

BOARD OF SELECTMEN

February 26, 2013

Needham Town Hall

Agenda

	6:45	Informal Meeting with Citizens <i>One or more members of the Board of Selectmen will be available between 6:45 and 7:00 p.m. for informal discussion with citizens. While not required, citizens are encouraged to call the Selectmen's Office at (781) 455-7500 extension 204 in advance to arrange for an appointment. This enables the Board to better assure opportunities for participation and respond to citizen concerns.</i>
1.	7:00	Certificate of Appreciation – Bob Timmerman
2.	7:05	Community Preservation Committee – Proposals Under Review • Mark Gluesing, Chair • Janet Bernardo, Vice Chair • Patty Carey, Director of Park and Recreation
3.	7:15	Director of Public Works • Sewer Betterment Assessment Estimate • Traffic Management Advisory Committee
4.	7:30	Town Manager • Approve RTS Rates • Close the 2013 Annual Town Meeting Warrant • Approve 40B Technical Assistance Grant Application • Accept Conservation Restriction
5.	7:45	Board Discussion • MAPC Sub-region Participation • Committee Reports

CONSENT AGENDA *=Backup attached

1.*	Approve Open Session minutes from January 22, 2013, January 29, 2013, and February 5, 2013; approve Executive Session minutes from January 22, 2013
2.*	Approve a request from Michelle Geddes of the Greene's Field Fundraising Committee to hold its "Go Greene 5K Run" road race on Saturday, March 16, 2013 from 7:30 a.m. to 11:00 p.m. The route that starts and ends in Needham has been approved by the following departments, DPW, Police, Fire and Park and Recreation.
3.	Accept a donation made to the Town of Needham Consolidated Trust Funds on behalf of the 350 th Needham, MA Birthday Celebration Trust Fund in the amount of \$5,000 from the Needham Tercentennial Committee.
4.	Accept donations made to the Town of Needham Consolidated Trust Funds on behalf of the 400 th Needham, MA Birthday Celebration Trust Fund in the amount of \$3,341.21 from the Needham Tercentennial Committee.
5.	Approve a request from the Exchange Club of Needham to sponsor 4 th of July fireworks on Wednesday, July 3, 2013 (rain date of July 7, 2013) and activities on Thursday, July 4, 2013. Coordination of all additional activities will be made with appropriate Town Departments.

**Certificate Of
Appreciation**

**From The
Town of Needham, Massachusetts
Board of Selectmen**

Awarded to:

BOB TIMMERMAN

In recognition of his long-standing involvement with the youth and families of Needham that resulted in his being awarded the Patrick C. Forde Good Person Memorial Award 2013. His dedication is to be commended. Congratulations!

Signed this 26th day of February, 2013

Gerald A. Wasserman, Chairman

Daniel P. Matthews, Vice Chairman

John A. Bulian, Clerk

Maurice P. Handel

Matthew D. Borrelli



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 2/26/2013

Agenda Item	Community Preservation Committee - Proposals Under Review
Presenter(s)	Mark Gluesing, CPC Chair Janet Bernardo, CPC Vice Chair Patty Carey, Director of Park and Recreation

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
Mr. Gluesing and Ms. Bernardo will provide an update on each of the projects currently under review by the Community Preservation Committee for the 2013 Annual Town Meeting. They will answer any questions and consult with the Board on each of the projects.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
Update only.			
3.	BACK UP INFORMATION ATTACHED	YES	NO
a. Community Preservation Projects Under Review			



Needham Public Schools

TOWN OF NEEDHAM
BOARD OF SELECTMEN

A school and community partnership that:
creates exciting learners • inspires excellence • fosters integrity.

2013 JAN 15 P 2: 16

December 4, 2012

Ms. Patty Carey
Staff Liaison
Community Preservation Committee
1471 Highland Avenue
Needham, MA 02492

Dear Members of the Community Preservation Committee,

I am writing on behalf of the Needham School Department to express support for the Needham Community Farm (NCF) request for Community Preservation Act funding to improve the quality of the soil at Pine Street. The NCF currently has a license agreement with the School Department allowing them the use of 1.25 acres at Pine Street for the purpose of providing farm-based education for the Needham community, and to grow produce, much of which is donated to the Needham Community Council Food Pantry.

The NCF has found that the soil at Pine Street is in need of nutrient and drainage improvements to allow the site to be utilized as intended by the license agreement. The NCF farmer has created a plan for soil and drainage improvement, which includes the addition of compost and other chemical-free soil amendments, as well as bringing in a chisel plow to loosen the soil and improve drainage.

The Needham School Department supports this plan.

Sincerely,

Daniel E. Gutekanst, Ed.D.
Superintendent of Schools

CPC USE ONLY:	
Application #	<u>FY2013-4</u>
Qualifies:	_____
Does not qualify:	_____

INITIAL ELIGIBILITY PROJECT APPLICATION FORM

DUE BY DECEMBER 1

TOWN OF NEEDHAM
COMMUNITY PRESERVATION COMMITTEE
 c/o Park & Recreation Department
 Public Services Administration Building
 500 Dedham Avenue, Needham, MA 02492
 www.needhamma.gov/CPC

Submission Date: November 20, 2012

1. **Applicant:** Kate Fitzpatrick, Town Manager
Lee Newman, Director, Planning & Community Development

- 2. **Applicant's Address, Phone Number and Email:**

500 Dedham Avenue
Needham, MA
LNewman@needhamma.gov
Contact Name: Lee Newman

- 3. **Purpose:**
(Please select all that apply)

☐ Open Space
☒ Community Housing
☐ Historic Preservation
☐ Recreation

4. **Project Name:** Community Housing Specialist
5. **Project Location/Address/Ownership (Control):**
 Not Applicable
6. **Amount Requested:** \$ **\$35,000 annually for 5 years**

7. **Estimated Total Project Cost (If Different):** \$ **\$175,000**

8. **Critical Dates: (If Applicable)**

CPC USE ONLY:	
Application #	_____
Qualifies:	_____
Does not qualify:	_____

- continued -

Project Name: **Community Housing Specialist**

9. Project Summary: In 100 words or less provide a brief summary of the project:

The Department of Planning and Economic Development seeks funding to hire a part-time Community Housing Specialist. The Community Housing Specialist would provide administrative and technical support relating to affordable housing issues, would coordinate the efforts of various town boards and committees to develop affordable housing opportunities, and would assist in the implementation of the Town's Community Housing Plan. Working under the direction of the Planning and Community Development Director the essential functions of the position would be as follows:

- 1. Coordinate and/or conduct planning and feasibility studies for new affordable housing development.**
- 2. Monitor local housing units on the state's Subsidized Housing Inventory to assure compliance with affordable housing restrictions.**
- 3. Assist Town boards and committees, and private housing developers during the pre-application process for new affordable housing.**
- 4. Provide technical support and assistance during the application process and the review and approval process under M.G.L. Chapter 40B.**
- 5. Initiate and pursue collaborative efforts among local, state, federal, and private agencies and parties to implement the Town's housing-related plans or studies.**
- 6. Prepare and coordinate applications for state and federal resources, including housing grants and loans, assistance and public services.**
- 7. Promote, monitor and oversee housing projects throughout the required community application process, including public approvals and permitting, and through closing, construction, and sales.**
- 8. Serve as staff resource to an Affordable Housing Committee or Municipal Housing Trust to be appointed by the Board of Selectmen.**
- 9. Serve as the Town's representative to the West Metro Home Consortium; attending all meetings and preparing all budgets, grant applications, requisitions and the Annual Consolidated Plan.**

CPC USE ONLY:

Application # _____

Qualifies: _____

Does not qualify: _____

10. Community Need: In 100 words or less provide a brief statement of the need for and the benefits to the community.

In addition to the items identified under Section 9 above, funding of the position will enable the Town to remain competitive with other West Metro Home Consortium communities in securing Home program funds for affordable housing development. Beginning in FY 2014 Home funds not spent by a member community during the year received will be placed in a pool to be awarded on a competitive basis. Previously Needham was able to allow its funds to accumulate over a period of five to six years so that a critical mass could be developed for allocation to a desired project. As this strategy will not be available moving forward, having a Housing Specialist on staff will give Needham the required capacity to successfully compete for funding with other Consortium communities who presently have this in house capacity.

Additionally, funding of the position will further enable the Town to effectively monitor the local housing units on the state's Subsidized Housing Inventory to assure compliance with affordable housing restrictions. Presently, the monitoring function is split among a number of entities creating a lack of centralized oversight and accountability. Placing the monitoring responsibility solely with the Housing Specialist will assure that the desired centralized oversight function is met and will further allow for an easier and more predictable process for those wishing to sell or rent deed restricted affordable housing units.

Note: This application enables the Community Preservation Committee to review the request to assess eligibility. You shall be notified by January 1 of your eligibility. If eligible you will be requested to supply additional information by February 1.



TOWN OF NEEDHAM

TOWN HALL
1471 Highland Avenue
Needham, MA 02492-2669

Office of the
TOWN MANAGER

TEL: (781) 455-7500
FAX: (781) 453-2522
TDD: (781) 455-7558

TO: Mark Gluesing, Chair
Community Preservation Committee
FROM: Kate Fitzpatrick, Town Manager
CC: Board of Selectmen
Patty Carey, Director of Park and Recreation
Lee Newman, Director of Planning and Community Development
RE: CPA Applications – Fiscal Year 2014
DATE: August 15, 2012

At its meeting on November 27, 2012, the Board of Selectmen voted unanimously to endorse an application for Community Preservation funding for a Conservation Restriction for properties purchased through CPA funds, and an application for the creation of a part-time Community Housing Specialist.

The two application forms are attached. Please let me know if you have any questions or need additional information.

CPC USE ONLY:
Application # FY2013-8

Qualifies: _____

Does not qualify: _____

INITIAL ELIGIBILITY PROJECT APPLICATION FORM

DUE BY DECEMBER 1

TOWN OF NEEDHAM COMMUNITY PRESERVATION COMMITTEE

c/o Park & Recreation Department
Public Services Administration Building
500 Dedham Avenue, Needham, MA 02492
www.needhamma.gov/CPC

1. **Applicant:** School Department **Submission Date:** 11/28/2012

2. **Applicant's Address, Phone Number and Email:** 3. **Purpose:**
(Please select all that apply)

1330 Highland Avenue

Needham MA 02492

Contact Name: Dan Gutekanst

- ☐ Open Space
☐ Community Housing
☐ Historic Preservation
☒ Recreation

4. **Project Name:**
Design/Engineering: Newman Fields Renovation and Trails in Eastman Conservation Area at Newman

5. **Project Location/Address/Ownership (Control):**

Newman School, 1155 Central Avenue (School Committee; DPW - Maintenance; Park and Recreation - Administration)

6. **Amount Requested:** \$ **148,000**

7. **Estimated Total Project Cost (If Different):** \$ **1,475,200 est. fields**

\$ **210,000 est. trails**

8. **Critical Dates: (If Applicable)**

Work will need to be done in Summer 2014, so construction funds will likely be requested in Fall 2013. It is hoped to have all the fields on-line prior to any work done at Hillside or Mitchell sites in the event the refurbished fields are needed to provide space for other fields/venues under construction.

CPC USE ONLY:	
Application #	_____
Qualifies:	_____
Does not qualify:	_____

- continued -

Project Name: **Design/Engineering: Newman Fields Renovation and Eastman Conservation Area**

9. Project Summary: In 100 words or less provide a brief summary of the project:

There are two 60' diamonds and a multi-purpose field located behind the school, but are often not available for use due to wet conditions. Weston & Sampson has provided a preliminary report, suggesting how to alleviate the issues related to water retention and drainage adjacent to wetlands. In the design phase, decisions will be made on field layout and replacement and/or addition of backstops, player benches/safety fencing, foul poles, and football goal posts. (Design estimate \$158,000)

The Eastman Conservation area is located adjacent to the athletic fields and is an integral part of the Needham Science Center's outdoor activities. It also connects to the Carol/Brewster properties, so this project would provide a link between those properties. (Design estimate (\$90,000)

10. Community Need: In 100 words or less provide a brief statement of the need for and the benefits to the community.

The Newman School has the largest elementary school population, and there are times the students are unable to use the athletic field space at the school for physical education or recess, due to the wet conditions. An after-school program leases indoor/outdoor space, and some of the Needham High club teams try to use the fields in the afternoons. Youth sports programs also try to use the space, but often must cancel practices or games, so cannot rely on the fields for their programs. Renovating these fields will allow them to be more fully used.

Improvements to the Eastman Conservation area enhance the educational opportunities for students in the Needham Public Schools, and the connection to the Carol/Brewster properties will encourage more residents to visit the area.

Note: This application enables the Community Preservation Committee to review the request to assess eligibility. You shall be notified by January 1 of your eligibility. If eligible you will be requested to supply additional information by February 1.



11/30/12

CPC USE ONLY:	
Application #	<u>FY2013-9</u>
Qualifies:	_____
Does not qualify:	_____

INITIAL ELIGIBILITY PROJECT APPLICATION FORM

DUE BY DECEMBER 1

TOWN OF NEEDHAM
COMMUNITY PRESERVATION COMMITTEE
 c/o Park & Recreation Department
 Public Services Administration Building
 500 Dedham Avenue, Needham, MA 02492
 www.needhamma.gov/CPC

1. **Applicant:** School Department **Submission Date:** 11/28/2012

2. **Applicant's Address, Phone Number and Email:**

1330 Highland Avenue
Needham MA 02492
Contact Name: Dan Gutekanst
3. **Purpose:**
(Please select all that apply)
 - ☐ Open Space
 - ☐ Community Housing
 - ☐ Historic Preservation
 - ☒ **Recreation**

4. **Project Name:** Newman Playground Surfacing
5. **Project Location/Address/Ownership (Control):**

Newman School, 1155 Central Avenue (School Committee; DPW - Maintenance; Park and Recreation – Administration)
6. **Amount Requested:** \$ TBD

7. **Estimated Total Project Cost (If Different):** \$ TBD

8. **Critical Dates: (If Applicable)**

This project is being required by Massachusetts Architectural Access Board and must be completed in Summer 2013.

- continued -

CPC USE ONLY:	
Application #	_____
Qualifies:	_____
Does not qualify:	_____

Project Name: **Newman Pre-School Playground Surfacing**

9. Project Summary: In 100 words or less provide a brief summary of the project:

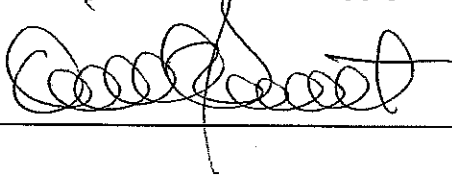
While reviewing a waiver request for a pathway outside of the Newman Pre-School, the Massachusetts Architectural Access Board (MAAB) observed the Pre-School playground in the photo and made a ruling that the wood fiber surfacing used was not compliant under the committee's standards and must be replaced by Summer 2013. The surface material is compliant under the US Consumer Product Safety Commission and ASTM International, both federal guidelines used in all states for playground installations, safety and maintenance.

As the MAAB does not currently have written standards for what they consider to be compliant, the Town will meet with them in late December/early January for an interpretation. Meanwhile, the School Department and Park & Recreation Department are seeking estimates on a variety of options that can be reviewed with MAAB. The funding request will be updated once more information is available.

10. Community Need: In 100 words or less provide a brief statement of the need for and the benefits to the community.

Though not all playground injuries can be avoided, shock absorbing surfacing is an integral factor in reducing life-threatening head injuries. It is also important that children with a variety of disabilities have access to playground equipment. The surfacing must meet specific criteria in order to be considered accessible for children with mobility issues. Manufactured wood fiber surfacing is the least expensive of the compliant options, but requires more maintenance than other options.

Note: This application enables the Community Preservation Committee to review the request to assess eligibility. You shall be notified by January 1 of your eligibility. If eligible you will be requested to supply additional information by February 1.



11/30/12

CPC USE ONLY:
Application # FY2013-10

Qualifies: _____

Does not qualify: _____

INITIAL ELIGIBILITY PROJECT APPLICATION FORM

DUE BY DECEMBER 1

**TOWN OF NEEDHAM
COMMUNITY PRESERVATION COMMITTEE**

c/o Park & Recreation Department
Public Services Administration Building
500 Dedham Avenue, Needham, MA 02492
www.needhamma.gov/CPC

1. **Applicant:** Community Development **Submission Date:** 11/30/2012
Conservation Division
(Conservation Commission)
2. **Applicant's Address, Phone Number and Email:**
- Community Development – Conservation
500 Dedham Avenue
Needham, MA 02492
3. **Purpose:**
(Please select all that apply)
- ☒ Open Space
☐ Community Housing
☐ Historic Preservation
☒ Recreation
- Contact Name:** Patricia Barry, Director
4. **Project Name:** New Trail Project – Ridge Hill Loop
5. **Project Location/Address/Ownership (Control):**
Ridge Hill Reservation/463 Charles River Street/Conservation Commission
6. **Amount Requested:** \$ 20,000
7. **Estimated Total Project Cost (If Different):** \$ 70,000
8. **Critical Dates: (If Applicable)** Anticipated design Summer 2013

- continued -

CPC USE ONLY:	
Application #	_____
Qualifies:	_____
Does not qualify:	_____

Project Name: **New Trail Improvement Project – Ridge Hill Loop**

9. Project Summary: In 100 words or less provide a brief summary of the project:

This request is for the design and permitting of a new trail – the Ridge Hill Loop – in the north-westernmost portion of Ridge Hill Reservation. Currently, the maintained portion of the Esker Trail ends at the north end of the Esker, with a poorly marked trail continuing towards the Wellesley line. The Ridge Hill loop would extend the existing trail and provide trail users with an attractive loop. Funding is required for a property survey (the trail passes close to a corner of the property), wetland delineation, and design and permitting of a small bridge. The remaining trail construction would be done by volunteers.

10. Community Need: In 100 words or less provide a brief statement of the need for and the benefits to the community.

The Trails Master Plan identified several major trail projects to expand the internal network of the existing trails and improve accessibility. The proposed Ridge Hill Loop is a high priority in accordance with the Master Plan for new trails. It will extend the Esker Trail, provide public access to a lovely but little-used part of Ridge Hill Reservation, and will provide better passive recreational opportunities for Ridge Hill users.

Note: This application enables the Community Preservation Committee to review the request to assess eligibility. You shall be notified by January 1 of your eligibility. If eligible you will be requested to supply additional information by February 1.

CPC USE ONLY:
Application # FY2013-11

Qualifies: _____

Does not qualify: _____

INITIAL ELIGIBILITY PROJECT APPLICATION FORM

DUE BY DECEMBER 1

TOWN OF NEEDHAM
COMMUNITY PRESERVATION COMMITTEE
c/o Park & Recreation Department
Public Services Administration Building
500 Dedham Avenue, Needham, MA 02492
www.needhamma.gov/CPC

1. **Applicant:** Public Works/
Park and Recreation **Submission Date:** 12/1/12
2. **Applicant's Address, Phone Number and Email:** **3. Purpose:**
(Please select all that apply)
- 500 Dedham Avenue
Needham, MA 02492
(781) 455-7550
Contact Name: _____
- ☐ Open Space
☐ Community Housing
☐ Historic Preservation
☒ **Recreation**
4. **Project Name:** Mills Field Park Improvements
5. **Project Location/Address/Ownership (Control):**
Mills Field - Gould Street, under jurisdiction of Park and Recreation Commission
6. **Amount Requested:** \$ 40,000
7. **Estimated Total Project Cost (If Different):** \$ 202,750
8. **Critical Dates: (If Applicable)**

- continued -

CPC USE ONLY:	
Application #	_____
Qualifies:	_____
Does not qualify:	_____

Project Name: **Mills Field Park Improvements**

9. Project Summary: In 100 words or less provide a brief summary of the project:

These funds are requested to design final projects at Mills Field. The 60' baseball diamond will be stripped and sodded. The basketball court will be renovated and poles/backboards will be replaced. Picnic tables and grills will be replaced. Xeriscape gardening will be added to improve aesthetics. Parking areas will be created within the park and along Hampton Avenue.

10. Community Need: In 100 words or less provide a brief statement of the need for and the benefits to the community.

Mills Field is located in Needham Heights, in an area without much park or open space. It provides recreation opportunities for many generations, with a playground, tennis courts, basketball court, 60' baseball diamond, and shaded areas for picnics and passive recreation. In recent years, Parent Talk raised the funds for the new playground, Little League funded some improvements to the diamond, and the Town funded renovations of the tennis courts, new irrigation in the diamond, and fencing at the diamond and playground. Public Facilities-Operations and Park and Recreation are working on alternate plans to restore a public restroom to the park.

Note: This application enables the Community Preservation Committee to review the request to assess eligibility. You shall be notified by January 1 of your eligibility. If eligible you will be requested to supply additional information by February 1.



Come Grow with Us

November 30, 2012

Patty Carey
Staff Liaison, Community Preservation Committee
500 Dedham Avenue
Needham, MA 02492

Dear Ms. Carey and Members of the Community Preservation Committee,

The Needham Community Farm (NCF) is pleased to submit the attached application for your consideration. The NCF is a 501(c)3, not for profit organization which runs farm-based education programs (free of charge to the Needham Public Schools and low-income families), donates produce to the Needham Community Council Food Pantry, and provides a location for active recreation for residents of all ages.

The NCF has a license agreement with the Needham School Department for the use of the 1.25-acre site referred to in the attached application, which is requesting funds for soil improvements. The purpose of improving the soil quality is to allow the Farm to utilize the site as intended by the license agreement. Superintendent Gutekanst has been informed of the intention of the NCF to apply for CPA funding for this purpose.

Based on the Community Preservation Plan, last amended on January 5th, 2010, the NCF request would potentially fall within the following criteria of acceptable uses of CPA funds (pages 14-16):

B. Open Space Goals

Conserve, preserve and enhance Needham's natural and open space resources.

C. Open Space Factors for Consideration

Protects and maintains the remaining farmland in Town.

E. Recreation Goals

Preserve, increase and enhance recreational uses of and access to Needham's natural and recreational resources.

F. Recreation Factors for Consideration

Encourages and develops more recreational access/use of open spaces (where appropriate) and natural resources.

Develops active recreational resources ... also addresses adult senior and toddler recreational needs.

Thank you for your consideration.

Sincerely,

Debbie Schmill
President
Needham Community Farm, Inc.

MISSION

To deepen our community's connection to nature and the food system by providing farm-based education, increasing access to healthy produce, and encouraging environmental stewardship.

BOARD OF DIRECTORS

Debbie Schmill, President
Ashly Scheufele, Vice President
Michael Goulde, Secretary
Lori Hall, Treasurer
Kate Canney
Guy Coolen
Linda Coolen
Elise Coughlin
Karl Heinz
Margaret McConchie
Mark Rielly
Babette Wils

ADVISORY COUNCIL

Bill Kiggen
Jon Levy
Todd Markley
Bill Paulson
Karen Peirce
Bob Rivers
Sharon Soltzberg
William Tedoldi
Bill Tilburg
Dave Volante

ADDRESS:

PO Box 920877
Needham, MA 02492

PHONE:

781-559-8410

EMAIL:

needhamfarm@rcn.com

WEB

needhamfarm.org

OUR SITES

Main Site
End of Pine Street
Needham, MA 02492

Pilot Site

1155 Central Avenue
Needham, MA 02492

FY2013-12

INITIAL ELIGIBILITY PROJECT APPLICATION FORM

DUE BY DECEMBER 1

TOWN OF NEEDHAM
COMMUNITY PRESERVATION COMMITTEE
c/o Park & Recreation Department
Public Services Administration Building
500 Dedham Avenue, Needham, MA 02492
www.needhamma.gov/CPC

1. Applicant: The Needham Community Farm Submission Date: **11/30/12**

2. Applicant's Address, Phone Number and Email: 3. Purpose:
(Please select all that apply)

29 Brewster Ave
Needham, MA 02492
781-559-8410

Contact Name: Debbie Schmill

- ☒ Open Space
- ☐ Community Housing
- ☐ Historic Preservation
- ☒ Recreation

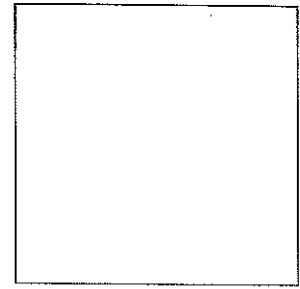
4. Project Name: Needham Community Farm Soil Improvement Project

5. Project Location/Address/Ownership (Control):

The land parcel is located at the end of Pine Street, Needham MA. This land is owned by the School Department and is being leased by the Needham Community Farm. We have asked that a letter of support for our proposed project, signed by Dan Gutekanst on behalf of the School Department, be forwarded directly to the CPC.

6. Amount Requested: \$ 15,000

7. Estimated Total Project Cost (If Different): \$



8. **Critical Dates:** *(If Applicable)*

- continued -

Project Name: Needham Community Farm Soil Improvement Project

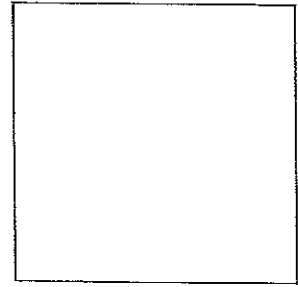
9. **Project Summary:** In 100 words or less provide a brief summary of the project:

The NCF requests funding to improve the soil at our Pine Street farm site. The soil is compacted, nutrient deficient and negatively impacted by poor drainage. As a result, the majority of this year's field harvest was not suitable for consumption. Photos comparing crops planted in our fields and our raised beds show that although the crops were planted weeks later in the beds, they are larger and healthier than those grown in the fields. Quality compost and other soil amendments will significantly improve our soil and maximize production for the Food Pantry and Needham residents.

10. **Community Need:** In 100 words or less provide a brief statement of the need for and the benefits to the community.

The Needham Community Farm is a 501(c)3 providing hands-on education and fresh produce to the community. The Farm's harvest is donated to the Needham Community Council Food Pantry and sold at the Needham Farmers Market.

The Farm, located on School Department land, is part of NPS' effort to promote environmental education and active citizenship, and runs free programs for NPS K-12 students. In addition, the farm's fee-based educational programs are targeted to children and adults of all ages, encourage appreciation and familiarity with the outdoors, good nutrition, and environmental preservation, and are offered free of charge to low income families.



Note: This application enables the Community Preservation Committee to review the request to assess eligibility. You shall be notified by January 1 of your eligibility. If eligible you will be requested to supply additional information by February 1.

CPC USE ONLY:

Application # _____

Qualifies: _____

Does not qualify: _____

INITIAL ELIGIBILITY PROJECT APPLICATION FORM

DUE BY DECEMBER 1

TOWN OF NEEDHAM
COMMUNITY PRESERVATION COMMITTEE
c/o Park & Recreation Department
Public Services Administration Building
500 Dedham Avenue, Needham, MA 02492
www.needhamma.gov/CPC

1. **Applicant: Conservation, Park and Recreation** **Submission Date: 12/1/2012**
& Town Manager

2. **Applicant's Address, Phone Number and Email:** 3. **Purpose:**
(Please select all that apply)

500 Dedham Avenue
Needham, MA 02492

Contact Name: Patty Barry

☒ **Open Space**
☐ Community Housing
☐ Historic Preservation
☒ **Recreation**

4. **Project Name:** **All-Person Trail around Needham Reservoir**

5. **Project Location/Address/Ownership (Control):**

500 Dedham Avenue, under jurisdiction of the Board of Selectmen

6. **Amount Requested:** \$ **65,000**

7. **Estimated Total Project Cost (If Different):** \$ **205,000**

8. **Critical Dates: (If Applicable)**

CPC USE ONLY:

Application # _____

Qualifies: _____

Does not qualify: _____

- continued -

Project Name: **All-Person Trail around Needham Reservoir**

9. Project Summary: In 100 words or less provide a brief summary of the project:

This request is for the design and permitting of a handicap accessible perimeter trail around the Needham Reservoir. This project is listed in the Trails Master Plan and estimates were updated in September 2012. This project would protect the wetlands, and will require permits to construct, so design will include choosing the product for the path, survey plan, wetland delineation, trail design, Notice of Intent, and possible mitigation plan. Some form of fishing dock will also be designed as part of the project.

10. Community Need: In 100 words or less provide a brief statement of the need for and the benefits to the community.

The Town purchased the Needham Reservoir and adjacent property in 1890 for water supply purposes. Groundwater extraction wells operated until the 1940's and the Reservoir was decommissioned as a water supply source in 1995. Though the informal pathway has been used by residents in the past, increased use has developed since the Public Services Administration Building was completed. Groups working with people with physical challenges have discovered that, with some effort to access the edge of the water, the Reservoir is a location for fishing, and the improved trail will provide additional recreation opportunities.

In addition, people using the informal trails and created their own pathways. Creation of a set pathway will protect the sensitive wetland system and discourage encroachment into the vegetated portions of the property.

Note: This application enables the Community Preservation Committee to review the request to assess eligibility. You shall be notified by January 1 of your eligibility. If eligible you will be requested to supply additional information by February 1.

