

# BOARD OF SELECTMEN

## December 17, 2013

### Needham Town Hall

### Agenda

|           |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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|           | <b>6:45</b> | <p>Informal Meeting with Citizens</p> <p><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></p> |
| <b>1.</b> | <b>7:00</b> | <p>Public Hearing NSTAR- Central Avenue</p> <ul style="list-style-type: none"> <li>Maureen Carroll, NSTAR representative</li> </ul>                                                                                                                                                                                                                                                                                                                 |
| <b>2.</b> | <b>7:00</b> | <p>Rosemary Pool Feasibility Study</p> <ul style="list-style-type: none"> <li>Mike Retzky, Chairman, Park &amp; Recreation Commission</li> <li>Patty Carey, Director of Park &amp; Recreation</li> </ul>                                                                                                                                                                                                                                            |
| <b>3.</b> | <b>7:15</b> | <p>FY2013 Financial Audit</p> <ul style="list-style-type: none"> <li>Scott C. McIntire CPA, Melanson Heath &amp; Company, P.C.</li> <li>David Davison, Assistant Town Manager/Director of Finance</li> </ul>                                                                                                                                                                                                                                        |
| <b>4.</b> | <b>7:30</b> | <p>Town Manager</p> <ul style="list-style-type: none"> <li>Municipal Parking</li> <li>Amend the Integrated Pest Management Policy</li> <li>Accept and Refer Zoning Amendment</li> <li>Approve Precinct Locations</li> <li>Community Preservation Projects</li> <li>Approve FY2015 – 2019 Capital Improvement Plan</li> </ul>                                                                                                                        |
| <b>5.</b> | <b>7:50</b> | <p>Board Discussion</p> <ul style="list-style-type: none"> <li>Committee Reports</li> </ul>                                                                                                                                                                                                                                                                                                                                                         |
| <b>6.</b> | <b>8:00</b> | Executive Session Exception 3                                                                                                                                                                                                                                                                                                                                                                                                                       |

### CONSENT AGENDA      \*=Backup attached

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| <b>1.</b> | <p>Approve for calendar year 2014 requests for license renewals of Restaurant – All Alcoholic Licenses and request for a license addendum to allow for the premises to have designated waiting areas for the service of alcoholic or wine and malt beverages only to those patrons who are waiting to dine (Section 3.1 of Needham Regulations for the Sale of Alcoholic Beverages) for each of the following establishments (subject to receipt of required completed paperwork):</p> <ul style="list-style-type: none"> <li>Cerritos, Inc. d/b/a Acapulco's Mexican Family Restaurant</li> <li>Zucchini Gold, LLC d/b/a The Rice Barn</li> <li>Bertucci's Restaurant Corporation d/b/a Bertucci's Brick Oven Pizzeria</li> <li>Gibbous Moon, Inc d/b/a The Center Café Needham</li> <li>Mount Blue Two, LLC d/b/a Blue on Highland</li> </ul> |
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|    | <ul style="list-style-type: none"> <li>• New Garden, Inc. d/b/a New Garden Restaurant</li> <li>• Not Your Average Joe's Inc. d/b/a Not Your Average Joe's</li> <li>• Petit Robert Needham, LLC d/b/a Petit Robert Bistro</li> <li>• Fusion Cuisine, Inc. d/b/a Gari</li> <li>• SAI Restaurants, Inc. d/b/a Masala Art</li> <li>• Tian Long, Inc. d/b/a Fuji Steak House</li> </ul>                                                                                                                                                                                                                                                                                                                                                              |
| 2. | <p>Approve for calendar year 2014 requests for license renewals of Restaurant – All Alcoholic Licenses for the following establishments (subject to receipt of required completed paperwork):</p> <ul style="list-style-type: none"> <li>• Mandarin Gourmet, Inc. d/b/a Mandarin Cuisine Locus</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 3. | <p>Approve for calendar year 2014 requests for license renewals of Restaurant – Wine and Malt Beverage Licenses for the following establishments (subject to receipt of required completed paperwork) :</p> <ul style="list-style-type: none"> <li>• Asillem, LLC d/b/a Stone Hearth Pizza Co.</li> <li>• Rockets Restaurant Group, LLC d/b/a 3 Squares</li> <li>• Spiga, LLC d/b/a Spiga</li> </ul>                                                                                                                                                                                                                                                                                                                                            |
| 4. | <p>Approve for calendar year 2014 requests for license renewals of Package Stores- All Alcoholic Beverages for the following establishments (subject to receipt of required completed paperwork) :</p> <ul style="list-style-type: none"> <li>• Innovative Distributing Concepts, LLC d/b/a Bin Ends</li> <li>• Lianos Liquors, LLC d/b/a Needham Center Wine &amp; Spirits</li> <li>• Needham Wine &amp; Spirits, LLC d/b/a Needham Wine &amp; Spirits</li> <li>• vinodivino 3, LLC d/b/a vinodivino</li> </ul>                                                                                                                                                                                                                                |
| 5. | <p>Approve for calendar year 2014 requests for license renewals of Package Stores- Wine and Malt Beverages for the following establishment:</p> <ul style="list-style-type: none"> <li>• Volante Farms</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 6. | <p>Approve for calendar year 2014 request for Innholder – All Alcoholic License Renewal for the following establishments:</p> <ul style="list-style-type: none"> <li>• Colwen Management, Inc. d/b/a Residence Inn</li> <li>• HST Lessee Needham, LLC d/b/a Sheraton Needham Hotel</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 7. | <p>Approve for calendar year 2014 requests for license renewals of Club – All Alcoholic Beverage Licenses for the following establishments (subject to receipt of required completed paperwork) :</p> <ul style="list-style-type: none"> <li>• The Needham Golf Club</li> <li>• Village Club Building Assoc. Inc.</li> <li>• Lt. Manson Carter Post #2498 V.F.W. of U.S.</li> </ul>                                                                                                                                                                                                                                                                                                                                                             |
| 8. | <p>Approve for calendar year 2014 requests for license renewals of Common Victualler Licenses for the following establishments (subject to receipt of required completed paperwork):</p> <ul style="list-style-type: none"> <li>• Cerritos, Inc. d/b/a Acapulco's Mexican Family Restaurant</li> <li>• Acorns Bakery &amp; Café, Inc.</li> <li>• Bagels' Best, Inc. d/b/a Bagels' Best Café</li> <li>• Bertucci's Restaurant Corp. d/b/a Bertucci's Brick Oven Pizzeria</li> <li>• Beth Israel Deaconess – Glover Café</li> <li>• Mount Two Blue, LLC d/b/a Blue on Highland</li> <li>• C &amp; D Management, Inc. d/b/a Brothers Pizza &amp; Restaurant</li> <li>• Café Fresh Bagel</li> <li>• 1095, LLC d/b/a Comella's Restaurant</li> </ul> |

