Action Roadmap and reevaluate capacity needs every five years.

GO.1.2 Enhance climate literacy and leadership among Needham's residents and businesses.

- GO.1.2.A Establish a comprehensive Climate Communications Strategy to engage community members and organizations in the implementation of climate actions and continuous evolution of the Climate Action Roadmap.
- GO.1.2.B Develop and promote a green business designation program that highlights simple cost-saving sustainability measures for local businesses.

Goal GO.2 Needham's municipal operations reflect sustainability and resiliency principles.

GO.2.1 Incorporate climate change into Town projects, programs, and plans.

- GO.2.1.A Integrate the Social Cost of Carbon into the Town's financial analyses to ensure Town projects, programs, and policies align with Climate Action Roadmap principles and goals.
- GO.2.1.B Require Capital Improvement Plans to align with the Town's climate goals.
- GO.2.1.C Integrate sustainability requirements and standards into Town procurement policies where feasible.



GOVERNANCE



RESILIENCE & PUBLIC HEALTH

Goal RE.1 Needham's infrastructure and services are equipped to respond to climate hazards.

RE.1.1 Implement climate-smart zoning practices to enhance resilience and address threats.

- RE.1.1.A Conduct a targeted outreach campaign to homeowners, renters, and prospective buyers about local flood, stormwater, and other climate change driven risks and protection best practices.
- RE.1.1.B Update Flood Plain maps to incorporate climate projections including sea level rise.
- RE.1.1.C Update zoning bylaws to require occupiable spaces and critical building systems to incorporate flood protection measures and prevent stormwater runoff from damaging neighboring properties.

RE.1.2 Enhance the resilience of Town infrastructure and services.

- ⚙️ RE.1.2.A Elevate or protect vulnerable utilities or infrastructure above projected flood levels.
- RE.1.2.B Strengthen existing emergency response plans to include strategies and procedures to address the impacts of climate change.
- RE.1.2.C Implement cooling strategies at existing Town-owned property.

Goal RE.2 People in our community are prepared to recover quickly from short-term shocks and long-term stressors.

RE.2.1 Strengthen communication and education to increase emergency preparedness of residents.

- RE.2.1.A Assess and improve accessibility of climate and emergency preparedness educational resources to ensure they reach everyone, especially vulnerable populations.
- RE.2.1.B Create a promotional plan to increase the number of people signed up to receive emergency alerts through AlertNeedham.
- RE.2.1.C Establish partnerships with community-serving facilities to distribute emergency preparedness information and serve as hubs during climate emergencies.
- RE.2.1.D Develop and disseminate climate resilience toolkits for small businesses, community groups, houses of worship, and other organizations.

✓ Complete ⚙️ In Process ✳️ High Priority





Clean Energy

Maximizing new renewable energy and storage capacity within the local built environment.

WHAT'S INCLUDED

- ✓ Local renewable generation
- ✓ Energy supply
- ✓ Resilience retrofits
- ✓ Grid resilience

BY THE NUMBERS

In recent years, there has been an increase in solar production in Needham as more and more property owners are choosing to install solar systems on their homes and businesses. Needham aims to encourage more solar installation with the adoption of the Specialized Energy Code.



84%

increase in solar system installations in Needham from 367 in 2016 to 674 in 2021.¹³



62%

increase in local solar production in Needham from 7,986 MWh in 2016 to 12,911 MWh in 2021.¹⁴



122,000 MWh

of local renewable energy could be produced if rooftop solar systems were installed on all existing buildings with conditions suitable for solar. This would supply 30% of the building electricity demand in 2050 under our Pathways to Reducing Emissions scenario.¹⁵

TRACKING PROGRESS

The following metrics will help Needham monitor progress toward our goals for Clean Energy.

METRIC	BASELINE YEAR	2030 TARGET	2040 TARGET	2050 TARGET
Solar Capacity (MW)	11 MW (2021) ¹¹	27 MW	54 MW	108 MW
Solar Potential Reached	10% (2021) ¹²	25%	50%	100%
Percent of households enrolled in Municipal Electricity Aggregation greenest option	New Metric	50%	100%	100%

TAKE ACTION

Thinking of installing solar or battery storage at your home or business? Ask a Green Needham expert any questions you may have about the process.

[LEARN MORE](#)



WHAT'S INCLUDED

- ✓ Climate literacy
- ✓ Climate communications
- ✓ Procurement policies
- ✓ Green businesses



Governance

Ensuring the Town's ability to implement the Climate Action Roadmap and improving climate literacy through community outreach.

BY THE NUMBERS

Throughout the process of developing this Climate Action Roadmap, Needham conducted a survey to receive feedback from community members and key stakeholders. The survey received 334 responses and the overwhelming majority agreed that Needham should take action on climate.



87%

of survey responders are worried about global warming.



82%

of survey responders agree that Needham should do more to reduce its impact on the environment.



85%

of survey responders agree that the residents and businesses of Needham should do more to reduce their impact on the environment.¹⁶

TRACKING PROGRESS

In order to measure progress toward implementing the Climate Action Roadmap, the Town of Needham will track the following metrics:



Implementation progress of Climate Action Roadmap actions



Number of citizens reached through climate educational programming and events

TAKE ACTION

Stay updated on what the Town is doing by signing up for the Town's weekly e-newsletter, The News you Need(ham).

[LEARN MORE](#)





Natural Resources & Waste

Maximize carbon reduction through natural resources protection and responsible waste management.

WHAT'S INCLUDED

- ✓ Recycling and composting
- ✓ Reduced consumption
- ✓ Sustainable landscaping practices
- ✓ Parks, open spaces, tree canopy

BY THE NUMBERS

Trees are vital for helping absorb and reduce Needham GHGs, making the preservation and expansion of tree canopy a high priority. Additionally, while Needham is already above the national average in residential diversion rates, continuing to divert waste from landfills through increasing recycling and composting rates will help reduce emissions.



4,114

acres of tree cover.*

*MassGIS (2016). Landcover.

Stores **469,168** MTCO₂e, equivalent to over **59,000** homes' energy use for one year

Sequesters **18,681** MTCO₂e per year



39% of residential waste is diverted from landfills*

*MassDEP (2021).
Municipal Solid Waste & Recycling Survey.

National average household diversion rate is **32%**

TRACKING PROGRESS

The following metrics will help Needham monitor progress toward our goals for Natural Resources & Waste.

METRIC	BASELINE YEAR	2030 TARGET	2040 TARGET	2050 TARGET
Percent of tree canopy coverage	48% (2016) ¹⁷	49% ¹⁸	50%	Maintain at 50%
Percent of land covered by impervious surfaces	30% (2019)	29%	27%	25%
Residential waste diversion rate	39% (2021) ¹⁹	50%	60%	90%

TAKE ACTION

Reduce the amount of food waste you send to the landfill by participating in the Town of Needham's composting program or hiring a composting company to collect it.

[LEARN MORE](#)



WHAT’S INCLUDED

- ✓ Energy efficiency
- ✓ Electrification
- ✓ Existing buildings
- ✓ New construction

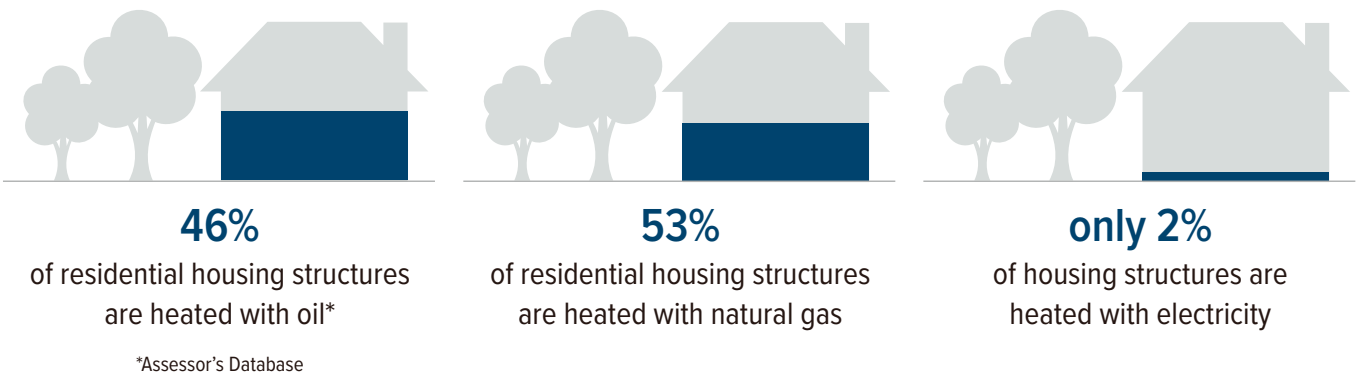


Net Zero Buildings

Improving building energy performance through high-efficiency and carbon neutral standards.

BY THE NUMBERS

Only a small percentage of households in Needham are heated with electricity. There is significant opportunity in Needham to retrofit and electrify homes and buildings. As the electricity grid continues to get cleaner, electrifying buildings is a critical step to reducing our contribution to climate change.



TRACKING PROGRESS

The following metrics will help Needham monitor progress toward our goals for Net Zero Buildings.

METRIC	BASELINE YEAR	2030 TARGET	2040 TARGET	2050 TARGET
Percent of residential buildings electrified	2% (2023) ²⁰	20%	50%	100%
Percent of commercial buildings electrified	1% (2023)	25%	75%	100%

TAKE ACTION

Lower your energy costs and improve the comfort of your home by taking advantage of rebates and incentives offered by Mass Save to insulate and switch to heating and cooling heat pumps.

LEARN MORE





WHAT'S INCLUDED

- ✓ Reduced flood risk
- ✓ Infrastructure resilience
- ✓ Emergency preparedness
- ✓ Access to resources and services

Resilience and Public Health

Preparing for climate hazards through enhanced resilience infrastructure and emergency services.

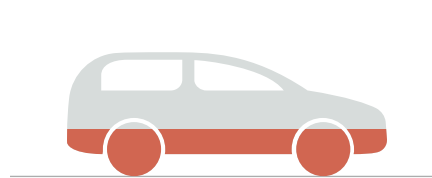
BY THE NUMBERS

Needham has already been experiencing increased levels of flooding during intense rainfall events. For example, on August 8, 2023, Needham experienced a 1 in 1,000-year storm with some areas receiving over 6 inches of rain per hour, leaving drivers stranded and public transit disrupted. As projected flood risk continues to increase, strengthening infrastructure and protecting critical assets will improve resilience for the Needham community.



1,368 out of 8,799

residential properties have a moderate flood risk over the next 30 years*



61 out of 204

miles of roads have a moderate flood risk over the next 30 years



82 out of 314

commercial properties have a moderate flood risk over the next 30 years

*Flood Factor. Flood Risk Overview: Needham.

TRACKING PROGRESS

The following metrics will help Needham monitor progress toward our goals for Resilience and Public Health.

METRIC	BASELINE YEAR	2030 TARGET	2040 TARGET	2050 TARGET
Percent of homes with moderate flood risk	16% (2023) ²¹	11%	6%	0%
Heat-related ER visits in Norfolk County	51 (2020) ²²	35	20	0
Percent of Needham residents signed up for Needham's Rave911 mobile alerts	13% (2023) ²³	45%	60%	70%

TAKE ACTION

To prepare for emergencies, sign up to receive alerts through Needham's Rave911 System and report floods and other hazards that you experience through SeeClickFix.

Rave911 System

LEARN MORE

SeeClickFix

LEARN MORE



WHAT'S INCLUDED

- ✓ Public transportation
- ✓ Parking
- ✓ Low-carbon mobility (e.g., walking, biking)
- ✓ Electric vehicles and charging



Transportation

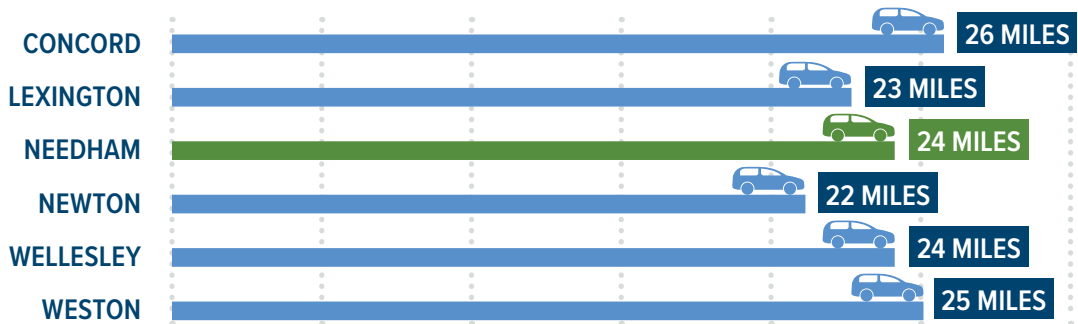
Accelerating the transition to electric vehicles and enhancing low-carbon mobility alternatives.

BY THE NUMBERS

Transportation contributes one-third of Needham’s GHG emissions, most of which come from private vehicles driven by residents and businesses. We can significantly reduce GHGs by shifting to public transit and transitioning to electric vehicles (EVs). Fortunately, Needham has already seen an increase in EV adoption with fully electric and hybrid EVs making up 10% of passenger vehicles.

How does Needham Compare to Other Communities?

PASSENGER VEHICLE MILES TRAVELED (VMT) PER PERSON PER DAY



Data Source:
Massachusetts
Vehicle Census
(2022)

TRACKING PROGRESS

The following metrics will help Needham monitor progress toward our goals for Transportation.

METRIC	BASELINE YEAR	2030 TARGET	2040 TARGET	2050 TARGET
Share of Passenger Vehicles 100% Electric	2% (2023) ²⁴	19%	80%	100%
Increase in Daily Transit Riders	# of MBTA Riders: ~1,440 (2023) ²⁵	+268	+535	+669
Percentage of residents within .25 mile of high comfort bicycle network	<1% (2023) ²⁶	30%	80%	100%

TAKE ACTION

Massachusetts offers rebates for the purchase or lease of new and used electric vehicles, as well as the installation of home EV chargers. See if you qualify.

LEARN MORE



Endnotes

- 1 U.S. Billion-Dollar Weather and Climate Disasters, NOAA National Centers for Environmental Information (2023).
- 2 The Social Cost of Carbon, United States Environmental Protection Agency (2023).
- 3 Climate Change Impacts in the United States: The Third National Climate Assessment, Ch 16: Northeast (2014).
- 4 Climate Explorer, NEMAC (2023).
- 5 National Environmental Public Health Tracking Network, CDC (2023).
- 6 Climate Change Projections Dashboard, Resilient MA (2023).
- 7 US Drought Monitor, Norfolk County (2023).
- 8 Climate Action Tool, UMass Amherst (2017).
- 9 Town of Needham Data (2023).
- 10 Climate Resilience Mapping for Adaptation, NOAA (2023).
- 11 Production Tracking System (PTS) Solar Photovoltaic Report, MassCEC (2022).
- 12 Google Project Sunroof, Data Explorer (2019).
- 13 Production Tracking System (PTS) Solar Photovoltaic Report, MassCEC (2022).
- 14 Production Tracking System (PTS) Solar Photovoltaic Report, MassCEC (2022).
- 15 Google Project Sunroof, Data Explorer (2019).
- 16 Community Survey, Town of Needham (2023).
- 17 Neighborhoods at Risk, U.S. Climate Resilience Toolkit (2023).
- 18 Tree Equity Score, American Forests (2023).
- 19 Municipal Solid Waste & Recycling Survey Responses, MassDEP (2021).
- 20 Assessor's Database, Town of Needham (2023).
- 21 Flood Factor, Needham (2023).
- 22 National Environmental Public Health Tracking Network, CDC (2023).
- 23 Town of Needham Data (2023)
- 24 Massachusetts Vehicle Census, MassDOT (2023).
- 25 MBTA Commuter Rail Ridership, MassDOT MBTA Open Data Portal (2023).
- 26 Town of Needham Data (2023)





Have questions? email us at:
climate@needhamma.gov

Sign up for Needham's newsletter





**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 5/14/2024

Agenda Item	Free Cash Update
Presenter(s)	Kate Fitzpatrick, Town Manager David Davison, Deputy Town Manager/Director of Finance

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Town Manager and Deputy Town Manager/Director of Finance will provide the Board with an update on Free Cash.	
2.	VOTE REQUIRED BY SELECT BOARD
N/A – Discussion Only.	
3.	BACK UP INFORMATION ATTACHED
None.	



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 5/14/2024

Agenda Item	Town Manager's Report
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
	The Town Manager will update the Board on issues not covered on the agenda.
2.	VOTE REQUIRED BY SELECT BOARD
	N/A – Discussion Only
3.	BACK UP INFORMATION ATTACHED
	None



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 5/14/2024

Agenda Item	Committee Reports
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Board members may report on the progress and/or activities of their Committee assignments.	
2.	VOTE REQUIRED BY SELECT BOARD
N/A – Discussion Only	
3.	BACK UP INFORMATION ATTACHED
None	