CPC USE ONLY:
Application # FY2013-6

Qualifies: _____

Does not qualify: _____

INITIAL ELIGIBILITY PROJECT APPLICATION FORM

DUE BY DECEMBER 1

TOWN OF NEEDHAM
COMMUNITY PRESERVATION COMMITTEE
c/o Park & Recreation Department
Public Services Administration Building
500 Dedham Avenue, Needham, MA 02492
www.needhamma.gov/CPC

1. **Applicant:** Conservation/Planning
Park & Recreation **Submission Date:** 12/1/12
2. **Applicant's Address, Phone Number and Email:** 3. **Purpose:**
(Please select all that apply)
- 500 Dedham Avenue
Needham, MA 02492
(781) 455-7550
Contact Name: Patty Barry
pbarry@needhamma.gov
- ☒ **Open Space**
☐ **Community Housing**
☐ **Historic Preservation**
☒ **Recreation**
4. **Project Name:** Open Space and Recreation Plan Update
5. **Project Location/Address/Ownership (Control):** N.A.
6. **Amount Requested:** \$ 25,000
7. **Estimated Total Project Cost (If Different):** \$ N.A.
8. **Critical Dates:** (If Applicable)

- continued -

CPC USE ONLY:

Application # _____

Qualifies: _____

Does not qualify: _____

Project Name: Open Space and Recreation Plan Update

9. Project Summary: In 100 words or less provide a brief summary of the project:

The Town must update its Open Space and Recreation Plan every five years. The plan includes goals and objectives for existing properties, as well as acquisition of new properties. Priorities for projects are included, which assist the CPC in evaluating proposals.

The first project approved by Needham's CPC was an update of the Open Space and Recreation Plan. The consultant worked with boards and the community to create the updated goals and objectives, and organized out-of-date sections of the report. The state accepted the draft submitted, with a request for some additional information. Staff has worked on finalizing the information for the questions.

10. Community Need: In 100 words or less provide a brief statement of the need for and the benefits to the community.

There are some grants overseen by the state that require an up-to-date Open Space and Recreation Plan as an eligibility requirement.

There are still some sections of the current report that need to be finalized, and coordinated with other sections. Beals and Thomas provided the estimate to assist Needham with its updates and final coordination of the report.

Note: This application enables the Community Preservation Committee to review the request to assess eligibility. You shall be notified by January 1 of your eligibility. If eligible you will be requested to supply additional information by February 1.



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 2/26/2013

Agenda Item	Sewer Betterment Assessment Estimate
Presenter(s)	Richard P. Merson, DPW Director

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
<u>Background:</u> Section 27 of the Town Charter specifies that the portion of the cost for sewer systems paid by the town to be not less than one-fourth and no more than two-thirds of the whole cost. The last revised Sewer Assessment Rate was approved at the 1988 Annual Town Meeting, Article 25 (below referenced rate). The existing uniform rate policy: Cost to be divided 1/3 town, 2/3 abutters on both sides of road. <u>1988 Fixed Uniform Rate:</u> \$10 per linear foot \$0.15 per square foot within 100 feet of the street The Uniform Rate Assessment was based on construction cost of \$75 per foot and assessing one-third of the cost to each abutting properties on both sides of the road and one-third of the cost to the town. <u>Proposed Fixed Uniform Rate (to be re-evaluated in 5-years):</u> \$30 per linear foot \$0.40 per square foot within 100 feet of the street Proposed rate represents a 4.5% annual increase from 1988 assessment.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	☐ YES	☒ NO
3.	BACK UP INFORMATION ATTACHED	☒ YES	☐ NO
(Describe backup below) Sewer Assessment Estimate- 2013 document Provided: • Estimate based on Massachusetts DOT weighted Bid prices of construction (2009-2013); • Recent project cost data; • Chart with Current and proposed rates Compared with other Municipalities.			

Sewer Assessment Estimate- 2013
Fixed Uniform Rate Method

Background:

Section 27 of the Town Charter specifies that the portion of the cost for sewer systems paid by the town to be not less than one-fourth and no more than two-thirds of the whole cost. The last revised Sewer Assessment Rate was approved at the 1988 Annual Town Meeting, Article 25 (below referenced rate). The existing uniform rate policy: Cost to be divided 1/3 town, 2/3 abutters on both sides of road.

1988 Fixed Uniform Rate:

\$10 per linear foot

\$0.15 per square foot within 100 feet of the street

The Uniform Rate Assessment was based on construction cost of \$75 per foot and assessing one-third of the cost to each abutting properties on both sides of the road and one-third of the cost to the town.

Sewer Assessment based on Massachusetts DOT weighted Bid Prices (2009-2013

Cost Data):

Hypothetical Cost assumptions:

- 1,500 LF Sewer;
- Manholes every 250 Feet, 33% of Manholes non-standard depth;
- 8' deep, 3' wide excavation, 5% ledge;
- 24 foot width road repaving;

Other Assumptions:

- Hypothetical Lot: Frontage 150 Feet, Lot depth >100 Feet
- Lot's served=20

Mass DOT weighted Bid (Mean Values)

Item	Unit cost	Quantity	Estimate Value
Trench Excavation	\$30.00/ CY	1600 CY	\$48,000
Rock Excavation	\$105/CY	80 CY	\$8,500
PVC laterals	\$63.50/ LF	400 FT	\$25,400
PVC Sewer Main	\$47/LF	1,500 FT	\$70,500
Sewer Manhole	\$3,500	4 EA	\$14,000
Sewer Manhole (9-14')	\$9,400	2EA	\$18,800
Borrow	\$25.00/CY	1,000 CY	\$25,000
Gravel	\$35.00/CY	600 CY	\$21,000
Pavement	\$100/Ton	500 Tons	\$50,000
Total Estimate			\$282,000

Assessment cost:

\$282,000/1,500= \$188 LF

Each Abutter --- \$32.00 per foot and \$0.32 per square foot depth of 100 feet= \$9,600 per Lot (avg)

Sewer Assessment Estimate- 2013
Fixed Uniform Rate Method

Sewer Assessment based on Recent project cost data (Richardson Drive 2010):

Actual cost= \$775,000

Units served=20 (actual assessed= 6) ---- Total Length of sewer= 2,137 Feet

* Deep sewer system, Encountered ledge, approximately 1/3 sewer constructed off road
Cross country, easements needed (not included in cost).

$\$775,000 / 2,137 \text{ FT} = \$362.66 / \text{FT}$

Average Lot=\$18,132

Equivalent Assessment:

Each Abutter --- \$60.44 per foot and \$0.60 per square foot depth of 100 feet

Sewer Assessment based on Recent project cost data (City of Newton California Street 2009):

Actual Cost= \$144,100

*No construction information

Length= 214 Feet

Equivalent Units served=2.85

$2/3 \times 144,100 / 2.85 = \$33,708 \text{ per Lot (average)}$

Equivalent Assessment:

Each Abutter --- \$112.36 per foot and \$1.12 per square foot depth of 100 feet

Sewer Assessment based on Recent project cost data (City of Newton Aspen Ave., Hawthorne Ave., Studio Road 2013):

Estimated Cost= \$800,000

Length= 2,000 Feet

Equivalent Units served=26.67

$2/3 \times 800,000 / 26.67 = \$20,000 \text{ per Lot (average)}$

Equivalent Assessment:

Each Abutter --- \$66.67 per foot and \$0.67 per square foot depth of 100 feet

2013 Proposed Fixed Uniform Rate:

Assessment: \$210 LF

\$30 per linear foot

\$0.40 per square foot within 100 feet of the street

Average Lot will be assessed= \$10,600.

*equivalent rate increase of 4.5% annual from 1988

**Fixed Uniform Rate to be re-evaluated in 5-years

Comparison Chart

* Unit= single family residential equivalent

Municipality	Frontage cost (Fixed Uniform Rate method)	Area cost (Fixed Uniform Rate method)	Uniform Unit method	Cost comparison with Needham per unit (average)	Notes
Needham	\$10/FT	\$0.15/FT ²	NA	Existing rate: \$3,750	Current rate (2013) 2/3 abutter, 1/3 town
Needham	\$30/FT	\$0.40/FT ²	NA	Proposed rate: \$10,600	Proposed rate vs current 2/3 abutter, 1/3 town
Newton	Until 2012 \$1/FT ²	Until 2012 \$0.25 FT ² for 150 FT depth	NOW: Maximum 50% of actual sewer construction cost per unit	Comparison rate: \$7,050	Uniform Unit vs. Needham Proposed rate
Wellesley	NA	NA			
Natick	NA	NA	75% of actual sewer construction cost per unit	Comparison rate: \$10,575	
Lexington	NA	NA	Fee calculated by Engineering	Unknown	Depends on project
Bedford	NA	NA	\$5,000 per unit	Comparison: \$5,000	Set unit cost
Walpole	NA	NA	75% of actual sewer engineering, survey, design, land, easements, resident engineering, all materials, labor, expenses cost per unit	Comparison rate: \$10,575 +	Engineering fees and land acquisition and easements not considered
Shirley	NA	NA	\$9,375 per unit Based on cost	Actual: \$9,375	Set unit cost
Gloucester	NA	NA	100% of actual sewer and pump station Construction and design	\$14,100 +	Engineering fees and pump stations not considered
Southwick	NA	NA	(Net Loan – grants- other revenue offsets)/ units	Comparison rate: \$10,575	Construction Loan cost

West Boylston	NA	NA	100% of actual sewer and pump station Construction Each dwelling=1 unit. Else, 220 gpd=1 unit	Actual: \$3,825.05	Last project (2011)cost=\$10,075,181.70 2,634 units served
Acton	NA	NA	100% of actual sewer layout, constructing per unit	\$14,100 +	Layout and other fees not considered
Chelmsford	NA	NA	100% of actual sewer construction cost per unit	Actual: \$6,000	Latest actual Assessment based on sewer cost prior to 2008



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 2/26/2013

Agenda Item	Traffic Management Advisory
Presenter(s)	Richard P. Merson, DPW Director

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
The Traffic Management Advisory Committee (TMAC) was formed in 2001 to make proposals to the Board of Selectmen regarding education, enforcement, engineering options for addressing traffic concerns, and to meet informally with residents and neighborhood groups on traffic issues. The TMAC consist 5-9 members representing various town departments and the general public in town.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	☐ YES	☒ NO
3.	BACK UP INFORMATION ATTACHED	☒ YES	☐ NO
(Describe backup below) Summary document of Traffic Management Advisory roles and FAQs			

TMAC History and Discussion

On August 21, 2001, the Board of Selectmen voted to create the Traffic Management Advisory Committee (TMAC) and appoint its members.

The goal of the Traffic Management Advisory Committee is to provide for the safety and to continually improve the quality of life of pedestrians, bicyclists and the motoring public. The Committee provides a means for public input, including the opportunity for traffic management options to be raised for comment by staff. Its function is fourfold: to make proposals to the Board of Selectmen regarding education, enforcement, and engineering options for addressing traffic issues; to meet informally with residents and neighborhood groups to hear concerns and discuss options; to comment on informational and educational programs; and to participate in community relations programs.

The TMAC consists of between 5 and 9 members representing the Department of Public Works, The Police Department, residents, and, occasionally, local government officials. It meets once a month (typically on the second Wednesday of the month). During these meetings from one to eight items are on the agenda. Each agenda item is typically given 15 minutes for discussion followed by a response from the Committee.

In general, the process of a resident presenting their traffic concern to the TMAC involves a correspondence from the resident to the town usually by phone or email and submitting a TMAC request form outlining a brief description of the issue. The resident is subsequently notified by letter of the date, time and location to present their concerns to the Committee.

To aid in informing the public regarding some of the more general issues, a frequently asked question (FAQ) handout was prepared and basic traffic information was posted on the Town's website including:

[Commonly Asked Questions](#)

[Traffic Control Information](#)

[Emotionally Intelligent Signs](#)

[Bicycle Plan](#)

[Overnight Parking Regulation](#)

The most common requests from residents are related to parking issues, traffic calming issues (speed, "Stop" signs), and pavement marking issues. Some of the 350+ concerns presented to the Committee over the past ten years include:

- 22% Parking-related issues
- 14% Vehicle speed-related issues
- 9% "Stop" sign-related issues
- 9% Pavement marking-related issues
- 46% Other traffic related issues

Over 40 different traffic studies have been performed as a result of these requests.



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 02/12/2013

Agenda Item	Approve RTS Rates
Presenter(s)	David Davison, Assistant Town Manager/Director of Finance Evelyn Poness, Treasurer/Collector

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
The Board of Selectmen held a public hearing on February 5, 2013 to hear recommendations for new rates and charges for the Recycling and Transfer Station from the Solid Waste Disposal/Recycling Advisory Committee. The public hearing gave residents an opportunity to comment to the Board directly. When the Board closed the public hearing it also invited the public to offer further comment by writing or emailing the Board before its next meeting.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	(YES)	NO
<i>Proposed Form of Motions:</i> First: Move that the Board approve the Proposed Recycling and Transfer Station Charges as presented on Schedule A, but that the new rates for the pay-per-throw bags and the minimum over the scale rate do not take effect until July 1, 2013. Second: Move that the Board approve a senior discount (age 65+) for a 2013 standard sticker of not more than 29%; a senior discount for a 2014 standard sticker of not more than 10%; and no senior discount for a 2015 standard sticker. Third: Move that the Board approve the Proposed Recycling and Transfer Station Charges as presented on Schedule B, and that the rates take effect on April 1, 2013. Fourth: Move that the Board reaffirms its policy "Distribution of RTS Stickers and Pay-Per-Throw Bags to Low Income Households" as approved on August 17, 2010. <i>Should the Board wish to amend any of the recommendations the form of the motion could be:</i> Move that the _____ (charge description) be amended to \$ _____.			



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

Alternate First:

Move that the Board approve the Proposed Recycling and Transfer Station Charges as presented on **Schedule A** with the amendments approved by the Board, and that the new rates for the pay-per-throw bags take effect on _____, and that the minimum over the scale rate take effect on _____.

Alternate Second:

Move that the Board approve a senior discount (age 65+) for a 2013 standard sticker of not more than _____%; a senior discount for a 2014 standard sticker of not more than _____%; and a senior discount for a 2015 standard sticker of not more than _____%.

Alternate Third:

Move that the Board approve the Proposed Recycling and Transfer Station Charges as presented on **Schedule B** with the amendments approved by the Board, and that the rates take effect on _____.

3.	BACK UP INFORMATION	(YES)	NO
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(Describe backup below)

- a.** Recycling and Transfer Station Charges Schedule A
- b.** Recycling and Transfer Station Charges Schedule B
- c.** Copy of the February 11, 2013 Memo
- d.** Copy of the Distribution of RTS Stickers and Pay-Per-Throw Bags to Low Income Households policy

**Proposed
Recycling and Transfer Station Charges
Standard Rates and Fees
Schedule A**

Description	Current Rate	Proposed Rate	Rate Amendment
Sticker Rate^			
2013 Hauler Sticker	\$ 125.00	\$ 125.00	\$
2013 Standard Sticker	\$ 90.00	\$ 105.00	\$
2013 Standard Sticker Senior #	\$ 55.00	\$ 75.00	\$
2013 Standard Stickers Purchased After October 1, 2013	\$ 45.00	\$ 63.00	\$
2013 Additional Standard Stickers	\$ 10.00	\$ 10.00	\$
2013 Replacement Sticker	\$ 10.00	\$ 10.00	\$
2013 Lost Sticker	\$ 45.00	\$ 45.00	\$
RTS Week Pass	\$ 20.00	\$ 20.00	\$
Recycling Bins	\$ 5.00	\$ 5.00	\$
Bag Rates			
Large Bag 30 Gallon*	\$ 1.65	\$ 1.75	\$
Small Bag 15 Gallon*	\$ 0.90	\$ 1.00	\$
Scale Rate			
Per Ton	\$ 140.00	\$ 140.00	\$
Minimum Scale *		\$ 25.00	\$

Rate represents an approximate 29% discount from the standard rate

* Effective July 1, 2013

^ The 2013 sticker period runs from April 1, 2013 to March 31, 2014

**Proposed
Recycling and Transfer Station Charges
Miscellaneous Disposal Rates and Fees
Schedule B**

Description	Current Rate	Proposed Rate	Rate Amendment
Air Conditioners	10.00	15.00	\$
Appliances (White Goods)	15.00	15.00	\$
Carpet 10x10	5.00	10.00	\$
Computer Monitor	10.00	15.00	\$
Fluorescent Lamps	-	N/C*	\$
Freon	15.00	15.00	\$
Furniture - Chair	5.00	10.00	\$
Furniture - Sleep Sofa	5.00	20.00	\$
Furniture - Sofa	5.00	15.00	\$
Box Spring or Mattress	5.00	15.00	\$
Propane Tank 20lb or less	3.00	5.00	\$
Single Large Size Item	5.00	15.00	\$
Single Medium Size Item	5.00	10.00	\$
Single Small Size Item	5.00	5.00	\$
Tires - Vehicle Auto	3.00	5.00	\$
Tires - Vehicle Truck	6.00	10.00	\$
Toilet and Sinks (Porcelain)	5.00	15.00	\$
Televisions	10.00	15.00	\$

*No charge is only applicable for ten or fewer lamps (a unit charge will be assessed for each lamp beyond the tenth).

Memorandum

To: Board of Selectmen
From: David Davison, Assistant Town Manager/Director of Finance
CC: Solid Waste Disposal/Recycling Advisory Committee, Kate Fitzpatrick,
Town Manager; Evelyn Poness, Treasurer/Collector; Rick Merson,
Director of Public Works
Date: February 11, 2013
Re: RTS Rate Proposal

Attached are the Recycling and Transfer Station rate recommendations. A public hearing has been scheduled for the Board's meeting on Tuesday, February 12, 2013 at 7:00 PM. The Solid Waste Disposal/Recycling Committee will present its recommendations to the Board in advance of public comment. The rate structure recommendations are based on input received during the work of the RTS Ad Hoc Super Committee (this is a different committee) during the past several months. Although we are examining modes of operation to see if there are practical ways to help keep costs down, and it is anticipated that the RTS Ad Hoc Super Committee will suggest changes to the current policy relative to the General Fund contribution to the Solid Waste Enterprise, it is generally agreed that a number of rates will need to be increased. The Committee agreed and recommended that scale and sticker rate structures needed to be revised. The Committee also agreed that management should present to the Board of Selectmen an updated miscellaneous rates and fees schedule. It should be noted that some of the fees have not been changed since the 1990's even though the costs associated with disposal continued to increase.

The Solid Waste Disposal/Recycling Advisory Committee met on February 5, 2013 to review options to generate the amounts necessary to meet the expenses of the trash and recycling operations for FY2013 and the impact of less retained earnings for FY2014 operations. The Committee's recommendations include an increase in the rates for the pay-to-throw bags; establishment of a minimum charge for trash and debris brought in over the

scale, and a phase-out of the senior sticker discount. The Committee compared rates charged by other communities, evaluated the costs associated with running the facility, and recognized that there is inefficiency by not having a minimum scale fee. The Committee concluded that even with a larger General Fund contribution, the costs of operations were not being covered by the fee revenue. Based on the bag fees charged by other communities and, more importantly Needham's costs for disposal, a \$0.10 increase for both the small and large pay-to-throw bags is recommended. If approved, the charge for a package of ten small bags (15 gallon) would be \$10.00 and the charge for a package of ten large bags (30 gallon) would be \$17.50.

The Committee also recommends that a minimum fee of \$25.00 be charged for trash coming in over the scale, but that the current per ton rate stay at \$140. With Needham at the higher end of the per ton rate, increasing the scale rate may divert business which helps to mitigate the per-user cost. The Committee feels that the minimum rate would not negatively affect the local haulers or residents that bring in large loads to the RTS facility. The minimum fee is appropriate when considering the added time to process, bill, and collect the small quantities brought into the facility which could have been disposed in a pay-to-throw bag or charged a flat item fee.

The Committee recommends that the implementation date for the new bag rates be effective July 1, 2013 and that the minimum charge for the over the scale rate be effective July 1, 2013. This would allow time for the changes to be communicated.

The Committee also reviewed several options that were prepared based on what the rate structure would be with the elimination of the senior discount. It was also the desire to set rates which would provide some predictability over the next couple of years and generate the necessary revenue that has to be raised through stickers even if the Board of Selectmen approves the Ad Hoc Committee's immediate recommendations (which will be presented Tuesday night as well). We identified that based on the FY2013 approved budget, and with the knowledge that the \$270,000 plus in retained earnings used to support the current budget could not continue, the rates will need to change. With the

assumption of a nearly flat budget for FY2014, \$640,000 is the minimum annual revenue target necessary in order to fund the appropriated \$2.5 million for the transfer station and recycling operations over the next couple of fiscal years. The Committee reviewed with management seven different options, and several variations raised during the meeting. After much discussion, the Committee opted to recommend a Sticker schedule which increases the annual fee to \$105 and lowers the 39% senior discount to 29% for 2013/2014. The discount would be 10% in the 2014/2015 time period. The price would be the same for all residents in 2015/2016. The Committee recommends that based on individual circumstances, the sticker fee be charged at a nominal amount or waived for low income seniors and families in manner similar to other relief programs that are administered through the appropriate departments.

The Committee voted to recommend that the additional sticker price stay at \$10.00. The Committee also voted that the half year price for the standard sticker be set at \$63.00 (sales after October 1, 2013). The Committee did not vote any other changes to the sticker rates for 2013.

I will be at your meeting along with members of the Committee, and staff from DPW and the Treasurer to discuss the recommendations and to answer questions you may have. Please do not hesitate to contact me if you have any questions before hand.

Attachment A
Proposed RTS Rate Schedule
12-Feb-13

Description	Current Rate	Proposed Rate	\$ Change	% Change
RTS Sticker Fees				
Standard Sticker	\$90.00	\$105.00	\$15.00	16.7%
Standard Sticker Senior #	\$55.00	\$75.00	\$20.00	36.4%
Standard Sticker Half Year	\$45.00	\$63.00	\$18.00	40.0%
Standard Sticker Discount	\$10.00	\$10.00	\$0.00	0.0%
Hauler Sticker	\$125.00	\$125.00	\$0.00	0.0%
Replacement Sticker	\$10.00	\$10.00	\$0.00	0.0%
Lost Sticker	\$45.00	\$45.00	\$0.00	0.0%
RTS Week Pass Program	\$20.00	\$20.00	\$0.00	0.0%
Bag Rates				
Large Bag 30 Gallon*	\$1.65	\$1.75	\$0.10	6.1%
Small Bag 15 Gallon*	\$0.90	\$1.00	\$0.10	11.1%
Scale Rate				
Per Ton	\$140.00	\$140.00	\$0.00	0.0%
Minimum Scale *		\$25.00		
Miscellaneous Fees ^				
See Rates and Fees Schedule				

Rate represents an approximate 29% discount from the standard rate

* Effective July 1, 2013

^ Effective April 1, 2013

The sticker period runs from April 1 to March 31

**Solid Waste and Recycling Center
Miscellaneous Rates and Fees**

Description	Needham Current	Needham Proposal	Change	Average*	Number Reporting
Air Conditioning	\$ 10.00	\$ 15.00	\$ 5.00	\$ 17.47	17
Air Conditioning Large	\$ 10.00	\$ 15.00	\$ 5.00	\$ 30.00	1
Antifreeze	\$ -	\$ -	\$ -		NA
Appliances (White Goods)	\$ 15.00	\$ 15.00	\$ -	\$ 15.13	16
Auto batteries	\$ -	\$ 3.00	\$ 3.00	\$ 3.29	7
Batteries Other	\$ -	\$ -	\$ -		NA
Books (for donation)	\$ -	\$ -	\$ -		NA
Carpet 10x10	\$ 5.00	\$ 10.00	\$ 5.00	\$ 14.67	9
Clothing & Textiles (for donation)	\$ -	\$ -	\$ -		NA
Computer Monitor	\$ 10.00	\$ 15.00	\$ 5.00	\$ 15.17	18
Fluorescent Lamps	\$ -	See Note	\$ -	Limit 10 Per Trip	
Freon	\$ 15.00	\$ 15.00	\$ -	\$ 19.19	16
Furniture - Chair	\$ 5.00	\$ 10.00	\$ 5.00	\$ 11.50	10

**Solid Waste and Recycling Center
Miscellaneous Rates and Fees**

Description	Needham Current	Needham Proposal	Change	Average*	Number Reporting
Furniture - Sleep Sofa	\$ 5.00	\$ 20.00	\$ 15.00	\$ 18.62	13
Furniture - Sofa	\$ 5.00	\$ 15.00	\$ 10.00	\$ 15.79	14
Hard drive	\$ -	\$ -	\$ -	\$ 17.50	2
Household Goods (for donation)	\$ -	\$ -	\$ -		NA
Mattress or Box Spring Double to King Size	\$ 5.00	\$ 15.00	\$ 10.00	\$ 14.88	8
Mattress or Box Spring Single Size	\$ 5.00	\$ 15.00	\$ 10.00	\$ 15.77	13
Mercury items	\$ -	\$ -	\$ -		NA
Metal Scrap	\$ -	\$ -	\$ -	\$ 60.00	2
Metal Small Item	\$ -	\$ -	\$ -	\$ 22.50	2
Motor Oil	\$ -	\$ -	\$ -		NA
Non CRT ewaste	\$ -	\$ -	\$ -	\$ 8.25	4
Paint	\$ -	\$ -	\$ -	\$ 2.67	3
Printer & copier print cartridges	\$ -	\$ -	\$ -		NA

**Solid Waste and Recycling Center
Miscellaneous Rates and Fees**

Description	Needham Current	Needham Proposal	Change	Average*	Number Reporting
Propane Tank 20lb or less	\$ 3.00	\$ 5.00	\$ 2.00	\$ 6.07	15
Sharps	\$ -	\$ -	\$ -	NA	NA
Single Large Size Item	\$ -	\$ 15.00	\$ 15.00	\$ 15.00	1
Single Medium Size Item	\$ -	\$ 10.00	\$ 10.00	\$ 10.00	1
Single Small Size Item	\$ -	\$ 5.00	\$ 5.00	\$ 5.00	2
Tires - Vehicle Auto	\$ 3.00	\$ 5.00	\$ 2.00	\$ 4.43	14
Tires - Vehicle Truck	\$ 6.00	\$ 10.00	\$ 4.00	\$ 10.89	9
Toilet and Sinks (Porcelain)	\$ 5.00	\$ 15.00	\$ 10.00	\$ 12.29	7
TV	\$ 10.00	\$ 15.00	\$ 5.00	\$ 15.48	21
TV Large	\$ 10.00	\$ 15.00	\$ 5.00	\$ 19.17	18
TV Wide Screen	\$ 10.00	\$ 15.00	\$ 5.00	\$ 19.40	5

* Acton; Amherst; Ayer; Bolton; Bridgewater; Eastham; Essex; Hudson; Hingham; Lakeville; Lexington; Littleton; Mashpee; Medfield; Milford; Natick; Newton; North Andover; Plymouth; Sandwich; Scituate; Sudbury; Wayland; Wellesley; Westwood; Winchester

RTS ENTERPRISE FUND

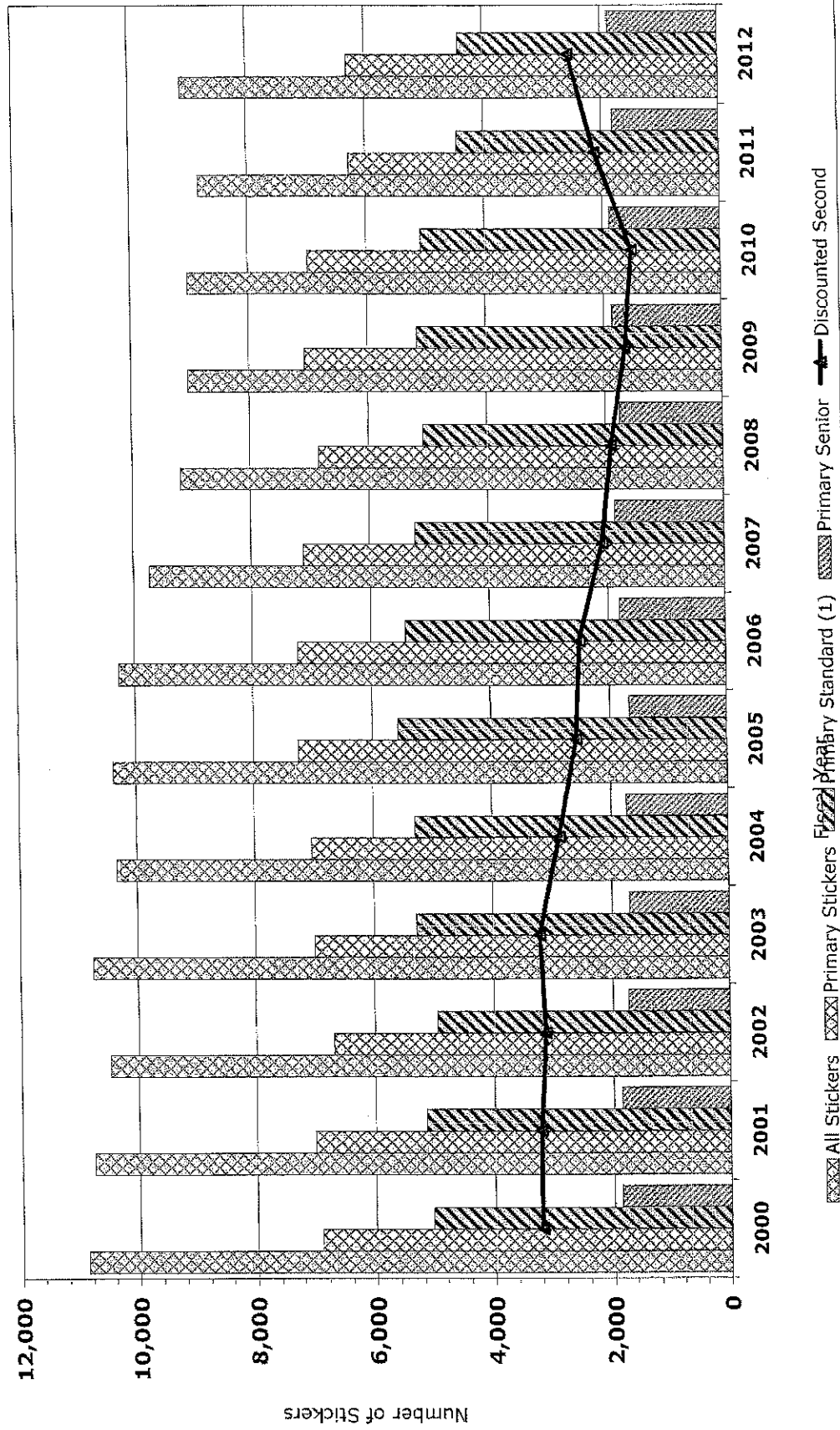
Rate Structure History

February 12, 2013

Description	2011 Approved	2012 Approved	2013 Proposed	\$ Change	% Change
RTS Sticker Fees					
Standard Sticker	\$90.00	\$90.00	\$105.00	\$15.00	16.67%
Standard Sticker Senior Discount	\$55.00	\$55.00	\$75.00	\$20.00	36.36%
Standard Sticker Half Year	\$45.00	\$45.00	\$63.00	\$18.00	40.00%
Standard Sticker Discount	\$10.00	\$10.00	\$10.00	\$0.00	0.00%
Hauler Sticker	\$125.00	\$125.00	\$125.00	\$0.00	0.00%
Replacement Sticker	\$10.00	\$10.00	\$10.00	\$0.00	0.00%
Lost Sticker	\$45.00	\$45.00	\$45.00	\$0.00	0.00%
RTS Week Pass Program	\$20.00	\$20.00	\$20.00	\$0.00	0.00%
Bag Rates					
Large Bag 30 LB	\$1.60	\$1.65	\$1.75	\$0.10	6.06%
Small Bag 15 LB	\$0.85	\$0.90	\$1.00	\$0.10	11.11%
Scale Rate					
Per Ton	\$135.00	\$140.00	\$140.00	\$0.00	0.00%
Minimum Scale Fee			\$25.00		

The sticker period runs from April 1 to March 31

Annual Sticker Sales 2000 - 2012



RTS ENTERPRISE FUND
Sticker Sales Budget vs. Actual

Description	2009		2010		2011		2012	
	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual
Seniors	1,710	1,874	1,830	1,899	1,730	1,830	1,830	1,887
Standard	4,925	5,177	5,080	5,096	5,050	4,450	4,900	4,414
Primary Stickers	6,635	7,051	6,910	6,995	6,780	6,280	6,730	6,301
Hauler	95	86	60	91	90	74	74	77
Discounted Second	1,875	1,656	1,495	1,521	1,550	2,132	1,770	2,559
Other Transactions	300	247	200	420	200	346	200	186
Other Stickers	2,270	1,989	1,755	2,032	1,840	2,552	2,044	2,822
Total	8,905	9,040	8,665	9,027	8,620	8,832	8,774	9,123

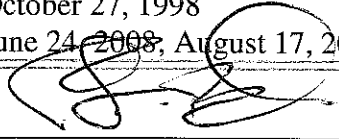
RTS ENTERPRISE FUND
Sticker Sale Trend

Description	2009 Actual	2010 Actual	2011 Actual	2012 Actual	3-YR Avg	5-YR Avg	10-YR Avg
Standard	5,171	5,092	4,446	4,414	4,651	4,841	5,119
Standard - Senior Discount	1,874	1,899	1,830	1,887	1,872	1,850	1,801
Second Stickers	1,662	1,525	2,136	2,559	2,073	1,961	2,302
Hauler	86	91	74	77	81	85	103
Total	8,793	8,607	8,486	8,937	8,677	8,737	9,325
Other Sales	247	420	346	186	317	306	348
Total	9,040	9,027	8,832	9,123	8,994	9,043	9,672

RTS ENTERPRISE FUND
Summary
12-Feb-13

Description	FY 2010 - Recap	FY 2011 - Recap	FY 2012 - Recap	FY2013 - Recap	% Change
Operating Income	\$1,608,327	\$1,451,010	\$1,472,174	\$1,501,540	
Interest Income	\$3,300	\$1,500	\$1,500	\$750	
RTS Income	\$1,611,627	\$1,452,510	\$1,473,674	\$1,502,290	2%
Retained Earnings	\$136,609	\$235,000	\$200,000	\$448,683	
Other Available Funds	\$0	\$0	\$0	\$0	
RTS Reserves	\$136,609	\$235,000	\$200,000	\$448,683	124%
RTS Resources	\$1,748,236	\$1,687,510	\$1,673,674	\$1,950,973	17%
Debt Financing	\$230,000	\$0	\$238,000	\$0	
General Fund	\$535,681	\$792,673	\$580,673	\$576,938	
Other Financing Sources	\$765,681	\$792,673	\$818,673	\$576,938	-30%
Total Financing Sources	\$2,513,917	\$2,480,183	\$2,492,347	\$2,527,911	1%
Operating Budget Appropriations	\$2,013,128	\$2,003,405	\$2,001,566	\$2,085,583	
Other Appropriations	\$0	\$0	\$2,156	\$0	
Operating & Other Appropriations	\$2,013,128	\$2,003,405	\$2,003,722	\$2,085,583	4%
Capital Appropriations	\$366,609	\$235,000	\$238,000	\$175,200	
Capital	\$366,609	\$235,000	\$238,000	\$175,200	-26%
Total Direct Appropriations	\$2,379,737	\$2,238,405	\$2,241,722	\$2,260,783	1%
Indirect and Other Amounts	\$134,180	\$241,778	\$250,625	\$267,128	
Total Financing Uses	\$2,513,917	\$2,480,183	\$2,492,347	\$2,527,911	1%

Board of Selectmen

Policy Number:	BOS-FIN-004
Policy:	Distribution of RTS Stickers and Pay-Per-Throw Bags to Low Income Households
Date Approved:	October 27, 1998
Date Revised:	June 24, 2008, August 17, 2010
Approved:	 Chairman, Board of Selectman

Policy: It shall be the policy of the Needham Board of Selectmen to provide free Recycling and Transfer Station (RTS) vehicle stickers and pay-per-throw (PPT) bags for the Town's trash disposal program to low income households which meet the financial need guidelines established below.

Guidelines: An RTS vehicle sticker and pay-per-throw bags shall be made available to individuals/households, without charge, who meet the following criteria:

1. The individual requesting a free RTS vehicle sticker or (PPT) bags is a resident of Needham. RTS vehicle stickers and PPT bags will only be distributed *upon request* of the eligible individual. Determination of need shall be made by the Needham Council on Aging or the Needham Health Department social worker/staff person. If, in the opinion of the social worker/staff person, a person should avail themselves of this program, it may be offered.
2. The family income is: a) less than 200 percent of the poverty level, as established by the U.S. Department of Health and Human Services, or b) the family is receiving assistance through some type of federal or state program for low income families (i.e. fuel assistance, food stamps, free or reduced priced meals for the school lunch program).
3. The distribution of a RTS vehicle sticker or PPT bags to other eligible individuals not meeting the above criteria will be allowed with the advance written approval of the Town Manager or his/her designee, if in his/her opinion, short-term circumstances (e.g., temporary economic dislocation or other similar condition) of the applicant warrants special consideration.

Distribution Procedure: RTS vehicle stickers or PPT bags will be distributed in the following manner to individuals/families meeting the guidelines established above:

1. The Health Department and the Council on Aging will distribute RTS vehicle stickers and PPT bags directly to clients meeting the above income criteria.

2. One RTS vehicle sticker shall be distributed annually. The distribution of PPT bags will be limited to one, ten-pack of bags (either size) every two months, unless a more frequent distribution is approved by the Town Manager. PPT bags are to be used only for the waste generated by the recipient's household.
3. On a monthly basis, the Health Department and Council on Aging will report to the Assistant Town Manager/Director of Finance the number of free bags distributed. This information will be used to track the overall sale and distribution of RTS vehicle stickers and PPT bags.

Fiscal Impact: RTS vehicle stickers and PPT bags distributed free to low income individuals/families will be funded through DEP grant funds (MRIP) received by the Town. If these funds are not available, the cost of this program will be calculated into the overall program cost (RTS enterprise fund budget) when establishing the fiscal year budget and fees.



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 2/26/2013

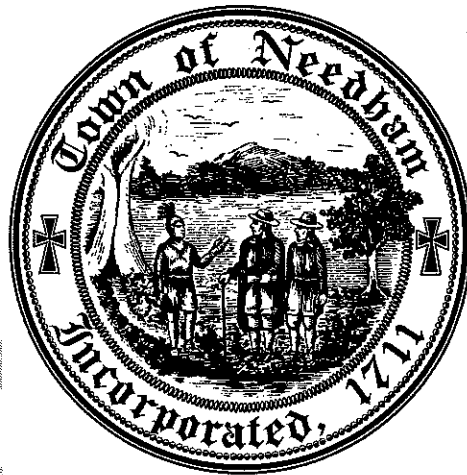
Agenda Item	Close Annual Town Meeting Warrant
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
The Town Manager will recommend that the Board close the warrant for the 2013 Annual Town Meeting.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<i>Suggested Motion:</i> That the Board approve and close the 2013 Annual Town Meeting Warrant as presented by the Town Manager subject to minor technical corrections to be made by the Town Manager, Town Counsel, and Bond Counsel.			
3.	BACK UP INFORMATION ATTACHED	YES	NO
a. Draft Annual Town Meeting Warrant Articles (2/22/13)			

TOWN OF NEEDHAM

MASSACHUSETTS

2013 Annual Town Meeting Warrant



Election: Tuesday, April 9, 2013

Business Meeting at 7:30 p.m. on Monday, May 6, 2013

At the James Hugh Powers Hall, Needham Town Hall

Article	Description	Inserted By	Page
1	Annual Town Election		
2	Committee and Officer Reports	Board of Selectmen	
HUMAN RESOURCES ARTICLES			
3	Establish Elected Officials' Salaries	Personnel Board	
FINANCE ARTICLES			
	Accept Chapter 73, Section 4 of the Acts of 1986	Board of Selectmen	
	Appropriate for Needham Property Tax Assistance Program	Board of Selectmen	
	Appropriate for Facility Master Plan Study	Board of Selectmen	
	Appropriate for Warner Field Renovation	Board of Selectmen	
	Appropriate for LED Conversion	Board of Selectmen	
	Appropriate the FY2014 Operating Budget	Board of Selectmen & Finance Committee	
	Appropriate the FY2014 RTS Enterprise Fund Budget	Board of Selectmen & Finance Committee	
	Appropriate the FY2014 Sewer Enterprise Fund Budget	Board of Selectmen & Finance Committee	
	Appropriate the FY2014 Water Enterprise Fund Budget	Board of Selectmen & Finance Committee	
	Continue Departmental Revolving Funds	Board of Selectmen	
	Establish Revolving Fund – Facility Activity Use	Board of Selectmen	
	Authorization to Expend State Funds for Public Ways	Board of Selectmen	
ZONING / LAND USE ARTICLES			
	Betterment Street Acceptance – Booth Street	Board of Selectmen	
	Extinguish Sewer Easement – Dale Street	Board of Selectmen	
	Amend Zoning By-Law – Medical Marijuana Moratorium	Board of Selectmen	
	Amend Zoning By-Law – Dimensional Regulations	Planning Board	
	Amend Zoning By-Law – Lot Width Definition/Management	Planning Board	
	Amend Zoning By-Law – Definitions	Planning Board	
	Amend Zoning By-Law – Dimensional Controls for Exempt Uses	Planning Board	
	Amend Zoning By-Law – Dimensional Regulations for Mixed Use 128	Planning Board	
GENERAL ARTICLES / CITIZENS' PETITIONS / COMMITTEE ARTICLES			
	Amend General By-Law – Alcoholic Beverages on Public Property	Board of Selectmen	
	Amend General By-Law – Type and Length of Contracts	Board of Selectmen	
	Amend General By-Law – Private Ways	Board of Selectmen	

Article	Description	Inserted By	Page
	Amend General By-Law – Sign By-Law	Board of Selectmen	
	Authorize Lease of Rail Corridor	Board of Selectmen	
	Re-determine Sewer Betterment Rate	Board of Selectmen	
COMMUNITY PRESERVATION ACT ARTICLES			
	Appropriate for Community Housing Specialist	Community Preservation Committee	
	Open Space and Recreation Plan	Community Preservation Committee	
	Appropriate for Trail Design for Reservoir ADA Trail and Ridge Hill Loop	Community Preservation Committee	
	Appropriate for Newman Fields and Eastman Conservation Area Design	Community Preservation Committee	
	Appropriate for Newman Preschool Playground Resurfacing	Community Preservation Committee	
	Appropriate for Mills Field Park Design	Community Preservation Committee	
	Appropriate for Needham Community Farm Soil Quality Improvements	Community Preservation Committee	
	Appropriate to Community Preservation Fund	Community Preservation Committee	
CAPITAL ARTICLES			
	Rescind Debt Authorizations	Board of Selectmen	
	Appropriate for General Fund Cash Capital	Board of Selectmen	
	Appropriate for Pollard Boiler Replacement	Board of Selectmen	
	Appropriate for Public Works Infrastructure Program	Board of Selectmen	
	Appropriate for DPW Complex Renovations	Board of Selectmen	
	Appropriate for RTS Enterprise Fund Cash Capital	Board of Selectmen	
	Appropriate for RTS Construction Equipment	Board of Selectmen	
	Appropriate for Sewer Enterprise Fund Cash Capital	Board of Selectmen	
	Appropriate for Water Enterprise Fund Cash Capital	Board of Selectmen	
	Appropriate for St. Mary's Pump Station	Board of Selectmen	
TOWN RESERVE ARTICLES			
	Appropriate to Athletic Facility Improvement Fund	Board of Selectmen	
	Appropriate to Capital Improvement Fund	Board of Selectmen	
	Appropriate to Capital Facility Fund	Board of Selectmen	
	Omnibus	Board of Selectmen	

**WARRANT FOR THE ANNUAL TOWN MEETING
TUESDAY, APRIL 9, 2013
TOWN OF NEEDHAM
COMMONWEALTH OF MASSACHUSETTS**

[insert text for ATE]

Warrant for the Annual Town Meeting

Monday, May 6, 2013 at 7:30 p.m. at Needham Town Hall

ARTICLE 2: COMMITTEE AND OFFICER REPORTS

To hear and act on the reports of Town Officers and Committees.

HUMAN RESOURCE ARTICLES

ARTICLE 3: ESTABLISH ELECTED OFFICIALS' SALARIES

To see if the Town will vote to fix the compensation of the following elected officers of the Town as of July 1, 2013, as required by Massachusetts General Laws, Chapter 41, Section 108:

Town Clerk	\$
Town Clerk with 6 years of service in that position	\$ (1)
Selectmen, Chairman	\$1,800
Selectman, Others	\$1,500

- (1) In addition, such compensation shall also include payment of longevity in the amount of \$, the accumulation of 15 days of non-occupational sick leave per fiscal year, and payment for 25% of unused sick leave at the time of retirement from Town Service in accordance with M.G.L. c. 32 or sooner, in an amount not to exceed \$. The annual salary of \$ includes compensation for five weeks of vacation leave, any unused portion of which will be paid at the time of separation from Town service in an amount not to exceed \$. No later than the time of separation from Town service, the Town Clerk shall also be paid for seven (7) weeks of accrued, unused vacation time in an amount not to exceed \$; or take any other action relative thereto.

INSERTED BY: Personnel Board

FINANCE COMMITTEE RECOMMENDS THAT:

PERSONNEL BOARD RECOMMENDS THAT:

Article Information: In accordance with M.G.L. Chapter 41, Section 108, the Town must annually vote to set the salary and compensation for any elected Town officials who receive compensation. The Town Clerk salary has been separated into two categories, newly elected Town Clerk, and Town Clerk with at least six years of service. This is done because Town elections are held in April and Town Meeting would

not have a chance to vote on the salary of a newly elected Clerk until after the incumbent had been receiving a higher rate of pay for several months. It has been the practice of the Personnel Board to provide the Town Clerk, the only full-time elected official, with benefits as close to that of other full-time employees as possible. Payment for longevity, as well as buy-back of sick leave and vacation no later than the time of separation from Town service, is included in the recommended salary and compensation article. This article also includes provision for a one-time distribution of accumulated and unused vacation leave as of June 30, 2000; such payment to be made no later than the time of separation from Town service.

The annual stipends for the members of the Board of Selectmen have remained unchanged since 1977.

FINANCE ARTICLES

ARTICLE : ACCEPT CHAPTER 73, SECTION 4 OF THE ACTS OF 1986

To see if the Town will vote to accept, for fiscal year 2013, the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, which amends Chapter 59 of the General Laws relative to real estate property tax exemptions, and approve an increase in the amount of 99% for each eligible exemption; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: Acceptance of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, permits the Town to grant an additional exemption to certain taxpayers who are surviving spouses, surviving minors of deceased parents, persons over the age of 70, certain veterans and disabled veterans and their surviving spouses, parents of veterans who died in wartime service and blind individuals, and who qualify for an exemption under any one of the following clauses of Section 5 of Chapter 59 of the General Laws: Clauses 17, 17C, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B, 41C, 42 or 43. The additional exemption shall be uniform for all exemptions but shall not exceed one hundred percent of a taxpayer's original exemption. No taxpayer may pay less tax than paid on the preceding year, except through the application of General Laws, Chapter 58, Section 8A or Chapter 59, Section 5, clause 18. The taxable valuation of the taxpayer's property shall not be less than ten percent of its fair cash value. Town Meeting must approve the additional exemption on an annual basis. In fiscal year 2013, the cumulative increase above the statutory limit was 95%.

ARTICLE : APPROPRIATE FOR NEEDHAM PROPERTY TAX ASSISTANCE PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$15,025 for the purpose of funding the Needham Property Tax Assistance Program, said sum to be spent under the direction of the Town Manager and raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: The 2009 Annual Town Meeting voted to establish a Property Tax Assistance Program. The goal of the Board of Selectmen is to set a target annual appropriation for the fund equal to the amount of private contributions to the Town's statutory voluntary tax relief program during the preceding fiscal year, up to a maximum appropriation of \$25,000 (2008 dollars). The voluntary fund received \$15,025 in fiscal year 2012.

ARTICLE : APPROPRIATE FOR FACILITY MASTER PLAN STUDY

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$150,000 for a facility master plan feasibility study, to be spent under the direction of the Permanent Public Building Committee/Town Manager and raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: This article will fund a feasibility study as a follow-up to the plan released in 2007. The DiNisco study included an action plan for years 2008 – 2012 and a tentative plan for years 2013 – 2022. Since the release of the plan, the Town has renovated and re-opened the High Rock School, renovated and re-opened the Town Hall, constructed and opened a new Public Services Administration Building, renovated and re-opened the Newman School, and begun construction on a new Senior Center. Funding for the relocation of the Salt Shed has been secured, and funding for DPW garage bay storage is proposed for funding under **Article X**. A study of options for location of the School Administration staff and the suitability of the Emery Grover Facility is underway, as is an evaluation of Rosemary Pool.. Condition Assessments of the Hillside, Mitchell, and Pollard School have been conducted and energy audits of 10 facilities were completed in 2011. A pre-feasibility study for the options for renovation or reconstruction of the Hillside and Mitchell Schools is complete, and the Town is in the process of preparing a Statement of Interest to submit to the Massachusetts School Building Authority for reconstruction of those schools. Evaluation and planning for existing municipal facilities, including Police and Fire Stations, Public Works Operations, RTS, Ridge Hill/Nike, and School buildings, as well as future possibilities such as a community center, is needed to update the Facility Master Plan for the next five year period and beyond.

ARTICLE : APPROPRIATE FOR WARNER FIELD RENOVATION

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$25,000 for the renovation of Warner Field at DeFazio Park, said sum to be spent under the direction of the Town Manager and transferred from available funds; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE : APPROPRIATE FOR LED CONVERSION

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$28,070 for LED Conversion, said sum to be spent under the direction of the Town Manager and transferred from available funds; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE: APPROPRIATE THE FY2014 OPERATING BUDGET

To see what sums of money the Town will vote to raise, appropriate, and/or transfer for the necessary Town expenses and charges, and further that the operating budget be partially funded by a transfer from the parking meter fund in the amount of \$40,000, from the overlay surplus in the amount of \$500,000, from amounts reserved for debt exclusion offsets of \$122,507, and \$711,000 to be raised from CPA receipts; and further that the Town Manager is authorized to make transfers from line item 9 to the appropriate line items in order to fund the classification and compensation plan approved in accordance with the provisions of Section 20B(5) of the Town Charter, and to fund collective bargaining agreements approved by vote of Town Meeting; and further that the Town Manager is authorized to expend from line item 4 in order to meet expenses for post-employment health and life insurance benefits for eligible retirees from the fund established for that purpose; or take any other action relative thereto.

INSERTED BY: Finance Committee
FINANCE COMMITTEE RECOMMENDS THAT:

ARTICLE : APPROPRIATE THE FY2014 RTS ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Solid Waste and Recycling Division of the Department of Public Works during fiscal year 2014, under the provisions of M.G.L. Chapter 44, Section 53F ½:

FY 2014

FY2014 Budget Percentage Change from FY2013 Budget	1.8%
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INSERTED BY: Board of Selectmen & Finance Committee
FINANCE COMMITTEE RECOMMENDS THAT:

ARTICLE : APPROPRIATE THE FY2014 SEWER ENTERPRISE FUND BUDGET

**Town of Needham
Sewer Enterprise
FY 2014**

FY2014 Budget Percentage Change from FY2013 Budget	0.3%
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and to meet this appropriation that \$508,936 be raised from the tax levy and transferred to the Sewer Enterprise Fund, and \$118,940 be transferred from Sewer Enterprise Fund Retained Earnings; or take any other action relative thereto.

INSERTED BY: Board of Selectmen & Finance Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE: APPROPRIATE THE FY2014 WATER ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Water Division of the Department of Public Works during fiscal year 2014, under the provisions of M.G.L. Chapter 44, Section 53F ½:

Town of Needham
Water Enterprise
FY 2014

Line #	Description	FY 2012		FY 2013		FY 2014		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
301A	Salary & Wages	\$ 863,102	16.0	\$ 1,028,088	16.0	\$ 1,048,593	16.0	
301B	Expenses	\$ 936,221		\$ 1,026,906		\$ 1,047,350		
301C	Capital Outlay	\$ 52,000		\$ 20,000		\$ 31,500		
301D	MWRA Assessment	\$ 610,028		\$ 965,737		\$ 1,273,404		
301E	Debt Service	\$ 1,540,937		\$ 1,550,000		\$ 1,550,000		
302	Reserve Fund	Transfers Only		\$ 75,000		\$ 75,000		
TOTAL		\$ 4,002,288	16.0	\$ 4,665,731	16.0	\$ 5,025,847	16.0	
FY2014 Budget Percentage Change from FY2013 Budget								7.7%

and to meet this appropriation that \$359,567 be transferred from Water Enterprise Fund Retained Earnings; or take any other action relative thereto.

INSERTED BY: Board of Selectmen & Finance Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE : CONTINUE DEPARTMENTAL REVOLVING FUNDS

To see if the Town will vote to authorize and continue revolving funds for certain Town departments pursuant to the provisions of M.G.L. Chapter 44, Section 53E ½ for the fiscal year beginning July 1, 2013:

Revolving Fund	Spending Authority	Revenue Source	Use of Funds	FY 2014 Budget
Memorial Park	Memorial Park Trustees	Food Concessions	Improvements to Memorial Park	\$4,100
Local Transportation	Council on Aging Director	MBTA, Grants, Program Receipts	Transportation program for COA	\$60,000
Yard Waste Processing Program	DPW Director	Town and Participating Communities	Multi-Community yard waste processing program	\$75,000
Home Composting Bin Account	DPW Director	Sale of Bins	Purchase of additional home composting bins	\$3,000
Youth Services Activities	Youth Services Director	Program Receipts	Costs related to youth service and community programs	\$25,000
Traveling Meals Program	Health Director	Program Receipts	Costs related to Traveling meals	\$75,000
Immunization Fund	Health Director	Program Receipts	Costs associated with immunization and educational programs	\$25,000
School Transportation Program	School Committee	Fee-Based Transportation Program Receipts	Pupil and other District-wide transportation	\$819,000

or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information and Summary of M.G.L., Chapter 44, Section 53E ½: A revolving fund established under the provisions of M.G.L., Chapter 44, Section 53E ½ must be authorized annually by vote of the Town Meeting. The fund shall be credited only with the departmental receipts received in connection with the programs supported by such revolving fund, and expenditures may be made from the revolving fund without further appropriation, subject to the provisions of Section 53E ½. The Annual Town Meeting authorization for each revolving fund shall specify: (1) the programs and purposes for which the revolving fund may be expended; (2) the departmental receipts which shall be credited to the revolving fund; (3) the board, department or officer authorized to expend from such fund; and (4) a limit on the amount which may be expended from such fund in the ensuing year. In any fiscal year, the Board of Selectmen and the Finance Committee may approve an increase in the amount to be spent from the revolving fund, but in no event shall any agency, board, department or officer be authorized to expend in any one fiscal year more than one percent of the amount raised by the Town by taxation in the most recent fiscal year for which a tax rate has been certified pursuant to M.G.L., Chapter 59, Section 23.

ARTICLE: ESTABLISH REVOLVING FUND – FACILITY ACTIVITY USE

To see if the town will vote to authorize a revolving fund for the Public Facilities Department under MGL Chapter 44 Section 53E1/2, that may be spent by the Director of Facility Operations without further appropriation during fiscal year 2014 for the purposes of paying expenses related to community use of public facilities. The Facility Activity Use Fund is to be credited with fees for permits and associated details, and the Director of Facility Operations may spend \$XXX in revolving fund monies; or take any other action thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE : AUTHORIZATION TO EXPEND STATE FUNDS FOR PUBLIC WAYS

To see if the Town will vote to authorize the Town Manager to permanently construct, reconstruct, resurface, alter or make specific repairs upon all or portions of various Town ways and authorize the expenditure of funds received, provided or to be provided by the Commonwealth of Massachusetts through the Massachusetts Highway Department; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: The Town receives funding from the Commonwealth of Massachusetts for road construction projects. Approval of Town Meeting is required in order for the Town to receive and expend the funds. The Massachusetts Department of Transportation (MassDOT) will distribute Chapter 90 funding only after it has been authorized by the Legislature and the Governor. At the time of the printing of the warrant, the FY 2014 award amounts had not been released.

ZONING AND LAND USE ARTICLES

ARTICLE: BETTERMENT STREET ACCEPTANCE – BOOTH STREET

To see if the Town will vote to accept the following street or portion thereof as laid out by the Board of Selectmen and according to a plan entitled "Acceptance Plan of Booth St. From 1964 Booth St. acceptance to Central Ave. – a distance of 619 ft. + in Needham, Mass." on file with the Town Clerk:

Booth Street – From the intersection of Central Avenue and Booth Street to the end of the 1964 Acceptance of Booth Street, including the taking or acceptance of easements as shown on said plan, under the provisions of law authorizing the assessment of betterments; or take any action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE: EXTINGUISH SEWER EASEMENT – DALE STREET

To see if the Town will authorize the Board of Selectmen to abandon a sewer easement parallel to and on the west side of the section of Dale Street that intersects West Street in the Town of Needham, being more fully described in a grant to the Town recorded at the Norfolk Registry of Deeds in Book 4065, Page 241; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE: AMEND ZONING BY-LAW – MEDICAL MARIJUANA MORATORIUM

To see if the Town will vote to amend its General By-Laws, Article 3, Police Powers, Authority and Regulations, by adding the following section;

“3.1.10. Use of Controlled Substances. No person shall smoke, ingest, or otherwise use or consume marijuana or tetrahydrocannabinol (as defined in G.L. c. 94C, 1, as amended) while in or upon any street, sidewalk, public way, footway, passageway, stairs, bridge, park, playground, beach, recreation area, boat landing, public building, schoolhouse, school grounds, cemetery, parking lot, or any area owned by or under the control of the town; or in or upon any bus or other passenger conveyance operated by a common carrier; or in any place accessible to the public.”

And to amend Article 8, Section 8.2.2.4 Police Regulations, by adding the following sub-section:

“J. Use Of Controlled Substances (Section 3.10)

Fine Schedule:
\$200 per offense”

And to renumber following subsections accordingly.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:
PLANNING BOARD RECOMMENDS THAT:

Article Information: *The public consumption of alcohol on Town property is currently regulated under Section 3.1.9 of the General By-laws of the Town of Needham. The purpose of this article is to similarly prohibit the public consumption of marijuana or tetrahydrocannabinol on Town property or in any place accessible to the public, and to allow the Town to impose a fine of \$200 per offence for violation of the By-law provision.*

ARTICLE: AMEND ZONING BY-LAW – DIMENSIONAL REGULATIONS

To see if the Town will vote to amend the Needham Zoning By-Law, Section 4.1 Basic Requirements, Subsection 4.1.3, Reduction of Area and Frontage Requirements, by revising the paragraph, so that the entire subsection shall now read as follows: (new language underlined):

“4.1.3 Reduction of Area, Frontage, and Setback Requirements

No lot shall be reduced in area or frontage if it already has or will be caused to have less area or frontage than required by this section, except by a taking by eminent domain or a conveyance for a public purpose. Such lots reduced in area or frontage by a taking by eminent domain or a conveyance for a public purpose shall be entitled to the protections afforded by statute and in this By-Law to pre-existing nonconforming lots. Further, if an existing structure is rendered nonconforming as to setback (or more non-conforming as to setback) by a taking by eminent domain or conveyance for a public way or access way or by the approval of a subdivision way for a third party, said structure shall be entitled to the protections afforded by statute and in this By-Law to pre-existing nonconforming structures.”

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT:

PLANNING BOARD RECOMMENDS THAT:

Article Information:

ARTICLE : AMEND ZONING BY-LAW – LOT WIDTH DEFINITION/MANAGEMENT

To see if the Town will vote to amend the Needham Zoning By-Law, Section 4.1 Basic Requirements, Subsection 4.1.5, Minimum Required Lot Width, by revising the paragraph, so that the entire subsection shall now read as follows: (new language underlined):

“4.1.5 Minimum Required Lot Width

Building lots in all zoning districts recorded or endorsed after January 9, 1986 shall be required to have a minimum lot width for a distance that extends from the front line throughout the building or structure not less than the applicable minimum frontage for the district in which said lot is located, as specified in Sections 4.2.1, 4.3.1, 4.4.1, and 4.6.1; except, however, in the Single Residence A District such minimum required lot width shall be at least 120 feet. Lot width shall be measured perpendicular from a point starting at the front line from one sideline to a strait-line distance intersecting another sideline. This measurement need not be perpendicular from more than one sideline. In the case of a triangular shaped lot with strait or curved front line, the strait-line measurement will be from the lot corners intersecting the street or way and continued parallel to that line throughout the building or structure. Lot width for corner lots will be measured perpendicular from the front lines to the sidelines in both directions.

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT:
PLANNING BOARD RECOMMENDS THAT:

Article Information:

ARTICLE: AMEND ZONING BY-LAW – DEFINITIONS

To see if the Town will vote to amend the Needham Zoning By-Law, Section 1.3, Definitions, by revising the existing definition of the term “Half-Story or ½ Story”, so that it shall now read as follows: (new language underlined):

“Half-Story or ½ Story – For all single-family detached dwellings and two-family detached dwellings located in all Districts, and apartment and multi-family dwelling units permitted by Special Permit in the Center Business District and located in the half-story directly above the second floor, that portion of a building included between the upper surface of a floor and the lower surface of a sloping roof next above where the area contained therein has a finished ceiling height exceeding 5’-0”. Dormers installed in a sloping roof directly above the second story of a structure shall be limited in size as follows: the total length of the front wall(s) of a dormer(s) shall not exceed 30% (thirty percent) of the eave length of the portion of the roof in which the dormer is built. There are no restrictions on dormers installed in a sloping roof directly above the first story of a structure. This definition shall apply to all single-family detached dwellings, two-family detached dwellings, and apartment and multi-family dwelling units permitted by Special Permit in the Center Business District and located in the half-story directly above the second floor. For all other buildings the definition is, that part of a building under a sloping roof where the full-length rafters rest on the top beam of the story below.

Or take any other action relative thereto.

INSERTED BY: Planning Board
FINANCE COMMITTEE RECOMMENDS THAT:
PLANNING BOARD RECOMMENDS THAT:

Article Information:

ARTICLE: AMEND ZONING BY-LAW – DIMENSIONAL CONTROLS FOR EXEMPT USES

To see if the Town will vote to amend the Needham Zoning By-Law as follows:

1. In Section 4.7 Special Conditions, Subsection 4.7.4 Dimensional Controls for Exempt Uses, by deleting Section 4.7.4 in its entirety.
2. In Section 4.7 Special Conditions, Subsection 4.7.5 Change in Dimensional Regulations by Special Permit, by replacing “4.7.5” with “4.7.4” in the first sentence of the second paragraph.
3. In Section 4.7 Special Conditions by renumbering Subsection 4.7.5 Change in Dimensional

Regulations by Special Permit as Subsection 4.7.4.

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT:

PLANNING BOARD RECOMMENDS THAT:

Article Information:

**ARTICLE: AMEND ZONING BY-LAW – DIMENSIONAL REGULATIONS FOR
MIXED USE 128**

To see if the Town will vote to amend the Needham Zoning By-Law as follows:

1. In Section 4.9 Dimensional Regulations for Mixed-Use 128

Amend 4.9 Table

By adding to Front Setback and Side Setbacks notation to footnote (1)

By changing Maximum Lot Coverage from 60% to 65%

By changing Floor Area Ratio from 0.30 to 1.00

By changing Maximum Height from 54 feet to 70 feet

Amend Footnote (1)

By changing the first sentence to read: “All buildings shall be limited to a height of 70 feet, except that, buildings within 350 feet of a river shall be limited to a height of 54 feet.”

By adding a new second sentence: “Notwithstanding the forgoing, the Planning Board may allow by special permit a maximum height of up to 84 feet. If the height of a building is increased above the height of 54 feet, the front setback shall be increased to 15 feet and the side setback to 20 feet.”

Amend Footnote (2)

By changing first sentence to read: “Maximum lot coverage shall be 65% for all projects.” [65% replaces 60%]

By changing second sentence to read: “However, if a project is designed such that at least 65% of the required landscaped area immediately abuts at least 65% of the required landscaped area of an adjoining project for a distance of at least 50 feet the maximum lot coverage may be increased to 75%.” [75% replaces 70%]

Amend Footnote (4)

By adding the following sentence at the end of this footnote: "Notwithstanding the preceding sentence, open space shall include pervious surfaces used for ways, access streets, parking areas, driveways, aisles, walkways, or other constructed approaches or service areas. (Pervious surfaces shall not preclude porous pavement, porous concrete, and/or other permeable pavers.)"

Amend Footnote (5)

By changing first sentence to read: "A floor area ratio of up to 1.75 may be allowed by a special permit from the Planning Board." [1.75 replaces 1.5]

By adding the following sentence at the end of the footnote: "Further, the Planning Board may allow a floor area ratio of up to 2.0, by special permit, where the applicant demonstrates, to the Board's satisfaction, that the proposed use will not generate peak hour trips in excess of 0.6 trips per 1,000 square feet of total development area."

3. In Section 4.9.2 Floor Area Ratio, Incentives

Amend Section 4.9.2

By changing the first sentence to read: "In the Mixed Use-128 District the maximum floor to area ratio (FAR) permitted by right shall be 1.00." [1.00 replaces 0.3.]

4. Add New Section 4.9.3

The Planning Board may, by special permit, waive any or all dimensional requirements set forth above in this Section 4.9 (including sections 4.9.1 and 4.9.2), by relaxing each by up to a maximum percentage of 25% if it finds that, given the particular location and/or configuration of a project in relation to the surrounding neighborhood, such waivers are consistent with the public good, that to grant such waiver(s) does not substantially derogate from the intent and purposes of the By-Law or the Goals of the District Plan cited in Section 6.8.1(b) of these Zoning By-Laws, and that such waivers are consistent with the requirements of Section 6.8. This section does not authorize the Planning Board to waive the maximum height regulations. (By way of example, the 15' front yard setback could be waived to 11.25'; the 65% lot coverage could be waived to 81.25%; or the 40,000 sq. ft. minimum lot area could be waived to 30,000 sq. ft.)

[The words in brackets are not part of the change but are an explanation of the change.]

Or take any other action relative thereto.

INSERTED BY: Planning Board
FINANCE COMMITTEE RECOMMENDS THAT:
PLANNING BOARD RECOMMENDS THAT:

Article Information:

GENERAL ARTICLES / CITIZENS' PETITIONS / COMMITTEE ARTICLES

ARTICLE: AMEND GENERAL BY-LAW –ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY

To see if the Town will vote to amend Article 8.2.2.4 (I) of the General By-laws by deleting the sum \$50 and inserting in place thereof the sum \$200; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE: AMEND GENERAL BY-LAW – TYPE AND LENGTH OF CONTRACTS

To see if the Town will vote to amend Section 2.1.3 of the General By-laws by inserting at the end of the section the following:

“Lease by the Town of private land or buildings 10
Lease of land from a public agency or authority for recreational purposes 99”

or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE: AMEND GENERAL BY-LAW – PRIVATE WAYS

To see if the Town will vote to amend Section 2.2.5.6.3 of the General By-laws by inserting a second paragraph, as follows: “Drainage shall not be included. Fifty one percent of the abutters to the private way must petition for the repairs to be made by the town and agree to reimburse the town for the cost of the repairs. if the repairs are expected to exceed \$300. If the cost of repairs is not expected to exceed \$300, no petition will be required and the abutters will not have to reimburse the town. Betterment charges will not be assessed for such repairs. The Town shall not be liable for any damage to private property caused by such repairs. The private way need not have been open to public use prior to the repairs being made;” or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE: AMEND GENERAL BY-LAW – SIGN BY-LAW

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE: AUTHORIZE LEASE OF RAIL CORRIDOR

To if the Town will vote to authorize the Board of Selectmen to acquire by purchase or gift or otherwise the fee, easement, leasehold, license and/or other real property interests in (a) all or any portion of the land, premises, easements, rights-of-way in the abandoned railroad right-of-way from the Dover town line to the Newton city line and (b) abutting and underlying properties as necessary or desirable, in the discretion of the Selectmen for acquiring title to said railroad right-of-way, for laying out an improved multi-use rail trail and related facilities and improvements, and providing access to the rail trail area for construction, maintenance and repair purposes and for all other purposes for which rail trails are now or hereafter may be used in the Commonwealth, on such terms and conditions as the Selectmen may determine; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: This Article authorizes the Selectmen to acquire the former railroad right-of-way to allow design and construction of a rail trail/pedestrian path between the Dover town line and the Newton city line. The property will be available for walking, running, road and mountain biking, wheelchairs and accessible cycling equipment, inline skating, scooters and tricycles, rolling backpacks, strollers, cross country skiing, and other forms recreation.

ARTICLE: RE-DETERMINE SEWER BETTERMENT RATE

To see if the Town will vote to re-determine the fixed uniform rate charged to abutters for the construction of sewers as authorized under the provisions of M.G.L. c. 83, section 15A, by

increasing the rate to \$30 per linear foot of lot frontage and \$0.40 per square foot of accessible area within 100 feet of the street; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: Section 27 of the Town Charter specifies that the amount of the cost of constructing new sewer systems paid by the Town shall be not less than one-fourth and not more than two-thirds of the entire cost. In 1925, Town Meeting voted that the Town would pay one third of the cost of its sewer system and the remaining two thirds would be paid by the abutting land owners. This article proposes to increase the rate charged to abutters for the construction of sewer mains last determined under Article 25 of the 1988 Annual Town Meeting. Current sewer construction costs are in the range of \$210 per linear foot in average conditions which would result in a charge of \$141 per foot to each abutting property. This charge, reduced to a fixed uniform rate, produces \$30 per linear foot of lot frontage and \$0.40 per square foot of accessible area within 100 feet of the street. Public construction of sewer lines has decreased significantly over the past thirty years. However, the rate should be kept current in the event that a petition for sewer construction by betterment is approved by the Town. The existing rate is \$10 per linear foot of frontage and \$0.15 per square foot within 100 feet.

COMMUNITY PRESERVATION ACT ARTICLES

ARTICLE: APPROPRIATE FOR COMMUNITY HOUSING SPECIALIST

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$175,000 to hire a community housing specialist, to be spent under the direction of the Town Manager, said sum to be transferred from the Community Housing Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: The Town Manager and the Director of Planning and Community Development have requested funds to hire a part-time Community Housing Specialist. The request for \$175,000 is intended to be spent over a five year period of time, for an average of \$35,000 per year. Working under the supervision of the Director of Planning and Community Development, the Community Housing Specialist would provide technical and administrative support on issues related to affordable housing, including but not limited to the monitoring of local affordable housing units; provide technical support during the application process for new units under M.G.L Chapter 40B; initiate and pursue collaborative efforts among local, state, federal, and private agencies; serve as liaison to Needham Housing Authority, West Metro Home Consortium; and provide staff support to any Town committees charged with the support of affordable housing.

ARTICLE : APPROPRIATE FOR OPEN SPACE AND RECREATION PLAN

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$25,000 to update the Town's Open Space and Recreation Plan, to be spent under the direction of the Town Manager, said sum to be transferred from the Open Space Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: The Open Space and Recreation Plan is a planning process for municipalities to assess open spaces, recreation parks and facilities, water resources, trails, and critical plant and wildlife habitats. The document provides a stewardship plan, and assists the community with making plans relative to compatible development.. The Commonwealth requires communities to have updated Open Space and Recreation master plans in order to be eligible for a variety of grant programs. The request for \$25,000 will assist the Conservation Commission, Park and Recreation Commission, Board of Selectmen and Planning Board to create an updated plan with revised goals, objectives and priorities.

**ARTICLE : APPROPRIATE FOR TRAIL DESIGN FOR RESERVOIR ADA TRAIL AND
RIDGE HILL LOOP**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$85,000 for the design and permitting of a handicap accessible perimeter trail around the Needham Reservoir and for the connection of a trail loop at Ridge Hill, to be spent under the direction of the Town Manager, said sum to be transferred from the Open Space Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: Representatives of the Conservation Commission, Park and Recreation Commission and Board of Selectmen meet regularly to provide guidance on the maintenance of trails and the pursuit of the goals and objectives contained in the Needham Trails Master Plan. Two recommended improvement projects are (1) the rebuilding of the trail that surrounds the Needham Reservoir, enabling it to become an all-person trail; and (2) the connection of a trail loop at Ridge Hill that will allow trail users to remain on Town property and avoid crossing onto private property. The funds requested are for the design of the two projects, and they have been combined into one request in order to increase the number of possible qualified designers with interest in pursuing the project. The design estimate for the Reservoir Trail is \$65,000, and the design estimate for the Ridge Hill loop is \$20,000, for a total request of \$85,000. A decision will be made during the design process on whether to request construction funds individually or as a combined project.

**ARTICLE : APPROPRIATE FOR NEWMAN FIELDS AND EASTMAN
CONSERVATION AREA DESIGN**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$248,000 for design for the athletic fields located at the Newman School and the adjacent Eastman Conservation area, to be spent under the direction of the Town Manager, said sum to be transferred from the Community Preservation General Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: The Needham School Committee is requesting design funds for the athletic fields located at the Newman School and the adjacent Eastman Conservation area. This request is supported by the Park and Recreation Commission, the Board of Selectmen and the Conservation Commission. The Eastman Conservation Area is used by the Needham Science Center for curriculum programs at many grade levels. The viewing areas and trails provide a learning opportunity for many environmental projects, and the rebuilding of the trails will provide an opportunity to connect to the newly created trails at the recently purchased Carol/Brewster properties and the adjacent Anna Volante conservation area. Linking newly created trails to existing trails is a goal of the Trails Master Plan. The athletic fields include two 60' diamonds and a multi-purpose field. The students at Newman and participants in youth sports programs cannot have consistent use of the fields as they are adjacent to wetlands and do not drain properly. The design tasks for both projects are connected and will require a complex permitting process. The combined design request is \$248,000, with an estimate of \$158,000 for the fields and \$90,000 for the conservation area.

**ARTICLE : APPROPRIATE FOR NEWMAN PRESCHOOL PLAYGROUND
SURFACING**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$60,000 to replace the surfacing at the Preschool Playground located at the Newman School, to be spent under the direction of the Town Manager, said sum to be transferred from the Community Preservation General Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: The Massachusetts Architectural Access Board (MAAB) has requested that the School Committee replace the surfacing at the preschool playground located at the Newman School. Though the current wood fiber surfacing material is considered compliant under federal guidelines, the MAAB has asked for a different surface product at this site. Surfacing products must meet federal requirements for shock absorption, reducing the severity of injuries including life-threatening head injuries. The surface must also meet accessibility needs. The current wood fiber surface is the least expensive product to meet these different regulations, but requires more maintenance than other products. The request is for \$60,000 to install a poured-in-place rubber surface during the summer of 2013.

ARTICLE : APPROPRIATE FOR MILLS FIELD PARK DESIGN

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$40,000 for design for improvement projects at Mills Field, to be spent under the direction of the Town Manager, said sum to be transferred from the Community Preservation General Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: The Department of Public Works, in conjunction with the Park and Recreation Commission, is requesting \$40,000 for design for improvement projects at Mills Field. The major cost of the project will be to create parking within the park, to relieve parking congestion on neighborhood roads. The concept is to build parallel parking within the park on Hampton Avenue, and remove the circular drive for additional spaces near the playground and basketball court. The turf in the 60' diamond would be removed and replaced with sod. The basketball court would be renovated, and picnic tables and grills would be replaced.

ARTICLE : APPROPRIATE FOR COMMUNITY FARM SOIL IMPROVEMENTS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$15,000 for improvements to the soil at the Community Farm location at the Nike Site, to be spent under the direction of the Town Manager, said sum to be transferred from the Open Space Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: Needham Community Farm, Inc. is requesting \$15,000 to make improvements to the soil at its location at the Nike Site. The property is under the jurisdiction of the School Committee and the farm operates under a license from the School Committee, which has stated its support for this project. Compost from Needham's Recycling and Transfer Station would be one of the products used to improve the quality of the soil. Produce is made available through the Community Council, and educational programs are held at the farm for students in Needham Public Schools, as well as other Needham residents.

ARTICLE : APPROPRIATE TO COMMUNITY PRESERVATION FUND

To see if the Town will vote to hear and act on the report of the Community Preservation Committee; and to see if the Town will vote to appropriate a sum pursuant to M.G.L. Chapter 44B from the estimated FY2014 Community Preservation Fund revenues, or to set aside certain amounts for future appropriation, to be spent under the direction of the Town Manager, as follows:

Appropriations:

A. Administrative and Operating Expenses of the Community Preservation Committee \$82,000

Reserves:

B. Community Preservation Fund Annual Reserve	\$915,200
C. Community Housing Reserve	\$240,900
D. Historic Resources Reserve	\$0
E. Open Space Reserve	\$240,900

or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: The Town Meeting and the voters approved the Community Preservation Act in 2004. The Fund receives monies through a 2.0% surcharge on local real estate property tax bills with certain exemptions. Adoption of the Act makes the Town eligible to receive additional monies on an annual basis from the Massachusetts Community Preservation Fund. Any expenditure from the Community Preservation Fund must be both recommended by the CPC and approved by Town Meeting. The law requires that at least 10% of the revenue be appropriated or reserved for future appropriation for each of the following purposes: community housing, historic preservation and open space. The Town traditionally sets aside 11% to account for any changes to the revenue estimate or State match that may occur during the year. Up to 5% of the annual revenue estimate may be utilized for the administrative and operational expenses of the Community Preservation Committee. At the end of the fiscal year, unspent administrative funds return to the CPA Annual Reserve. The CPC also recommends an appropriation of approximately 5% for administrative and operating expenses.

CAPITAL ARTICLES

ARTICLE: RESCIND DEBT AUTHORIZATIONS

To see if the Town will vote to rescind a portion of certain authorizations to borrow, which were approved at prior town meetings, where the purposes of the borrowing have been completed, and/or it was unnecessary to borrow the full authorization:

[INSERT CHART]

or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: When a project is financed by borrowing, the project has been completed, and all the bills have been paid, the balance of the authorization that was not borrowed can be rescinded. A Town Meeting vote to rescind the balance of a borrowing prevents any further borrowing for the project, and frees up borrowing capacity. In some cases, the full appropriation for a project is not required, due to monies received from other sources, changes in scope, cost saving measures, or favorable bids.

ARTICLE: APPROPRIATE FOR GENERAL FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,034,584 for General Fund Cash Capital, to be spent under the direction of the Town Manager, \$500,000 to be transferred from Overlay Surplus and \$534,584 to be transferred from Free Cash; or take any other action relative thereto:

General Fund	Description	Recommended	Amendment
Public Facilities	Pollard School Telephone System	\$ 53,000	
Public Facilities	Facilities Maintenance Program	\$ 430,560	
Public Facilities	Police/Fire Station Gas Tank Removal	\$ 28,500	
Public Safety	Heart Monitor/Defibrillator	\$ 27,500	
Public Schools	Technology & Equipment	\$ 410,049	
Public Schools	High School Radio System	\$ 37,275	
Public Works	PSAB Radio Upgrade	\$ 47,700	
	Total Appropriation	\$ 1,034,584	

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE : APPROPRIATE FOR POLLARD BOILER REPLACEMENT

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$625,000, to be spent under the direction of the Permanent Public Building Committee/Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 33: APPROPRIATE FOR PUBLIC WORKS INFRASTRUCTURE PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$600,000 for improvements and repairs to the Town's infrastructure including but not limited to roads, bridges, sidewalks, intersections, drains, brooks and culverts, to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is

authorized to borrow said sum under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE : APPROPRIATE FOR DPW COMPLEX RENOVATIONS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,000,000 for construction of garage bays and associated site improvements at the DPW Complex, to be spent under the direction of the Permanent Public Building Committee/ Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE : APPROPRIATE FOR RTS ENTERPRISE FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$218,100 for RTS Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, and that \$110,000 be transferred from Article 51 of the 2009 Annual Town Meeting and that \$108,000 be transferred from RTS Enterprise Fund retained earnings; or take any other action relative thereto:

Group	Description	Recommended	Amendment
RTS	Large Specialty Equipment	\$ 218,100	
	Total Appropriation	\$ 218,100	

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE : APPROPRIATE FOR RTS CONSTRUCTION EQUIPMENT

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$324,400 for RTS Construction Equipment, to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE : APPROPRIATE FOR SEWER ENTERPRISE FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$647,900 for Sewer Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, said sum to be transferred from Sewer Enterprise Fund retained earnings; or take any other action relative thereto:

Group	Description	Recommended	Amendment
Sewer	Core Fleet	\$ 47,900	
Sewer	Infiltration & Inflow Program	\$ 600,000	
	Total Appropriation	\$ 647,900	

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE : APPROPRIATE FOR WATER ENTERPRISE FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,563,100 for Water Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, said sum to be transferred from Water Enterprise Fund retained earnings; or take any other action relative thereto:

Group	Description	Recommended	Amendment
Water	Small Specialty Equipment	\$ 57,300	
Water	Filter Media Replacement	\$ 75,000	
Water	Irrigation Supply Feasibility Design	\$ 80,000	
	SCADA System Upgrade	\$ 435,000	
Water	System Rehabilitation Program	\$ 715,800	
Water	Service Connections	\$ 200,000	
	Total Appropriation	\$ 1,563,100	

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE: APPROPRIATE FOR ST. MARY'S PUMP STATION

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$5,565,100 for the reconstruction of the St Mary's Pumping Station, to be spent under the direction of the Permanent Public Building Committee/Town Manager, including without limitation all costs thereof as defined in Section 1 of M.G.L. Chapter 29C, and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L. Chapter 44, Chapter 29C or any other enabling authority; that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow all or a portion of the amount from the Massachusetts Water Pollution Abatement Trust (MWPAT) established pursuant to M.G.L. Chapter 29C and/or the Massachusetts Water Resources Authority (MWRA) and in connection therewith, to enter into a loan agreement and/or security agreement with the MWPAT and/or loan agreement and financial assistance agreement with the MWRA with respect to such loan; that the Town Manager be authorized to contract with the MWPAT, the MWRA and the Department of Environmental Protection with respect to such loan and for any federal, state or other aid available for the project or for the financing thereof; that the Town Manager is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; and that the Town Manager is authorized to expend all funds available for the project; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

TOWN RESERVE ARTICLES

ARTICLE : APPROPRIATE TO ATHLETIC FACILITY IMPROVEMENT FUND

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$50,450 to the Athletic Facility Improvement Fund, as provided under Chapter 46 of the Acts of 2003, and as further amended by Section 19 of Chapter 140 of the Acts of 2003, said sum to be raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: The 2012 Annual Town Meeting authorized the creation of an athletic facility stabilization fund to set aside capital funds for renovation and reconstruction of the Town's athletic facilities, particularly Memorial and DeFazio, which were renovated as part of a remarkable public/private partnership at a cost of more than \$7 million. The December 31, 2012 balance in the fund was \$283,020.

ARTICLE : APPROPRIATE TO CAPITAL IMPROVEMENT FUND

To see if the Town will vote to raise, and/or transfer and appropriate a sum to the Capital Improvement Fund, as provided under M.G.L., Ch. 40, Sec. 5B as recently amended by Section 14 of Chapter 46 of the Acts of 2003 and Section 19 of Chapter 140 of the Acts of 2003, said sum to be raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Explanation: Under Article 58 of the May 2004 Annual Town Meeting, the Town voted to establish the General Fund Cash Capital Equipment and Facility Improvement Fund for the purpose of setting aside funds for future capital investment. Over time, as the fund grows and is supported, it will be one of the tools in the overall financial plan of the Town. Maintaining and supporting such funds is looked upon favorably by the credit rating industry. The December 31, 2012 balance in the fund was \$648,336.

ARTICLE : APPROPRIATE FOR CAPITAL FACILITY FUND

To see if the Town will vote to raise and/or transfer and appropriate a sum to the Capital Facility Fund as provided under the provisions of M.G.L. Chapter 40, Section 5B as amended by Section 14 of Chapter 46 of the Acts of 2003, and as further amended by Section 19 of Chapter 140 of the Acts of 2003, said sum to be raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: Established at the 2007 Annual Town meeting, this fund is intended to be part of the Town's planning strategy for addressing capital facility maintenance needs by providing a reserve to address extraordinary building repairs and related expenses at times when other resources are unavailable. The purpose of this fund is to allow the Town, from time to time, by appropriation, to reserve funds for design, maintenance, renovation or reconstruction relating to the structural integrity, building envelope or MEP (mechanical, electrical, plumbing) systems of then existing capital facilities. The December 31, 2012 balance in the fund was \$1,292,178.

ARTICLE: OMNIBUS

To see if the Town will vote to raise by taxation, transfer from available funds, by borrowing or otherwise, such sums as may be necessary for all or any of the purposes mentioned in the foregoing articles, especially to act upon all appropriations asked for or proposed by the Selectmen, or any Town officer or committee, to appoint such committees as may be decided upon and to take action upon matters which may properly come before the meeting; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

And you are hereby directed to serve this Warrant by posting copies thereof in not less than twenty public places in said Town at least 7 days before said meeting.

Hereof fail not and make due return of this Warrant with your doings thereon unto our Town Clerk on or after said day and hour.

Given under our hands at Needham aforesaid this 26th day of February 2013.

GERALD A. WASSERMAN, Chairman
DANIEL P. MATTHEWS, Vice Chairman
JOHN A. BULIAN, Clerk
MAURICE P. HANDEL
MATTHEW D. BORELLI

Selectmen of Needham

**A true copy,
ATTEST**



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 2/26/2013

Agenda Item	Approve 40B Technical Assistance Grant Application
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
The Town Manager will recommend that the Board endorse an application for a Chapter 40B Technical Assistance Grant from Massachusetts Housing Partnership. The purpose of the grant is to assist the ZBA, the Selectmen, and any other Boards and Committees engaged in the review of the proposed Needham Mews project on Greendale Avenue.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<i>Suggested Motion:</i> That the Board approve and authorize the Chairman to sign the Ch. 40B Technical Review Assistance Application.			
3.	BACK UP INFORMATION ATTACHED	YES	NO
a. Ch. 40B Technical Review Assistance Application.			



MASSACHUSETTS HOUSING PARTNERSHIP

CHAPTER 40B TECHNICAL ASSISTANCE PROGRAM GUIDELINES 2012

OVERVIEW

The Massachusetts Housing Partnership (MHP) provides technical assistance to local Zoning Boards of Appeal (ZBA) in the review of permit applications for Comprehensive Permits pursuant to Chapter 40B of the Massachusetts General Laws ("Chapter 40B") and the regulations promulgated there under at 760 C.M.R. 56.00 (the "Regulations").

The purpose of the MHP Chapter 40B Technical Assistance Program is to assist the Zoning Board of Appeals, and other relevant municipal boards, in the review of specific Chapter 40B development proposals. MHP provides awards of up to \$15,000 to municipalities to engage qualified third-party consultants to work with the ZBA to increase local capacity and to assist in the review and permitting process for development projects applying for Chapter 40B Comprehensive Permits.

Since the inception of this program in 1999, most communities receiving technical assistance from MHP have successfully negotiated comprehensive permits on terms mutually agreeable to the municipality and the developer. In a small number of cases MHP's technical assistance has resulted in the withdrawal of inappropriate Chapter 40B proposals or the denial of the permit by the community.

The application process is initiated through an initial phone contact with MHP, typically by the ZBA chair or a municipal official acting on his/her behalf. Funding awards are made to the municipality and consultants are selected and contracted for by the municipality from a list of MHP qualified consultants. Invoices are paid directly by MHP after obtaining approval from the municipality.

PROCEDURES

Application Process

- The applicant contacts the MHP Chapter 40B technical assistance program at any time to discuss a Chapter 40B development that has been filed or is likely to be filed with the ZBA.
- Applications are available to municipalities after an initial phone intake.
- An application for technical assistance will only be accepted and reviewed by MHP *after* the comprehensive permit application has been filed with the ZBA. The MHP application must also include a copy of the Project Eligibility Letter from the subsidizing agency.
- The application must be signed by both the ZBA Chair and the Chief Elected Official.
- MHP strongly recommends interested communities contact MHP early in the process to facilitate the engagement of a qualified consultant *prior* to the start of the first public hearing. MHP reserves the right to reject an application for assistance after the hearing has opened.

- Upon timely receipt of an application, MHP will complete a review of the application and, if approved, send an award letter to the applicant community.

Consultant Services

- Prior to receiving an award a community receiving an award must select a consultant from a list of qualified Program Consultants approved and maintained by MHP.
- Program Consultants shall provide technical assistance to the municipality in understanding the Chapter 40B permitting and review process; assist in identifying areas needing additional study or technical information; and facilitate constructive discussions between the developer and the ZBA.
- The Program Consultant's role in providing comprehensive Chapter 40B technical assistance does not replace the role of the municipality's legal counsel. However, in accepting the technical assistance award, the municipality agrees that the consultant will be the lead consultant for the project and will assist in assessing the need for additional technical assistance including peer review consultants.
- Program Consultants are limited to contracting with a maximum of 5 communities at one time. Exceptions may be made for consultants who have previously contracted with communities under the Program.

Uses of Technical Assistance Funds

- MHP Program staff will work with the applicant community to determine the amount of the technical assistance award. A maximum of \$15,000 is available for the first award to a given community with a typical award amount of up to \$10,000 for subsequent requests.
- An award under the Program does not fund or take the place of services that are typically the financial responsibility of the developer, such as peer review for engineering, traffic, architecture and other technical issues eligible for funding under M.G.L. c. 44 Sec. 53G.
- Legal costs for municipal counsel and mediation services are not within the scope of this Program.

Contracting and Payment

- MHP will contract with the Program Consultant selected by the applicant, who will be an independent contractor of MHP and will render the contracted services directly to the community. The Program Consultant shall perform the services in a professional, independent, impartial manner in accordance with Chapter 40B, the Regulations, the Program Guidelines, MHP's Local 40B Review and Decision Guidelines.
- MHP will furnish a copy of the signed contract to the municipality, which will contain a scope of work.
- The Program Consultant shall submit invoices directly to MHP for payment, with a copy to the municipality. MHP will obtain authorization for payment from the municipality prior to making a payment to the Program Consultant.

Reporting and Evaluation

- MHP requests that the municipality notify MHP if the Chapter 40B permit application is withdrawn by the developer or if for any reason the technical assistance award funds are no longer needed.
- MHP requires that a copy of the final ZBA decision be sent to MHP at the time the decision is issued and filed with the Clerk's office.
- MHP requires the completion and submission of the *MHP Chapter 40B Program Evaluation Form* which is used to evaluate consultant assistance and the effectiveness of the program.

To speak to MHP staff about your Chapter 40B project and to request an application for technical assistance contact Dina Vargo at 617-330-9944 ext. 260 or dvargo@mhp.net.

Please note: MHP does not provide technical assistance funds to communities that have been certified by DHCD to have an affordable housing inventory that is at or above 10% or exceeds 1.5% of the land zoned for residential, commercial or industrial use.



MASSACHUSETTS HOUSING PARTNERSHIP
Community Housing Initiatives

DATE: _____

MHP STAFF CONTACT: _____

Ch. 40B Technical Review Assistance Application

Please speak to Community Housing Initiatives staff to discuss your project before requesting an application.
Be sure to identify the contact you spoke with in the space provided above.

CONTACT INFORMATION

MUNICIPAL CONTACT FOR APPLICATION: TITLE: LEE NEWMAN, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT	ZBA CHAIR: JON SCHNEIDER	CHIEF ELECTED OFFICIAL: TITLE: DAN MATTHEWS, VICE-CHAIR, BOARD OF SELECTMEN
ADDRESS: PUBLIC SERVICES ADMINISTRATION BUILDING 500 DEDHAM AVENUE, SUITE 118	ADDRESS: PUBLIC SERVICES ADMINISTRATION BUILDING 500 DEDHAM AVENUE, SUITE 118	ADDRESS: NEEDHAM TOWN HALL 1471 HIGHLAND AVENUE
CITY/TOWN/ZIP NEEDHAM, MA 02492	CITY/TOWN/ZIP NEEDHAM, MA 02492	CITY/TOWN/ZIP NEEDHAM, MA 02492
PHONE: FAX: 781-455-7550 EXT. 271 FAX 781-453-2510	PHONE: FAX: 781-455-7550 EXT. 261 (FOR ZBA CLERK, MARITA KLEMENTS) FAX 781-453-2510	PHONE: FAX: 781-455-7500 EXT. 204 (FOR SUPPORT SERVICES MANAGER, SANDY CINCOTTA) FAX 781-449-4569
EMAIL: LNEWMAN@NEEDHAMMA.GOV	EMAIL: MKLEMENTS@NEEDHAMMA.GOV	EMAIL: SCINCOTTA@NEEDHAMMA.GOV

PROJECT INFORMATION

PROJECT NAME: NEEDHAM MEWS, 692 AND 744 GREENDALE AVENUE	DEVELOPER: MILL CREEK RESIDENTIAL TRUST, ROBERT D. HEWITT, VICE PRESIDENT
PRINCIPALS: ROBERT D. HEWITT	ATTORNEY: DEBORAH S. HORWITZ
CONSULTANTS: MICHAEL D. BINETTE, THE ARCHITECTURAL TEAM, INC, ARCHITECT; NATHAN H. CHEAL, TETRA TECH, CIVIL ENGINEER; STANTEC, LANDSCAPE ARCHITECT	ENGINEER(S): NATHAN H. CHEAL, TETRA TECH, CIVIL ENGINEER

DEVELOPMENT SITE & ZBA MEETINGS:

1. Number of Units Proposed: *Total:* 300 *Affordable:* 75
2. Project type: Rental X Homeownership _____
3. What is the size of the site? 6.02 acres
4. Date Permit Filed with ZBA: _____ not yet filed _____
5. What are the dates and times of regularly scheduled ZBA meetings for this project? The ZBA typically meets the third Thursday of the month. The Board will likely hold the hearings for this project during additional meeting times.
6. Have hearings already been held for this project? no Dates: not yet scheduled.

To speak to Community Housing Initiatives staff about your project prior to submitting this application,
contact dvargo@mhp.net, 617-330-9955
160 Federal Street, 2nd Floor, Boston, MA 02110

SITE APPROVAL/ELIGIBILITY LETTER:

7. What is the source of the site approval letter? Mass Housing

If NEF, please provide the name of the bank: Cambridge Savings Bank

Date of site approval letter: January 15, 2013

Please include a copy of the site approval letter with your application.

8. Please describe the proposed development of the site including site description, surrounding area and adjacent uses, unique characteristics of site, design or building configuration. Feel free to attach supporting material.

The proposal is for 300 rental units on 6.02 acres located at 692 and 744 Greendale Avenue in a Single Residence District. The subject land is bounded by Route 128/Interstate 95 to the east, Greendale Avenue to the west and single family homes to the north and south. Currently the site contains two single family residences on two separate parcels (#692 and # 744). The site slopes steeply from south to north (Greendale Avenue to Route 128). Please see attached site description provided by the Applicant.

9. What are the main municipal concerns with the project? The scale of the project, drainage, infrastructure, traffic, and the impact on schools and abutting uses.
10. What specific review issues would you like assistance? We would like assistance with the overall general review of the proposal.
11. Do any municipal staff or ZBA members have prior experience reviewing comprehensive permits? The ZBA has only permitted one project of this scale, and that was in 2007 and was done through the Local Initiative Program. Neither a ZBA member nor member of the Town staff has prior experience with this size and scale of a project outside of the LIP process.
12. Does the municipality have a Master Plan or a Housing Plan that addresses affordable housing? Yes: ☒ No: ☐
- a. Is the plan DHCD certified? Yes: ☐ No: ☒
13. Has the municipality adopted Comprehensive Permit review rules? Yes: ☒ No: ☐
14. Who is the counsel for the ZBA on this project? Town Counsel Attorney David Tobin

What comprehensive permits have been submitted to the municipality in the last 10 years?

NAME OF PROJECT	FUNDING SOURCE	APPROVED/DENIED	DATE
See attached list of 40B projects filed in the Past 10 years.			

SIGNATURE OF CHIEF ELECTED OFFICIAL:

DATE:

DAN MATTHEWS, VICE CHAIR, BOARD OF SELECTMEN

PRINT NAME, TITLE:

SIGNATURE OF ZBA CHAIR:

DATE:

JON D. SCHNEIDER

PRINT NAME:

To speak to Community Housing Initiatives staff about your project prior to submitting this application,
contact dvargo@mhp.net, 617-330-9955
160 Federal Street, 2nd Floor, Boston, MA 02110

What comprehensive permits have been submitted to the municipality in the last 10 years?

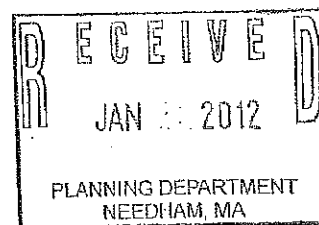
NAME OF PROJECT	FUNDING SOURCE	APPROVED/DENIED	DATE
Browne-Whitney Place, 207-213 Garden Street	Federal Home Loan Bank of Boston's New England Fund	Approved / Completed	March 21, 2002
High Cliff Estates, 199 St. Mary Street	Federal Home Loan Bank of Boston's New England Fund	Approved / Completed	April 25, 2002
Suites of Needham, 797 Highland Avenue	Mount Washington Savings, New England Fund	Approved / Completed	March 23, 2006
Charles River Landing, 300 Second Avenue		Approved / Completed	December 14, 2006
Craftsman Village, 21 High Street	Needham Bank, NEF Lender	Approved / Completed	May 18, 2006, transfer decision May 21, 2009



Massachusetts Housing Finance Agency
One Beacon Street, Boston, MA 02108

TEL: 617.854.1000 | FAX: 617.854.1091
VP: 866.758.1435 | www.masshousing.com

January 15, 2013



VIA CERTIFIED MAIL

Greendale Avenue Venture, LLC
15 New England Executive Office Park
Burlington, MA 01803
Attention: Robert D. Hewitt

RE: Needham Mews
692 and 744 Greendale Avenue
Needham, MA MA (#SA-12-003)

Project Eligibility (Site Approval) Application

Dear Mr. Hewitt:

This letter is in response to your application for a determination of Project Eligibility ("Site Approval") pursuant to Massachusetts General Laws Chapter 40B ("Chapter 40B"), 760 CMR 56.00 and the Comprehensive Permit Guidelines issued by the Department of Housing and Community Development ("DHCD") (the "Guidelines") (collectively, the "Comprehensive Permit Rules"), under the following program (the "Program"):

- New England Fund ("NEF") Program of the Federal Home Loan Bank of Boston.

Greendale Avenue Ventures, LLC ("Applicant" or "Developer") has filed a proposal with MassHousing pursuant to Chapter 40B. The proposal is to build 300 units of rental housing (the "Project") on a 6.02-acre site at 692 and 744 Greendale Avenue (the "Site") located in Needham, Massachusetts (The "Municipality").

This letter is intended to be a written determination of Project Eligibility ("Site Approval") in accordance with the Comprehensive Permit Rules, establishing fundability by a subsidizing agency under a low or moderate-income housing subsidy program pursuant to the Guidelines which may be found at www.mass.gov/dhcd (see "DHCD Legal Resources"). To the extent that Project funding is provided by a non-governmental entity (NEF), this letter is also intended to be a determination of Project Eligibility ("Site Approval") by MassHousing acting as Subsidizing Agency (formerly, "Project Administrator") under the Guidelines, including Part V, thereof, "Guidelines for Housing Programs In Which Funding Is Provided By Other Than A State Agency."

MassHousing staff has performed an on-site inspection of the Site, which local boards and officials were invited to attend, and has reviewed the pertinent information for the Project submitted by the Applicant, the Municipality and others in accordance with the Comprehensive

Permit Rules. As a result of our review, we have made the following findings as required pursuant to 760 CMR 56.04(1) and (4): (a) that the proposed Project appears generally eligible under the requirements of the housing subsidy program, subject to final approval under 760 CMR 56.04(7) ("Final Approval"); (b) that the site of the proposed Project is generally appropriate for residential development taking into consideration the information provided by the Municipality regarding actions previously taken to meet affordable housing needs; (c) that the conceptual project design is generally appropriate for the site on which it is located; (d) that the proposed Project appears financially feasible within the housing market in which it will be situated based on comparable rentals; (e) that an initial pro forma, including a land value determination consistent with the Guidelines, has been reviewed, and the Project appears financially feasible and consistent with the Guidelines for cost examination and limitations on profits and distributions on the basis of estimated development costs, and the project is fundable under the Program; (f) that the Applicant would be eligible to apply as a Limited Dividend Organization in connection with an application for financing under the Program; and meets the general eligibility standards of the Program; and (g) that the Applicant controls the site. Each such finding, with supporting reasoning, is set forth in further detail on Attachment 1 hereto.

With respect to finding (c), above, MassHousing specifically notes that the Project (i) has been expressly designed to mitigate the impacts of the massing, height and density of the proposed development by utilizing the natural topography of the Site, resulting in a development proposal that transitions well from the Site to the existing neighborhood and (ii) compares favorably to another recently constructed large-scale rental development in the Municipality located on the opposite side of Route 128, that is of similar scale with respect to design and massing.

As noted, MassHousing staff has determined that the Project appears generally eligible under the requirements of the NEF Program, subject to final review of eligibility and to final approval. In order to maintain eligibility under the NEF Program the following requirements must be addressed as part of your Final Approval application submission:

1. Financing for the Project must originate from a subsidizing lender that is a member of the Federal Home Loan Bank of Boston (FHLBB); a minimum of 25% of the financing must be obtained from the NEF Program; the construction and permanent financing must be for a minimum term acceptable to the Subsidizing Agency; and other financing terms and conditions must be substantially similar to terms used by the Subsidizing Agency in its own lending programs or otherwise be commercially reasonable. Evidence of a firm commitment for financing for the Project must be provided during your request to MassHousing for Final Approval. The Regulatory Agreement shall provide that any transfer of all or a portion of the NEF lender's interest (including participations or sale of servicing rights) during the approved term of the construction loan or, if applicable, the first 5 years of the permanent financing shall be subject to the approval of the Subsidizing Agency.

2. The Applicant must offer a minimum of 25% of the units for rental to households earning not more than 80% of the area median income, adjusted for household size, as published by the U.S. Department of Housing and Urban Development (HUD). The initial maximum housing cost (rent plus applicable utility allowances) for the affordable units must be set at levels affordable to households earning not more than 80% of area median income as determined by MassHousing based on the income limits published annually by HUD as adjusted for household size (based on 1.5 persons per bedroom).
3. The Applicant must enter into a regulatory agreement acceptable to MassHousing in the form for the applicable Program. If the Project is funded through the NEF Program, MassHousing will serve as the Subsidizing Agency under the Regulatory Agreement. The legal description of the Site attached to the Regulatory Agreement must be recordable.
4. The Applicant must comply with the Land Value Policy described in Section IV (B) (1) of the Guidelines and, if applicable, MassHousing's Acquisition Value Policy. Please note that the proposed purchase price of \$8,500,000 exceeds the "As Is Market Value" of the property determined by the MassHousing commissioned independent appraisal. The maximum permissible acquisition value that can be included, for limited dividend purposes, in the Development Budget approved at Final Approval and at the time of Cost Examination/Cost Certification is the "As Is" value, determined by the MassHousing commissioned independent appraisal, of \$1,600,000 plus reasonable and verifiable carrying costs (where permitted by the Guidelines) from September 20, 2012, the date of your Site Approval application.
5. The Applicant must be a limited dividend organization and agree to limit the profit on, and the distributions from, the Project in accordance with the Comprehensive Permit Rules.
6. The Project must comply with the Commonwealth's Sustainable Development Principles embraced by DHCD.
7. The Applicant must demonstrate that the Project will comply with EPA's Energy Star guidelines or with similar standards acceptable to MassHousing. The Applicant must make an application and submit plans to the local Energy Star administrator, ICF in Lexington, Massachusetts.
8. Final plans for the Development must show the number and location of handicapped accessible rental units in compliance with all applicable state and federal regulations.
9. The affordable rent levels must comply with the then-applicable 80% of Area Median Income (AMI) rent standard as adjusted for the required utility allowances. If any utility allowances are proposed at the time of Final Approval, appropriate supporting documentation shall be provided by the Applicant.

The Municipality was given a thirty (30)-day period in which to review the proposed site approval application and submit comments to MassHousing. The Town Manager has provided a brief letter (received by MassHousing on November 5, 2012) conveying the Board of Selectmen's unanimous opposition to the project based on the number of units and overall density. The Town letter did not include comments or feedback from other Town boards or committees, and MassHousing has not received additional comments from Town residents.

Based on MassHousing's site and design review, the following issues should be addressed in your application to the local Zoning Board of Appeals ("ZBA") for a comprehensive permit and fully explored in the public hearing process prior to submission of your application for Final Approval under the Program:

1. The Applicant should provide a detailed traffic study assessing potential impacts of the project on area roadways, including traffic volumes, crash rates, and the safety and level of service (LOS) of area intersections, and identifying appropriate mitigation in compliance with all applicable state and local requirements.
2. The traffic study should also review the proposed on-site parking and circulation to ensure compliance with industry standards relative to drive-aisle widths, turning radii, etc. In particular, in light of the steep slopes that characterize this site, driveway and walkway grading should be reviewed to ensure that it can be safely and easily negotiated by pedestrians, automobiles and service vehicles, particularly during the winter months.
3. The Applicant should provide a detailed Stormwater Management Plan identifying erosion control and stormwater management measures to be implemented during and after construction. This plan should describe any special measures that will be required to prevent erosion and uncontrolled run-off from the steeper areas of the site.
4. A geotechnical study for the proposed development, prepared by Lahlaf Geotechnical Consulting, Inc. and dated June 22, 2012, provides a preliminary review of site grading and foundation design, as well as specific construction recommendations. This study includes a preliminary assessment that subsurface conditions at the site are suitable to support the proposed construction once the topsoil is removed and the subgrade prepared as recommended. The applicant should be prepared to provide further confirmation of these preliminary findings during the public hearing.
5. The site abuts Route 128 along its northeastern boundary, and will be subject to noise from passing vehicular traffic. Building and site design should address noise exposure and noise attenuation measures.

6. A Landscape Plan should be provided, including a detailed planting plan, as well as paving, lighting, and signage details, and the location of outdoor dumpsters or other waste receptacles. The Landscape Plan should include provisions for irrigation and long-term landscape maintenance.
7. Additional details should be provided to the Town about any proposed site amenities including shared community rooms, outdoor playground and seating areas, and specific information about proposed pedestrian links to nearby conservation areas.
8. Any local preference plan required by the town must conform to federal fair housing law as determined by the U.S. Department of Housing and Urban Development.

This Site Approval is expressly limited to the development of no more than 300 rental units under the NEF Program, subject to the respective minimum affordability requirements (including percentage of units for low- or moderate-income households, income eligibility standards and duration of restrictions requiring low- or moderate-income housing) and the Developer's limited dividend status requirement, all as set forth in the Comprehensive Permit Rules for financing under the NEF Program. It is not a commitment or a guarantee of MassHousing or NEF financing or state subsidies and does not constitute a site plan or building design approval. Should you consider, prior to obtaining a comprehensive permit, the use of any other housing subsidy programs, the construction of additional units or a reduction in the size of the Site, you will be required to submit a new site approval application for review by MassHousing. Should you consider a change in tenure type (rental/homeownership) or a change in building type or height, you may be required to submit a new site approval application for review by MassHousing.

For guidance on the review process for NEF applications, you are advised to consult the Guidelines. Further, we urge you to review carefully with legal counsel the M.G.L. c.40B Comprehensive Permit Regulations, 760 CMR 56.00.

This approval will be effective for a period of two years from the date of this letter. Should the Applicant not apply for a comprehensive permit within this period or should MassHousing not extend the effective period of this letter in writing, this letter shall be considered to have expired and no longer be in effect. In addition, the Applicant is required to notify MassHousing at the following times throughout this two year period: (1) when the Applicant applies to the local ZBA for a comprehensive permit, (2) when the ZBA issues a decision, and (3) if applicable, when any appeals are filed.

Should a comprehensive permit be issued, please note that prior to (i) commencement of construction of the Project or (ii) issuance of a building permit, the Applicant is required to submit to MassHousing a request for Final Approval of the Project (as it may have been amended) in accordance with the Comprehensive Permit Rules (see especially 760 CMR 56.04(07) and the Guidelines including, without limitation, Part III thereof concerning

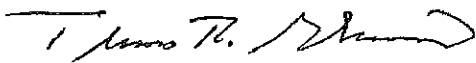
Greendale Avenue Venture, LLC
Re: Needham Mews
MassHousing #SA-12-003
Project Eligibility (Site Approval) Application
Page - 6

Affirmative Fair Housing Marketing and Resident Selection). Final Approval will not be issued unless MassHousing is able to make the same findings at the time of issuing Final Approval as required at Site Approval.

Further Opportunities for Assistance from MassHousing: Please note that MassHousing may not issue Final Approval if the comprehensive permit contains any conditions that are inconsistent with the regulatory requirements of the applicable housing subsidy program (The New England Fund of the FHLBB, for which MassHousing serves as Subsidizing Agency), as reflected in the applicable regulatory documents. A modification of the comprehensive permit may be required. Without limitation, we note that if the comprehensive permit will contain any local preference condition, the Guidelines require that the community demonstrate that a local preference is needed and can be implemented in a way that will not have a disparate impact on protected classes. In the interest of providing for an efficient review process and in order to avoid the potential lapse of certain appeal rights, the Applicant may wish to submit a "final draft" of the comprehensive permit to MassHousing for review. Applicants who avail themselves of this opportunity may avoid significant procedural delays that can result from the need to seek modification of the comprehensive permit after its initial issuance.

If you have any questions concerning this letter, please contact Greg Watson, Manager of the Comprehensive Permits Division, at 617-854-1880.

Sincerely,



Thomas R. Gleason
Executive Director

cc: Mr. Aaron Gornstein, Undersecretary, DHCD
Mr. Gerald A. Wasserman, Chair, Needham Board of Selectmen
Ms. Kate Fitzpatrick, Needham Town Manager
Ms. Lee Newman, Director of Planning and Community Development

Attachment 1

760 CMR 56.04 Project Eligibility: Other Responsibilities of Subsidizing Agency
Section (4) Findings and Determinations

Needham Mews, Needham MA (#SA-12-03)

• After the close of a 30-day review period and extension, if any, MassHousing hereby makes the following findings, based upon its review of the application, and taking into account information received during the site visit and from written comments:

(a) MassHousing finds that the proposed Project appears generally eligible under the requirements of the housing subsidy program, subject to final approval under 760 CMR 56.04(7);

The Project is eligible under the NEF housing subsidy program, and at least 25% of units will be available to households earning at or below 80% of the Area Median Income. Rent levels for the 75 affordable units have been appropriately calculated based on 30% of 80% of Area Median Income for the Boston-Cambridge-Quincy HMFA, less a utility allowance of \$116 and \$157 for the one and two bedroom units respectively. Both the Applicant and MassHousing have estimated the utility allowance to be the same as that most recently published by the Needham Housing Authority (January 2012). A letter of interest was provided by Cambridge Savings Bank, a member bank of the Federal Home Loan Bank of Boston.

(b) MassHousing finds that the site of the proposed Project is generally appropriate for residential development, taking into consideration information provided by the municipality or other parties regarding municipal actions previously taken to meet affordable housing needs, such as inclusionary zoning, multifamily districts adopted under c.40A, and overlay districts adopted under c.40R;

Needham does not have a DHCD certified Housing Production Plan. According to DHCD's Chapter 40B Subsidized Housing Inventory (SHI) updated through May 10, 2012, Needham has 11,047 year-round housing units, of which 837 (7.6%) are subsidized for low or moderate income-households. If this project were to be approved, the number of affordable units would increase by 300 to 1137, representing 10.2% of Needham's housing stock.

MassHousing's Appraisal and Marketing Division reports that there is a strong demand for rental housing in this area; comparable rental properties in Needham, Dedham, Newton and Waltham have average occupancy rates of 95.3%. The need for additional *affordable* rental

housing can also be clearly demonstrated. The Needham Housing Authority currently owns a total of 288 housing units (90 Family and 198 Elderly/Disabled units). There is currently a wait list of 527 for the family units and 478 for the elderly/disabled units. The proposed development is in close proximity to nearby employment centers, shopping and community services.

(c) MassHousing finds that the conceptual project design is generally appropriate for the site on which it is located, taking into consideration factors that may include proposed use, conceptual site plan and building massing, topography, environmental resources, and integration into existing development patterns;

1. Relationship To Adjacent Building Typology (Including building massing, site arrangement, and architectural details):

The site sits between a single-family residential area and Route 128/I-95. Surrounding homes include two-story, frame-construction capes and raised ranches along with larger (three-story) new or newly renovated homes. Area homes are located relatively close to one another on approximately quarter-acre lots, fronting directly on to Greendale Ave. There is a small church located immediately to the southeast of the site.

The proposed development consists of five multi-family structures comprising a total of 300 one-and two-bedroom rental apartments. As noted by Town officials, the project has a significantly higher density than the surrounding single-family house lots, and introduces a new building type (multi-family apartment buildings) to this area. That said, the project has been designed to be compatible with the surrounding neighborhood, particularly as viewed from Greendale Avenue.

- The average height (at the eaves) of the three buildings fronting on Greendale Avenue will be 24' above the finished grade, similar to the height of surrounding 1-3 story homes.
- The massing of the three buildings fronting on Greendale Avenue is broken up by their "L"-shape configuration, with the larger portion of the building set back and separated from the street by a lawn and courtyard area.
- Buildings facades along Greendale Avenue feature elements from surrounding residential homes including gable-roofed dormers, balconies, and front entry porticos
- Buildings throughout the development are designed to be compatible with area building typology; including gable-end roofs, dormers and entry porticos;

materials proposed for the project (including asphalt roofs and clapboard siding) are all found within the surrounding neighborhood.

2. Relationship To Adjacent Streets:

- The site is bounded to the north by Greendale Avenue, by Route 128 to the south, and by Hardy Street (a paper street) to the west.
- The site has 710 feet of direct frontage on Greendale Avenue. As proposed, a new sidewalk will be constructed along the site's Greendale Avenue boundary, with curb cuts for access roads into the site from the east and the west.
- The site is laid out so that the portions of the buildings fronting on Greendale Avenue are low, wood-frame structures with setbacks consistent with surrounding properties.
- The placement of Buildings A, B and C fronting directly on Greendale Avenue, combined with the drop in elevation as the site slopes northward to Route 128, will block views of the two larger-scale apartment buildings from the surrounding residential neighborhood.
- Views of the project from Route 128 will be compatible in scale with nearby commercial office properties visible from the highway.

3. Density

- Average proposed site density is 49.8 units per acre, which is mid-range for garden-style apartments.
- The larger buildings and areas of highest density are located furthest away from the surrounding single-family residential neighborhood on the northern side of the site along Route 128.
- Visual impact of site density is ameliorated by the placement of lower-level buildings along Greendale Avenue, which serves to screen views of the larger buildings to the north.

4. Site Plan

- The site plan includes five multi-family buildings organized around a central internal roadway that leads into the site from its eastern end, runs parallel to Greendale Avenue, and leads out to the west.
- Three 2-story buildings with one-level subsurface garages are located on the southern, higher side of the site fronting on Greendale Avenue, and three 3-story buildings with 2-level subsurface garages are located on the lower portion of the site adjacent to Route 128. The result of this layout is that the shorter buildings on Greendale Avenue will effectively block views of the larger buildings to the north.
- Individual buildings are configured around courtyard and landscaped areas.
- 470 of the site's 510 parking spaces are located below-ground, with surface parking limited to 40 on-street spaces along the site's central roadway.
- The site is laid out in a compact manner. When fully built out, proposed improvements (buildings, interior roadways, and parking areas) will cover approximately 72% of the site.

5. Environmental Resources

- Based on a preliminary site assessment performed by the development team, no wetlands, significant natural or cultural resources, endangered habitats or areas prone to flooding have been identified on the site.

6. Topography

- The site drops close to 40' in elevation from its highest points along Greendale Avenue to lower elevations closer to Route 128. The design makes effective use of this grade change by placing smaller-scale structures along the existing grade adjacent to Greendale Avenue, and the larger buildings below that point along Route 128.
- The site's sloped topography also allows for the placement of subsurface parking decks below all of the buildings, effectively eliminating the visual impact of off-street surface parking areas.
- The applicant's engineer has recommended a variety of special measures to be taken to ensure continued slope stability after the site is developed.

7. Proposed Use:

- Based on MassHousing staff's site inspection, internal discussions, and a thorough review of the application, MassHousing finds that the Site is suitable for residential use and development.
- Existing utilities are available for connection to the site including municipal water, sanitary sewer, storm drainage, gas, electric, telephone and cable service. Adequacy of these utilities for the proposed residential use should be confirmed by project engineers.
- The site is conveniently located in terms of road and highway access, particularly to services and employment on Route 128. Hersey Station, a commuter rail station on the MBTA's Needham Line providing service to Boston, is located .65 miles to the southwest of the site.
- The site is also in relatively close proximity to schools, churches, parks and shopping areas although, in general, private vehicles would be considered to be a necessity at this location for most households.

(d) MassHousing finds that the proposed Project appears financially feasible within the housing market in which it will be situated (based on comparable rentals or sales figures);

The project will include 225 market-rate units with proposed rents of \$2,100 for the one-bedroom units and \$2,500 for two-bedroom units. One and two-bedroom units are proposed in flat and townhouse configurations, and the one-bedroom is available with or without a den. While MassHousing's Appraisal and Marketing Division ("A&M") staff have determined that rents for the "flat" style one-bedroom units are higher than average, they also have determined that the townhouse units and units with a den are priced at lower than average rents. On average, therefore, rents fall within the adjusted average range and are considered achievable. A&M also noted that their assessment was based on an assumption that the proposed development would include a range of amenities standard for comparable developments in the area, including fitness center, clubhouse, etc.

(e) MassHousing finds that an initial pro forma has been reviewed, including a land valuation determination consistent with the Department's guidelines, and the Project appears financially feasible and consistent with the Department's guidelines for Cost Examination and Limitations on Profits and Distributions (if applicable) on the basis of estimated development costs;

MassHousing has commissioned an "As-Is" appraisal which indicates a land valuation of \$2,500,000. Based on a proposed equity investment of \$24,899,824 the application pro forma appears to be financially feasible and within the limitations on profits and

distributions.

- (f) MassHousing finds that the Applicant is a public agency, a non-profit organization, or a Limited Dividend Organization, and it meets the general eligibility standards of the housing program; and*

The Applicant must be organized as a Limited Dividend Organization prior to applying for Final Approval. MassHousing sees no reason this requirement could not be met given information reviewed to date. The Applicant meets the general eligibility standards of the NEF housing subsidy program.

- (g) MassHousing finds that the Applicant controls the site, based on evidence that the Applicant or a related entity owns the site, or holds an option or contract to acquire such interest in the site, or has such other interest in the site as is deemed by the Subsidizing Agency to be sufficient to control the site.*

692 Greendale Avenue (Parcel 44) and 0 Greendale Avenue (Parcel 43)

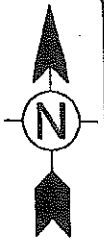
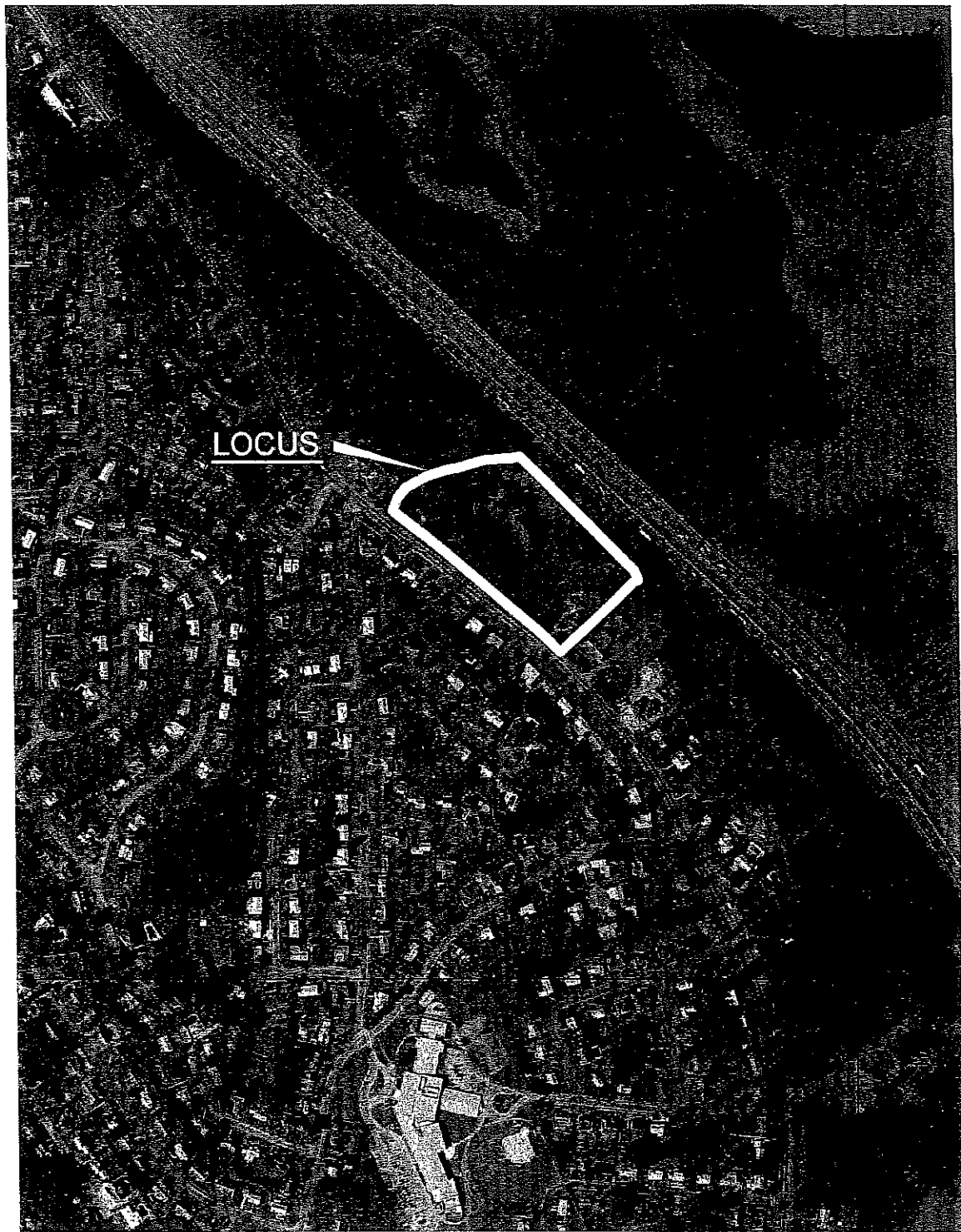
The Applicant controls this portion of the Site under a Purchase Agreement, which stipulates that the sellers will retain physical occupancy of the existing home through the purchaser's granting of a life estate or entering into a residential lease for the right to occupy the premises with redefined lot lines (a smaller portion of the existing Parcel 44's one-acre site) for so long as one or both sellers desire to remain in physical occupancy.

744 Greendale Avenue (Parcel 42)

The Applicant controls this portion of the Site under a Purchase Agreement.

The Applicant has submitted a Certification of Ownership from Robert D. Hewitt, indicating the names of the Applicant to be Greendale Avenue Venture, LLC with the Principals and Controlling Entities of the Applicant and its managing entities to be MCRT Northeast and Mill Creek Residential Trust LLC, and the name of the proposed ownership entity to be Greendale Avenue Venture, LLC.

8/14/2012 4:55:35 PM - P:\76086\127-76086-12001\CAD\SHEETFILES\C-701-702 FIGURES.DWG - BECKWITH, JOHN



0 250' 500' 1000'
SCALE: 1" = 500'



TETRA TECH

www.tetratech.com

One Grant Street
Framingham, MA 01701

PHONE: (508) 903-2000 FAX: (508) 903-2001

Mill Creek Residential Trust, LLC

Schematic Site Development Plans
692 Greendale Avenue - Needham, Massachusetts

Aerial Photograph

Project No.: 127-76086-12001

Date:

Designed By: N.H.C.

Supplemental

C-702

Copyright: Tetra Tech

1.0 Site Description Narrative

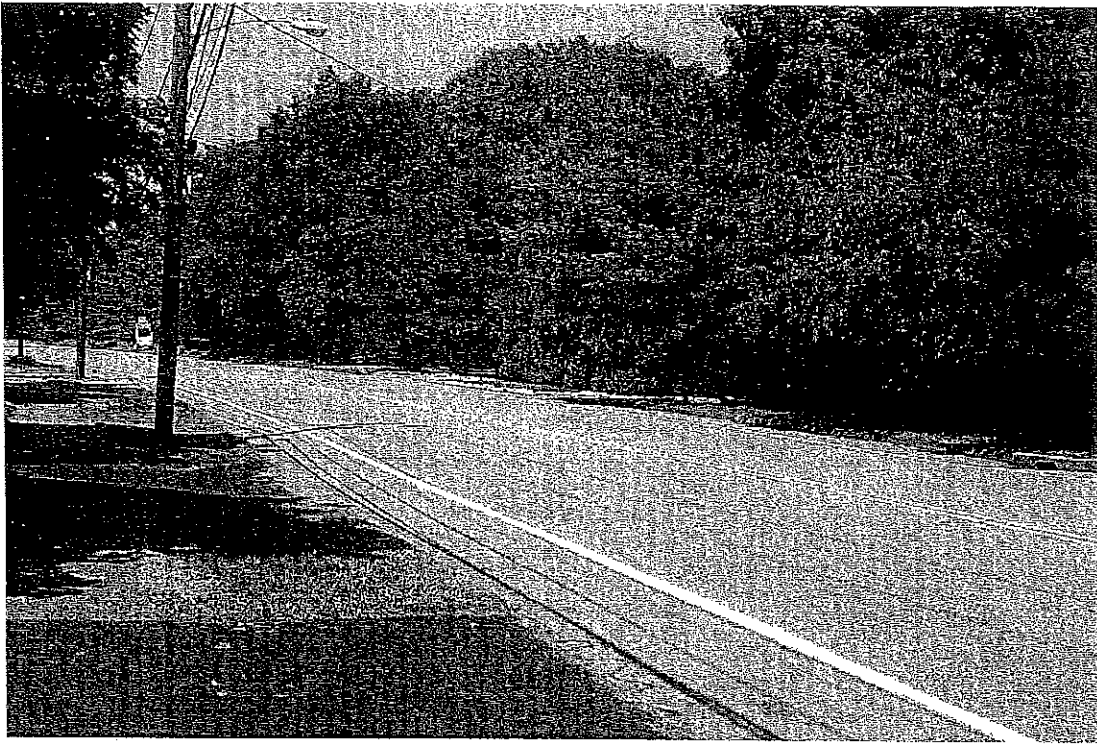
1.1 Existing Lots and Uses

The project site consists of two lots totaling 6.02 acres and is located in the Town of Needham. The project site is bounded by the State Route 128/I-95 right of way to the north, the Greendale Worship Center to the east, Greendale Avenue to the south and Hardy Street to the west. Hardy street is described as an ancient town way and is currently overgrown with vegetation.

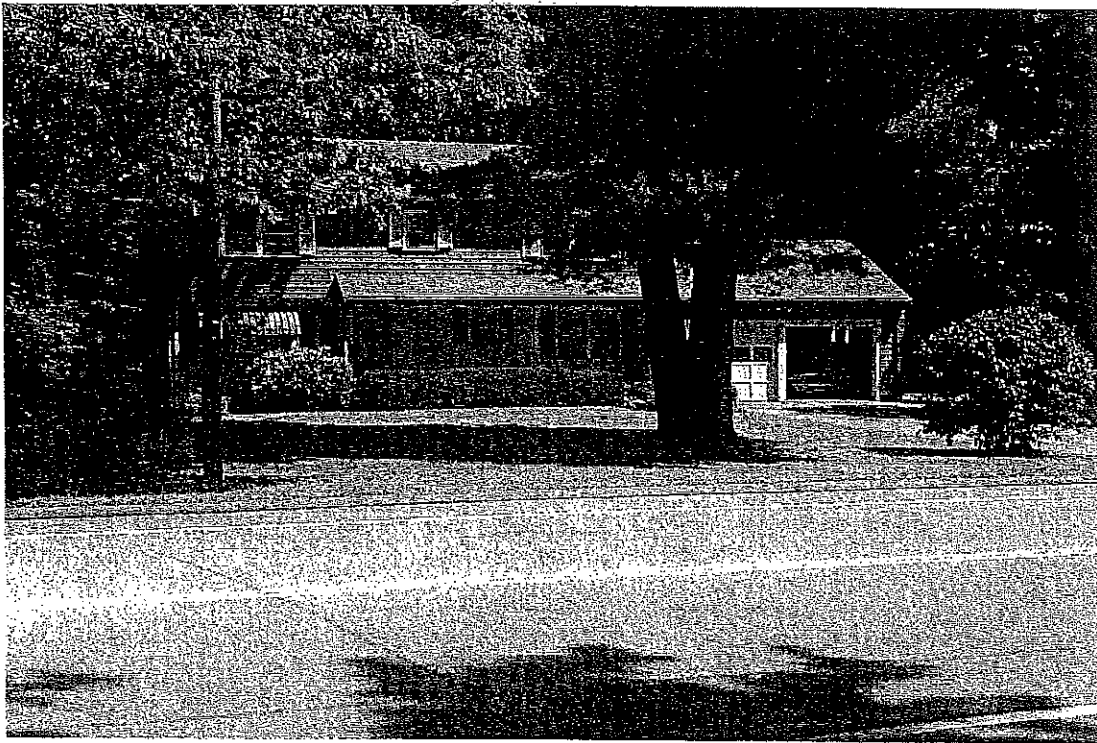
The project site contains two single family residences on separate parcels (House #692 and #744). The land between the two homes is generally wooded. The site slopes steeply from south to north (Greendale Avenue to the Route 128 right of way) with some slopes approaching 2:1. Access to the project site is from Greendale Avenue, which is an 80 foot wide public way. Please refer to the Topographic Plan of Land and the Schematic Layout Plan for further details as well as the attached figure C-701 (current USGS map) and C-702 (current site aerial). There is no access to the site from Route 128. Context photographs of the project site and the abutting parcels are included below.



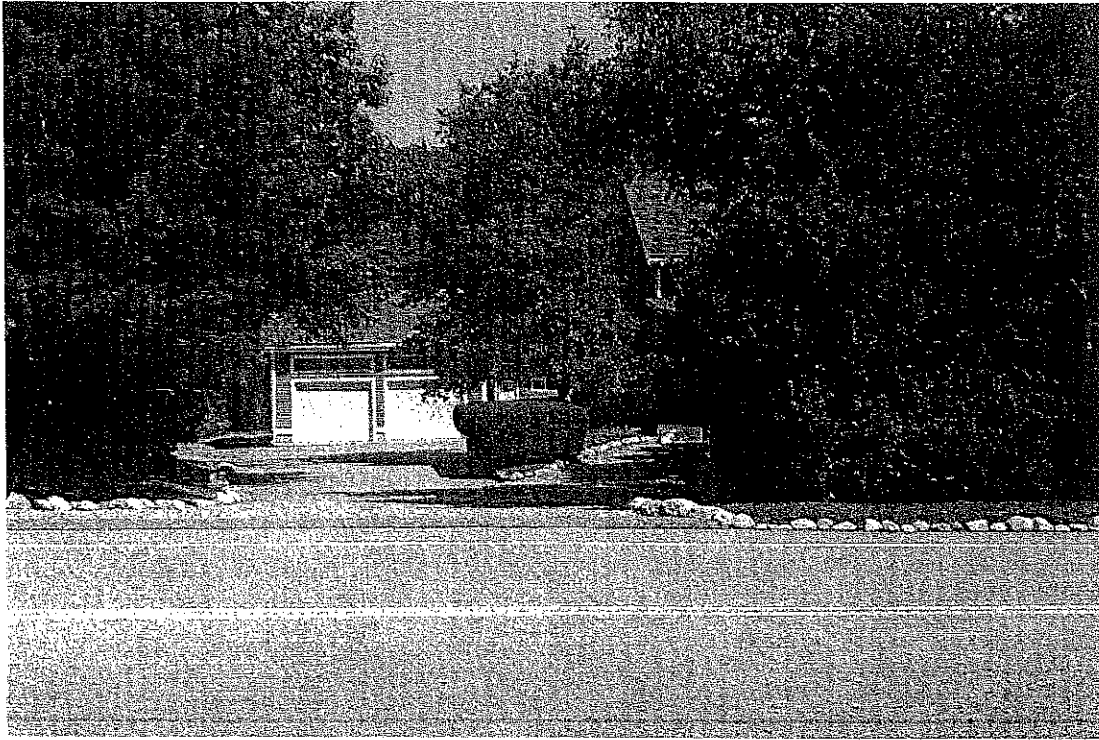
View of the site from Greendale Avenue looking northeast.



View of the site looking northwest.



View of 692 Greendale Avenue. The western driveway to the proposed development will be located approximately 50 feet east of the 692 Greendale Avenue driveway.



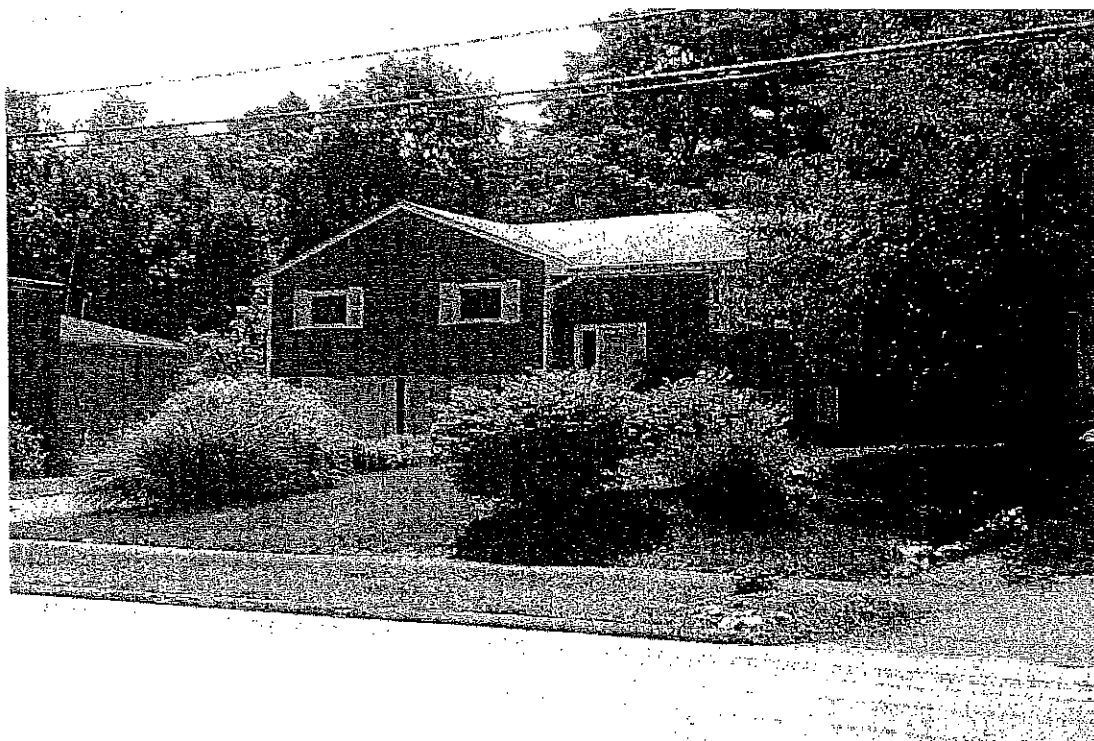
View of 744 Greendale Avenue. The eastern driveway to the proposed development will be located in the same general location as the driveway for 744 Greendale Avenue.



View of abutting property to the west.



View of abutting property to the east – Greendale Worship Center.



View of a typical property along the opposite of Greendale Avenue.



MASSACHUSETTS HOUSING PARTNERSHIP
Community Housing Initiatives

DATE: _____

MHP STAFF CONTACT: _____

Ch. 40B Technical Review Assistance Application

Please speak to Community Housing Initiatives staff to discuss your project before requesting an application.
Be sure to identify the contact you spoke with in the space provided above.

CONTACT INFORMATION

MUNICIPAL CONTACT FOR APPLICATION: TITLE: LEE NEWMAN, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT	ZBA CHAIR: JON SCHNEIDER	CHIEF ELECTED OFFICIAL: TITLE: DAN MATTHEWS, VICE-CHAIR, BOARD OF SELECTMEN
ADDRESS: PUBLIC SERVICES ADMINISTRATION BUILDING 500 DEDHAM AVENUE, SUITE 118	ADDRESS: PUBLIC SERVICES ADMINISTRATION BUILDING 500 DEDHAM AVENUE, SUITE 118	ADDRESS: NEEDHAM TOWN HALL 1471 HIGHLAND AVENUE
CITY/TOWN/ZIP NEEDHAM, MA 02492	CITY/TOWN/ZIP NEEDHAM, MA 02492	CITY/TOWN/ZIP NEEDHAM, MA 02492
PHONE: FAX: 781-455-7550 EXT. 271 FAX 781-453-2510	PHONE: FAX: 781-455-7550 EXT. 261 (FOR ZBA CLERK, MARITA KLEMENTS) FAX 781-453-2510	PHONE: FAX: 781-455-7500 EXT. 204 (FOR SUPPORT SERVICES MANAGER, SANDY CINCOTTA) FAX 781-449-4569
EMAIL: LNEWMAN@NEEDHAMMA.GOV	EMAIL: MKLEMENTS@NEEDHAMMA.GOV	EMAIL: SCINCOTTA@NEEDHAMMA.GOV

PROJECT INFORMATION

PROJECT NAME: NEEDHAM MEWS, 692 AND 744 GREENDALE AVENUE	DEVELOPER: MILL CREEK RESIDENTIAL TRUST, ROBERT D. HEWITT, VICE PRESIDENT
PRINCIPALS: ROBERT D. HEWITT	ATTORNEY: DEBORAH S. HORWITZ
CONSULTANTS: MICHAEL D. BINETTE, THE ARCHITECTURAL TEAM, INC, ARCHITECT; NATHAN H. CHEAL, TETRA TECH, CIVIL ENGINEER; STANTEC, LANDSCAPE ARCHITECT	ENGINEER(S): NATHAN H. CHEAL, TETRA TECH, CIVIL ENGINEER

DEVELOPMENT SITE & ZBA MEETINGS:

1. Number of Units Proposed: *Total:* 300 *Affordable:* 75
2. Project type: Rental X Homeownership _____
3. What is the size of the site? 6.02 acres
4. Date Permit Filed with ZBA: _____ not yet filed _____
5. What are the dates and times of regularly scheduled ZBA meetings for this project? The ZBA typically meets the third Thursday of the month. The Board will likely hold the hearings for this project during additional meeting times.
6. Have hearings already been held for this project? no Dates: not yet scheduled.

To speak to Community Housing Initiatives staff about your project prior to submitting this application,
contact dvargo@mhp.net, 617-330-9955
160 Federal Street, 2nd Floor, Boston, MA 02110

SITE APPROVAL/ELIGIBILITY LETTER:

7. What is the source of the site approval letter? Mass Housing

If NEF, please provide the name of the bank: Cambridge Savings Bank

Date of site approval letter: January 15, 2013

Please include a copy of the site approval letter with your application.

8. Please describe the proposed development of the site including site description, surrounding area and adjacent uses, unique characteristics of site, design or building configuration. Feel free to attach supporting material.

The proposal is for 300 rental units on 6.02 acres located at 692 and 744 Greendale Avenue in a Single Residence District. The subject land is bounded by Route 128/Interstate 95 to the east, Greendale Avenue to the west and single family homes to the north and south. Currently the site contains two single family residences on two separate parcels (#692 and # 744). The site slopes steeply from south to north (Greendale Avenue to Route 128). Please see attached site description provided by the Applicant.

9. What are the main municipal concerns with the project? The scale of the project, drainage, infrastructure, traffic, and the impact on schools and abutting uses.
10. What specific review issues would you like assistance? We would like assistance with the overall general review of the proposal.
11. Do any municipal staff or ZBA members have prior experience reviewing comprehensive permits? The ZBA has only permitted one project of this scale, and that was in 2007 and was done through the Local Initiative Program. Neither a ZBA member nor member of the Town staff has prior experience with this size and scale of a project outside of the LIP process.
12. Does the municipality have a Master Plan or a Housing Plan that addresses affordable housing? Yes: ☒ No: ☐
- a. Is the plan DHCD certified? Yes: ☐ No: ☒
13. Has the municipality adopted Comprehensive Permit review rules? Yes: ☒ No: ☐
14. Who is the counsel for the ZBA on this project? Town Counsel Attorney David Tobin

What comprehensive permits have been submitted to the municipality in the last 10 years?

NAME OF PROJECT	FUNDING SOURCE	APPROVED/DENIED	DATE
See attached list of 40B projects filed in the Past 10 years.			

SIGNATURE OF CHIEF ELECTED OFFICIAL:

DATE:

DAN MATTHEWS, VICE CHAIR, BOARD OF SELECTMEN

PRINT NAME, TITLE:

SIGNATURE OF ZBA CHAIR:

DATE:

JON D. SCHNEIDER

PRINT NAME:

To speak to Community Housing Initiatives staff about your project prior to submitting this application,
contact dvargo@mhp.net, 617-330-9955
160 Federal Street, 2nd Floor, Boston, MA 02110



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 2/26/2013

Agenda Item	Accept Conservation Restriction
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
The Conservation Commission voted to accept a conservation restriction at 1509 Central Avenue (Assessors Map 308 Lot 9) – a 12,055 sq. ft. area formerly owned by Daniel V. Capasso, Jr. – Trustee of Dancap Realty Trust. The conservation restriction is identified on the attached plan entitled As-Built Grading Plan #1509 Central Avenue in Needham, Mass dated February 17, 2011 and includes the area lying westerly of the permanent retaining wall. The subject property contains an extensive, high valued wetland system consisting of bordering vegetated wetlands, an unnamed perennial stream and associated buffer zones and Riverfront Areas. A portion of the property is also located within the 100-year flood plain also known as Border Land Subject to Flooding. The 12,055 square foot restriction area includes a 7,144 square foot required wetland restoration comprised of 150 planted shrubs. The restriction will protect significant natural resources that provide scenic, aesthetic, and ecological values (e.g. wildlife habitat, floodplain).			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<i>Suggested Motion:</i> That the Board of Selectmen vote to accept the grant of Conservation Restriction from Daniel V. Capasso, Jr., Trustee of the Dancap Realty Trust to the Town of Needham, acting through its Conservation Commission. Such restriction was recorded at the Norfolk Registry of Deeds on March 1, 2011 and appears in Book 28636 at page 280.			
	BACK UP INFORMATION ATTACHED	YES	NO
a. Letter to the Board from Patty Barry, Director of Conservation, dated 2/19/13 b. Conservation Restriction c. Locus Map			



TOWN OF NEEDHAM
Public Services Administration Building
500 Dedham Avenue
Needham, MA 02492

Conservation Department

TEL: (781) 455-7550
FAX: (781) 449-9023

February 19, 2013

Board of Selectmen
Mr. Jerry Wasserman, Chairman
1471 Highland Avenue
Needham, MA 02492

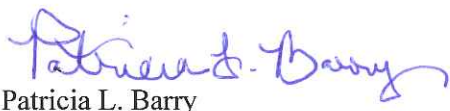
Dear Jerry,

As part of the permit (DEP File # 234-503) issued for work on the property at 1509 Central Avenue, the Conservation Commission required the Applicant to record a deed restriction prohibiting alteration of an approximately 12,055 square foot area. The conservation restriction includes the area lying westerly of the permanent retaining wall. The subject property contains an extensive, high valued wetland system and will protect significant natural resources that provide scenic, aesthetic, and ecological values (e.g. wildlife habitat, floodplain).

The Applicant agreed to the restriction requirement and submitted a draft restriction which was accepted by the Commission at their February 24, 2011 meeting. This conservation restriction has already been recorded by the applicant at the Norfolk Registry of Deeds with a partial Certificate of Compliance and a Quitclaim Deed. However, to complete the process of establishing a legally binding restriction, the Commission is now seeking Board of Selectmen acceptance of the proposed restriction. A signed copy of the document is attached hereto for this purpose.

If you feel it might be helpful, one or more members of the Conservation Commission can make themselves available to attend your next meeting to answer any questions you may have regarding this restriction. Thank you for your consideration, and please contact me at (781) 455-7550 x248 if you have any questions and/or comments regarding this matter.

Sincerely,


Patricia L. Barry

cc: Kate Fitzpatrick, Town Manager
file

ACCEPTANCE OF CONSERVATION RESTRICTION

Under the provisions of Massachusetts General Laws, Chapter 40, Section 8C, the Board of Selectmen of the Town of Needham accept the grant of the Conservation Restriction from Daniel V. Capasso, Jr., Trustee of the Dancap Realty Trust to the Town of Needham, acting through its Conservation Commission. Such restriction was recorded at the Norfolk Registry of Deeds on March 1, 2011 and appears in Book 28636 at page 280.

Needham Board of Selectmen

Chairman

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss _____, 2013

On this ____ day of _____, 2013, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which was _____ to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, as a Selectman for the Town of Needham.

Notary Public

My Commission Expires _____.

CERTIFY

CONSERVATION RESTRICTION

William P. O'Donnell
WILLIAM P. O'DONNELL, REGISTER

WHEREAS, Daniel V. Capasso, Jr., Trustee of Dancap Realty Trust (hereinafter "Grantor"), u/d/t dated November 30, 2006, filed with Norfolk Registry District of Deeds in Book 24318, Page 382, of Newton, Middlesex County, Commonwealth of Massachusetts, is the owner of property under deed recorded with said Deeds in Book 24318, Page 387 and located at 1509 Central Avenue, Needham, MA described as Lot B as shown on "Plan of Land of Louis and Adelheid Romaszkievicz, in Needham, Mass., Frank L. Cheney, Engineer", dated September 1934 and recorded with Norfolk Registry of Deeds as Plan No. 452 of 1934, in Book 2048, Page 25; and

WHEREAS, the Conservation Commission for the Town of Needham ("the Commission") has issued an Order of Conditions, DEP File No.234-503 (the "Order") as recorded at the Norfolk County Registry of Deeds as Document No. 56327, in Book 24833, Page 173, relating to the construction of a single family home on Lot B as shown on "Plan of Land of Louis and Adelheid Romaszkievicz, in Needham, Mass., Frank L. Cheney, Engineer" dated September 1934 recorded with the Norfolk County Registry of Deeds as Plan No. 452 of 1934, in Book 2048, Page 25; and

WHEREAS, Special Condition No.22 of said Order provides that upon approval of the As-Built Grading Plan #1509 Central Avenue in Needham, Mass dated February 17, 2011 a copy of which is attached hereto and marked Exhibit "B" which delineates the permanent retaining wall located on the westerly portion of said Lot B and runs along the no-disturb area as shown on said Plan a permanent restriction relating to the activities that can be performed on a portion of said Lot B must be recorded.

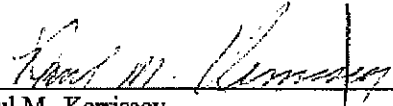
NOW, THEREFORE, for and in consideration of the approval of the Plan by the Commission pursuant to said Order, the undersigned, for themselves, their heirs, successors and assigns, do hereby agree that no clearing, alteration, or other work shall occur down slope of the retaining wall within the area of the no disturb zone shown on an As-Built Grading Plan #1509 Central Avenue in Needham, Mass dated February 17, 2011 and attached hereto as Exhibit "B". The land affected by this restriction is that portion of Lot B lying westerly of the demarcated line alongside the existing house at 1509 Central Avenue, Needham, Mass. This Restriction shall be referred to or included in all deeds to said property. Said

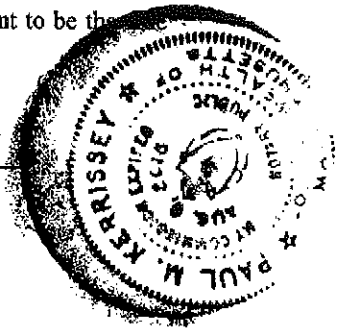
SEE PLAN FILED IN

PLAN BOOK 606 PAGE 67

* See plan recorded in
Plan Book 606
P. 67

signed on the preceding or attached document, and acknowledged the foregoing instrument to be the
act and deed of the Dancap Realty Trust, before me,


Paul M. Kerrissey
Notary Public
My Commission Expires: August 6, 2015



APPROVAL OF SELECTMEN

We, the undersigned, being a majority of the Selectmen of the Town of Needham, Massachusetts, hereby certify that at a meeting duly held on _____, 2011, the Selectmen voted to approve the foregoing Conservation Restriction to the Needham Conservation Commission pursuant to M.G.L.c. 40, section 8C.

Board of Selectmen

COMMONWEALTH OF MASSACHUSETTS

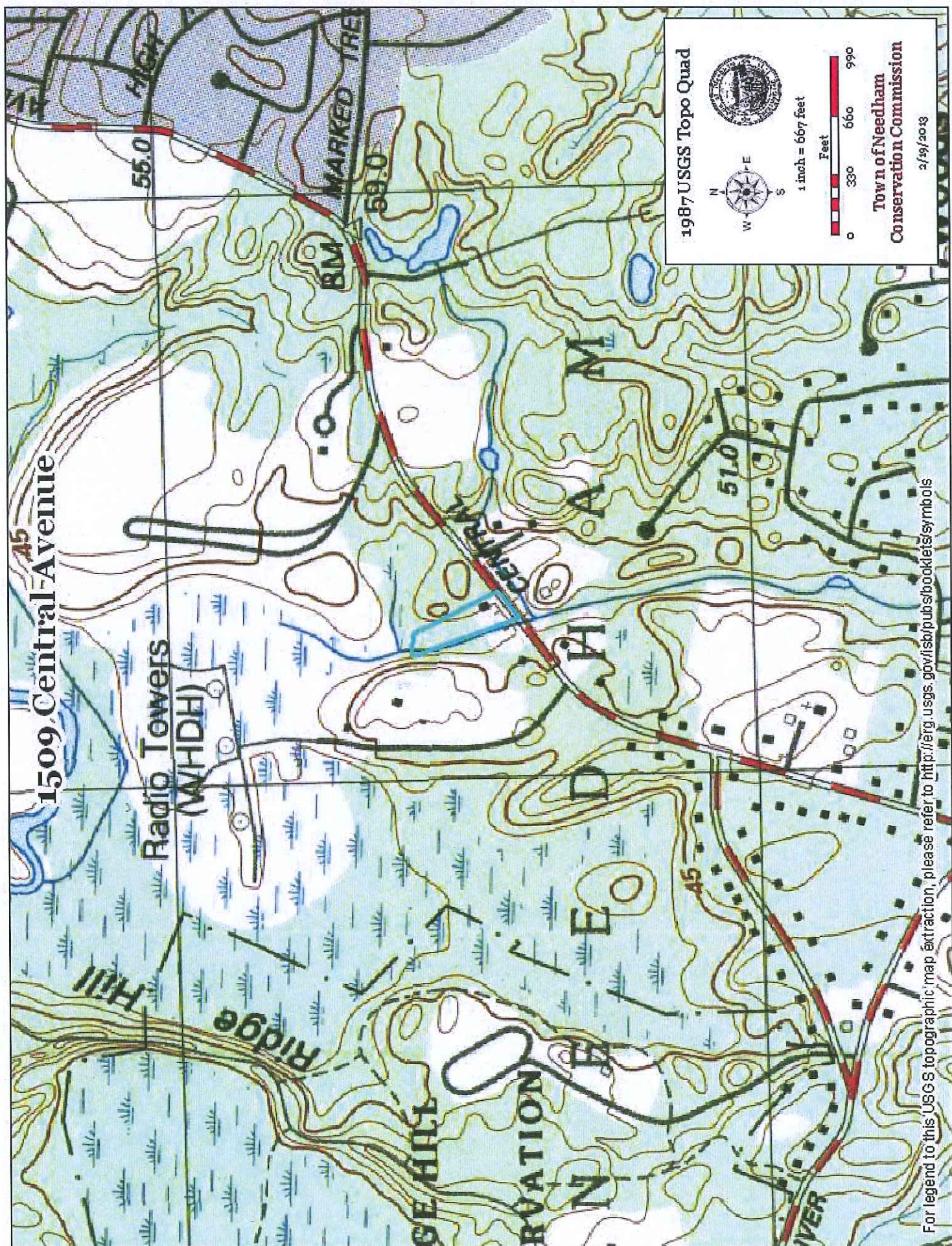
Norfolk, ss

_____, 2011

On this _____ day of _____, 2011, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which was _____ to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, as a Selectman for the Town of Needham.

Notary Public

My Commission Expires _____



1509 Central Avenue

Radio Towers
(WHDH)

HILL

RIDGE

SE HILL

RVATION

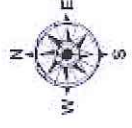
FE

ED

PH

AM

1987 USGS Topo Quad



1 inch = 667 feet

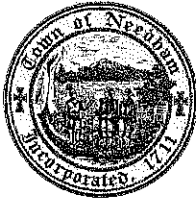
Feet



Town of Needham
Conservation Commission

2/19/2013

For legend to this USGS topographic map extraction, please refer to <http://erg.usgs.gov/isr/pubs/booklets/symbols>



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 2/26/2013

Agenda Item	Metropolitan Area Planning Council Sub-region Participation
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
The Board will discuss the Town's MAPC Sub-region designation and consider seeking additional participation in the Inner Core Committee. The Town has numerous relationships with Inner Core Communities and may benefit from this collaboration.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<i>Suggested Motion:</i> That the Board approve and sign a letter to MAPC requesting participation in the Inner Core Sub-region of the MAPC.			
3.	BACK UP INFORMATION ATTACHED	YES	NO
a. Proposed Request Letter to MAPC.			



TOWN OF NEEDHAM

TOWN HALL

1471 Highland Avenue
Needham, MA 02492-2669

Office of the
BOARD OF SELECTMEN

February 26, 2013

TEL: (781) 455-7500

FAX: (781) 449-4569

TDD: (781) 455-7558

Marc Draisen
Executive Director
MAPC
60 Temple Place
Boston, MA 02111

Dear Mr. Draisen:

Please consider this request to allow the Town of Needham to become a member of the Inner Core Committee (ICC) sub-region of the MAPC, in addition to our participation in the TRC sub-region.

In our view, Needham's participation as a member of the ICC will be helpful because:

- Needham's Northern boundary places the Town within that geographic area of the ICC;
- Many of the Town's primary, secondary, and through traffic routes run through Newton;
- The Town's pending transit priorities issues are linked to the City of Newton;
- The Town's business community is linked to Newton (e.g. through the Newton Needham Chamber of Commerce);
- The Town's major commercial office park – Needham Crossing - borders the City of Newton;
- The Town shares major development and economic interests with Newton; and
- The Town's many departments participate in numerous regional service sharing and planning efforts with the City of Newton and other ICC communities.

The Town wishes to maintain its membership in the TRC sub-region to ensure common planning in issues related to the Route 128/I95 corridor. It is our understanding that the Town of Milton participates in both TRC and ICC.

Thank you for your consideration of this request. If you have any questions or need additional information, please contact Kate Fitzpatrick, Town Manager at 781-455-7500.

Sincerely,

SELECTMEN OF NEEDHAM



**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 02/26/2013

Agenda Item	Committee Reports
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
<i>Board members will report on the progress and / or activities of their Committee assignments.</i>			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
3.	BACK UP INFORMATION ATTACHED	YES	NO
(Describe backup below)			
None			

**Town of Needham
Board of Selectmen
Minutes for January 22, 2013
Needham Town Hall**

- 6:45 p.m. Informal Meeting with Citizens:
Dave Ableman, resident of Sharon, MA, spoke with the Board about Viridian Energy Company, affordable green energy, and the possibility of doing business in Needham.
- 7:00 p.m. Call to Order:
A meeting of the Board of Selectmen was convened by Vice Chairman Daniel P. Matthews. Those present were John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt. Gerald A. Wasserman was not present.
- 7:00 p.m. Appointment of Commissioners of Trust Funds:
Joe Scalia and Heydon Traub, members of the Commissioners of Trust Funds appeared before the Board to discuss a candidate for a vacancy on that Board. Mr. Matthews said a very strong field of candidates applied to fill the vacancy. Mr. Matthews recommended the appointment of Barry Coffman to the Board, and said Mr. Coffman is very active in Town and that he has no reservation in making the recommendation.
- Motion by Mr. Handel that the Board of Selectmen and Commissioners of Trust Funds vote to appoint Barry Coffman to fill the vacancy on the Board through April 9, 2013.**
Second: Mr. Bulian. Unanimously approved 6-0.
- 7:05 p.m. Liquor License Hearing:
Gurki Singh, General Manager Sheraton Needham Hotel, David Tobin, Town Counsel, and Lieutenant John Kramer, Needham Police Department, appeared before the Board to discuss an alleged violation of the Towns' liquor law, specifically the sale of alcoholic beverages to underage persons.
- Mr. Tobin summarized the evidence from the Needham Police Department of a compliance check at the Needham Sheraton on November 29, 2012.
- Mr. Singh stipulated to the facts in the case.
- Motion by Mr. Borrelli that the Board of Selectmen vote to determine that a violation of M.G.L. c. 138 Section 34 did occur on November 29, 2012 at the Sheraton Needham Hotel.**
Second: Mr. Bulian. Unanimously approved 4-0.

Motion by Mr. Handel that the Board of Selectmen vote to suspend for a period of one day the liquor license for HST Lessee Needham LLC d/b/a Sheraton Needham Hotel and to authorize the Town Manager to set the date of the suspension in consultation with the Sheraton.
Second: Mr. Bulian. Unanimously approved 4-0.

Mr. Singh said the Sheraton Needham Hotel does not take this matter lightly and appreciates the Boards willingness to allow the hotel to rectify the issue.

7:20 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager appeared before the Board with 2 items to discuss:

1. Zoning Amendment/Medical Marijuana

Ms. Fitzpatrick recommended that the Board ask the Planning Board to develop an amendment to the Zoning By-law that would impose a moratorium on the location of medical marijuana facilities in the Town of Needham until March 1, 2014. She said that the system for regulating medical marijuana at the State level is not yet clear, and the Town has not had the opportunity to study and discuss the issue.

Motion by Mr. Bulian that the Board vote to ask the Planning Board to develop an amendment to Town of Needham Zoning By-law to impose a moratorium on the establishment of medical marijuana uses in the Town of Needham until March 1, 2014.

Second: Mr. Borrelli. Unanimously approved 4-0.

2. Budget Consultation

Ms. Fitzpatrick and David Davison, Assistant Town Manager/Finance appeared before the Board to discuss the fiscal year 2014 operating budget. Ms. Fitzpatrick reminded the Board that at its meeting on January 8, 2013 it was expected that free cash certification would be lower than anticipated. She said the Town will be working with the schools and make a recommendation to the Board of Selectmen and the Finance Committee about how to prioritize the cash capital and some of the various funding sources. She said it is important to note there is sufficient free cash to support the policy of the Town with respect to the operating budget. She commented it may be time to phase out relying on any part of the free cash for operations, and noted that the Town Manager's budget presentation is scheduled for January 29, 2013.

7:25 p.m.

Consent Agenda and Appointments:

Motion by Mr. Bulian that the Board of Selectmen vote to accept the Consent Agenda and Appointments as presented.

APPOINTMENTS

Downtown Streetscape Working Group

Maurice Handel (term expires 12/31/2013)
Gary Levine (term expires 12/31/2013)
Mike McKay (term expires 12/31/2013)
Sam Bass Warner (term expires 12/31/2013)
Walter Collins (term expires 12/31/2013)
Andy Wise (term expires 12/31/2013)
Tom Jacob (term expires 12/31/2013)
Paul Good (term expires 12/31/2013)
Gloria Greis (term expires 12/31/2013)
Nelson Hammer (term expires 12/31/2013)

CONSENT AGENDA *=Backup attached

- 1.* Approve a Special One Day Wines & Malt Beverages License from Gloria Greis, of the Needham Historical Society to host its "Chocolate & Champagne Goes Country" event on Saturday, February 2, 2013 from 7:00 p.m. to 11:00 p.m. at Powers Hall in Needham Town Hall, 1471 Highland Avenue, Needham.
- 2.* Approve a Special One Day Wines & Malt Beverages License from Jenny Small, of the Temple Beth Shalom to hold its "One Hit Wonders" Purim Shpiel event on Saturday, February 23, 2013 from 6:30 p.m. to 11:00 p.m. at Temple Beth Shalom, 670 Highland Avenue, Needham.
- 3.* Approve a Special One Day Wines & Malt Beverages License from Kathryn Lozano of the Charles River YMCA to host a "Friends of the Y" event on Thursday, January 31, 2013 from 6:00 p.m. to 7:30 p.m. at the Charles River YMCA, 380 Chestnut Street, Needham.
- 4.* Approve a Special One Day All Alcoholic license from Kathryn Lozano of the Charles River YMCA to hold an event called "The Y Giving Gala" on November 16, 2013 from 6:00 p.m. to 11:00 p.m. in Powers Hall at Needham Town Hall, 1471 Highland Avenue, Needham.
- 5.* Water & Sewer Abatement Order #1155
- 6.* Approve minutes of October 25, 2012 and December 18, 2012 (open meeting) and December 18, 2012 (executive session)

Second: Mr. Handel. Unanimously approved 4-0.

Mr. Handel recused himself from voting on approval request for Special One Day Wine & Malt Beverage License from Gloria Greis of the Needham Historical Society.

7:30 p.m. Board Discussion:

1. New England Business Center Rebranding

Ms. Fitzpatrick reminded the Board it requested the Council of Economic Advisors to seek input into the process of renaming the area of Town currently designated as the New England Business Center. Ms. Fitzpatrick said the CEA has recommended that the area be rebranded as "Needham Crossing". She asked for the Boards approval.

Motion by Mr. Handel that the Board of Selectmen vote to recommend that the New England Business Center (NEBC) be renamed "Needham Crossing."

Second: Mr. Bulian. Unanimously approved 4-0.

Mr. Matthews thanked the business community, residents, and consultants for their work in renaming and rebranding the area.

2. Committee Reports

Mr. Matthews raised a scheduling matter and announced a hearing will be held on Saturday, February 2, 2013 beginning at 8 a.m. to discuss 10 package store applications the Town has received. He said the Board will not decide on any of the applications on February 2, and asked for a second date for the Board to deliberate on awarding licenses. The Board agreed to meet on Tuesday, February 5, 2013 at 6 p.m. for deliberations.

7:55 p.m.

Executive Session (Exception 3):

Motion by Mr. Bulian that the Board of Selectmen vote to enter into Executive Session.

Exception 3 - To discuss strategy with respect to collective bargaining or litigation, if an open meeting may have a detrimental effect on the bargaining or litigation position of the public body and the the chair so declares.

Not to return to open session prior to adjournment.

Second: Mr. Handel. Mr. Matthews polled the Board. Unanimously approved 4-0.

(Note: The meeting adjourned at 8:25 p.m.)

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

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

**Town of Needham
Board of Selectmen
Minutes for January 29, 2013
Needham Town Hall**

6:45 p.m. Informal Meeting with Citizens: No Activity.

7:00 p.m. Call to Order:
A meeting of the Board of Selectmen was convened by Vice Chairman Daniel P. Matthews. Those present were John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt. Gerald A. Wasserman was not present.

7:00 p.m. Proclamation - American Heart Association's Go Red For Women:
Mr. Matthews read a proclamation recognizing the American Heart Association's Go Red For Women movement and its effort to address heart disease among women.

Motion by Mr. Borrelli that the Board of Selectmen vote to sign a proclamation recognizing Thursday, February 14, 2013 to be "WEAR RED DAY" in Needham.

Second: Mr. Bulian. Unanimously approved 4-0.

Mr. Matthews recognized Alderman Carleton Merrill of Newton, who served his community for 50 years and passed away this week.

7:05 p.m. Chapter 40B Guidelines:
Lee Newman, Director of Planning & Community Development and Judi Barrett, Community Opportunities Group appeared before the Board to discuss the Town of Needham Chapter 40B Guidelines. Ms. Newman acknowledged the attendance of the Planning Board and members of the 40B working group consisting of members from the Board of Appeals, Board of Selectmen, Planning Board, Housing Authority, Council on Aging, and Design Review Board. Ms. Newman said members of the working group met with various stakeholders over the past two years who unanimously recommend the Chapter 40B Guidelines to the Board of Selectmen for its endorsement. Ms. Barrett reviewed the Town of Needham Chapter 40B Guidelines dated October 30, 2012.

Mr. Matthews commented on a pending application for Greendale Avenue, which he said the Board of Selectmen is on record as opposing, and clarified that the guidelines pre-date the application under discussion. Ms. Fitzpatrick noted the project was funded through CPA funds as an effort to support the development of appropriate, affordable housing in Needham.

Motion by Mr. Bulian that the Board vote to endorse the Town of Needham Chapter 40B Guidelines dated October 30, 2012.

Second: Mr. Borrelli. Unanimously approved 4-0.

7:15 p.m.

Consent Agenda:

Motion by Mr. Bulian that the Board of Selectmen vote to accept the Consent Agenda and Appointments as presented.

APPOINTMENTS None

CONSENT AGENDA *=Backup attached

- 1.* Approve a Special One Day Wine & Malt Beverages license for Mike Fraini of the Needham Knights of Columbus to hold a Super Bowl party on Sunday, February, 3, 2013 from 4:00 p.m. to 10:00 p.m. at the Needham Knights of Columbus, 1211 Highland Avenue, Needham.**
- 2.* Approve a request from Becky Krechting for the AT Children's Project to hold a road race on Sunday, April 7, 2013 from 7:00 a.m. to 12:30 p.m. in Needham. The route has been approved by the following departments, DPW, Police, Fire and Park and Recreation.**
- 3. Accept a \$300 donation made to the Needham Health Department's Traveling Meals Program from Amy Sherman of Walpole, MA. This donation was made in memory of Frances Biagi.**
- 4.* Approve Special One Day Wine & Malt Beverages licenses for Steve Volante of Volante Farms to hold "Cooking Class with Chef Todd" on the following dates: February 16, 2013, February 23, 2013, March 9, 2013, and March 23, 2013 from 6:00 p.m. to 8:00 p.m. at Volante Farms, 292 Forest Street, Needham.**
- 5. That the Board authorize the chairman to sign a letter to Dr. Edward Bouquillon, Superintendent Minuteman School requesting that Marianne Cooley be appointed to serve on the Minuteman School Building Committee.**
- 6.* Water & Sewer Abatement Order #1156**

Second: Mr. Borrelli. Unanimously approved 4-0.

7:15 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager appeared before the Board with 2 items to discuss:

1. Zoning Amendment/Medical Marijuana

Kate Fitzpatrick and members of the Board of Health including Dr. Jane Fogg, Ed Cosgrove, and Dr. Stephen Epstein, along with Bruce Eisenhut, Planning Board, and Needham Police Chief Phil Droney appeared before the Board to discuss an amendment to the zoning by-law.

Mr. Matthews reiterated that the residents of Massachusetts approved a question providing for medical marijuana use in the state and said the statute is now in effect. He commented there is some affect on local government and zoning. Mr. Matthews reminded the Board that at its meeting on January 22nd it voted to

request that the Planning Board develop an amendment to the Zoning By-law that would impose a moratorium on the location of medical marijuana facilities in the Town of Needham, including but not limited to the operation of medical marijuana clinics and the cultivation of marijuana plants, until March 1, 2014. He said the Planning Board has voted not to initiate the moratorium, and said the Board of Selectmen may initiate the proposed zoning, and refer it to the Planning Board for review, public hearing, and report.

Bruce Eisenhut, Chairman, Planning Board said the issue was simply whether or not the Planning Board should be the sponsors, or was it more appropriate for the Board of Selectmen to be the sponsors. He said the Planning Board expressed no opinion on the merits of the moratorium.

Mr. Handel said he is comfortable with the Board of Selectmen being the sponsor and comforted by the fact the Planning Board did not take a prejudicial stand. Mr. Bulian concurred.

Phil Droney, Chief of Police said he would prefer not to see a medical marijuana dispensary in Town due to the risk of potential abuse under the current law. He said it is prudent on the Town to adopt a moratorium to give the Department of Public Health time to work out the regulations.

Motion by Mr. Bulian that the Board vote to initiate an amendment to the Zoning By-law to impose a moratorium on the location of medical marijuana facilities in the Town of Needham including but not limited to the operation of medical marijuana clinics and the cultivation of marijuana plants, until March 1, 2014, and to refer the matter to the Planning Board for review, public hearing, and report.

Second: Mr. Borrelli. Unanimously approved 4-0.

2. Budget Presentation

Kate Fitzpatrick, Town Manager and Dave Davison, Assistant Town Manager/Finance appeared before the Board and presented the proposed annual balanced budget for fiscal year 2014. Ms. Fitzpatrick reminded the Board of the goals it adopted. She said the budget supports the goals which include maintaining and improving existing Town services, preserving Town assets, insuring sustainability, and supporting initiatives that keep improving the Town's economic vitality. Ms. Fitzpatrick highlighted the Citizen's Satisfaction Survey saying residents continue to rate the quality of life in Needham as good or excellent. She said Needham property values continue to "hold their own" or have increased, which is indicative that Needham is a highly desirable place to live. Ms. Fitzpatrick commented on the Town's fiscal discipline and certified free cash, recommending limiting the amount of free cash used towards operations. She proposed a more transparent use of free cash so that Town Meeting members can see how each article is funded. Ms. Fitzpatrick discussed the financial forecast, state aid, Town-wide expenses, and the strong tax levy growth. Ms.

Fitzpatrick commented on budget drivers, and said it is important to note that since FY2007 there are 411 additional school children. She said school enrollment is not just a driver in the school department, but in the town-wide expense, police, and other budgets as well. Ms. Fitzpatrick recommends a 5.6% increase over the appropriated FY2013 budget.

The Board thanked Ms. Fitzpatrick and Mr. Davison for the presentation.

8:00 p.m. Board Discussion:

1. Retail Sale of Alcohol Hearing Process

The Board discussed the parameters for the retail sale of alcohol public hearings scheduled for Saturday, February 2, 2013 at 8:00 a.m. in the Broadmeadow School Performance Center. The Board reviewed the "Package Alcohol License Hearing Framework Draft".

Motion by Mr. Handel that the Board vote to approve the Package Alcohol License Hearing Framework Draft subject to minor technical corrections.

Second: Mr. Bulian. Unanimously approved 4-0.

2. Committee Reports

No Reports were made.

8:25 p.m. Adjourn:

Motion by Mr. Bulian that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of January 29, 2013.

Second: Mr. Borrelli. Unanimously approved 4-0.

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

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

**Town of Needham
Board of Selectmen
Minutes for February 5, 2013
Needham Town Hall - Powers Hall**

6:00 p.m. Call to Order:
A meeting of the Board of Selectmen was convened by Vice Chairman Daniel P. Matthews. Those present were John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt. Gerald A. Wasserman was not present.

6:00 p.m. Town Manager:
Kate Fitzpatrick, Town Manager appeared before the Board with 1 item to discuss:

1. Accept and Refer Zoning

Ms. Fitzpatrick told the Board the Planning Board voted to sponsor five zoning articles on the Annual Town Meeting warrant, and has asked the Board to accept the proposed amendment and refer the amendment back to the Planning Board for its review, hearing, and report.

Motion by Mr. Bulian that the Board vote to accept and refer five proposed zoning articles: 1. Amend Zoning By-law: Dimensional Regulations; 2. Amend Zoning By-law: Lot Width Definition/Measurement; 3. Amend Zoning By-law: Definitions; 4. Amend Zoning By-law: Dimensional Controls for Exempt Uses; and 5. Amend Zoning By-law: Dimensional Regulations for Mixed-Use 128 Zoning District to the Planning Board for review, hearing, and report.

Second: Mr. Handel. Unanimously approved 4-0.

6:05 p.m. Discussion of Package Store License Hearings:
Mr. Matthews resumed the hearing on applications for Alcoholic Packages Beverages Licenses and said the first item on the agenda is to take testimony from people who were unable to attend the Needham Blanchard's, Inc., portion of the hearing on February 2, 2013, due to religious reasons.

No public comments were made. Mr. Matthews noted representatives of Temple Beth Shalom and people who wrote in by email were able to participate in the process even though a portion of the proceeding was left open for comment.

Mr. Matthews invited comment from representatives of Needham Blanchard's Inc. Andrew Upton, Attorney, and Christine Elder, applicant appeared before the Board. Mr. Upton told the Board a letter from an abutter was received indicating its willingness to work together on the project. Mr. Upton reiterated a meeting was held with the Board of Directors of Temple Beth Shalom. He said various forms of screening and plantings on their property has been offered. He said

Temple Beth Shalom must testify and the Board has to find there is substantial evidence that Needham Blanchard's would be detrimental to their spiritual activities. He noted Bickford's served alcohol from 2003 to 2012 with no detrimental affect to spiritual activities at the temple. He said the temple was notified in July 2003 of the application and did not object. Mr. Upton submitted a letter from a house of worship next to Blanchard's in Revere indicating that for 50 years as an abutter within 500 feet, the church has never felt Blanchard's was detrimental to them. He commented a new Blanchard's store would visually improve the neighborhood.

Mr. Matthews closed the evidentiary portion of the public hearing. The Board proceeded to the discussion and decision phase.

Kate Fitzpatrick, Town Manager read comments from Mr. Gerald Wasserman, Chairman, Board of Selectmen, who was unable to attend the meeting. She stated she met with Mr. Wasserman and relayed his thoughts.

Mr. Wasserman indicated he feels there are 3 tiers of applicants. He indicated his support for liquor license applications from Needham Center Wine & Spirits, 1013 Great Plain Avenue, Vinodivino, 922 Highland Avenue, and Bin Ends, 65 Crawford Street. Mr. Wasserman stated some concern for the applications from Volante Farms, Inc., 292 Forest Street, and Needham Wine & Spirits, LLC., 1257 Highland Avenue. Mr. Wasserman indicated he is not supportive of the remaining liquor license applications.

The Board discussed applications in the order heard on February 2, 2013.

1. Needham Wine & Spirits, LLC., 1257 Highland Avenue

Mr. Bulian said the presentation was compelling and he was pleased with the attitude towards "zero tolerance" and ID detection. He said the proposed store would be a little bit hidden and not as visible from the street. He stated he is pleased with the attitude, track record, and steps taken to remedy one infraction. He noted their experience, Needham roots, local support, and said he can support this application. Mr. Bulian commented he liked the proposed look of the store shown at the hearing.

Mr. Handel said he feels there are four categories of applications including package store, boutique purveyors, accessory purveyors, and regional wholesale. He stated he felt the Needham Wine & Spirits application was a good example of a well thought out package store, with owners who have experience and a proven track record. Mr. Handel supports the application from Needham Wine & Spirits, LLC.

Mr. Borrelli concurred with the comments and reiterated experience, Needham roots, location, and store layout make him supportive of the application. He noted conditions he would like to see on some applications including no tobacco,

no overnight deliveries, and no signage in the window. Mr. Borrelli said the submitted plans should be tied to all applications in order to avoid problems in the future.

Mr. Matthews said that while the vote was overwhelming to introduce package stores to Needham there were many votes against it. He commented he wants applicants with a strong record in this business, and an ability to deal with difficult parking and traffic issues. Mr. Matthews said it makes sense to have specific conditions in some instances. Mr. Matthews supports the application for Needham Wine & Spirits LLC., as it meets his requirements for strong experience, good location, and off street parking.

Mr. Handel said it makes sense to hold the applicant to the plan presented and on which the Board made its decision.

2. Needham Center Wine & Spirits, (Lianos Liquors), 1013 Great Plain Avenue

Mr. Bulian commented he likes the concept and was impressed when he visited Ball Square Liquors, owned by Mr. Lianos. He stated he understands the benefit of filling this storefront, but expressed concern for the Great Plain Avenue location, relative to street parking. Mr. Bulian stated he supports the application for Needham Center Wine & Spirits., LLC. He stated he prefers restricting the sale of tobacco products at all locations.

Mr. Handel said this store and location are exactly what the Council of Economic Advisors was looking for when it began the process. He noted the site is difficult, but said rear access is an asset. Mr. Handel said he likes that the applicant will sell gourmet food and it fits the definition of a boutique wine store. Mr. Handel said he supports this application.

Mr. Borrelli said the location is good and the shop is exactly what he thought should go into this storefront. Mr. Borrelli said he understands the concern about parking, and commented any retail use would have the same parking issues. Mr. Borrelli said access to the cooler must be worked out so there are no safety concerns. Mr. Borrelli said he supports this application.

Mr. Matthews said he is undecided on this application and is interested in listening to discussion. He said he is satisfied with the applicant as a business man, but the location is a tough one.

3. Craft Liquors of Needham, Inc., 922-932 Great Plain Avenue

Mr. Handel said he liked the concept and there are many positive aspects, however the owner has no experience with the sale of alcohol. Mr. Handel said he can not support this application at this time.

Mr. Borrelli concurred experience is lacking and said he cannot support this application.

Mr. Matthews concurred with Mr. Handel and Mr. Bulian. Mr. Matthews said the applicant put a great deal of effort into his application, but the lack of experience and the location are obstacles. Mr. Matthews said he cannot support this application.

Mr. Bulian said he is supportive of this application because it fills a vacancy and brings life to the area. He noted synergy with Sweet Basil. He said he is less concerned with the experience of the applicant.

4. Needham Blanchard's Inc., 679 Highland Avenue

Mr. Borrelli said he cannot support this application due to issues with the location and layout.

Mr. Matthews commented he cannot support this application due to the location and difficulty of the intersection. He noted there are no other retail stores in the area. He commented on the temple across the street and the "good faith" opinions of those who testified having a liquor store near the temple would be a problem.

Mr. Bulian said he cannot support this application due to concern with the concept of a big liquor store at the entrance of Town off of Route 128. He commented his vision and that of the voters is a smaller, boutique or hidden full liquor store.

Mr. Handel said a free standing liquor store at the entrance to the Town is not something he can support.

5. Volante Farms, Inc., 292 Forest Street

Mr. Matthews said he supports this application as the location is good and is synergistic with the existing use of the property. He noted the family commitment to Needham and that the application is for wine and malt beverages only.

Mr. Bulian said he supports this application and was pleased hearing how the business will handle high school employees. Mr. Bulian said it is a good location and an accessory use for the sale of beer and wine.

Mr. Handel said he supports the application and concurs it is an accessory use of only 320 sq. ft. of retail space for the sale of wine and malt beverages. He noted it will be a convenience for residents.

Mr. Borrelli said he strongly supports this application as Volante Farms is a Needham institution and allowing the sale of wine and malt beverages will help the existing business.

6. Highland Avenue Wine & Spirits, 33 Highland Avenue

Mr. Bulian said he cannot support this application as he feels it does not offer anything for Needham residents. He noted the proximity of the proposed store to the Newton border.

Mr. Handel said he cannot support this application as he feels it is in a highly congested area where significant street improvements may result in the taking of property along the roadway. He said this store does not benefit the residents of Needham.

Mr. Borrelli concurs with the comments made by Mr. Bulian and Mr. Handel, and said he was concerned by the lack of experience of the applicant. Mr. Borrelli said he cannot support this application.

Mr. Matthews agrees with the comments. He pointed out one of the applicants has experience, but the manager of record does not. He said he feels the location is extremely challenging and therefore cannot support this application.

7. Gordon's Fine Wine & Liquors, 855 Highland Avenue

Mr. Handel said he cannot support this application due to many of the same reasons he did not support the Blanchard's application. He said the area is too congested and offers nothing to the Town.

Mr. Borrelli said he cannot support this application as the location is not beneficial and is on a very difficult stretch of road.

Mr. Matthews said although the applicant is very qualified, he feels the location and parking issues make him unable to support this application. He noted a letter of opposition received from Pastor Shaw of Carter Memorial United Methodist Church.

8. Vinodivino 3 LLC., 922 Highland Avenue

Mr. Borrelli said he supports this application and feels Vinodivino will fit in well with the area and be a convenience for residents. He noted comments received from abutters supportive of the business, and said limiting the size of the plan would alleviate the concern of some abutters. Mr. Borrelli mentioned the parking issues and said he feels Vinodivino would have lower traffic than other potential occupants of the storefront.

Mr. Matthews supports this application saying he was very impressed with the applicants. He noted the parking issue will need to be addressed for the entire plaza. Mr. Matthews said Vinodivino is a good business with a good location. Mr. Matthews said he would have preferred to see a wine and malt application only, and suggested the applicant may want to scale back. Mr. Matthews said he would like this license limited to 1,000 sq. feet.

Mr. Bulian said he supports the application and feels this is the type of business that he and other residents envisioned for Needham. He is supportive of the All Alcohol Beverage application as filed, and said he liked the location, presentation, and concept.

Mr. Handel supports this application and said limiting the business to wine and malt only would detract from the high quality of the purveyor. He said Vinodivino fits in the plaza along with the specialty foods sold at Trader Joe's. He commented restricting the license to 1,000 sq. feet makes sense, and will limit the demand for parking. He said this business will help the Heights become a more vibrant business community.

9. Panella's Market & Deli, 50 Central Avenue

Mr. Matthews does not support the application. He said the applicant does not have prior business experience, noted the history of the family business, but that the store has been closed for some time.

Mr. Bulian does not support the application as the location is on the Newton border and provides minimal benefit to Needham residents. He noted the applicant has no experience handling retail sales of alcohol.

Mr. Handel does not support the application at this time, stating once the market has been established and the Town is used to having package stores, he could see an application being accepted.

Mr. Borrelli concurred with Mr. Handel and felt an application may be possible in the future.

10. Bin Ends, 65 Crawford Street

Mr. Bulian said he had a great experience at Bin Ends, Braintree. He said he loved the concept and could support the license, but he is concerned with the location. He said it does not do anything for Needham or the synergy in the business districts. He said he supports the application for discussion purposes only, but is unsure how he will vote.

Mr. Handel said he strongly supports the Bin Ends application and respectfully disagrees with Mr. Bulian's analysis of the location. He stated Bin Ends is a high quality, regional business that will attract people to Needham through the 19B intersection, and is directly across from the new development at Needham Crossing. Mr. Handel said Bin Ends will have a positive impact on the neighborhood, will not have a significant impact on traffic, and is off the beaten path but still visible from the highway.

Mr. Borrelli said Bin Ends is a unique concept and that this store would be a destination shop, unlike the other applications. Mr. Borrelli said Bin Ends has a niche business and he is supportive of the application.

Mr. Matthews noted the strong experience of the applicant and said the location is very good for managing traffic and parking. Mr. Matthews said he is concerned with the number of licenses being considered.

Mr. Matthews noted 3 applications have unanimous support (Needham Wine & Spirits, Volante Farms, and Vinodivino), and 1 application has majority support (Bin Ends), 2 applications have some support (Needham Center Wine & Spirits and Craft Liquors), and 4 applications have no affirmative votes (Blanchard's Wine & Spirits, Gordon's Fine Wine & Liquors, Panella's Market, and Highland Avenue Wine & Spirits).

Mr. Bulian clarified he chose six licenses that he could support, but is concerned with the potential number of licenses. He stated he will not vote in support of more than four applications.

Mr. Matthews asked for motions to deny applications that have no affirmative votes.

Motion by Mr. Bulian that the Board vote to deny M.G.L. Chapter 138 Section 15 Package Store application received from Needham Blanchard's Inc.

Second: Mr. Handel. Unanimously approved 4-0.

Motion by Mr. Borrelli that the Board vote to deny M.G.L. Chapter 138 Section 15 Package Store application received from Marivo, Inc., d/b/a Highland Wine & Spirits.

Second: Mr. Bulian. Unanimously approved 4-0.

Motion by Mr. Bulian that the Board vote to deny M.G.L. Chapter 138 Section 15 Package Store application received from Gordon's Fine Wine & Liquors.

Second: Mr. Handel. Unanimously approved 4-0.

Motion by Mr. Handel that the Board vote to deny M.G.L. Chapter 138 Section 15 Package Store application received from TTP LLC., d/b/a Panella's Market & Deli.

Second: Mr. Bulian. Unanimously approved 4-0.

Mr. Matthews asked Mr. Bulian if he would like to return to the question of Craft Liquors now or would he prefer to wait since he was supportive of the application.

Mr. Bulian commented voters clearly asked the Board to "take it slow." He restated he is not willing to support more than 4 applications, including Volante

Farms. He noted he was the only Board member to support Craft Liquors and has decided to support a motion to deny.

Motion by Mr. Handel that the Board vote to deny M.G.L. Chapter 138 Section 15 Package Store application received from Craft Liquors of Needham Inc.

Second: Mr. Borrelli. Unanimously approved 4-0.

Mr. Bulian commented on the application from Needham Center Wine & Spirits and said it is incumbent upon the Board to support a convenient downtown location. He noted Mr. Borrelli and Mr. Handel expressed it is a flagship location in the downtown and fills a vacancy with a quality business. Mr. Bulian said the name is too similar to Needham Wine & Spirits LLC., at 1257 Highland Avenue.

Mr. Matthews said there are enough votes to approve the Lianos Liquors d/b/a Needham Center Wine & Spirits, and while he has some doubts about the location, he has no doubt about the applicant and is willing to support the application.

Mr. Matthews stated there are now four applications with unanimous support, not counting the possible license granted to Bin Ends.

Mr. Handel commented the Board promised Needham voters it would "go slow", and part of "going slow" means not putting things in peoples faces in a way that constitutes a "wall of change". He said licenses for Volante Farms and Bin Ends are virtually invisible. He stated the Board could, in good conscience, issue five licenses and meet the spirit of not having a "wall of change" come into the Town. He said one license would remain if another purveyor applied, plus an additional two licenses in another four years if there is enough demand. He said the Town has a unique opportunity to give Needham a regional presence by issuing a license to Bin Ends. Mr. Handel stated he supports issuing five licenses.

Mr. Bulian said he is supportive of issuing four licenses. He stated he likes the concept of Bin Ends, but will not vote for more than four licenses. He noted the area will be under a lot of construction in the next five years, and he is "not sold" on the regional presence of Bin Ends. He stated he will not support a license for Bin Ends at this time.

Mr. Borrelli said much of the discussion centers around safety, substance abuse, and access to alcohol in Needham Center and Needham Heights. He said Bin Ends is a different concept and noted it is down the street from the winery Needham use to have, and to restrict it solely on the number of licenses might do a disservice to Bin Ends and the community. He feels the Board is still "going slow". He said Bin Ends is a destination and may have a good impact on Needham. Mr. Borrelli supports issuing a license to Bin Ends.

Mr. Matthews said he supports the Bin Ends application. He stated he was prepared to issue five licenses. He said the applicant has solid business experience and will be in a good location where traffic and parking will not be an issue. He noted the restricted business hours, which should be included in the license.

Specific Conditions

Mr. Matthews asked the Board for comment on specific conditions on individual licenses. He said the Board mentioned conditions on the sale of lottery tickets, tobacco, delivery restrictions, signage restrictions, and size/floor plan. He said the size/floor plan for Vinodivino indicating a maximum selling area of 1,000 sq. ft. should be printed on the license.

Mr. Borrelli noted Needham Center Wine & Spirits must consider the cooler location and address concerns with Police Chief Droney. Mr. Matthews suggested a side letter be sent to the applicant.

Mr. Matthews asked the Board for comment on the sale of lottery tickets.

Mr. Handel commented lottery tickets are a function of the State of Massachusetts and sees no reason to prohibit the sale. He expects some applicants will sell lottery tickets and some will not, and that it will not affect the quality of the business or clientele.

Mr. Bulian said he prefers restricting the sale of lottery tickets. He said there is no benefit.

Mr. Borrelli noted sales of Keno tickets is prohibited.

Mr. Matthews noted all applicants said they would restrict the sale of lottery tickets, tobacco, signage etc., and feels it is up to each applicant to use good judgement. He said there is not a majority to impose a restriction.

Mr. Handel said he is personally opposed to the use of tobacco, but acknowledged high quality tobacco "goes hand in hand" with high quality wine. He stated there is no reason to restrict the sale of tobacco and said it should be left up to the judgement of the purveyor.

Mr. Bulian said he is in favor of restricting tobacco of all kinds, including chewing tobacco. He noted the minimum age to purchase tobacco in Needham is 21.

Mr. Borrelli said he prefers to restrict the sale of cigarettes because the shop then becomes a convenience store. He would support the sale of cigars.

Mr. Matthews concurred with Mr. Handel saying it may be something the customer wants, but not something the Town encourages. He stated the Board has broad authority to review the question and it is something that can be revisited in the future. He noted there is not a majority to impose conditions on the sale of tobacco.

Mr. Matthews commented some businesses will have specific conditions because they are under special permits and other Boards will review certain matters. He suggested the Board of Selectmen not get involved in the matter of delivery at this time, but revisit the issue if problems arise once the businesses are open.

Mr. Handel agreed with Mr. Matthews saying deliveries are one aspect with direct impact on adjacent neighbors. He said residents need to be protected and the Board must be vigilant on the issue.

Mr. Borrelli pointed out Vinodivino is subject to special permit, as awarded to Trader Joe's, that allows for overnight delivery. He stated concern for overnight delivery on the neighborhood.

Mr. Matthews said that if a review of the permit for the entire plaza is required, then the Board of Selectmen will decide if further involvement is necessary.

Mr. Handel suggested sending notice to the Planning Board stating the Selectmen's concerns.

Mr. Matthews asked the Selectmen if they want specific restrictions on signage. He noted a review of the sign by-law will apply.

Mr. Handel stated neon signs are not allowed.

Mr. Tobin stated under the sign by-law, one sign is allowed.

Mr. Matthews said discussion on two applications restricting size of plan should be stated on the permit. He noted Volante Farms asked for 320 sq. ft. for display, and said that is what the permit should say.

Mr. Matthews asked for motions to approve Alcohol Licenses.

Motion by Mr. Borrelli that the Board vote to approve M.G.L. Chapter 138 Section 15 Package Store application received from Needham Wine & Spirits, LLC., 1257 Highland Avenue, Needham, Michael O'Connell, Manager, hours of operation 9 a.m. - 10 p.m. on days other than Sunday, Sunday 12 p.m. - 5 p.m.

Second: Mr. Bulian. Unanimously approved 4-0.

Motion by Mr. Bulian that the Board vote to approve M.G.L. Chapter 138 Section 15 Package Store application received from Lianos Liquors d/b/a Needham Center Wine & Spirits, 1013 Great Plain Avenue, Needham, Chris Lianos, Manager, hours of operation 9 a.m. - 10 p.m. on days other than Sunday, Sunday 12 p.m. - 6 p.m.

Second: Mr. Handel. Unanimously approved 4-0.

Mr. Matthews noted that the license is conditional on a side letter being sent to Mr. Lianos asking him to assure access to coolers is satisfactory to the Needham Police Chief.

Motion by Mr. Borrelli that the Board vote to approve M.G.L Chapter 138 Section 15 Package Store application received from Volante Farms Inc., 292 Forest Street, Needham, David Volante, Manager, hours of operation 9 a.m. - 7 p.m. Monday thru Friday, 9 a.m. - 6 p.m. Saturday, and 12 p.m. - 5 p.m. on Sunday.

Second: Mr. Handel. Unanimously approved 4-0.

Mr. Matthews said Volante Farms license to state "alcoholic display area limited to 320 sq. ft."

Motion by Mr. Borrelli that the Board vote to approve M.G.L. Chapter 138 Section 15 Package Store application received from Vinodivino 3 LLC., d/b/a Vinodivino, 922 Highland Avenue, Needham, Raphael Keller-Go, Manager, hours of operation 10 a.m. - 8:30 p.m. on days other than Sunday, Sunday 12 p.m. - 5 p.m.

Second: Mr. Handel. Unanimously approved 4-0.

Mr. Matthews said Vinodivino license to state "sales and display area limited to 1,000 sq. ft."

Ms. Fitzpatrick noted the motion to approve Lianos Liquors d/b/a Needham Center Wine & Spirits and said the Board's regulations limit Sunday hours of operation from 12 p.m. - 5 p.m.

Motion by Mr. Bulian to reconsider motion to approve Lianos Liquors d/b/a Needham Center Wine & Spirits, due to technical error on hours of operation.

Second: Mr. Handel. Unanimously approved 4-0.

Motion by Mr. Bulian that the Board vote to approve M.G.L. Chapter 138 Section 15 Package Store application received from Lianos Liquors d/b/a Needham Center Wine & Spirits, 1013 Great Plain Avenue, Needham, Chris Lianos, Manager, hours of operation 9 a.m. - 10 p.m. on days other than Sunday, Sunday 12 p.m. - 5 p.m.

Second: Mr. Handel. Unanimously approved 4-0.

Mr. Matthews noted that the license is conditional on a side letter being sent to Mr. Lianos asking him to assure access to coolers is satisfactory to the Needham Police Chief.

Motion by Mr. Handel that the Board vote to approve M.G.L. Chapter 138 Section 15 Package Store application received from Innovative Distributing Concepts LLC., d/b/a Bin Ends, 65 Crawford Street, Needham, John C. Hafferty, Manager, hours of operation Monday 12 p.m. - 8 p.m., Tuesday - Saturday 10 a.m. - 8 p.m., Sunday 12 p.m. - 5 p.m.

Mr. Matthews noted prior discussion on possible expanded holiday hours. Mr. Smart, Attorney, said information asked for at the public hearing and a request for expanded holiday hours "except during the 7 days prior to Thanksgiving through December 24 the proposed hours would be Monday - Saturday 9 a.m. - 9 p.m. and Sunday 12 p.m. - 5 p.m." was sent to the Selectmen prior to deadline of 5 p.m. on Monday, February 4, 2013. Mr. Matthews asked for a motion to add additional language.

Motion by Mr. Handel that the Board vote to approve expanded holiday hours of operation for Innovative Distributing Concepts LLC., "during the 7 days prior to Thanksgiving through December 24 the proposed hours would be Monday - Saturday 9 a.m. - 9 p.m. and Sunday 12 p.m. - 5 p.m."
Second: Mr. Borrelli. Unanimously approved 4-0.

Motion by Mr. Handel that the Board vote to approve M.G.L. Chapter 138 Section 15 Package Store application received from Innovative Distributing Concepts LLC., d/b/a Bin Ends, 65 Crawford Street, Needham, John C. Hafferty, Manager, hours of operation Monday 12 p.m. - 8 p.m., Tuesday - Saturday 10 a.m. - 8 p.m., Sunday 12 p.m. - 5 p.m. except during the 7 days prior to Thanksgiving through December 24 when the hours are 9 a.m. - 9 p.m. Monday - Saturday, Sunday 12 p.m. - 5 p.m.
Second: Mr. Borrelli. Approved 3-1. Mr. Bulian voted nay.

Mr. Matthews noted Mr. Bulian's reservation not to approve more than four licenses. He said a compromise has been reached with a very strong field of applicants.

Mr. Matthews thanked all of the applicants for their efforts and for giving the Board options, even though all applications were not approved. He said the Board may wish to "take another course" on the applications given the rules it operates under, one of which is a very limited total quota of licenses for the community. He said the approved applications will be forwarded to the state, and several licensees have issues that need to be addressed, as well as the necessary build out to open each store.

Mr. Handel thanked all of the applicants, even those who were not granted a license. He said all of the applications were high quality, and will reflect well on Needham.

Mr. Bulian said allowing package stores is a big change for the Town, but hopes the look and feel of the Town will be minimally changed. He thanked the applicants.

Mr. Borrelli thanked the applicants and residents for their comments.

Mr. Matthews said it has been a fairly long process to get to this point. He thanked the applicants, residents, Town staff, and Town counsel. He said the Board tried to make sure the process was fair and that everyone had an opportunity to have their say. He commented the decisions that have been made have been in the best interest of the Town.

9:00 p.m.

Adjourn:

Motion by Mr. Bulian that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of February 5, 2013.

Second: Mr. Borrelli. Unanimously approved 4-0.

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

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

Police ✓ P+R ✓
Fire ✓
DPW ✓

RECEIVED
TOWN OF NEEDHAM
BOARD OF SELECTMEN

Town of Needham, Massachusetts
Road Race/Walk/Bicycling Event Form

Name of Organization: Greene's Field Fundraising

Event Name: Go Greene St. Patrick's Day 5K & Kids FunRun

Organization Mailing Address:

Greene's Field Fundraising - Needham Sports Council
P.O. Box 920682, Needham, MA 02492

Primary Contact:

Michelle Gredes

Contact Title: Committee Head,
Go Greene 5K Run

Contact Address:

21 Coulton PK, Needham, MA 02492

Contact Phone (Day):

781-444-3217

Contact Phone (Cell):

781 898-4270

Contact Email:

myoung-99@hotmail.com

Event Date(s):

8:30 Kids Run
March 16, 2013: 9:00 5K

Date Expected to be in Needham:

March 16, 2013

Earliest Time Expected in Needham:

7:30 AM

Latest Time Expected in Needham:

11:00 AM

Number of Expected Participants:

300

Number of Expected Spectators at Peak Time:

175

Is event for-profit or not-for-profit?

Not-for-profit

Are participants charged a fee?

\$25 pre-registration online; \$35 day-of race registration

Estimated Number of Vehicles: 180	What type of Parking is needed: metered or side streets
Are event organizers available to meet with members of the Town to plan event? Yes, Michelle Geddes is available to meet to plan the event.	
What will be done in case of inclement weather? The decision to cancel the race will be made by 7:00AM on March 16th. Michelle Geddes will call the NPD directly by 7:00AM to notify them of a cancellation.	
Are there other events that take place at the same time as this one, just before or just after this event? NO	
Describe Parking Plan, include where participants and spectators will park and length of time expected to be parked: We expect participants to park on side streets between 7:30AM - 11:00AM. We expect spectators to park on metered spots and side streets between 8:00 - 11:00AM. We will clearly tell participants and spectators not to park in the Walgreens/Pickering St. parking lot.	
Will neighborhoods be impacted by parking and traffic? Warren St. (from Delham Ave to May St) and Fair Oaks Park (Harris to May St.) may be impacted by parking and traffic from 7:30AM to 9:30AM and from 10:30AM to 11:00AM.	
What activities are planned for the start of the race (if in Needham)? A Kids Fun Run will take place at 8:30AM prior to the 5K.	
What activities are planned for the end of the race (if in Needham)? There are no activities planned for the end of the race.	
What facilities are needed for the start of the race (if in Needham)? Permission has been requested to use the basement of the Stephen Palmer Senior Center from 7-9:30AM for registration before the race. If the facility is not available, permission will be requested. =>	
What facilities are needed for the end of the race (if in Needham)? No additional facilities are needed for the end of the race.	
Once the event begins, how long will it take to complete the event? It is expected that the event will take 2 hours to complete.	

WHAT FACILITIES ARE NEEDED FOR THE START OF THE RACE?

(cont.)

requested to use the 2nd floor of the YMCA on Great Plain Ave.
Permission has been granted to use Greene's Field from 7-11 AM

Are signs requested to post at the start of the race? At the end of the race? Are signs requested for along the route?	We would like to request a "Road Closed" sign to close Pickering 1st. (from the Walgreens parking lot exit to May St.) to allow for =>
Will volunteers be placed along the route?	Yes, at least 20 volunteers will be placed along the route (see attached route map)
Will you be using a sound system? If yes, please describe where and when it will be used.	Yes, a microphone will be used at the start/finish line. It will be used to announce the race starts (8:30 AM & 9 AM) and plans (9:30-10:00)
Will there be any food served?	Cold snacks (bananas, bagels, chips, apples) and water will be available to runners at the finish
Will portable toilets be used?	NO
Will hydration stops be set up along route? If yes, please include these on route plan.	NO
If the event takes place after dark, what is the plan to meet lighting needs?	N/A
What safety measures are being made for participants and spectators? What are plans for handling first aid and medical emergencies?	We would like the road (Pickering) where the start and finish of the race will take place to be closed in order for runners to line up and finish safely. => We will ask the police detail to lead the fastest runners throughout the course and
Does the event take place during commuter times?	NO
Is school in session during the event? Will school drop off or pick up be impacted by the event?	NO
Are businesses open during the time of the event?	Yes, some businesses will be open.
Does the route pass any business that might be impacted by the event? (e.g. funeral homes, markets, restaurants)	NO
Are there any churches/houses of worship located along the event route? Will church/house of worship services take place during the event?	NO
What is the plan to handle trash?	We will have a trash service pick up trash at the end of the day. Volunteers will pick up trash along the race route & around Greene's Field
Please attach event route map, include map and text of route.	

SIGNS REQUESTED AT START OF RACE

(cont.)

set up of the timing system, the start, the finish and breakdown of the timing system from 8:00-11AM. We would also like to request "No parking" signs for one side of Fair Oaks (from Harris to May St.) from 7AM → 11AM to allow for runners to use one side of the street to run down during the race.

SAFETY MEASURES

(cont.)

- stop traffic on the two major intersections in the route (see attached route map). We would also like the police detail to follow the last runner to the finish line.
- At least 20 volunteers will be placed along to route (see attached route map) to help runners safely cross major intersections and instruct them where and when they need to turn. They will also make sure spectators stay off the road. All volunteers will wear reflective vests and will have a contact sheet with the race director's cell phone and the number for the NPD, in case of an emergency. Runners will be encouraged to run on the right side of the road by all volunteers. Each volunteer post will be relieved of their duty only when the police detail passes them with the last runner.
- 3 volunteers will instruct runners and spectators to move off and stay off the road and stay on Greener Field at the finish line.
- A large first aid box and ice packs will be available at the finish line.
- will have a microphone & speaker at the finish line and all wipes will be provided down. Plenty of water and snacks will be available at the finish line.

 LogYourRun

Go Greene 5K

Location: , --

Mileage: 3.11 miles / 5K

[Click here to send to printer](#)

"X" indicates where a volunteer will be stationed during the race

Route: Runners will start on Pickering St. and take on a right onto May St. They will then take a left onto Webster St. and follow it until Brookline. They will take a right onto Brookline St. and a right onto Manning. They will follow Manning until Great Plain, where they will take a left on Great Plain until Harris. They will take a right onto Harris and then a right onto Fair Oaks. They will take a left onto May St. and take a left onto Pickering St. where the finish line will be.