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|    | <ul style="list-style-type: none"> <li>• The Simpson Corp. d/b/a Cutler Lake Café</li> <li>• Delops, Inc. d/b/a D'Angelo Sandwich Shop</li> <li>• Your Other Oven, Inc. d/b/a Domino's Pizza</li> <li>• New Hong Kong IV, Inc. d/b/a Dragon Chef Restaurant</li> <li>• Chestnut Street Donuts d/b/a Dunkin Donuts</li> <li>• Fred's Coffee Shop d/b/a Dunkin Donuts</li> <li>• Highland Avenue Donuts, Inc. d/b/a Dunkin Donuts</li> <li>• Eat Farmhouse, LLC d/b/a The Farmhouse</li> <li>• Select Group, Inc. d/b/a Fresco Restaurant</li> <li>• Tian Long, Inc. d/b/a Fuji Steak House</li> <li>• Fusion Cusine d/b/a Gari</li> <li>• Gibbous Moon, Inc. d/b/a The Center Café Needham</li> <li>• Three Sons, Inc. d/b/a Kosta's Pizza &amp; Seafood</li> <li>• Lizzy's Ice Cream LLC d/b/a Lizzy's Ice Cream</li> <li>• Mandarin Gourmet, Inc. d/b/a Mandarin Cuisine Locus</li> <li>• SAI Restaurants, Inc. d/b/a Masala Art</li> <li>• McDonald's Restaurant – Needham</li> <li>• D &amp; L Enterprises, Inc. d/b/a Mighty Subs</li> <li>• The Needham Golf Club, Inc.</li> <li>• International Needham House of Pizza d/b/a Needham House of Pizza</li> <li>• New Garden Inc. d/b/a New Garden Restaurant</li> <li>• Select Pizza d/b/a Nicholas' Pizza</li> <li>• Not Your Average Joe's, Inc. d/b/a Not Your Average Joe's</li> <li>• Boston Bread LLC d/b/a Panera</li> <li>• Petit Robert Needham LLC d/b/a Petit Robert Bistro</li> <li>• Pronti Bistro Inc. d/b/a Pronti Bistro</li> <li>• Colwen Management, Inc. d/b/a Residence Inn</li> <li>• Zucchini Gold, LLC d/b/a The Rice Barn</li> <li>• Rockets Restaurant Group, LLC d/b/a 3 Squares</li> <li>• HST Lessee Needham LLC d/b/a Sheraton Needham Hotel</li> <li>• Spiga, LLC</li> <li>• Starbucks Coffee Company</li> <li>• Asillem LLC d/b/a Stone Hearth Pizza</li> <li>• Kamaya, LLC d/b/a Subway</li> <li>• Yeat Inc. d/b/a Sweet Basil</li> <li>• Paraskevi Tsoutsoplides d/b/a Sweet Corner</li> <li>• H &amp; B Pizza, Inc. d/b/a Sweet Tomatoes Pizza</li> <li>• Swizzles of Needham, LLC. d/b/a Swizzles Frozen Yogurt</li> <li>• J &amp; J Pizza, Inc. d/b/a Town House of Pizza</li> <li>• Treat LLC d/b/a Treat Cupcake Bar</li> <li>• Lt. Manson Carter Post 2498 V.F.W. of U.S.</li> <li>• Village Club Building Assoc. Inc.</li> <li>• Volante Farms</li> <li>• Yo So Good d/b/a Yo So Good Frozen Yogurt Café</li> </ul> |
| 9. | <p>Approve for calendar year 2014 requests for various license renewals as detailed below for the following establishments (subject to receipt of required completed paperwork):</p> <ul style="list-style-type: none"> <li>• Colwen Management, Inc. d/b/a Residence Inn - Innkeeper</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

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|      | <ul style="list-style-type: none"> <li>• HST Lessee Needham LLC d/b/a Sheraton Needham Hotel – Innkeeper</li> <li>• Olin College – Lodging License</li> <li>• Babson College – Lodging License</li> <li>• HST Lessee Needham LLC d/b/a Sheraton Needham Hotel – Public Entertainment on Sunday</li> <li>• 7-Eleven – Special Permit (24 hr. retail sale of food)</li> <li>• Yeat Inc. d/b/a Sweet Basil – Special Permit (Carry In Beer/Wine)</li> <li>• Rockets Restaurant Group, LLC d/b/a 3 Squares – Weekday Entertainment</li> <li>• Rockets Restaurant Group, LLC d/b/a 3 Squares – Sunday Entertainment</li> <li>• HST Lessee Needham LLC d/b/a Sheraton Needham Hotel – Weekday Entertainment</li> <li>• Mount Blue Two, LLC d/b/a Blue on Highland – Weekday Entertainment</li> <li>• Mount Blue Two, LLC d/b/a Blue on Highland – Sunday Entertainment</li> <li>• Gibbous Moon Inc. d/b/a The Center Café Needham – Weekday Entertainment</li> </ul> |
| 10.  | <p>Approve for calendar year 2014 the following requests for Class I &amp; Class II Used Car Dealer Licenses:</p> <ul style="list-style-type: none"> <li>• Auto International Ltd.- Class II</li> <li>• Center Automotive – Class II</li> <li>• Copley Motorcars – Class II</li> <li>• R&amp;R Automotive – Class II</li> <li>• Muzi Chevrolet GEO – Class I</li> <li>• Muzi Motors, Inc. – Class I</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 11.  | Approve continuation of the experimental Traffic Regulation in accordance with the Needham Traffic Rules and Regulations Section 3-6 for Great Plain Avenue for the period December 17, 2013 to January 16, 2014: one Handicap Parking spot, and one 15 minute Parking spot, in front of the former Eaton Square Right of Way adjacent to MBTA Right of Way.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 12.  | Accept the following donations made to New Years Needham: \$1,000 from Wingate Healthcare; \$100 from Needham Business Association                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 13.* | Approve minutes from November 26, 2013 and December 3, 2013.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 14.  | Sign a clean Form 43 for Not Your Average Joe's, Change of Manager. The ABCC originally denied the application and the issue has been resolved so they would like to resubmit the Form 43 for reconsideration.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 15.  | Accept donation made to the Needham Community Revitalization Trust Fund: \$400 from Michael Heffernan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 16.  | Accept the following donations made to the Needham Off-Leash Dog Area gift account: \$100 from Nancy Kilgore; \$ 50 from Barbara St Onge & Dan Alford                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 17.  | Approve request from Masala Art to extend its operation hours on December 31, 2013 to 1:00 a.m. on January 1, 2014. Last call will be at 12:30 a.m. and all patrons will leave the premises by 1:00 a.m. and staff will be gone by 1:45 a.m.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 18.* | Approve a Special One Day Wines and Malt Beverages license for Carol Stento of Own Your Peace, to host "Needham Laughs- A Night of Comedy" event on Saturday, January 18, 2014 from 7:30 p.m. to 12:00 a.m. at the Village Club, 83 Morton Street, Needham.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 19.* | Approve Executive Session minutes form November 26, 2013.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |