

BOARD OF SELECTMEN

June 28, 2016

Needham Town Hall

REVISED Agenda

Note: Agenda subject to revision, start times are approximate and agenda items may be discussed at earlier or later times.

	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	Joint Meeting with Planning Board
2.	7:45	Wireless Fire Alarm Update • Dennis Condon, Fire Chief • David Davison, Assistant Town Manager/Finance
3.	8:00	Director of Public Works • Granting of New Drain Easement and Permission to Encroach into Existing Drain Easement- 56 Nichols Road • EPA – National Pollutant Discharge Elimination System (NPDES)
4.	8:20	Town Manager • Set Water and Sewer Rates • Draft Facility Financing Plan • Senate 2311 Letter • Quiet Zone Comment Letter • Acceptance of Declaration of Restrictive Covenant and Grant of Easements
5.	8:40	Board Discussion • Committee Reports

APPOINTMENTS

1.	MWRA Advisory Board (Alternate)	Chris Seariac (term expires 6/30/2019)
2.	Various Reappointments	List at end of this agenda

CONSENT AGENDA *=Backup attached

1.	Approve a request from the Public Health Department for a 20(b) exemption to allow the following school employees to work as seasonal packers/drivers for The Traveling Meals program: Dawn O'Halloran, KASE Program; and Catherine Murray, Broadmeadow School Cafeteria.
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2.*	Approve a request from the Charles River YMCA to hold its 4 th of July Road Race in Needham on July 4, 2015 from 7:00 a.m. to 11:00 a.m. The route of the race has been approved by the following departments: Police, Fire, Park and Recreation and, DPW.				
3.	Approve a request from Public Facilities for a 20(b) exemption to allow the following town employee to work as a part-time evening/weekend building monitor: Stephane Grably, Program Coordinator Volunteer & Transportation.				
4.	Accept a \$20 donation made to Needham Youth Services from Ms. Paula McEvoy, a Needham resident. The monies are to be used to sponsor Needham Youth Services VAN program.				
5.	Accept miscellaneous donations totaling \$2,718 made to the Council on Aging's Transportation Account for the period of FY16.				
6.	Accept donations made to the Council on Aging's Donation Account for the period of FY16 from the following: Knizeski- \$150 (in memory of her parents); Smolin- \$100; Brownell- \$24; and a miscellaneous donation of \$90.				
7.	Accept the following donations made to the Needham Park and Recreation Commission for its Arts in the Parks and Children's Theatre programs: \$1,561 from Parent Talk Inc. for Children's Theatre; \$700 from Roche Brothers for Arts in the Parks; \$700 from Louise Condon for Arts in the Parks; \$700 from Copley Motorcars Corporation for Arts in the Parks; \$700 from Friends of Denise Garlick for Arts in the Parks; \$700 from the Needham Exchange Club; and \$700 from Dedham Savings Bank.				
8.	Support Youth Services' "Needham Unplugged" for the month of March including its annual no-meeting night which will be held on Thursday, March 9, 2017.				
9.*	Approve a 2016 Common Victualler License for Great Plain Hospitality d/b/a RFK Kitchen located at 948 Great Plain Avenue, Needham.				
10.*	Approve minutes of June 14, 2016 meeting (open session)				
11.*	Approve a One Day Special Wines & Malt Beverages request from Jaclyn McGrory, of The American Cancer Society to hold its "Tee Off Fore Hope" event on Tuesday, July 12, 2016 from 6:00 p.m. to 9:00 p.m. The event will be held at Club Champion Boston, located at 924 Great Plain Avenue, Needham.				
12*	Approve a One Day Special Wines & Malt Beverages request from Amy Sinclair of TripAdvisor to provide service for the Hubspot/Wayfair event to be held at TripAdvisor on Wednesday, July 13 th from 4:00 to 9:00 p.m.				
13.	Grant permission for the following residents to hold block parties:				
Name		Address	Party Location	Party Date	Party Rain Date
Eileen Smith		21 LaSalle Road	LaSalle Road	7/4/16	N/A

**Board of Selectmen ----- Committee Reappointments
Consent Agenda**

Committee	Member Name	Term Expiration
Board Of Appeals	Peter Friedenber	6/30/2019
Board Of Appeals	Jon Schneider	6/30/2019
Cable Television Advisory Board	Tom Loughran	6/30/2019
Commission on Disabilities	Jeanie Martin	6/30/2019
Conservation Commission	Peter Oehlkers	6/30/2019
Conservation Commission	Janet C Bernardo	6/30/2019
Conservation Commission	Artie Crocker	6/30/2019
Council of Economic Advisors	Richard Putprush	6/30/2019
Council On Aging	Tom Keating	6/30/2019
Downtown Streetscape Working Group	Paul Good	6/30/2017
Downtown Streetscape Working Group	Gloria Greis	6/30/2017
Downtown Streetscape Working Group	Nelson Hammer	6/30/2017
Downtown Streetscape Working Group	Maurice P. Handel	6/30/2017
Downtown Streetscape Working Group	Dale Wise	6/30/2017
Golf Course Advisory Committee	Jack Heavey	6/30/2019
Golf Course Advisory Committee	Richard M. Reilly	6/30/2019
Historical Commission	Robert Boder	6/30/2019
Historical Commission	Miles Shore, MD	6/30/2019
Human Rights Committee	Abdul Cader Asmal	6/30/2019
Human Rights Committee	Cynthia A Ganung	6/30/2019
Needham Community Television Dev Corp	Robert Boder	6/30/2019
Needham Community Television Dev Corp	Tom Loughran	6/30/2019
Norfolk County Advisory Board	Ted Owens	7/31/2017
Registrars of Voters	John W Day	6/30/2019
Solid Waste Disposal/Recycling Advisory	William F. Connors	6/30/2019
Solid Waste Disposal/Recycling Advisory	Irwin Silverstein	6/30/2017
Taxation Aid Committee	Helen Newton	6/30/2019
Technology Advisory Board	Wade M. Davis	6/30/2019
Traffic Management Advisory Committee	Jeffrey MacMann	6/30/2019
Traffic Management Advisory Committee	Donna Mullin	6/30/2019
Transportation Committee	Duncan Allen	6/30/2019
Transportation Committee	Richard Creem	6/30/2019
Water/Sewer Rate Structure Committee	Tom Loughran	6/30/2019



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

MEETING DATE: 6/28/2016

Agenda Item	Joint Meeting with Planning Board
Presenter(s)	Board Discussion

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
The Board of Selectmen and the Planning Board will hold a joint meeting to discuss issues of mutual interest including the status of the large house zoning, other pending zoning initiatives, and the scheduling of zoning proposals.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
3.	BACK UP INFORMATION ATTACHED	YES	NO
None			



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

MEETING DATE: 6/28/2016

Agenda Item	Wireless Fire Alarm Update
Presenter(s)	Dennis Condon, Fire Chief David Davison, Assistant Town Manager/Finance

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
Chief Condon and Mr. Davison will provide the Board with a status report on the Town's initiative to modernize the fire alarm system.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
3.	BACK UP INFORMATION ATTACHED	YES	NO
a. PowerPoint - Needham Fire Alarm System			

Needham Fire Alarm System

- Funded in 1889
- First Alarm Struck In 1890
- Still In Use Today



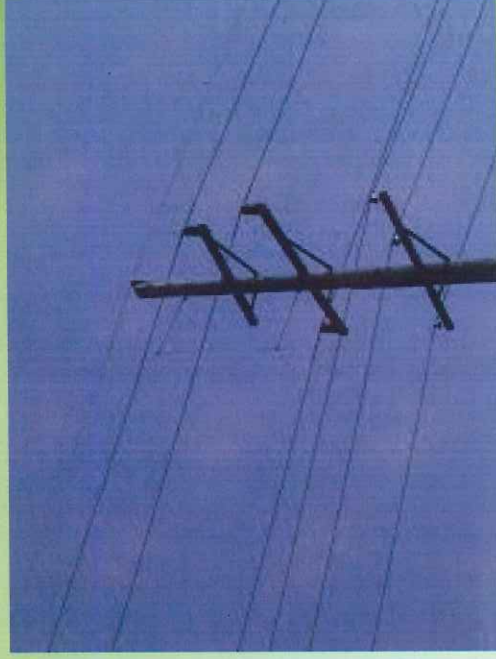
Niagara Purchased in 1884



Burns II



Fire Alarm Wires



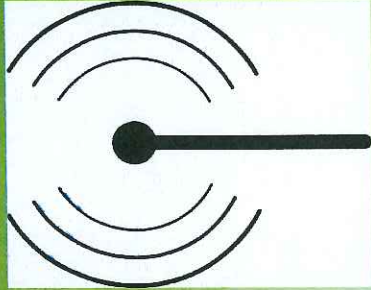
**Wired
Master
Box**



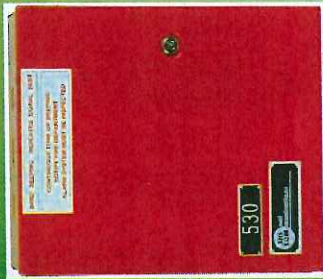
Dispatch



Control Panel



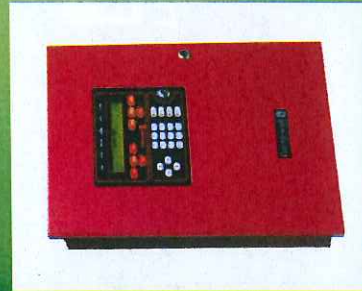
Radio Box
Antenna



Fire Alarm
Radio
Box



Dispatch



Control Panel

Benefits Of Modernizing The System

- Reduced Maintenance Costs
- Better Reliability During Inclement Weather
- Monitor Alarms, Supervisory, Trouble Signals
- Ability to Disconnect for Servicing Remotely
- Reduced System Downtown
- Reduced Capital Costs
- Better Usage of Manpower



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

MEETING DATE: 6/28/2016

Agenda Item	Grant of New Drain Easement and Permission to Encroach into Existing Drain Easement-56 Nichols Road
Presenter(s)	Richard P. Merson, DPW Director

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED

The property owners of 56 Nichols Road are in the process of constructing a new house. Currently there is a drain easement that runs from the front corner of the property towards the rear center of the property line making the new house difficult to place.

Through discussions and permitting with DPW personnel, the drain line was relocated such that the new structures are adjacent to the property lines creating more space for a house. The old drain line was abandoned and removed as part of the construction.

The property owners request permission to encroach on the existing drain easement so they may obtain a building permit. Also, the new owners have prepared an asbuilt location of the new drain line and a new Grant of drain easement document to the town. The plan and document will be recorded at the Registry of Deeds.

The property owners will request that the current easement be extinguished once the proposed easement is in place.

2. VOTE REQUIRED BY BOARD OF SELECTMEN

X YES

_NO

Suggested Motion:

"That the Board vote to permit the new house structure at 56 Nichols Road to encroach on the existing easement and approve and sign the new Grant of Drainage Easement for 56 Nichols Road"

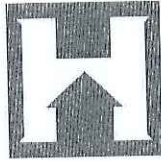
3. BACK UP INFORMATION ATTACHED

X YES

_NO

(Describe backup below)

1. Letter of Request from Hawthorn Builders dated June 17, 2016
2. Document- Grant of Drain Easement from Robert Rice and Jessica Rice to the Town of Needham, Massachusetts
3. Copy of plan entitled, "As-built Drain & Proposed Drain Easement"



HAWTHORN

BUILDERS

June 17, 2016

Dear Board of Selectmen:

Hawthorn Builders has been contracted by the property owners of 56 Nichols Road to construct a new house structure in place of the existing house on the property. On said property, the Town of Needham has an existing 15-foot drain easement that angles from the front property corner towards the back center of the lot making the location of new house difficult.

We respectfully request permission to encroach the proposed house structure into the existing easement based on the following conditions:

1. We have met with representatives of the Department of Public Works in order to relocate the storm drain away from the center of the property. We provided proposed plans, obtained necessary permits, and completed construction of the new storm drain at our expense. The DPW has inspected the construction and has accepted the new drain.
2. A new proposed 15-foot drain easement reflecting the asbuilt construction has been prepared by our Professional Land Surveyor. Upon the Selectmen's acceptance of the easement, the plan will be recorded at the Registry of Deeds. I have attached a copy of the plan for reference.

We appreciate if we could be scheduled for the next available Selectmen's meeting in order to seek the grant to encroach, and the acceptance of the new drain easement so that we may proceed with our building permit application.

At a future date, the homeowner will formally request that the existing easement be extinguished in accordance with town procedures.

Sincerely,

Ryan McDonnell
Owner
Hawthorn Builders

GRANT OF DRAIN EASEMENT
FROM ROBERT RICE & JESSICA RICE
TO THE TOWN OF NEEDHAM, MASSACHUSETTS

Property Location: 56 Nichols Road, Needham, MA (Assessor Map 30, Lot 31)

WHEREAS, Robert Rice and Jessica Rice are the owners of land in Needham, Norfolk County, Commonwealth of Massachusetts, being shown as Assessor's Map 30, lot 31 and known as 56 Nichols Road, Needham, MA.

WHEREAS, certain storm water drainage facilities exist on these premises which are utilized for the benefit of the Town of Needham public storm water drainage system; and

WHEREAS, such storm water system has been caused to be relocated with permission from the town within the said property.

WHEREAS, Robert Rice and Jessica Rice does hereby intend to benefit the Town of Needham by the grant of specific easement rights which permit the continued maintenance of such newly relocated drainage facilities; and

WHEREAS, Robert Rice and Jessica Rice have caused a prepared plan which describes in particular the location of the easement rights setforth herein below, which plan is entitled, "As-built Drain & Proposed Drain Easement", 56 Nichols Road, Needham, Massachusetts, as prepared for Hawthorn Builders by Cheney Engineering Co., Inc. and dated 6/16/16 (hereinafter, the "Plan"), to be filed herewith.

NOW THEREFORE, for good and valuable consideration, grant to the Town of Needham, a municipal corporation, having a usual place of business at 1471 Highland Avenue, Needham, Massachusetts 02492, (herein referred to as "Grantee"), the perpetual right and easement to construct, maintain, inspect, operate, repair and replace a drain, and appurtenances thereto, over and under certain easements identified on the plan, with personnel, vehicles, mechanical appliances, and other means necessary for such work.

Grantee shall provide Grantors reasonable notice of its exercise of the rights herein granted to it. Grantee shall use its best effort to cause minimal interference with Grantor's use of the Easement Area during the exercise of its rights hereunder. Upon completion of any work which disturbs the surface of the Easement Area, Grantee shall promptly regrade, recover, repair, and in connection therewith repave, reloam or reseed the Easement Area as needed. Grantee shall not have any obligation to take any further action to revegetate beyond initial reseeding and reloaming, nor shall Grantee have any obligation to replant any flowers, bushes, shrubs or trees.

Grantors hereby reserve, for themselves and their heirs, successors and assigns, the right to use the above described premises for all legal purposes not inconsistent with the construction, maintenance, operation, repair, replacement and removal of said

drainage structure, and specifically reserve the right to pave or otherwise cover over the Easement Area for the purpose of pedestrian and / or vehicular passage, subject to local building and zoning regulations, proper access as determined the Department of Public Works, and such further regulations as the Town of Needham by its Board of Selectmen may reasonably and uniformly impose, and subject to the terms of this Grant of Easement.

Grantors hereby agree for themselves and their heirs, successors and assigns that they will not erect or maintain any building, structure or foundation for a building structure, or trees upon the Easement Area without the prior approval of the Board of Selectmen of the Town of Needham. In connection with the foregoing, it is expressly understood and agreed that paving or other ground cover for the purpose of pedestrian and / or vehicular passage shall not be considered a structure.

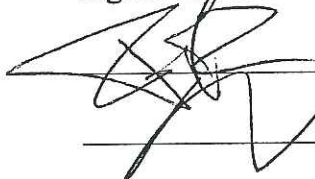
All work performed by the Grantors or Grantee in the Easement Area shall be completed in a reasonable fashion, in a good and workmanlike manner, consistent with applicable laws, statutes, rules, regulations, ordinances and bylaws. In performing the permitted work hereunder, neither Grantor nor Grantee shall perform any work which is inconsistent with the intent and purpose of the Easement or which will create any nuisance, nor shall Grantee commit any act or waste which will be harm or which will interfere with the adjoining land and premises owned by Grantors.

The within grant of Easement shall be binding upon Grantors and all of the Grantors' respective heirs, successors and assigns, and shall inure to the benefit of the Town of Needham, Massachusetts, and the benefits and burdens hereof shall run with the land.

For the Grantors' title see Deed recorded at the Norfolk County Registry District Book 3386 Page 259

IN WITNESS WHEREOF, the said Grantors have caused these presents to be signed, acknowledged and delivered in their names and behalf hereto duly authorized, this 21ST day of June, in the year two thousand and sixteen.

Signed and Sealed in the presence of

 Robert J. Rice
Jessica Caley Rice

Commonwealth of Massachusetts
Norfolk ss:

On this 21ST day of June, 2016, before me, the undersigned Notary Public, personally appeared Robert J. Rice and Jessica Caley Rice (name of document signer), proved to me through satisfactory evidence of identification, which were MA driver's licenses, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purposed.

My commission expires: March 30, 2023


Theodora K. Eaton, Notary Public

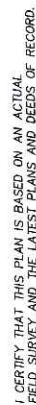
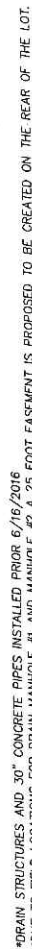


Grant of Drain Easement From Robert Rice and Jessica Rice To the Town of Needham,
Massachusetts

Acceptance of grant of easement.
TOWN OF NEEDHAM
By its Board of Selectmen,

On this _____ day of June, 2016, before me, the undersigned Notary public, personally
appeared _____, proved to me through satisfactory evidence of
identification, which was in the form of a state issued driver's license, to be the person
whose name is signed on the preceding or attached document, and acknowledged to me
that he/she signed it voluntarily for its stated purpose on behalf of the Town of Needham
Board of Selectmen.

Notary Public
My Commission expires:



DATE: 6/16/2016	PROJECT # 5968
REV: 6/21/16	NOTE ON PLAN DRAIN IS "EXISTING"



CHENEY
ENGINEERING CO., INC.

53 Mellen Street
Needham, MA 02494
Tel. 781-444-2188

AS-BUILT DRAIN & PROPOSED DRAIN EASEMENT
#56 NICHOLS ROAD
NEEDHAM, MASSACHUSETTS
NORFOLK COUNTY
AS PREPARED FOR
HAWTHORN BUILDERS

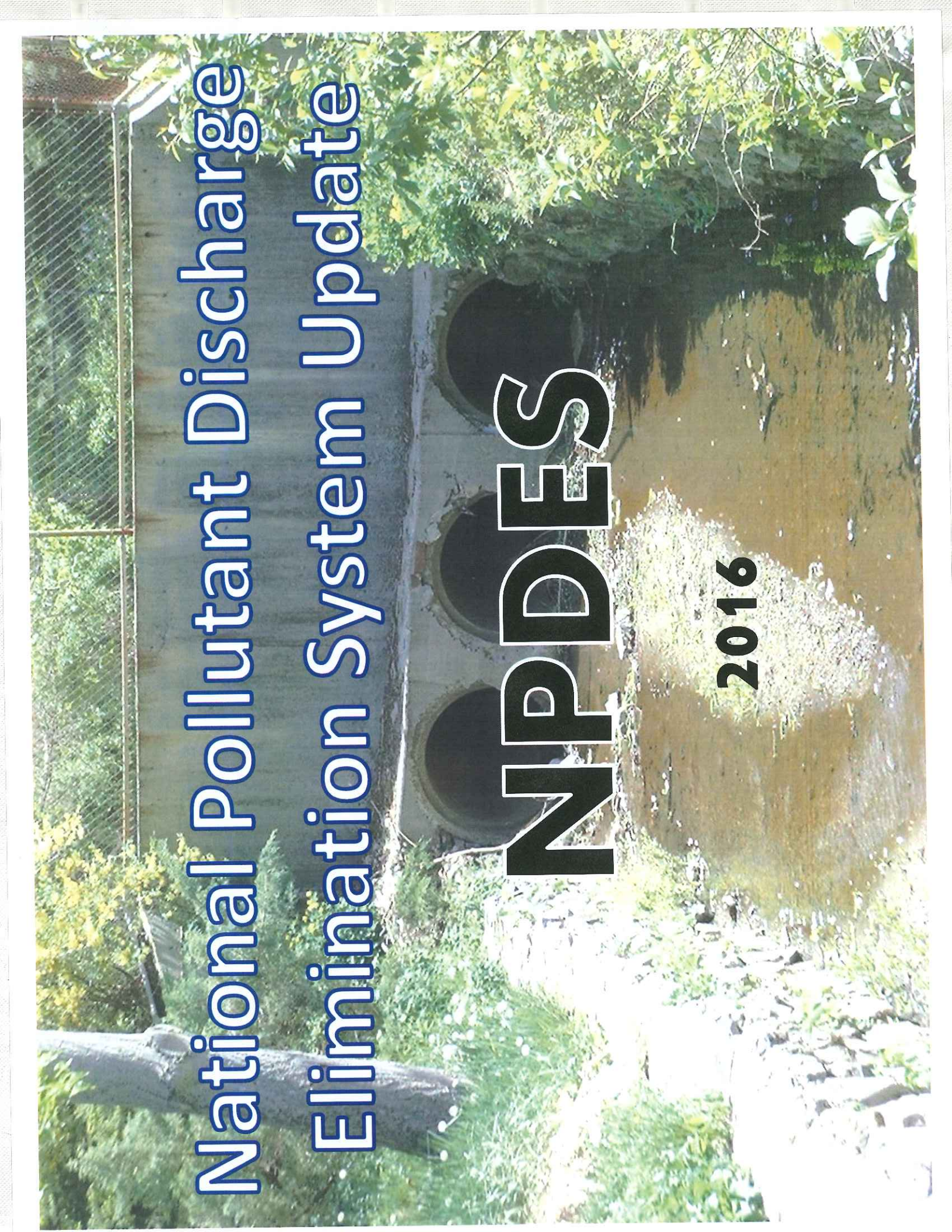


**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 6/28/2016

Agenda Item	EPA – National Pollutant Discharge Elimination System (NPDES)
Presenter(s)	Richard Merson, Director of Public Works Anthony L DelGaizo, Town Engineer

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
On April 4, 2016 the EPA signed the 2016 Massachusetts Small MS4 General Permit regulating the discharge of stormwater into the waters of the United States. This permit becomes effective July 1, 2017. This final permit reflects the modification to the September 2014 Draft Permit and replaces the 2003 General Permit			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	☐ YES	☒ NO
3.	BACK UP INFORMATION ATTACHED	☒ YES	☐ NO
(Describe backup below) a) NPDES PowerPoint Presentation Copy b) Town Engineer's Permit Summary & Update to Board of Selectmen			

The background of the slide is a photograph of a river. On the left side of the river, there is a concrete structure with three large, dark, circular openings. The river water is brownish and reflects the surrounding greenery. On the right bank, there are dense green trees and bushes. The overall scene is outdoors and appears to be a natural or semi-natural waterway.

National Pollutant Discharge Elimination System Update

NPDES

2016

Glossary

NPDES

- National Pollutant Discharge Elimination System

SWMP

- Storm Water Management Program

TMDL

- Total Maximum Daily Load

IDDE

- Illicit Discharge Detection and Elimination

SSO

- Sanitary Sewer Overflow

Glossary - Continued

O&M

- Operation & Maintenance

BMP

- Best Management Practices

SWPPP

- Stormwater Pollution Prevention Plan

MS4

- Municipal Separate Storm Sewer System

Introduction

Addressing Stormwater Quality since 1996

Most sweeping set of requirements in 45 yrs

Mostly urbanized areas affected (over 1,000 pop. per sq. mile)

TMDL for Phosphorus and Pathogens

Five Category 5 Water Quality Limited Water Bodies – these are most impaired

Requires Enhanced SWMP

Minimum Control Measures

1 • Public Education and Outreach

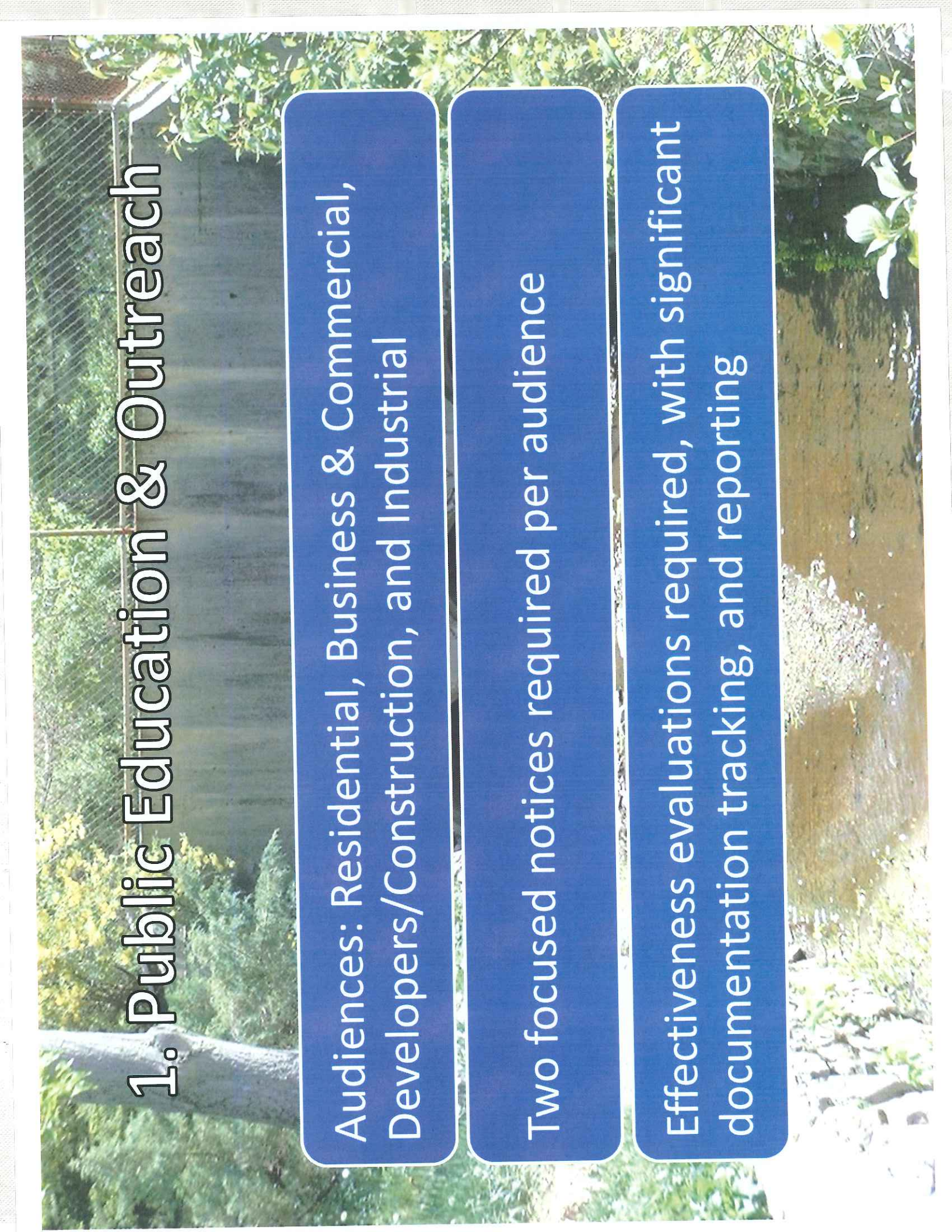
2 • Public Participation and Involvement

3 • Illicit Discharge Detection and Elimination (IDDE)

4 • Construction Site Runoff Control

5 • Post-Construction Runoff Control

6 • Pollution Prevention/Good Housekeeping

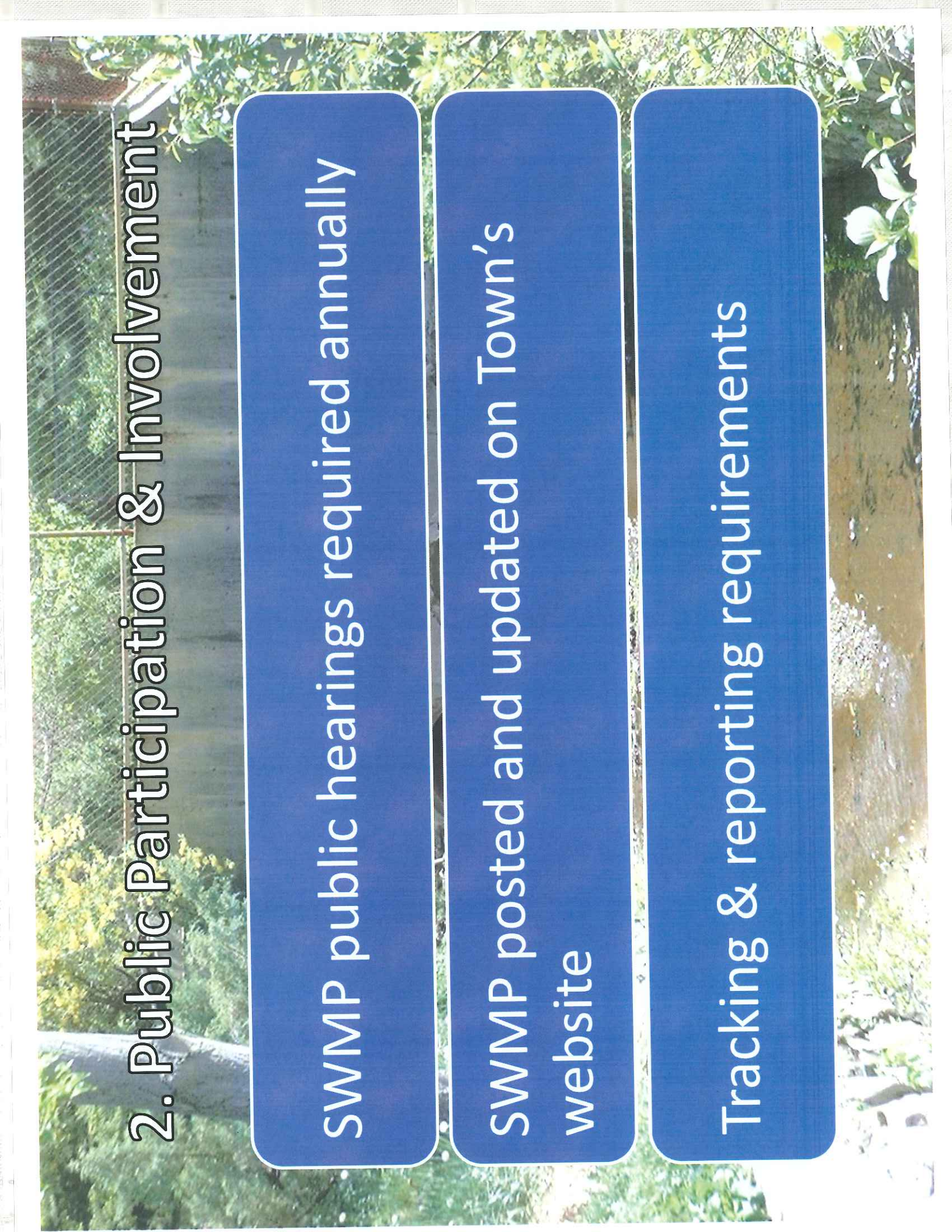
The background of the slide is a photograph of a river flowing through a lush, green landscape. The river is in the foreground, with some rocks visible in the water. The banks are covered in dense vegetation, including trees and bushes. The sky is not visible, but the overall scene is bright and natural.

1. Public Education & Outreach

Audiences: Residential, Business & Commercial, Developers/Construction, and Industrial

Two focused notices required per audience

Effectiveness evaluations required, with significant documentation tracking, and reporting

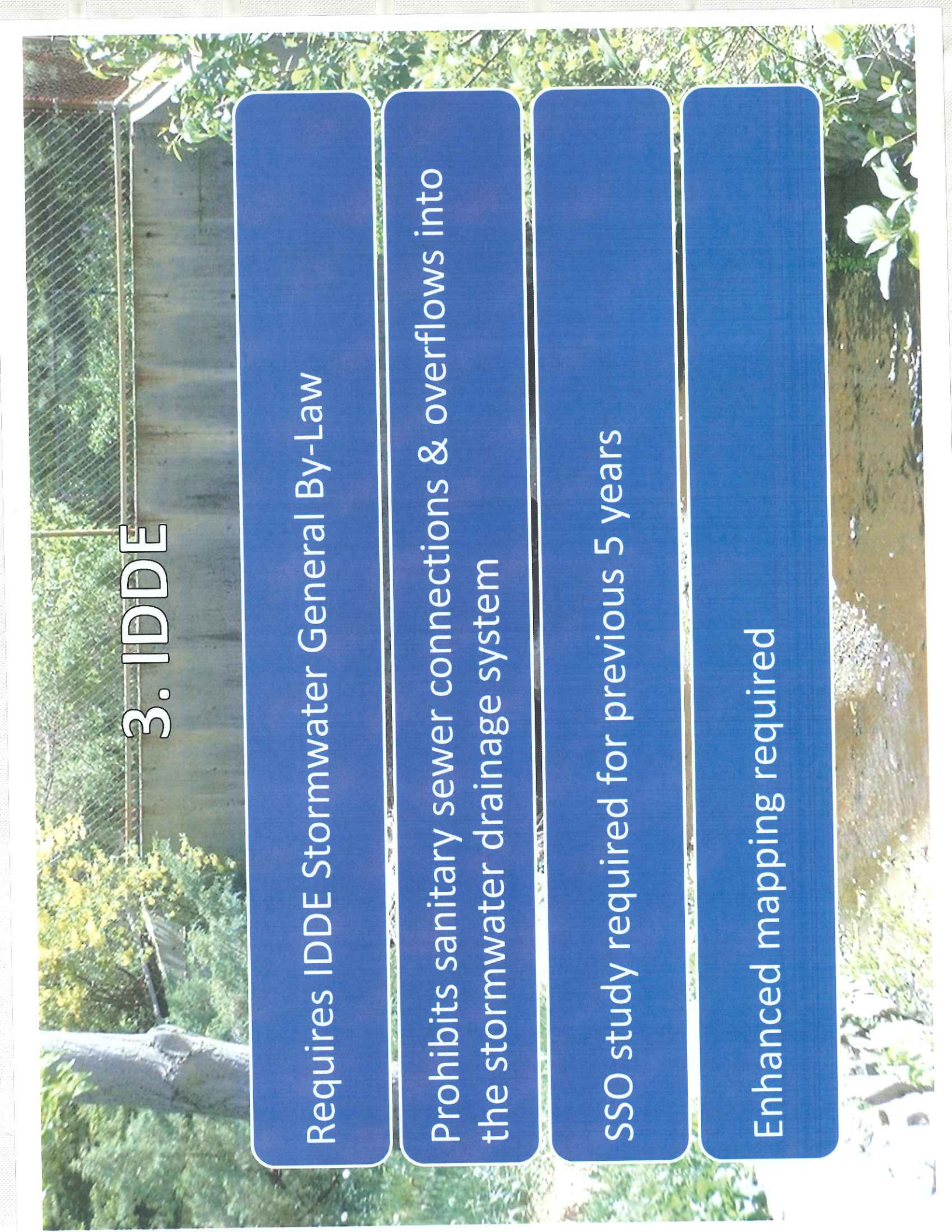
The background of the slide is a photograph of a river with a concrete wall on the left and lush green trees and foliage on the right. The river water is brownish and reflects the surrounding greenery.

2. Public Participation & Involvement

SWMP public hearings required annually

SWMP posted and updated on Town's website

Tracking & reporting requirements



3. IDDE

Requires IDDE Stormwater General By-Law

Prohibits sanitary sewer connections & overflows into the stormwater drainage system

SSO study required for previous 5 years

Enhanced mapping required



4. Construction Site Stormwater Runoff Control

Requires Construction Site
Stormwater Runoff Control General
By-Law

Written procedures for site-plan
review, inspection, and enforcement

The background of the slide is a photograph of a stream. On the left side, there is a chain-link fence. Behind the fence and along the banks of the stream, there are various green trees and bushes. The water in the stream is somewhat murky and brownish. The overall scene is outdoors and appears to be a natural or semi-natural environment.

5. Post Construction Stormwater Management

Requires Post Construction Stormwater Management General By-Law

Increased on-site infiltration, small diameter drain connections, and communal infiltration systems

Survey and as-built drawings required for all projects that impact the drainage system

Long-term Operation & Maintenance (O&M) required

Required for land disturbances of ≥ 1 acre

5. Post Construction Stormwater Management – Continued

Redevelopment sites may use offsite mitigation

Most roadway maint. activities exempted

Roadway and parking lot design assessment required

Local regulation should allow green roofs, on-site infiltration, and water harvesting

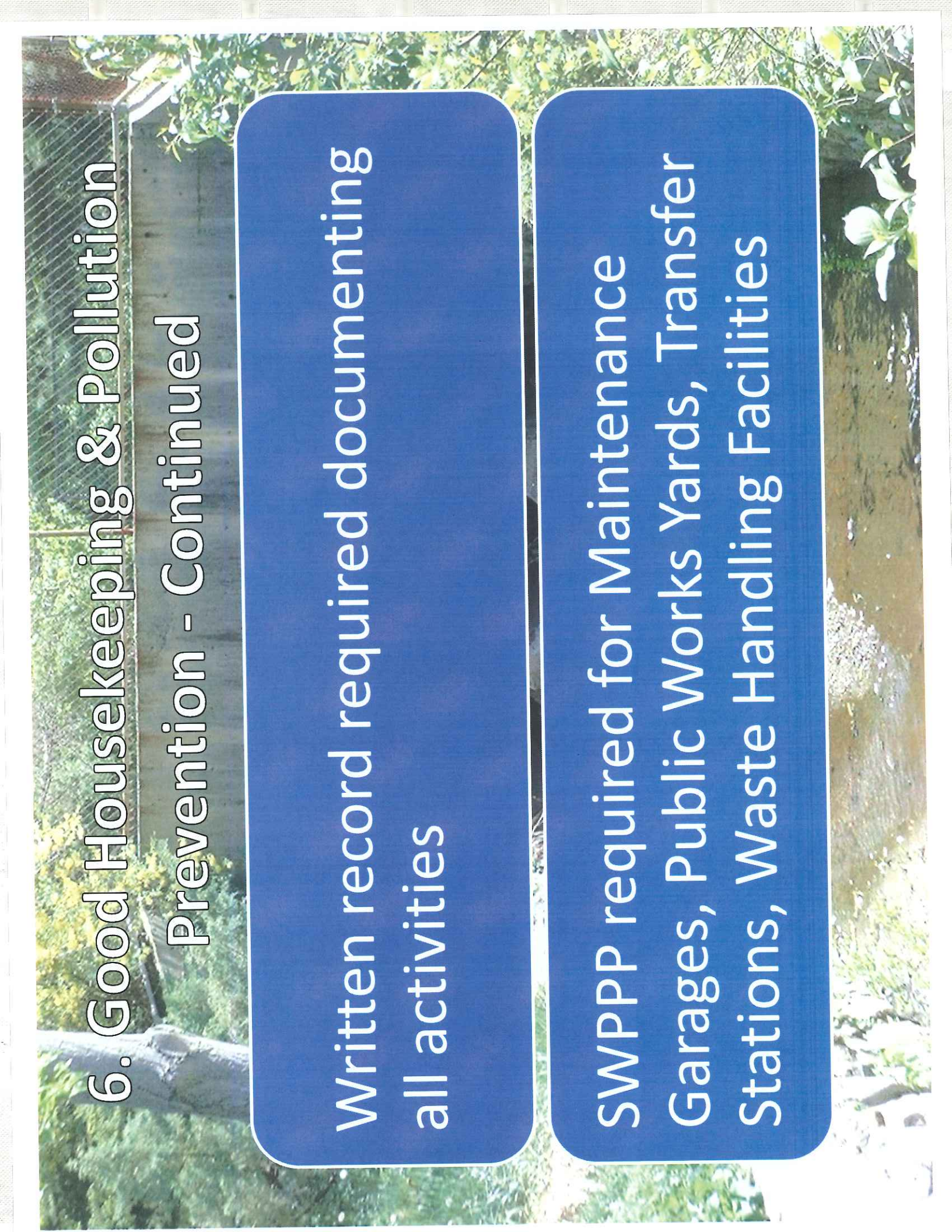
Five public properties need to be retrofitted with BMPs

6. Good Housekeeping & Pollution

Prevention

- parks & open space, building & facilities, and vehicles & equipment
- the MS4
- sweeping & cleaning of streets
- storage of catchbasin cleanings & street sweepings
- winter road maintenance
- all stormwater treatment structures

O&M
programs
required

The background of the slide is a photograph of a natural setting. On the left, a large tree trunk is visible. In the center, a stream flows through a wooded area. On the right, there are green bushes and trees. The overall scene is bright and natural.

6. Good Housekeeping & Pollution Prevention - Continued

Written record required documenting all activities

SWPPP required for Maintenance Garages, Public Works Yards, Transfer Stations, Waste Handling Facilities

The background of the slide features a photograph of a river with a concrete wall and a chain-link fence on the left bank, and lush green trees and foliage on the right bank. The water in the river is brownish and reflects the surrounding greenery.

Additional Requirements

Annual program evaluation

Five year record retention

Outfall screening, monitoring, and reporting

Annual reports due by Sept 28th

Next Steps

October 2016 STM Permit Application
Funding Request



Engage Consultant(s) to Prepare Permit
and Plan



Evaluate Financing Mechanisms



Submit the Application



Establish General By-Law(s)

2016 NPDES UPDATE to the BOARD OF SELECTMEN

I. Introduction

- A. Needham has been complying with the EPA's 2003 NPDES Permit since July 1, 2003. Prior to that date, the Town has been in compliance with an MOU signed by the Town in June 1996. The Town has made significant improvements to its Stormwater Quality since then.
- B. The new 2016 NPDES Regulations are the most sweeping set of stormwater requirements in the last 45 years. Fortunately, Needham began planning stormwater improvements early on and will be able to take credit for much of its past improvements under the new Permit. Even with its past successes, the new regulations will require substantial changes to the Town's Stormwater Operations, Site Plan and Subdivision Reviews, and the creation of a new Stormwater General Bylaw. The Permit application is required to be submitted by September 28, 2017. A request for funding should be made at the October 5, 2016 Special Town Meeting to begin the Permit application work.
- C. All urbanized areas located within Needham which have a Small Municipal Separate Storm Sewer System (MS4) are required to be covered by a Permit. The Permit only authorizes the discharge of clean stormwater and/or stormwater that does not cause or contribute to an exceedance of water quality standards. The Permit also requires that pollutants in MS4 stormwater discharges be reduced to the maximum extent practicable.
- D. Needham is subject to a Total Maximum Daily Load (TMDL) requirement for phosphorus and pathogens. All stormwater discharges from urbanized areas must reduce the amount of phosphorus discharging to waterbodies and the tributaries thereto by 45 percent (45%) and pathogens must be eliminated and/or reduced to the maximum extent practicable through the use of enhanced structural and non-structural BMPs.
- E. Needham also has five (5) Water Quality Limited Waters impaired by turbidity, nutrients, organic enrichment/low dissolved oxygen, priority organics, noxious aquatic plants, exotic species, oil & grease, taste, odor, color, suspended solids, and causes unknown. The five waterbodies impaired are: Alder Brook, Charles River (segment South Natick Dam to Chestnut Street), Charles River (Chestnut Street to Watertown Dam), Fuller Brook, and Rosemary Brook. All five waterbodies are classified as Category 5 Waters.
- F. An enhanced Storm Water Management Program (SWMP) is required to address the impairments listed above and any other impairments that the Town becomes aware of as a result of activities required or voluntarily taken under the 2016 NPDES Permit.

II. 2016 NPDES Permit Requirements

- A. The new 2016 Regulations kept the same basic format as the 2003 Permit. The Regulations are divided up into Six (6) Minimum Control Measures:
 - 1. Public Education and Outreach
 - 2. Public Participation and Involvement
 - 3. Illicit Discharge Detection and Elimination
 - 4. Construction Site Runoff Control
 - 5. Post-Construction Runoff Control
 - 6. Pollution Prevention/Good Housekeeping

B. Each of the Control Measures minimum requirements has been significantly increased.

1. Public Education and Outreach

- a. The new regulations require that 4 specific audiences be targeted: Residential, Business/Commercial, Developers/Construction, and Industrial.
- b. Each audience must receive at least 2 focused notices within the 5 year Permit term spaced at least a year apart.
- c. Significant documentation, tracking, reporting and effectiveness evaluations are required with immediate changes required to the program for any effort deemed ineffective.

2. Public Participation and Involvement

- a. Opportunities for the Public to participate in the Storm Water Management Program (SWMP) must be created by holding hearings compliant with the Open Meeting Law once each year for 5 years.
- b. The SWMP must be posted on the Town's website during the 5 year Permit term with updates to the program as they occur.
- c. Tracking and reporting requirements are also required.

3. Illicit Discharge Detection and Elimination (IDDE)

- a. A Stormwater General Bylaw must be created to prevent and prohibit sanitary sewage connections and Sanitary Sewer Overflows (SSOs) to the stormwater drainage system.
- b. A Study is required to be performed on all SSOs within the past five (5) years with data on the incidents, mapping, analysis and resolutions preventing future occurrences by July 1, 2018. Thereafter, the status, mitigation and corrective measures must be reported each year in the Annual Report.
- c. The 2016 IDDE minimum control measure requires a revised and more detailed Map than the one required for the 2003 Permit. The additional and revised information required to be shown on the 2016 map must be submitted in two phases. The first phase must be completed by July 1, 2019 and requires:
 - i. All swales, ditches, and water conveyances to be shown
 - ii. All interconnections with other MS4's and other storm sewer systems be shown
 - iii. All municipal stormwater treatment structures (BMPs) be shown
 - iv. All water bodies be identified by name with all use impairments identified
 - v. Catchment areas to be delineated for every outfall and interconnection
- d. The second phase requires:
 - i. Refinement of all catchment areas in accordance with detailed mandated procedures identified in the 2016 NPDES regulations. All outfalls (295 of them) and interconnections (to adjacent municipalities and private property connections) must be completed by July 1, 2027.
 - ii. The sanitary sewer system in relation to the stormwater drainage system must be shown on the 2016 map in its entirety by July 1, 2027.
 - iii. There is a list of 10 additional recommended items or groups of items that EPA would like to see incorporated into the 2016 mapping.
 - iv. A written IDDE Program must be created detailing the lead department responsible for implementing the program as well as other agencies involvements, coordination and data sharing.

- v. The IDDE Program shall include the procedures and timelines demonstrating compliance with the 2016 regulations.
- vi. The Program shall also include:
 - 1. Assessment and initial ranking of all outfalls and interconnections for potential illicit connections and SSOs and the related public health significance. The ranking shall provide a prioritization for screening of outfalls by dry weather testing and a prioritization for catchment investigations. The ranking shall be classified into one of four categories: Problem Outfalls; High Priority Outfalls; Low Priority Outfalls, and; Excluded Outfalls and must be completed by July 1, 2018.
 - 2. All High Priority and Low Priority outfalls and interconnections must be inspected and screened by July 1, 2020. There are multiple screening parameters that must be followed, including re-testing of samples that test positive for contamination.
 - 3. A written Catchment Investigation procedure must be developed by December 31, 2018 and investigations of Problem Outfalls/Interconnections must begin by July 1, 2019 and be completed by July 1, 2024.
 - 4. System Vulnerability Factors (SVFs) (8 predefined/required and 4 recommended) must be identified within each Catchment Area in accordance with the 2016 regulations. Any Catchment Area exhibiting at least one (1) SVF is required to have its outfall/interconnection undergo wet weather sampling.
 - 5. Dry and wet weather sampling shall continue until the source of contamination has been identified and removed. Once the illicit connection or contamination source has been verified removed, dry weather and potentially wet weather screening shall be conducted once every five (5) years thereafter.

4. Construction Site Stormwater Runoff Control

- a. A Stormwater General Bylaw must be created to address sediment and erosion control at construction sites. The bylaw must also include controls for demolition debris, litter, concrete truck washouts, chemicals, and sanitary wastes. The bylaw should enact regulations that specify the enforcing person or agency, the procedures to be followed, and any sanctions that may be applied to the extent authorized by law. The enacted regulations may impose controls minimizing the amount of disturbed areas and/or protection of existing natural resources such as trees or land in its natural state; stabilization of sites and/or sloping areas when projects are complete or when operations have temporarily ceased; protection of all downstream inlets, including catch basins; perimeter controls, such as silt socks and hay bales; stabilization of construction entrances/exits to prevent offsite tracking of soils, and; street sweeping.
- b. Written procedures for site plan review, inspection, and enforcement are required by July 1, 2018. The procedures shall include:
 - i. A preconstruction review by the permittee of the site design
 - ii. The planned operations at the construction site
 - iii. The planned BMPs during the construction phase
 - iv. The planned BMPs to be used to manage runoff created after development
 - v. Consideration of potential water quality impacts
 - vi. The receipt and consideration of information submitted by the public
 - vii. The evaluation of opportunities for use of low impact design and green infrastructure

- viii. Site inspections by the permittee during the construction of BMPs and after BMPs have been installed to insure they are working as designed
- ix. Qualification requirements of the permittee's inspectors to perform the necessary inspections, the use of mandated inspection forms, and tracking the number of site reviews, inspections, and enforcement actions

5. Post Construction Stormwater Management

- a. A Stormwater General Bylaw must be created to address onsite infiltration, small diameter drain connections, and contributions to a communal infiltration system (if warranted) by July 1, 2019. The goal of this Minimum Control Measure is to reduce the discharge of pollutants found in stormwater through the retention and/or treatment of stormwater after construction of new or redeveloped sites. The bylaw and/or accompanying regulations created thereunder shall require that as-built drawings and a long term stormwater Operation & Maintenance program be submitted within two (2) years after the completion of each construction project. The bylaw shall also require that an annual certification be submitted documenting the work that has been done over the previous 12 months to properly operate and maintain the stormwater control measures.
- b. The 2016 NPDES regulations mandate that the bylaw and/or the accompanying regulations created thereunder also include provisions that, at a minimum, require the following for land disturbances or a combination of land disturbances of one (1) acre or more:
 - i. Low Impact Development (LID) site planning and design strategies be used to the maximum extent feasible
 - ii. Compliance with Volume 2 of the Massachusetts Stormwater Handbook for the design of stormwater treatment and infiltration practices
 - iii. Prevention of any new stormwater conveyances from discharging untreated stormwater on new development sites, and prevention of any new stormwater conveyances from discharging untreated stormwater to the maximum extent feasible on redevelopment sites, in accordance with Massachusetts Stormwater Handbook Standard 1
 - iv. Control peak runoff rates on new development sites, and control peak runoff rates on redevelopment sites to the maximum extent feasible, in accordance with Massachusetts Stormwater Handbook Standard 2
 - v. Recharge groundwater on new development sites, and recharge groundwater on redevelopment sites to the maximum extent feasible, in accordance with Massachusetts Stormwater Handbook Standard 3
 - vi. Eliminate or reduce the discharge of pollutants on new development sites from land uses with higher pollutant loads, and eliminate or reduce the discharge of pollutants on redevelopment sites from land uses with higher pollutant loads to the maximum extent feasible, in accordance with Massachusetts Stormwater Handbook Standard 5
 - vii. Protect Zone II or Interim Wellhead Protection Areas of public water supplies on new development sites, and protect Zone II or Interim Wellhead Protection Areas of public water supplies on redevelopment sites to the maximum extent feasible, in accordance with Massachusetts Stormwater Handbook Standard 6
 - viii. Implement long term maintenance practices on new development and redevelopment sites in accordance with Massachusetts Stormwater Handbook Standard 9
 - ix. Require that all stormwater management systems on new development sites be designed to retain a minimum of one (1) inch of stormwater runoff from all impervious areas on post-development sites OR perform a complex set of

calculations to demonstrate Total Suspended Solids (TSS) and Total Phosphorus (TS) removal rates will be met as required by the 2016 NPDES regulations

- x. Require that all stormwater management systems on redevelopment sites be designed to retain a minimum of eight tenths (0.8) of an inch of stormwater runoff from all impervious areas on post-development sites OR perform a complex set of calculations to demonstrate Total Suspended Solids (TSS) and Total Phosphorus (TS) removal rates will be met as required by the 2016 NPDES regulations
- c. Stormwater management systems on redevelopment sites may use offsite mitigation within the same watershed area.
- d. Roadway maintenance activities on existing roads that result in the widening of the pavement by less than one lane, adding shoulders, correcting substandard intersections, improving existing drainage systems, and repaving/resurfacing projects shall improve existing conditions where feasible and are exempt from the requirements regarding new untreated stormwater conveyances (#3 above), peak rate of runoff control (#4 above), and groundwater recharge (#5 above).
- e. A Report assessing Needham's current street and parking lot design guidelines and other local requirements that affect the creation of impervious cover is required to be submitted to the EPA by July 1, 2021. The assessment shall discuss whether impervious cover can be reduced in roadway and parking lot design and how it might be achieved. The assessment shall include recommendations and proposed schedules for incorporating policies and standards into relevant documents and procedures in order to minimize impervious cover. The status of the planned or completed changes to the local policies and/or standards shall be reported in each annual report.
- f. A Report assessing Needham's local regulations to determine the feasibility of making, at a minimum, the following practices allowable when appropriate site conditions exist is required to be submitted to the EPA by July 1, 2021:
 - i. Green roofs
 - ii. Infiltration practices such as rain gardens, curb extensions, planter gardens, porous and pervious pavements, and other designs to manage stormwater using landscaping and structured or augmented soils
 - iii. Water harvesting devices such as rain barrels, cisterns, and the use of stormwater for non-potable uses
- g. The assessment should indicate if the practices are allowed and under what circumstances they are allowed. If the practices are not allowed, the assessment shall determine what hinders the use of these practices and what changes in local regulations may be made to make them allowable. The assessment shall include a schedule for the implementation of the changes and shall report the status of the changes in each annual report.
- h. A Report assessing at least five (5) of Needham's publicly owned properties that could potentially be modified or retro-fitted with BMPs designed to reduce the frequency, volume, and pollutant loads of stormwater discharges to and/or from its properties through the reduction of Impervious Area (IA) shall be submitted to the EPA by July 1, 2021. The assessment shall consider at, a minimum, properties with significant impervious cover for retro-fitting and/or modification, access for maintenance purposes, subsurface geology, depth to water table, proximity to aquifers, subsurface infrastructure including sanitary sewers and septic systems, and opportunities for public

use and education. The assessment shall be prioritized with consideration given to existing CIP schedules and proposed paving projects, drain capacity projects; water quality limited waters, public swimming beaches, and drinking water supply sources. Additional Town owned properties shall be identified for retro-fit and/or modification beginning with the May 1, 2022 annual report so that a minimum of five (5) properties will be maintained in the inventory for retro-fit and/or modification each year thereafter. The annual report shall include information on all Town properties that have been retro-fitted and/or modified with BMPs to mitigate IA each year and may include private properties that have been retro-fitted and/or modified to mitigate IA.

6. Good Housekeeping and Pollution Prevention

- a. An Operations & Maintenance (O&M) Program shall be submitted to the EPA for all Town owned properties and operations to prevent or reduce pollutant runoff and protect water quality. The O&M program shall be submitted as part of the Stormwater Management Program (SWMP) required in the 2003 NPDES Permit. By July 1, 2019, an inventory of all Town owned properties and facilities shall be created and shall address the listed issues within the following categories:

i. Parks and Open Space

1. Establish procedures to address proper use, storage, and disposal of pesticides, herbicides, and fertilizers
2. Evaluate lawn maintenance, reduced lawn mowing, disposal of lawn clippings, and drought resistant plantings practices
3. Establish pet waste collection and disposal locations, and signage
4. Establish water fowl procedures or practices to reduce water fowl droppings
5. Establish procedures for the management of trash containers
6. Establish procedures to address erosion or poor vegetative cover such that water quality is protected

ii. Buildings and Facilities Where Pollutants are Exposed to Stormwater

1. Evaluate the use, storage, and disposal of petroleum products and other potential stormwater pollutants
2. Provide employee training to ensure proper handling of potential pollutants and that proper procedures are followed
3. Ensure that Spill Prevention Plans are in place and coordinate with the Fire Department
4. Develop waste management procedures for dumpsters and waste management equipment
5. Develop parking lot sweeping procedures and cleaning of walkways and areas around buildings to reduce runoff of pollutants

iii. Vehicles and Equipment

1. Establish procedures for the storage of vehicles and equipment. Vehicles with fluid leaks shall be stored indoors or containment shall be provided until repaired
2. Evaluate Fueling Areas. Fueling Areas shall be placed under cover if possible in order to minimize exposure
3. Establish procedures to ensure that vehicle wash waters are not discharged to the storm sewer system and/or surface waters (e.g. streams, ponds, wetlands)

- b. The categorized inventory and listed issues above are required to be reviewed and updated annually. The status of the inventories, any subsequent updates, O&M programs, and the maintenance activities associated with each shall be reported annually in each annual report.
- c. An Operations & Maintenance (O&M) Program shall be submitted to the EPA for the Municipal Separate Storm Sewer System (MS4) detailing the activities and procedures that will be implemented to ensure that the MS4 is maintained in a timely manner in order to prevent or reduce pollutant runoff and protect water quality. The O&M program shall be submitted as part of the Stormwater Management Program (SWMP) required in the 2003 NPDES Permit. The Program shall be submitted by July 1, 2019 and shall optimize routine inspections and the cleaning and maintenance of catch basins such that the following conditions are met:
 - i. Catch basins located near Construction Sites shall be prioritized for inspections and maintenance to determine if additional efforts are needed to address excessive sediment or debris loading
 - ii. The catch basin cleaning frequency is sufficient to support a goal of preventing catch basin sumps from becoming more than 50% full
 - iii. Catch basin sumps that are found to be more than 50% full during two consecutive inspections shall be documented, its contributing drainage area analyzed, and to the extent practicable, have the contributing sources abated. All efforts to inspect, analyze, and remedy shall be reported in the annual report
 - iv. The plan for catch basin cleaning optimization, inspection plans, or the schedule for gathering information to develop the optimization plan shall be reported in the SWMP and the first annual report due on May 1, 2018. The report shall include the metrics upon which the determination was based to conclude that the optimization plan is, in fact, optimal. A log of catch basin cleaned and inspected shall be kept by the Town
 - v. Each annual report shall include the total number of catch basins in the MS4, the number of catch basins inspected, the number cleaned, and the total volume or mass of material removed from all catch basins
- d. An Operations & Maintenance program shall be developed for sweeping and cleaning of streets and parking lots. All streets shall be swept and/or cleaned at least once per year in the Spring. The program shall also include more frequent sweeping of targeted areas on the basis of pollutant loads, inspections, catch basin cleaning results, land use, water quality limited waters, and/or TMDL waters. Each annual report shall include the miles of roads cleaned or the volume or mass of material removed
- e. An Operations & Maintenance program shall be developed for the storage of catch basin cleanings and street sweepings prior to disposal or re-use such that they do not discharge to receiving waters. The status of the O&M program and the maintenance activities associated with it shall be reported annually in each annual report.
- f. An Operations & Maintenance program shall be developed for winter road maintenance including the use and storage of salt and sand materials, the minimization of sodium chloride and other chloride containing material use, the evaluation of alternative de-icing materials, and snow storage and disposal activities such that snow is not deposited into waters of the United States. The status of the O&M program and the maintenance activities associated with it shall be reported annually in each annual report.
- g. An Operations & Maintenance program shall be developed for inspection and maintenance frequencies and procedures for all stormwater treatment structures such as water quality swales, retention/detention basins, infiltration structures, and proprietary treatment devices.

All treatment structures, except catch basins, shall be inspected at least once annually. The status of the O&M program and the maintenance activities associated with it shall be reported annually in each annual report.

- h. A written record of all required activities including, but not limited to, maintenance activities, inspections, and training required under this Minimum Control Measure shall be kept for a minimum of five (5) years, be made available to the public, and be posted on the Town's website.
- i. A written Stormwater Pollution Prevention Plan (SWPPP) shall be created for each of the following Town owned or operated facilities by July 1, 2019:
 - i. Maintenance Garages
 - ii. Public Works Yards
 - iii. Transfer Stations
 - iv. Waste Handling Facilities where pollutants are exposed to stormwater
- j. The SWPPP shall include the following elements:
 - i. Pollution Prevention Team composed of staff identified by name and position title
 - ii. Description of the facility and identification of potential pollutant sources located on a map of the facility with a description of the activities that occur at the facility. The map shall include the location of all outfalls, receiving waters, floor drains, and all structural controls (BMPs)
 - iii. The BMPs shall be selected, designed, installed, and implemented to prevent or reduce the discharge of pollutants that originate from the facility. Pollutants that do not originate from the facility shall also be controlled and addressed to the reasonable extent possible. Discharges to water quality limited waters shall be retro-fitted or modified with BMPs to specifically target the pollutant(s) that limit water quality to ensure that the discharge does not contribute to and/or cause a violation of a water quality standard
 - iv. Materials and activities at the facility shall be located to minimize or prevent exposure to stormwater by enclosure or storm-resistant coverings when not in use [Minimize or Prevent Exposure]
 - v. All exposed areas that are potential sources of pollution shall be kept clean by sweeping, litter removal, and/or removal of leaking containers and vehicles [Good Housekeeping]
 - vi. All equipment and systems shall be regularly inspected, tested, maintained and repaired to avoid situations that may result in leaks, spills, and other releases of pollutants to receiving waters. Inspections shall be conducted at least once per quarter [Preventative Maintenance]
 - vii. A Spill Prevention and Response plan that includes the following provisions:
 - 1. Preventative measures such as barriers, secondary containment systems, and procedures for materials storage and handling
 - 2. Response procedures that include notification of supervisory personnel, emergency agencies, and regulatory agencies. Contact information for individuals and agencies shall be stated in the procedures and at locations that are readily accessible and available. Should a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under 40 CFR 110, 117, and/or 302 occur, the National Response Center (NRC) shall be notified at 800-424-8802 as soon as knowledge of the discharge is realized. State and local agencies dealing with hazardous spills including environmental, public health and owners of public drinking water supplies shall also be identified and have their contact information provided in the procedures

3. Procedures for stopping, containing, and cleaning up leaks, spills, and other releases. Measures for cleaning up hazardous material spills or leaks shall be consistent with applicable Resource Conservation and Recovery Act (RCRA) regulations
 4. Training of personnel in the proper preventative measures, notification procedures, and clean up procedures. The appropriate spill response equipment shall be provided and made available. If possible, one of these staff members should be a member of the Pollution Prevention Team
- viii. Erosion and Sediment Control structural and non-structural measures shall be used to stabilize areas and minimize or eliminate onsite erosion and sedimentation
 - ix. Stormwater Management of runoff in order to prevent or reduce the discharge of pollutants by diverting runoff from receiving waters, capturing or containing runoff, re-using runoff, infiltrating runoff, or treating runoff
 - x. Storage of Salt or chloride containing products shall be enclosed or covered by July 1, 2019
 - xi. Training of personnel on the SWPPP for each facility, including all members of the Pollution Prevention Team shall be conducted covering all components identified in the SWPPP. Each training shall be documented and shall include the training date, title, and training duration; the list of municipal attendees; and subjects covered during the training
 - xii. Site inspections of all areas exposed to stormwater shall be conducted at least once per quarter
 - xiii. All Control Measures, structural and non-structural BMPs, and related equipment shall be maintained in effective operating condition and the written maintenance procedures, including the regular schedule thereof, shall be kept onsite at all times. A back-up plan or procedure shall be developed for each control measure when it goes off-line for maintenance and emergency reasons. Should a control measure need repair or be found to not be operating effectively, the control measure shall be repaired or replaced before the next anticipated storm event if possible or as soon as practicable following the storm event. While the control measure is off-line, the back-up plan or procedure shall be placed in operation
 - xiv. Site inspections of all areas exposed to stormwater and all control measures shall be conducted at least once per quarter when the facility is in operation. At least one inspection shall be conducted when a stormwater discharge is occurring. The inspections shall be documented and shall include the following information:
 1. The inspection date and time
 2. The name of the inspector
 3. Weather information and a description of any discharge occurring at the time of inspection
 4. Identification of any previously unidentified discharges from the site
 5. Any control measures needing maintenance or repair
 6. Any failed control measures that need replacement
 7. Any SWPPP changes required as a result of the inspection
 - xv. A written record of all required activities in the SWPPP including, but not limited to, maintenance, inspections, and training shall be kept for a minimum of five (5) years and shall be made available to the public by posting on the Town's website, and shall be included in the annual report due each May 1st

- C. The 2016 NPDES Regulations require an annual Program Evaluation by the permittee and to document the self-evaluation in the annual report. The annual evaluation shall also be documented as part of the SWMP. Each BMP shall be evaluated for appropriateness and effectiveness in achieving the objectives of each control measure and the defined measurable goals. If a BMP is found to be ineffective, the BMP may be changed after the basis for the change has been

documented in the SWMP that includes, at a minimum, an analysis of why the BMP is ineffective or infeasible, the expectations on the effectiveness of the replacement BMP, and an analysis of why the replacement BMP is expected to achieve the defined goals of the BMP to be replaced. Changes that add BMPs or control measures made be made at any time. EPA or MassDEP may require the Town to add, modify, repair, replace, or change any BMP or other measure described in the annual reports it determines to be necessary. All BMP modifications along with a brief explanation of each modification shall be documented in the annual report.

- D. All Records required by the 2016 NPDES Permit, including back-up documentation, shall be kept for a minimum of five (5) years. All records required by the 2016 NPDES Permit, excluding back-up documentation, shall be posted on the Town's website. All record information shall be made available to the public upon request.
- E. Outfall Monitoring and Reporting is required by the 2016 NPDES Regulations in connection with the IDDE Minimum Control Measure (II B 3 in this Update to the BOS) and the assessment of SWMP effectiveness (II C in this Update to the BOS).
- F. Annual Reports covering the period from July 1st to June 30th are required to be submitted by September 28th of each year. The annual reports shall contain the following information:
 - 1. A self-assessment review of compliance with the permit terms and conditions
 - 2. An assessment of the appropriateness of the selected BMPs
 - 3. The status of any plans or activities required to meet Water Quality Based Effluent Limitations and Discharges to Certain Impaired Waters requirements including:
 - a. Identification of all discharges determined to be causing or contributing to an exceedance of water quality standards and a description of the permittee's response to eliminate or reduce such exceedances
 - b. Identification of specific BMPs used to address the pollutant identified as the cause of an impairment in discharges subject to a TMDL and assessment of the BMP's effectiveness at controlling the pollutant
 - c. Identification and description of specific BMPs used to address the pollutants identified as the cause of an impairment in discharges to a water quality limited water
 - 4. An assessment of the progress towards achieving the measurable goals and objectives of each Control Measure including:
 - a. An evaluation of the Public Education program including a description of the targeted messages for each audience, method of distribution and dates of distribution, methods used evaluate the program, and any changes to the program
 - b. Description of the activities used to promote Public Participation including documentation of compliance with State public notice regulations
 - c. Description of the activities related to implementation of the IDDE Program including status of the map, status and results of the illicit discharge potential ranking and assessment, identification of problem catchments, status of all protocols concerning program responsibilities and systematic procedures in the IDDE program, number and identification of catchments evaluated, number and identification of outfalls screened, number of illicit discharges located, number of illicit discharges removed, gallons of sanitary sewage removed from stormwater, identification of tracking indicators and measures of progress based on those indicators, and employee training
 - d. Evaluation of the Construction Site Stormwater Runoff Control measure including the number of project plans reviewed, number of inspections, and number of enforcement actions
 - e. Evaluation of the Post Construction Stormwater Management measure for new development and redevelopment including status of bylaw development, review

and status of the street design assessment, assessments to barriers to green infrastructure, and retro-fit inventory status

- f. Status of all O&M Programs required
- g. Status of all SWPPP's required

- 5. All Outfall screening and monitoring data collected or received during the five year permit term
- 6. A description of all activities for the next year permit reporting cycle
- 7. A description of any changes in identified BMPs or measurable goals
- 8. A description of activities undertaken by any entity contracted for achieving any measurable goal or implementing any control measure



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

MEETING DATE: 6/28/2016

Agenda Item	Set Water and Sewer Rates
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED																																																																																																										
The Board held a Public Hearing regarding the Sewer and Water Rates at its June 14, 2016 meeting. The Water and Sewer Rate Structure Committee voted to recommend the rate structure that was presented to the Board. The rate structure presented to the Board is a continuation of a phased approach with sewer rates. There is no change proposed to the basic service fees or any of the water rates. The increase to the sewer steps are the same as discussed with the Board of Selectmen in June 2015 and again at the public hearing held on June 14, 2016.																																																																																																											
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO																																																																																																								
Suggested Motion: that the Board approve the proposed water and sewer rates identified on Schedule WS and that they be effective July 1, 2016; further that the Board approve a Septage Disposal fee of \$85.00 per 1,000 gallons.																																																																																																											
SCHEDULE WS																																																																																																											
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**Board of Selectmen
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 6/28/2016

Agenda Item	Draft Facility Financing Plan
Presenter(s)	Kate Fitzpatrick, Town Manager David Davison, Assistant Town Manager/Finance

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
The Town Manager and Assistant Town Manager/Finance will provide the Board with an updated draft facility financing plan based on assumptions discussed with the Board on June 14th.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
3.	BACK UP INFORMATION ATTACHED	YES	NO
a. Draft Facility Financing Plan to be provided under separate cover.			



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

MEETING DATE: 06/28/2016

Agenda Item	Senate 2311 – An Act Promoting Housing and Sustainable Development
Presenter(s)	Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
At its meeting on June 14 th , the Board discussed legislation that has since passed in the Senate relative to zoning and housing and the potential impact of the legislation – if enacted – on the Town of Needham. The Board asked the Town Manager to draft a comment letter to the Town's legislative delegation.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<i>Suggested Motion:</i> that the Board approve and sign a letter to Representative Denise Garlick relative to Senate 2311			
3.	BACK UP INFORMATION ATTACHED	YES	NO
(Describe backup below) a. Letter to Representative Garlick relative to Senate 2311			



TOWN OF NEEDHAM

TOWN HALL
1471 Highland Avenue
Needham, MA 02492-2669

Office of the
BOARD OF SELECTMEN

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FAX: (781) 449-4569
TDD: (781) 455-7558

June 28, 2016

Representative Denise Garlick
Chair, Joint Committee on Elder Affairs
State House Room 167
Boston, MA 02133

Dear Representative Garlick:

The Board of Selectmen has reviewed and discussed the provisions of Senate Bill 2311 An Act Promoting Housing and Sustainable Development, and would like to take this opportunity to share some of our concerns about the language contained in the bill.

We understand that the purpose of the bill is to modernize zoning laws, and to expand housing stock in the region. However, the sweeping nature of the proposed legislation appears to override local control over zoning matters, which is a critical feature of self-governance and community building across the State. The aspects of the bill that would provide as of right approval of accessory dwelling units and multi-family developments are the most troubling to the Board. Senate 2311 would also relax the criteria under which variances may be granted by the local Board of Appeals, which could lead unwarranted development in many built-out communities like Needham.

The Town of Needham has been and continues to be aggressive in the development of housing stock, having just recently exceeded the 10% threshold contained in M.G.L. c. 40B. While we agree that zoning reform and housing production are important goals, we believe that significantly more discussion with cities and towns is warranted prior to passage of such sweeping, one size fits all legislation. The move toward more as of right approvals eliminates the ability of residents, neighbors, abutters and the Planning Board from the permitting conversation, when their presence often promotes improved projects and lessens the potential for adverse consequences.

The Town engaged the firm of RKG Associates to assess the impact of the bill on the Town of Needham, and a copy is included for your information. If you have any questions or need additional information, please contact Kate Fitzpatrick, Town Manager.

Very truly yours,
SELECTMEN OF NEEDHAM

Matthew D. Borrelli, Chairman

Marianne B. Cooley, Vice Chairman

Daniel P. Matthews, Clerk

John A. Bulian

Maurice P. Handel

MEMORANDUM

TO: Kate Fitzpatrick, Town Manager
Town of Needham
FROM: Judi Barrett, Director of Municipal Services
RKG Associates, Inc.
DATE: June 7, 2016
SUBJECT: S2311

This memo responds to your request for an assessment of how Senate, No. 2311 (previously S2144) could affect the Town of Needham.

Senate, No. 2311, "An Act promoting housing and sustainable development", comes at the heels of over seventeen years of work by planners, municipal attorneys, real estate developers, and others to improve and update G.L. c. 40A, the Zoning Act, and G.L. 41, § 81K-§ 81GG inclusive, the Subdivision Control Law. Originally called the Land Use Reform Act (LURA), the zoning reform bill in the Senate today reflects a variety of interests and compromise positions that have evolved over time. Its contents will please some people and draw opposition from others, as can be seen in the different "messages" that have begun to circulate from organized interest groups. As explained in this memo, S2311 provides for some sought-after changes to the Zoning Act that are intended to increase local control, but at the same time, it reinforces the state's interest in encouraging housing and economic growth and developing a variety of housing choices. This "trade-off" framework helps to explain many aspects of S2311.

Many individuals and groups have sought amendments to S2311 since late last week. As appropriate, I have noted some of the known amendments. However, I am confident that Senate Ways and Means has received even more requests for corrective and filed amendments than I have mentioned here, including amendments that would effectively open up G.L. c. 40B, §§ 20-23. There has been considerable activity about this bill over the past few weeks. The Senate is expected to vote on Thursday. It is possible that some of the content of my memo will be made obsolete by amendments negotiated and agreed upon in the next twenty-four to forty-eight hours.

PLANNING

At the heart of zoning reform is planning and plan implementation. Massachusetts currently has a master plan law, G.L. c. 41, § 81D. It directs planning boards to prepare a master plan and prescribes the minimum required content as nine core elements (goals and policies, land use, housing, economic development, transportation, natural and cultural resources, open space and recreation, community facilities and services, and implementation program). Though directive, the present master plan statute does not have any particular enforcement mechanisms or deadlines, and it also has no incentives for cities and towns to create a plan. In addition, communities are not obligated to align their zoning with the master plan's goals, policies, and land use plan. As a result, there are many towns in Massachusetts with old master plans or no master plan at all, and zoning that bears little relationship to the master plan. Needham's most recent town-wide master plan was completed ca. 1983.

It is against this backdrop that zoning reform groups have proposed a stronger master plan law and an explicit connection between the master plan and zoning. S2311, Sec. 24, would require planning boards to prepare a master plan for their city or town and review and update it at least every ten years. The *required* plan elements would be reduced (goals, housing, natural resources and energy management, land use and zoning, and implementation program), but the bill identifies many other elements as appropriate, though voluntary. In addition, Sec. 24 contains specific language about the relationship with zoning: "The plan shall be internally consistent in its policies, forecasts and standards and may support and provide a rationale for the municipality's zoning ordinance or by-laws, subdivision regulations and other land use laws, regulations, policies and capital expenditures." Many see this language as providing an important legal basis for defending the validity of a zoning bylaw or ordinance if it were challenged in court.

In short, if S2311 became law, Needham would need to:

- 1) Update the comprehensive plan;
- 2) Secure planning board and town meeting approval of the plan by simple majority vote; and
- 3) Consider ways to bring the Zoning Bylaw in line with the plan (if any inconsistencies or conflicts exist).

Worth noting is that elsewhere in S2311, the planning board's report to town meeting about proposed zoning amendments would need to include an assessment of the amendment's consistency with the Town's master plan. (Sec. 9)

ACCESSORY DWELLINGS

S2311 Sec. 5 would establish a conditional zoning exemption for accessory dwelling units (ADU), defined as follows: “self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities, incorporated within the same structure as the principal dwelling or in a detached accessory structure and that: (i) is located on the same lot as the principal dwelling; (ii) maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the principal dwelling; (iii) shall not be sold separately from the principal dwelling; and (iv) is not larger in floor area than 1/2 the floor area of the principal dwelling or 900 square feet, whichever is smaller.” Thus, the definition contemplates an ADU inside a single-family dwelling or in a separate building on the same lot, from upstairs over a garage to a “tiny house” structure or an elder cottage housing opportunity (ECHO) dwelling.

Per Sec. 5, an ADU would be permitted as of right if it is accessory to a single-family home on at least 5,000 sq. ft. of land, or the amount of land needed to support a septic system that complies with Title V of the State Environmental Code. Communities would not have the option to regulate ADUs by special permit. However, communities could impose the following limits that are specifically called out in Sec. 5:

- 1) “Reasonable” setback and building height regulations
- 2) Require the house or the ADU to be owner-occupied
- 3) Limit the total number of allowable ADUs to 5 percent of the Town’s year-round housing inventory. The effect of this provision is that Needham could impose an ADU cap of 553 units (11,047 year-round units * 5 percent).

It appears that currently, Needham does not allow accessory dwellings by right or by special permit. In weighing the advantages and drawbacks of S2311, the Town may want to determine whether ADUs would help Needham address goals or policies in any of its existing plans, such as the housing plan.

HOUSING DEVELOPMENT FRAMEWORK

S2311, Sec. 6 lays out a range of housing development provisions to encourage housing growth and good design. These provisions include “by-right” zoning for multifamily housing and open space residential development (OSRD). They would reside in a newly created Section 3A of Chapter 40A.

- 1) As currently drafted, S2311 would require communities to identify appropriate locations for multifamily housing and zone for multifamily development by right. The multifamily district would have to allow at least 15 units per acre (except in rural

communities) and meet the definition of an "eligible location" under G.L. c. 40R.¹ Other state requirements such as Title V and the Wetlands Protection Act, G.L. c. 131, § 40, would still apply. However, the multifamily zoning requirement in S2311 also provides for a determination of consistency by DHCD, i.e., a community that already has a multifamily zoning district may be eligible for a waiver under S2311 if the existing zoning is substantially consistent with the proposed changes to the Zoning Act.

- 2) S2311 would also make OSRD a "by right" development option, which developers could pursue and planning boards could approve through subdivision control. The bill outlines the basic features that an OSRD by-right bylaw would need to meet, e.g., methods of calculating allowable density and protecting the open space. This approach to OSRD already exists in a few communities in Massachusetts and has been incorporated within the Commonwealth's "Smart Growth Toolkit".²

As we understand it, Needham currently allows multifamily housing by right in the Apartment districts. At least one district, A-1, appears to meet the minimum density requirement in S2311. If the bill passes, the Town may want to review its A1 regulations carefully and determine whether Needham qualifies for a Section 3A waiver. If a district that allows multifamily units by right is substantially built out, a waiver is unlikely. Also, the Town may need to modify its Site Plan Review bylaw to comply with other components of S2311.

Of note: An amendment to S2311 has been filed that would add "exclusionary zoning" to the list of unlawful discrimination prohibited by G.L. c. 151B. The purpose of the amendment is to support the "by-right" housing provisions as essential tools for non-discrimination against protected classes, including people of color, families, and people with disabilities. There seems to be considerable support for this amendment.

INCLUSIONARY ZONING

S2311 formally provides for an approach to affordable housing development that has had varying degrees of success in Massachusetts. Inclusionary zoning is the practice of encouraging or requiring the inclusion of affordable units in mixed-income developments. In its present form, Chapter 40A does not provide for or recognize inclusionary zoning, and this has often left local officials wondering about its legality. Passage of S2311 would not obligate Needham to institute inclusionary zoning; it simply clarifies that communities

¹ "Eligible locations", (1) areas near transit stations, including rapid transit, commuter rail and bus and ferry terminals; (2) areas of concentrated development, including town and city centers, other existing commercial districts in cities and towns, and existing rural village districts; or (3) areas that by virtue of their infrastructure, transportation access, existing underutilized facilities, and/or location make highly suitable locations for residential or mixed use smart growth zoning districts.

² See OSD/NRPZ Model Zoning and Subdivision Regulations, Smart Growth Toolkit, at http://www.mass.gov/envir/smart_growth_toolkit/pages/SG-bylaws-osrd.html

may institute inclusionary zoning. That said, inclusionary zoning enacted under S2311 would be required to provide "municipal concessions" such as a density bonus, off-street parking reductions, and so forth. If S2311 were to pass, Needham and other communities could, if they wish, target inclusionary zoning to the multifamily district (or to work with multifamily uses) and create more units eligible for the Subsidized Housing Inventory.

An amendment was filed with Senate Ways and Means to remove the municipal concessions requirement. We understand that the concessions requirement will not be changed.

SITE PLAN REVIEW

As you may know, site plan review is a creature of home rule in Massachusetts. The Zoning Act is silent about it, but the courts have upheld site plan review as a valid permitting practice to protect the health, safety, and welfare of the community. S2311 formalizes site plan review in a proposed new section of Chapter 40A known as Section 9D. The proposed Section 9D provides for administrative site plan review for uses allowed as of right and a review and decision period not exceeding 120 days. Site plans would qualify for approval by simple majority vote. The lapse period could not be less than two years.

Needham currently has a two-tier site plan review framework with major and minor plan review. Major site plan review is a special permit process, which appears to conflict with the site plan review provisions of S2311. If S2311 passes, the Planning Department will need to review the existing Zoning Bylaw Section 7.4 against the more streamlined version of site plan review and bring local procedures in line with the statute. Changes needed, if any, would most likely affect the Major Project review process and have little if any impact on Minor Project review.

MUNICIPAL OPT-IN PROGRAM

S2311 contains an "opt-in" feature that has been around for some time in prior versions of zoning reform legislation. The purpose of the opt-in program is to provide incentives for communities to spur housing and economic development in designated areas, i.e., growth districts. Communities that institute practices such as expedited permitting and consolidated hearings would become eligible for "certification" under S2311, Sec. 2 (which amends G.L. c. 23B). Certification status would bring certain benefit such as preference for state discretionary grants or a reduced "vesting" period for subdivision plans (meaning a shorter zoning freeze).

Needham has taken several steps to promote development in desired locations such as Needham Crossing. It is difficult for us to say whether the opt-in program would provide tangible benefits to the Town because it involves policies that have to be determined



locally. We simply point out that the Town has a track record for innovation, and the opt-in program could be appealing. The legislation is very broad in that it directs DHCD to establish the program and a process for certifying communities, but the actual incentives that certified communities would be eligible for are stated in broad/general terms. It is difficult to foresee how much value the opt-in program will provide. It may be very important to some communities.

MINOR SUBDIVISIONS

For many years, proponents of zoning reform have sought to eliminate the so-called "Approval Not Required" or ANR provision of the Subdivision Control Law. While S2311 does not erase ANR, Sec. 34 creates the option for a "minor subdivision" procedure for small projects (not more than six lots) with an accelerated subdivision review period of 65 days, or 95 days if the lots will be located on a new way. Minor subdivision is a local option that creates better oversight for small divisions of land, but the planning board is essentially obligated to approve the plan unless 2/3 of its members think otherwise.

The bill provides that communities can adopt the minor subdivision option under a new (proposed) section of the Subdivision Control Law (G.L. c. 41, §§ 81HH). Adoption of the new section would require a 2/3 vote of town meeting. An amendment has been filed to replace the 2/3 requirement with a simple majority vote.

VESTED RIGHTS

Vesting is the mechanism for balancing the interests of property owners and the public when a community adopts new zoning. The goal of vesting is to be fair to owners who have plans to develop their parcel while understanding that "freezing" old zoning rules for many years can adversely affect the public. In fact, the vesting policies of the existing Zoning Act were one of the main driving forces behind pursuing zoning reform seventeen years ago.

Prior versions of zoning reform eliminated the three-year ANR freeze (freeze of use regulations) and the "common lot" freeze. However, these issues are not addressed in S2311. In addition, S2311 maintains the eight-year protection for subdivision plans. Amendments have been filed to strike the ANR freeze. We do not know if they will survive.

Needham seems to have a preference for creating overlay districts instead of changing the rules in its use districts. As a result, it is not clear how important the debate over vested rights will be in your community – that is, whether the existing or proposed "freeze" policies have a material impact on Needham. It is very important in most of the towns I work with.

VARIANCES

S2311 includes important changes to G.L. c. 40A, § 10, which governs variances. The present statute imposes very strict requirements on the issuance of variances – requirements that were intended to limit the ability of the board of appeals to grant them. Statewide, the actual experience with variances and the original intent are vastly different, however. Some boards of appeal never grant variances while others ignore the law and grant them without any standards at all. One of the most striking land use decisions I have seen in my years as a planner involves a 650,000 sq. ft. commercial development in Central Massachusetts, all permitted with a use variance. By contrast, the board of appeals in another community simply refuses to grant any dimensional variances regardless of the circumstances.

Ostensibly to address such discrepancies, S2311, Sec. 22 contains language that would relax the criteria for granting a variance. The logic is that something more realistic might help town boards be selective about the variances they choose to approve. By contrast, some reviewers of Sec. 22 fear that relaxing the criteria for granting variances could bring about unintended, unwanted consequences. Below is an excerpt from S2311 and existing G.L. c. 40A, § 10:

Proposed:

Where literal enforcement of the zoning ordinance or by-law would result in *practical difficulty, financial or otherwise*, to the petitioner, upon appeal or upon petition with respect to particular land or structures, the permit-granting authority may grant a variance from the terms of the applicable zoning ordinance or by-law following a public hearing for which notice has been given by publication and posting as provided in section 11 and by mailing notice to all interested parties. *The practical difficulty necessitating the variance shall relate to the physical characteristics including, but not limited to, soil conditions, shape or topography or location of the site or of the structures thereon.*

Existing:

The permit granting authority shall have the power . . . to grant upon appeal or upon petition with respect to particular land or structures a variance from the terms of the applicable zoning ordinance or by-law where such permit granting authority specifically finds that *owing to circumstances relating to the soil conditions, shape, or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the ordinance or by-law would involve substantial hardship, financial or otherwise*, to the petitioner or appellant, and that *desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or by-law . . .*

We do not know how many variances are applied for in Needham or what the ZBA's workload is like, or if variance activity is even a concern for the Town. You may want to

seek input from the members of your ZBA about the potential ramifications of the language in Sec. 22. The “practical difficulty” standard would be a less onerous requirement than the existing criteria, yet some observers of this bill believe a more realistic standard will encourage better decisions.

AMENDMENTS; SPECIAL PERMITS

The Zoning Act requires a two-thirds vote to pass amendments to a zoning ordinance or bylaw. S2311 provides a local option to reduce the vote to simple majority. If Needham wanted to make it easier to enact zoning changes, S2311 would give you a tool to achieve that end. The bill contains similar language for special permits.

BOARD TRAINING

S2311 amends G.L. c. 23B, which describes the powers and duties of the Department of Housing and Community Development (DHCD). The proposed bill would provide for annual training programs for members of planning boards and boards of appeal, carried out by DHCD or a related agency, such as Citizen Planner Training Collaborative (CPTC). There is no mandate for local officials to participate in training, however.



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

MEETING DATE: 6/28/2016

Agenda Item	Quiet Zone Comment Letter
Presenter(s)	Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
The Town's Transportation Committee has reviewed the draft Quiet Zone Study conducted by BETA and has asked that the Board submit a comment letter to the Federal Railroad Administration. The FRA is conducting a review of the quiet zone regulations, and the Transportation Committee suggests that the Town comment specifically with respect to the private, pedestrian crossing at the Needham Golf Club property.			
	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
<i>Suggested Motion:</i> That the Board approve and authorize the Town Manager to sign a comment letter to the Federal Railroad Administration relative to quiet zone regulations.			
3.	BACK UP INFORMATION ATTACHED	YES	NO
a. Proposed comment letter			



TOWN OF NEEDHAM

TOWN HALL
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Office of the
TOWN MANAGER

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TDD: (781) 455-7558

June 28, 2016

Mr. Ron Ries, Staff Director
Highway-Rail Crossing & Trespasser Programs
U.S. Department of Transportation
Federal Railroad Administration
Mail Stop 25 West Building 3rd Floor
1200 New Jersey Avenue SE
Washington, DC 20590

Dear Mr. Ries:

Thank you for the opportunity to provide comment as to whether modifications should be made to the section of the Code of Federal Regulations (49 CFR part 222) related to the establishment of Train Horn Quiet Zones, and specifically whether the FRA should decrease the barriers local communities encounter when establishing a Quiet Zone.

The Federal Register, volume 81 no. 44 issued March 7, 2016, includes the following statement: "In addition, FRA has *interpreted* [emphasis added] 49 CFR part 222 to require that any private highway rail grade crossing or pedestrian crossing in a quiet zone must be located either between the public grade crossings that serve as quiet zone endpoints or within one-quarter mile of the quiet zone endpoints." During the Town's evaluation of the possibility of implementing a Quiet Zone, the question of this interpretation arose in the context of a pedestrian crossing located in a private golf course on Town property.

The interpretation of 49 CRF part 222 requiring that "any private highway rail crossings or pedestrian crossings in a quiet zone must be located either between the public grade crossings that serve as quiet zone endpoints or within one-quarter mile of the quiet zone endpoints" may pose a barrier to a town's establishing a Quiet Zone when the first rail crossing between the town line and any public grade crossing is a private crossing more than one-quarter mile from a public grade crossing. If it seeks to do so some time in the future, the Town of Needham may not be able to establish a Quiet Zone to benefit all of its residents under this interpretation.

The Town requests that the FRA reinterpret or clarify 49 CRF part 222 to allow a Quiet Zone to begin or end at a private crossing, or to provide that a Quiet Zone may begin or end at a private highway rail-grade crossing or at a pedestrian grade crossing.

Mr. Ron Ries, Staff Director

June 28, 2016

Page 2.

If you have any questions or need additional information please contact me.

Very truly yours,

Kate Fitzpatrick
Town Manager

cc: Board of Selectmen
Transportation Committee
Rick Merson, Director of Public Works



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

MEETING DATE: 6/28/2016

Agenda Item	Acceptance of Declaration of Restrictive Covenant and Grant of Easements
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED		
The Planning Board has requested that the Board of Selectmen accept and execute a Declaration of Restrictive Covenant and Grant of Easements for the 1001-1015 Central Avenue Definitive Subdivision Plan. The documents were required by the Planning Board as part of the approval of the subdivision plan for the construction of the subdivision, and set forth the requirements of the developer with respect to the on-going private responsibility for appropriate maintenance of the roadway and drainage system. The Easements, which will also require Town Meeting approval, will also allow perpetual right to pass and repass over the way and will allow access to the drainage system for emergency repairs.			
2.	VOTE REQUIRED BY BOARD OF SELECTMEN	YES	NO
Suggested Motion: At the request of the Planning Board, that the Board accept and authorize the Chairman to sign the Declaration of Restrictive Covenant and Grant of Easements for the 1001-1015 Central Avenue Definitive Subdivision Plan.			
3.	BACK UP INFORMATION ATTACHED	YES	NO
a. Letter from Lee Newman, Director of Planning & Community Development b. Declaration of Restrictive Covenant (for execution) c. Grant of Easements (for execution) d. Subdivision Covenant (for information) e. Definitive Subdivision Decision date February 9, 2016 (for information) f. Definitive Subdivision Plan (for information)			



TOWN OF NEEDHAM, MA

PLANNING AND COMMUNITY
DEVELOPMENT DEPARTMENT

500 Dedham Ave
Needham, MA 02492
781-455-7550

PLANNING
June 10, 2016

Ms. Kate Fitzpatrick
Town Manager
1471 Highland Avenue
Needham, MA 02492

Re: DEFINITIVE SUBDIVISION
1001-1015 Central Avenue, Needham, MA

Dear Ms. Kate Fitzpatrick

Enclosed please find the following documents:

1. Declaration of Restrictive Covenant by Raphael Nir, Manager and Rivka Nir, Manager, RRNIR, LLC, to the Town of Needham, Massachusetts, dated June, 2016;
2. Grant of Easements by Raphael Nir, Manager and Rivka Nir, Manager, RRNIR, LLC, to the Town of Needham, Massachusetts, dated June, 2016;
3. Subdivision Covenant Under Provisions of General Laws, Chapter 41, Section 81-U by Raphael Nir, Manager and Rivka Nir, Manager, RRNIR, LLC, dated June, 2016;
4. Definitive Subdivision Plan, prepared by Field Resources, Inc., 281 Chestnut Street, Needham, MA 02492, Lakeview Engineering Associates, Civil Engineers, P.O. Box 787, Hudson, Massachusetts, 01749, consisting of 8 sheets: Sheet 1 of 8, dated June 2, 2016; Sheet 2 of 8, entitled "Existing Conditions Plan of Land," dated October 28, 2013, revised May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016 and June 2, 2016; Sheet 3 of 8, entitled "By Right Example of Subdivision Plan of Land," dated March 9, 2015, revised May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016 and June 2, 2016; Sheet 4 of 8, entitled "Definitive Subdivision Plan of Land," dated March 9, 2015, revised May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016 and June 2, 2016; Sheet 5 of 8, entitled "Proposed Site Plan," dated July 10, 2014, revised May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016 and June 2, 2016; Sheet 6 of 8, entitled "Plan and Profile," dated July 10, 2014, revised May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016 and June 2, 2016; Sheet 7 of 8, entitled "Detail Sheet," dated July 10, 2014, revised May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016 and June 2, 2016; and sheet 8 of 8 entitled "Proposed Roadway Plantings, 1001 & 1015 Central Avenue, Needham, Mass.," dated May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016.
5. Definitive Subdivision Decision, 1001-1015, dated February 9, 2016, recorded in the Office of the Needham Town Clerk on February 16, 2016.

Ms. Kate Fitzpatrick
June 10, 2015
Page 2

The above-named documents were required by the Needham Planning Board as a condition of the Board's approval of the 1001-1015 Central Avenue Definitive Subdivision. Please have the Board of Selectmen accept and execute items 1 and 2 above at their meeting of Tuesday, June 14, 2016. I will drop off the original executed documents at your office on Tuesday, June 12 for the noted purpose.

Finally, I have included the remainder of the subdivision documents under items 3 thru 5 for your reference.

Please return the executed documents to the Planning Office. Should you have any questions regarding this matter, please feel free to contact me directly. Thank you for your assistance.

Very truly yours,

NEEDHAM PLANNING BOARD



Lee Newman
Director of Planning and Community Development

cc: David Tobin
Rick Merson
Tony Del Gaizo

DECLARATION OF
RESTRICTIVE COVENANT

This Declaration is made this day of June, 2016, by RRNIR, LLC, a Massachusetts limited liability company with an address of 20 Beaufort Avenue, Needham, MA 02492 (hereinafter, the "Declarant").

WHEREAS the Declarant is the fee owner of a portion of the un-constructed private way known and designated as London Lane (the "Private Way"), as well as certain land situated in Needham, Norfolk County, Massachusetts, shown as Lots 1 through 6, inclusive, on Plan entitled "London Lane, Definitive Subdivision Plan," prepared by Field Resources, Inc., 281 Chestnut Street, Needham, MA 02492, Lakeview Engineering Associates, Civil Engineers, P.O. Box 787, Hudson, Massachusetts, 01749, consisting of 8 sheets: Sheet 1 of 8, dated June 2, 2016; Sheet 2 of 8, entitled "Existing Conditions Plan of Land," dated October 28, 2013, revised May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016 and June 2, 2016; Sheet 3 of 8, entitled "By Right Example of Subdivision Plan of Land," dated March 9, 2015, revised May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016 and June 2, 2016; Sheet 4 of 8, entitled "Definitive Subdivision Plan of Land," dated March 9, 2015, revised May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016 and June 2, 2016; Sheet 5 of 8, entitled "Proposed Site Plan," dated July 10, 2014, revised May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016 and June 2, 2016; Sheet 6 of 8, entitled "Plan and Profile," dated July 10, 2014, revised May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016 and June 2, 2016; Sheet 7 of 8, entitled "Detail Sheet," dated July 10, 2014, revised May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016 and June 2, 2016; and sheet 8 of 8 entitled "Proposed Roadway Plantings, 1001 & 1015 Central Avenue, Needham, Mass.," dated May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016; which Sheet 4 shall be recorded herewith, and all of which Sheets are hereinafter referred to as the "Plan";

WHEREAS the Town of Needham Planning Board approved the Plan subject to certain conditions and waivers as set forth in the Board's decision dated February 9, 2016, entitled "Definitive Subdivision Decision, 1001-1015 Central Avenue" (hereinafter the "Decision"), said Decision recorded herewith;

NOW THEREFORE, the Declarant hereby declares, pursuant to the Decision, that Lots 1 through 6, inclusive, as shown on the Plan, (hereinafter referred to individually as a Lot or collectively as the "Lots"), shall be held, sold and conveyed subject to the following restrictions and conditions, for the benefit of the Town of Needham, its successors and assigns, and for the benefit of the owners of said Lots, their heirs, successors and assigns, said restrictions and conditions to run with the Lots and to be binding on all parties having any right, title or interest in the Lots or any part thereof, their heirs, successors and assigns, in perpetuity.

1. Neither the Declarant, nor any successor owner or owners of Lots 1 through 6, inclusive, as shown on the Plan, shall use the Lots for any purpose other than single-family residential use, or lot owner home occupations as allowed under the Zoning By-Law, and there shall be no further division of the Lots without the prior written approval of the Planning Board.

2. Each and every owner or owners of any Lot shall be jointly and severally responsible and liable, and shall fulfill all lot owners' obligations under the London Lane Homeowners Trust Agreement, recorded herewith, for the costs of the maintenance, repair and reconstruction of the Private Way shown on the Plan and designated thereon and all services (whether located within the Private Way or in areas shown partially on the Private Way and partially on a Lot), the installation of which are required in connection with the Decision, or which may be installed at any time, including, without limitation, maintenance, repair and reconstruction of roadways, water, sewer and drainage facilities and other utilities and related equipment, curbs, monuments, walkways, landscaping and street signs, as and whenever necessary, and including all actions of any kind or nature necessary or appropriate in order to maintain the Private Way in a good, safe and passable condition, including snow plowing and mowing, providing access from each Lot to the public way shown on the Plan, and providing adequate services to each Lot, all in accordance with these conditions.

3. Each and every owner or owners of any Lot shall be jointly and severally responsible and liable, and shall fulfill all Lot Owners' obligations under the London Lane Homeowners Trust Agreement, for all maintenance, repairs and reconstruction required for or on the Private Way in compliance and conformity with requirements of the Town of Needham and other requirements imposed by law or governmental authority.

4. The Trustees under the London Lane Homeowners Trust Agreement and each owner or owners of a Lot shall not use or permit use of the Private Way for any purpose other than ingress and egress from the Lots by the residents of the Lots and their guests and invitees, such use to be limited to pedestrian and private-passenger vehicular traffic, and such other vehicular traffic as is necessary from time to time in cases of emergency, delivery of customary and usual household services and equipment or in connection with the maintenance, repair or reconstruction of the Private Way, the Lots, and any structures thereon and services installed thereon, or hereunder.

5. Neither the Lot owner(s) nor the Trustees under the London Lane Homeowners Trust Agreement shall perform, nor shall they permit changes to be made to any Lot, which would impact the functionality or design of the drainage improvements as shown on the Plan.

6. Any and all maintenance, repair or reconstruction work performed on or to the Private Way or in connection with services installed thereon or thereunder by or at the direction of any owner or owners of any Lot or the Trustees under the London Lane Homeowners Trust Agreement as provided herein, shall be carried out so as to ensure that no fill material nor any products or excavation or erosion resulting from or arising in connection with such work shall be discharged into any storm drainage system, and soil and other material or debris shall be removed from the site only if such removal will not impact the functionality or design of the drainage improvements shown on the Plan, and only to the extent necessary in connection with such work.

7. No Lot owner or owners nor the Trustees under the London Lane Homeowners Trust Agreement shall at any time request that the Private Way be laid out or accepted as a public way in the Town of Needham unless such owner(s) or Trustees at its or their sole expense, perform and complete such work as is necessary to cause the Private Way to comply with all standards and regulations of the Town of Needham without waiver, and obtain all permits and approvals required by law in connection therewith. If the Private Way is accepted by the Town of Needham as a public way, at any time, then the provisions hereof applicable to ownership and maintenance of the Private Way shall thereupon terminate.

8. No Lot owner(s) nor the Trustees under the London Lane Homeowners Trust Agreement, shall at any time request or petition that any drainage system, water pipes, sewer pipes or related equipment or any other improvement within the subdivision for which design or improvement requirements have been waived by the Board as provided herein, be accepted or maintained by the Town of Needham.

9. The Town of Needham and its designees shall have the right to enter upon and use the Private Way for all purposes for which public ways are used in the Town of Needham.

11. Lots 1 through 6 inclusive as shown on the Plan shall be accessed solely from London Lane with no vehicular access for said lots provided directly to Central Avenue. Vehicular access to London Lane shall be limited to said Lots 1, 2, 3, 4, 5 and 6 as shown on the Plan.

12. The island in the center of the London Lane cul-de-sac shall be landscaped. The island landscaping shall be maintained by the record owners of Lots 1 through 6 through the London Lane Homeowners Trust Agreement.

13. Street lighting shall be provided in the subdivision in accordance with the Plan. The lighting system shall be maintained and the electricity shall be supplied by the Lot owners, and each Lot owner shall fulfill all Lot owner obligations relating thereto under the London Lane Homeowners Trust Agreement.

14. Each record owner, whether one or more persons or entities, of title to Lots 1 through 6, as shown on the Plan, shall maintain and keep operational their respective roof drainage system in accordance with the Plan, as approved by this decision and as further described in the Drainage analysis entitled "Drainage Summary, 1001-1015 Central Avenue, Needham, MA," prepared by Lakeview Engineering Associates, Civil Engineers, P.O. Box 787, Hudson, Massachusetts, 01749, dated July 21, 2015, revised January 18, 2016.

15. In any sale or transfer by the owner(s) or any successor owner(s) of any of the Lots, the deed or other instrument shall refer to and incorporate the above conditions, and a) any conveyance shall include transfer of a fee interest or the perpetual right and easement to use the Private Way in common with others lawfully entitled thereto for all purposes for which public ways in the Town of Needham may now or hereafter be used consistent with the provisions hereof, and b) the subsurface areas, equipment and facilities used and maintained in connection with the provision of water, sewer, drainage and other utility services provided to the conveyed premises. Any deed or other instrument purporting to transfer or convey any interest in any Lot or Lots which does not expressly refer to and incorporate these conditions shall nevertheless be deemed to contain the same and in all events shall be subject thereto.

16. This Restrictive Covenant incorporating conditions 3 through 12 and conditions 14, 16, 17 and 21 of the Decision will be recorded in the Registry of Deeds and shall run with the land and shall be enforceable by the Town of Needham. This Restrictive Covenant shall be referenced on the Plan and shall be recorded therewith. This Restrictive Covenant shall be enforceable in perpetuity or for the longest period permitted by law and in any event for 100 years.

For Declarant's title see Deeds recorded with Norfolk County Registry of Deeds in Book 32056, Page 495 and Book 33110, Page 2.

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IN WITNESS WHEREOF, the said RRNIR, LLC, has caused its seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by the aforesaid Raphael Nir and Rivka Nir, its Managers, hereto duly authorized, this day of June, 2016.

RRNIR, LLC

RRNIR, LLC

By: _____
Raphael Nir
Manager

By: _____
Rivka Nir
Manager

COMMONWEALTH OF MASSACHUSETTS

Norfolk, SS

June , 2016

Then personally appeared before me the above named Raphael Nir, Manager of RRNIR, LLC, personally known to me or proved to me through the production of sufficient evidence to be the person whose signature is affixed above, and acknowledged that he signed the foregoing document freely for its stated purpose as Manager of RRNIR, LLC.

Notary Public
My commission expires:

COMMONWEALTH OF MASSACHUSETTS

Norfolk, SS

June , 2016

Then personally appeared before me the above named Rivka Nir, Manager of RRNIR, LLC, personally known to me or proved to me through the production of sufficient evidence to be the person whose signature is affixed above, and acknowledged that she signed the foregoing document freely for its stated purpose as Manager of RRNIR, LLC.

Notary Public
My commission expires:

Approved as to Form:

David Tobin
Town Counsel

ACCEPTANCE BY THE TOWN OF NEEDHAM

The foregoing Declaration of Restrictive Covenants hereby is accepted by the Town of Needham, subject to the terms and conditions set forth therein.

TOWN OF NEEDHAM
By Its Board of Selectmen

By: _____
Name:
Title:

COMMONWEALTH OF MASSACHUSETTS

Norfolk, SS June , 2016

On this ____ day of June, 2016, before me, the undersigned notary public, personally appeared _____, Selectman of the Town of Needham, 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.

Notary Public
My commission expires:

GRANT
OF
EASEMENTS

WHEREAS, RRNIR, LLC, a Massachusetts limited liability company with an address of 20 Beaufort Avenue, Needham, MA 02492 (the "Owner"), is the owner of certain land situated in Needham, Norfolk County, Massachusetts, shown as Lots 1 through 6, inclusive, and London Lane, on Plan entitled "London Lane, Definitive Subdivision Plan," prepared by Field Resources, Inc., 281 Chestnut Street, Needham, MA 02492, Lakeview Engineering Associates, Civil Engineers, P.O. Box 787, Hudson, Massachusetts, 01749, consisting of 8 sheets: Sheet 1 of 8, dated June 2, 2016; Sheet 2 of 8, entitled "Existing Conditions Plan of Land," dated October 28, 2013, revised May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016 and June 2, 2016; Sheet 3 of 8, entitled "By Right Example of Subdivision Plan of Land," dated March 9, 2015, revised May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016 and June 2, 2016; Sheet 4 of 8, entitled "Definitive Subdivision Plan of Land," dated March 9, 2015, revised May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016 and June 2, 2016; Sheet 5 of 8, entitled "Proposed Site Plan," dated July 10, 2014, revised May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016 and June 2, 2016; Sheet 6 of 8, entitled "Plan and Profile," dated July 10, 2014, revised May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016 and June 2, 2016; Sheet 7 of 8, entitled "Detail Sheet," dated July 10, 2014, revised May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016 and June 2, 2016; and sheet 8 of 8 entitled "Proposed Roadway Plantings, 1001 & 1015 Central Avenue, Needham, Mass.," dated May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016; which Sheet 4 shall be recorded herewith, and all of which Sheets are hereinafter referred to as the "Plan";

WHEREAS pursuant to Paragraph 44 of that certain "Definitive Subdivision Decision, 1001-1015 Central Avenue", dated February 9, 2016, recorded herewith) the "Decision"), the Planning Board for the Town of Needham, Massachusetts, required, in pertinent part, that the Owner deliver to the Board, a certain easement, granting to the Town the right to pass on foot or by vehicle over London Lane and access rights over the "Drainage Easement" shown on the Plan;

WHEREAS, the within grant of easement by the Owner is intended to comply with the aforesaid requirement of the Planning Board, as stated in Paragraph 44 of the Decision;

NOW THEREFORE, the Owner hereby grants to the Town of Needham (hereinafter, the "Grantee"), (i) the non-exclusive right and perpetual easement and right of way over London Lane, as shown on the Plan, for the purpose passing on foot or by vehicle, consistent with the manner in which streets and ways are customarily used in the Town of Needham; subject to applicable laws, statutes, rules, regulations, by-laws, and ordinances, and (ii) the non-exclusive right and perpetual easement over, across and

under that portion Lots 1 through 6, inclusive, shown and designated as "Drainage Easement" on the Plan, for the purpose of inspecting or making repairs in the event of an emergency. An emergency shall be defined as the creation of a condition that results or could result in flooding of adjacent properties or overloading of the municipal drainage system or the creation of a condition that is injurious to the public health or safety. Within thirty days of invoice by the Town all costs incurred by the Town of Needham in the event of such emergency shall be paid by the London Lane Homeowners Trust, and if not paid within said thirty days, then such costs shall be assessed against all the Lot owners and shall become a lien on all the Lots in the subdivision which may be collected and enforced in the manner fixed by law for the collection of taxes. All costs shall include, but shall not be limited to, the cost of materials and the salary costs for all employees involved with the emergency actions. Notice of lien shall be recorded in the Norfolk County Registry of Deeds. The said London Lane and Drainage Easement are jointly referred to hereinafter as the "Easement Area".

As a condition of the exercise of the rights granted hereunder, the Grantee shall not act inconsistent with the intent and purpose of this easement nor create any nuisance or commit any act or waste which will be materially harmful or which will substantially interfere with the adjoining land or premises of Owner, its successors and assigns.

Furthermore, Grantee shall provide Owner, its successors and assigns, reasonable notice of the exercise of the rights herein granted. Upon completion of any work which disturbs the surface of the Drainage Easement, Grantee shall promptly regrade, recover, repair, and in connection therewith repave, reloam or reseed the area as needed. Grantee shall not have any obligation to take any further action to revegetate beyond initial reseeding or reloaming.

As a further condition for the exercise of the rights granted hereunder, the Town of Needham and the Owner, its successors and assigns, agree to hold each other harmless and indemnified from all claims, losses or damage for property damage or personal injury or liability, or either, resulting in any way by reason of their own activities within the said Easement Area, or the activities of their respective agents, servants and employees, it being understood that the Town's liability shall not exceed the limit of One Hundred Thousand (\$100,000.00) Dollars per claim, or such other different amount for which the Town may be liable by the provisions of M.G.L.c.258, Sec. 2, at the time of such damage or injury.

The within grant of easement shall be binding upon Owner and all its respective successors and assigns and shall inure to the benefit of the Town of Needham, subject to all the terms and conditions hereof. The burdens and benefits hereof shall run with the aforesaid Lots 1 through 6, inclusive.

For Owner's title see Deeds recorded with Norfolk County Registry of Deeds in Book 32056, Page 495 and Book 33110, Page 2.

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IN WITNESS WHEREOF, the said RRNIR, LLC, has caused its seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by the aforesaid Raphael Nir and Rivka Nir, its Managers, hereto duly authorized, this day of June, 2016.

RRNIR, LLC

RRNIR, LLC

By: _____
Raphael Nir
Manager

By: _____
Rivka Nir
Manager

COMMONWEALTH OF MASSACHUSETTS

Norfolk, SS

June , 2016

Then personally appeared before me the above named Raphael Nir, Manager of RRNIR, LLC, personally known to me or proved to me through the production of sufficient evidence to be the person whose signature is affixed above, and acknowledged that he signed the foregoing document freely for its stated purpose as Manager of RRNIR, LLC.

Notary Public
My commission expires:

COMMONWEALTH OF MASSACHUSETTS

Norfolk, SS

June , 2016

Then personally appeared before me the above named Rivka Nir, Manager of RRNIR, LLC, personally known to me or proved to me through the production of sufficient evidence to be the person whose signature is affixed above, and acknowledged that she signed the foregoing document freely for its stated purpose as Manager of RRNIR, LLC.

Notary Public
My commission expires:

Approved as to Form:

David Tobin
Town Counsel

ACCEPTANCE BY THE TOWN OF NEEDHAM

The foregoing Grant of Access and Drainage Easement hereby is accepted by the Town of Needham, subject to the terms and conditions set forth therein.

TOWN OF NEEDHAM
By Its Board of Selectmen

By: _____
Name:
Title:

COMMONWEALTH OF MASSACHUSETTS

Norfolk, SS June , 2016

On this ____ day of June, 2016, before me, the undersigned notary public, personally appeared _____, Selectman of the Town of Needham, 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.

Notary Public
My commission expires:

SUBDIVISION COVENANT
UNDER PROVISIONS OF GENERAL LAWS CHAPTER 41, SECTION 81-U

WHEREAS RRNIR, LLC, of 20 Beaufort Avenue, Needham, MA 02492 (the "Developer"), has filed with the Planning Board of the Town of Needham, hereinafter referred to as the "Town," a certain subdivision plan of land in said Needham, as shown on Plan entitled "London Lane, Definitive Subdivision Plan," prepared by Field Resources, Inc., 281 Chestnut Street, Needham, MA 02492, Lakeview Engineering Associates, Civil Engineers, P.O. Box 787, Hudson, Massachusetts, 01749, consisting of 8 sheets: Sheet 1 of 8, dated June 2, 2016; Sheet 2 of 8, entitled "Existing Conditions Plan of Land," dated October 28, 2013, revised May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016 and June 2, 2016; Sheet 3 of 8, entitled "By Right Example of Subdivision Plan of Land," dated March 9, 2015, revised May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016 and June 2, 2016; Sheet 4 of 8, entitled "Definitive Subdivision Plan of Land," dated March 9, 2015, revised May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016 and June 2, 2016; Sheet 5 of 8, entitled "Proposed Site Plan," dated July 10, 2014, revised May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016 and June 2, 2016; Sheet 6 of 8, entitled "Plan and Profile," dated July 10, 2014, revised May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016 and June 2, 2016; Sheet 7 of 8, entitled "Detail Sheet," dated July 10, 2014, revised May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016 and June 2, 2016; and sheet 8 of 8 entitled "Proposed Roadway Plantings, 1001 & 1015 Central Avenue, Needham, Mass.," dated May 21, 2015, June 21, 2015, October 20, 2015, January 11, 2016, April 1, 2016; which Sheet 4 shall be recorded herewith, and all of which Sheets are hereinafter referred to as the "Plan";

WHEREAS the said RRNIR, LLC (hereinafter also referred to as the "Owner") is also the current record owner of the land shown on the Plan;

NOW THEREFORE, the said Owner, hereby covenants and agrees with the said Town as follows:

- I. The said Owner is the current owner of record of the premises shown on said definitive plan.
- II. This Covenant shall run with the land and shall be binding upon the executor, administrators, heirs, and assigns of the Owner and the Owner's successors in title to the Premises, as shown on said Plan.
- III. In addition to the regular requirements relative to the grading and construction of streets and the installation of municipal services, the said subdivision shall be subject to all of the 46 findings and conditions and any subsequent amendments to the Definitive Subdivision Decision, 1001-1015 Central Avenue, dated February 9, 2016, filed with the Town Clerk on February 16, 2016, a copy of which is on file with the Town Clerk's office, Needham Town Hall, and a copy of which is recorded herewith.

And whereas the said Owner has agreed to subdivide the land, to construct ways and to install municipal services therein in accordance with the Plan in accordance with all approvals imposed by the Town and whereas the Owner has elected to give a Covenant to the said Town to insure the construction of ways and installation of municipal services as shown on said Plan as authorized by Subsection (2) of Section 81-U of General Laws, including all conditions as set forth in:

- (1) Board of Health Drainage Conditions
- (2) Conservation Commission - Order of Conditions as may be issued pursuant to Chapter 131, Section 40, Massachusetts General Laws,
- (3) Board of Selectmen - Sanitary Sewer Conditions

are herewith made part of this Covenant as set forth in the Planning Board's Definitive Subdivision Decision dated February 9, 2016. It is further agreed by the Owner that by signing the within Covenant the Owner agrees to such requirements and also waives all rights of appeal. And further the Board of Health drainage surety referred to in the Definitive Subdivision Decision shall be in a form of surety acceptable to the Planning Board and Board of Health. The Board of Health shall have the right to increase the amount above the Twenty-One Thousand Dollar (\$21,000.00) total based upon the term of completion of the lots affected by such drainage surety and the number of lots that will be involved by the surety. This drainage surety will be determined upon request by the Owner for release of the lot for building and sale and upon execution of the Agreement required.

IV. Except as hereinafter provided, until the following improvements and conditions have been completed or fulfilled in accordance with the specifications and requirements referred to or enumerated below, with respect to any of the lots in the subdivision, which in the opinion of the Town are affected by such conditions and improvements, no such lot shall be built upon or conveyed, except by a mortgage deed, nor shall building permits for such lot or lots be applied for or issued:

A. Except as to those standards that were waived by the Planning Board in its "Definitive Subdivision Decision, 1001-1015 Central Avenue, February 9, 2016", paragraphs 1 (a) through 1(e) or as may be further revised through any amendment of that Decision, all streets, including walks, berms, curbing, street name signs, bounds, retaining walls slopes and fences, and all utilities, including but not limited to storm drains, sanitary sewers, water mains and their appurtenances such as manholes, catch basins, curb inlets, gate valves, hydrants, and headwalls, shall be constructed or installed at the expense of the Owner to the entire limits of the subdivision in strict compliance with the "Subdivision Regulations and Procedural Rules of the Planning Board of the Town of Needham, Massachusetts, as most recently amended, including the "Standard Specifications for Highways" and the "Standard Cross-Section for Street Construction" referred to therein, as most recently revised, which Subdivision Regulations and Procedural Rules and Standard Specifications are specifically incorporated herein by reference, and to the satisfaction of the Director of Public Works of the Town of Needham, including all maintenance and repairs necessary to maintain said streets and utilities in a condition satisfactory to the Town until all lots and all sureties, as provided

in Section IV herein, have been released by the Town upon the completion of all terms and conditions of this Covenant, except as otherwise presented in said definitive Plan.

B. Street construction work shall conform with the details as noted on the approved plans and conditioned in the Definitive Subdivision Decision, 1001-1015 Central Avenue, February 9, 2016. Where applicable, excavation and fill to the surface of the sub-grade fifteen (15) inches below the finished surface grade for the roadway and the necessary excavation and fill for sidewalks and berms within the total width of the street; application of ten (10) inch depth of gravel sub-base and a two (2) inch depth of crushed bank gravel base, the surface of which shall be treated with one (1) application of bitumen; application of bituminous concrete pavement Type I-1 to be constructed in two (2) courses top course of 1" bituminous concrete and bottom course of 2" bituminous concrete, application of eight (8) inch depth of gravel sidewalks with bituminous concrete surface applied in two (2) one-inch courses four and one-half (4 ½) feet wide as indicated in paragraph "A" above and including all driveway entrances; application of six (6) inch depth of loam and seeding for grass plots between the edge of the roadway and the walk or the sidelines of the street; granite or reinforced concrete curbing to be installed on all curves having a radius of sixty (60) feet or less, except for temporary turnarounds.

C. A contractor approved by the Superintendent of the Water Division shall be engaged by the Developer at their expense for the installation of any water mains in accordance with the requirements of and to the satisfaction of the Superintendent of said Water Division.

(i) A certified check covering the estimated cost of all materials to be furnished by the Town, including all pipes, hydrants, gate valves, boxes and fittings as required, shall be deposited with the Town of Needham.

(ii) Upon the completion of such installation a final estimate, including the cost of supervision, inspection, and labor furnished by the Town shall be given.

(iii) This estimate shall also include the cost of all materials plus a 20% overhead charge on all materials furnished by the Town.

(iv) The Developers shall pay the total cost less any amounts deposited before the water shall be turned into the new main.

D. Sanitary sewers shall be constructed by an approved contractor at the expense of the Developers as shown on approved plans and profiles, in accordance with the standard specifications of the Town of Needham, and to the satisfaction of the Director of Public Works.

(i) The Town shall have the right to extend said sewer without cost to the Developers, beyond the limits of the sewer as shown on the development plans and profiles.

(ii) The Developer shall pay to the town a fee equal to \$1.50 per linear foot of sewer to be constructed, to pay for the cost of the engineering service, supervision and inspection furnished by the Town.

E. Storm water drains shall be installed in accordance with the approved plan and profile to the satisfaction of the Director of Public Works, and all lots shall be graded in accordance with the proposed contours of land as shown on said definitive plan.

F. Granite or concrete bounds, at least four feet long, shall be set at all points in every street or other permanent marks acceptable to and approved by the Town Engineer shall be set within the subdivision. After installation of such bounds, the Developer shall submit to the Town Engineer a written certification by a registered land surveyor stating that said bounds are located as shown on the subdivision plans recorded in the Norfolk Registry of Deeds or in the Land Court.

G. The Owner hereby grants to the Town of Needham a perpetual right and easement to enter upon streets for all appropriate purposes for which public ways are used in the Town of Needham. The Owner agrees for itself that as long as it remains the Developer of said premises, it will keep all catch basin inlets and access thereto clear and free of all debris and/or other materials which might interfere with the proper operation of said drains, and thereafter the owners of said premises will keep catch basin inlets and access thereto clear and free of all debris and/or other materials which might interfere with the proper operation of said drains.

H. Permanent street name signs will be furnished and erected at all entrances, the name to be in conformity as to size and quality with signs now generally in use in the Town of Needham.

(1) Co-incident with the start of any street within a subdivision, temporary street signs shall be installed at all points where permanent signs will be required. These signs may be painted using black block lettering not less than four inches high on a light background.

(2) Complete visibility of these signs must be maintained at all times until they are replaced with the permanent signs specified in Section H.

(3) Permanent street signs and the size and other details shall be furnished and installed at no expense to the Town as directed by the Town Director of Public Works.

I. Install bounds to define the street line at the direction of the Town Engineer and submit to said Town Engineer a certificate by a Registered Land Surveyor that said bounds have been so installed.

J. Prior to the commencement of construction on all major phases of the subdivision including installation of the sewer, water, drains, and street construction, the Owner will notify the Director of Public Works and obtain necessary signatures on the Subdivision Inspection Form.

V. The construction of all ways and the installation of all municipal services shall be completed in accordance with the applicable Subdivision Rules and Regulations and Procedural Rules of the Planning Board, as well as the requirements contained in Sections III and IV above, (except to the extent that applicable standards were waived by the Planning Board as described above in paragraph IV(A) above) within a period of two (2) years from the date of the endorsement by the Board of the approved Definitive Plan. Failure to so complete shall automatically rescind approval of the subdivision plan, unless such approval is further extended by the planning Board on the request of the Owner.

VI. Prior to the completion of all the work required herein, the Planning Board may, at its discretion, in accordance with the provisions of Subsection (1) of Section 81-U, Chapter 41, release any or all of said lots, for purposes of sale or for the issuance of permits for building therein, upon the furnishing to the Town by the Owner of an agreement and a surety acceptable to the Town, to secure the completion of such part or all of the work specified above, as, at the discretion of the Planning Board should be completed for the proper use of said lots in accordance with the purposes of this Covenant, said surety to be in a penal sum or amount equal to the cost, as estimated by said Director of Public Works, of completing said works. Said release by the Planning Board shall be evidenced by a certificate enumerating the lot or lots released and signed by a majority of said Planning Board, in proper form for recording in the Registry of Deeds or registration in the Registry District of the Land Court.

VII. The enforcement of the terms herein shall be made as provided for by General Laws, Chapter 41, Section 81-X and 81-Y, in the name of the Town, and upon any breach thereof the Town shall be entitled to an injunction restraining any further sale of any of the lots included in said plans, until the said breach has been cured or security given therefore satisfactory to the then Planning Board of the said Town.

VIII. Nothing herein shall be deemed to prohibit a conveyance subject to this Covenant by a single deed of the entire parcel of land shown on said subdivision plan or of all lots, subject to this Covenant, by any of the parties named herein to any other person.

IX. The Owner accepts all conditions as set forth in the Definitive Subdivision Decision dated February 9, 2016.

X. This Covenant shall take effect upon approval of said plans by a majority of signatures affixed thereto by the Planning Board.

For Owner's title see Deeds recorded with Norfolk County Registry of Deeds in Book 32056, Page 495 and Book 33110, Page 2.

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IN WITNESS WHEREOF, the said RRNIR, LLC, has caused its seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by the aforesaid Raphael Nir and Rivka Nir, its Managers, hereto duly authorized, this day of June, 2016.

RRNIR, LLC

RRNIR, LLC

By: _____
Raphael Nir
Manager

By: _____
Rivka Nir
Manager

COMMONWEALTH OF MASSACHUSETTS

Norfolk, SS

June , 2016

Then personally appeared before me the above named Raphael Nir, Manager of RRNIR, LLC, personally known to me or proved to me through the production of sufficient evidence to be the person whose signatures is affixed above, and acknowledged that he signed the foregoing document freely for its stated purpose as Manager of RRNIR, LLC.

Notary Public
My commission expires:

COMMONWEALTH OF MASSACHUSETTS

Norfolk, SS

June , 2016

Then personally appeared before me the above named Rivka Nir, Manager of RRNIR, LLC, personally known to me or proved to me through the production of sufficient evidence to be the person whose signatures is affixed above, and acknowledged that she signed the foregoing document freely for its stated purpose as Manager of RRNIR, LLC.

Notary Public
My commission expires:

Approved as to form:

David S. Tobin
Town Counsel



TOWN OF NEEDHAM, MA

PLANNING AND COMMUNITY
DEVELOPMENT DEPARTMENT

RECEIVED TOWN CLERK
NEEDHAM, MA 02492

2016 FEB 16

500 Dedham Ave
Needham, MA 02492

781-455-7550

DEFINITIVE SUBDIVISION DECISION

PLANNING

1001-1015 Central Avenue

RRNIR, LLC

February 9, 2016

DECISION of the Planning Board of the Town of Needham, Massachusetts, (hereinafter together with any entity succeeding to the powers of said Planning Board referred to as the Board) on the petition of RRNIR LLC, 20 Beaufort Avenue, Needham, MA (to be referred to hereinafter as the Petitioner) for property located at and known as 1001 Central Avenue, and 1015 Central Avenue, Needham, Norfolk County, Massachusetts. Said property is shown on Assessors Plan No. 120 as Parcels 21 and 22. The land is further described as follows:

Commencing at a point on the westerly sideline of Central Avenue, thence running along the said sideline of Central Avenue, by a curve to the left having a radius of 525.00 feet, a distance of 215.00 feet; Thence turning and running, along property now or formerly of Denise C. Dirocco, N75°42'09"W, a distance of 223.89 feet; Thence turning and running, along property now or formerly of Babson College, N18°41'15"W, a distance of 141.67 feet, to an iron pipe; Thence turning and running, along property now or formerly of Babson College, N20°17'15"W, a distance of 208.88 feet; Thence turning and running, along property now or formerly of the Town of Needham, and of Charles River Association for Retarded Citizens, S55°53'20"E, a distance of 353.68 feet to the point of beginning; Containing 81,895 square feet or 1.8801 acres.

This decision is in response to an application for approval by the Petitioner of a Definitive Subdivision Plan submitted to the Board on June 1, 2015, under Massachusetts General Laws, Chapter 41, Sections 81-K through 81-GG, inclusive.

If approved, the Plan would create six (6) building lots; all would have frontage and access on the new road that would be a private way (hereinafter the Private Way).

After causing notice of the time and place of its public hearing and of the subject matter thereof to be published, posted and mailed to the Petitioner, abutters and other parties in interest, as required by law, Jeanne S. McKnight, Chairperson of the Board, called the hearing to order on Tuesday, June 23, 2015, at 7:30 p.m. in the Charles River Room, first floor, Public Services Administration Building, 500 Dedham Avenue, Needham, Massachusetts. The hearing was continued to Tuesday, August 11, 2015 at 7:00 p.m. in the Charles River Room of the Public Services Administration Building, 500 Dedham Avenue, Needham, Massachusetts. The hearing was further continued to Tuesday, September 29, 2015 at 7:00 p.m. in the Charles River Room of the Public Services Administration Building, 500 Dedham Avenue, Needham, Massachusetts. The hearing was further continued to Tuesday, October 27, 2015 at 8:15 p.m. in the Charles River Room of the Public Services Administration Building, 500 Dedham Avenue, Needham, Massachusetts. The hearing was further continued to Tuesday, December 1, 2015 at 7:30 p.m. in the Charles River Room of the Public Services Administration Building, 500 Dedham Avenue, Needham, Massachusetts. The hearing was further continued to Tuesday, January 12, 2016 at 7:00 p.m. in the Charles River Room of the Public Services Administration Building, 500 Dedham Avenue, Needham, Massachusetts. The hearing was further continued to Tuesday,

January 26, 2016 at 7:30 p.m. in the Charles River Room of the Public Services Administration Building, 500 Dedham Avenue, Needham, Massachusetts. Board members Jeanne S. McKnight, Elizabeth J. Grimes, Bruce T. Eisenhut and Paul S. Alpert were present throughout the proceedings. Board member Martin Jacobs was present for all of the proceedings except the hearing occurring on December 1, 2015. Pursuant to Massachusetts General Laws Chapter 39, Section 23D, Adjudicatory Hearing, adopted by the Town of Needham in May of 2009, Mr. Jacobs examined all evidence received at the missed session and listened to an audio recording of the meeting. The deadline for action on the application was extended by the Board upon the request of the Petitioner until February 17, 2016. The record of the proceedings and submissions upon which this approval is based may be referred to in the office of the Town Clerk or the Planning Board Office.

The Board met on January 26, 2016 to deliberate on the proceedings and to consider the evidence. Submitted for their deliberations prior to the close of the public hearing were the following exhibits.

- Exhibit 1 - Plan entitled "London Lane, Definitive Subdivision Plan," prepared by Field Resources, Inc., 281 Chestnut Street, Needham, MA 02492, Lakeview Engineering Associates, Civil Engineers, P.O. Box 787, Hudson, Massachusetts, 01749, consisting of 7 sheets: Sheet 1 of 7, dated May 21, 2015; Sheet 2 of 7, entitled "Existing Conditions Plan of Land," dated October 28, 2013, revised May 21, 2015; Sheet 3 of 7, entitled "By Right Example of Subdivision Plan of Land," dated March 9, 2015, revised May 21, 2015; Sheet 4 of 7, entitled "Definitive Subdivision Plan of Land," dated March 9, 2015, revised May 21, 2015; Sheet 5 of 7, entitled "Proposed Site Plan," dated July 10, 2014, revised May 21, 2015; Sheet 6 of 7, entitled "Plan and Profile," dated July 10, 2014, revised May 21, 2015; Sheet 7 of 7, entitled "Detail Sheet," dated July 10, 2014, revised May 21, 2015.
- Exhibit 2 - Application for Approval of a Definitive Subdivision Plan, dated May 22, 2015, with Exhibit A, List of Waivers.
- Exhibit 3 - Letter directed to Lee Newman, Director of Planning and Community Development, from George Giunta Jr., Attorney, dated May 22, 2015.
- Exhibit 4 - Letter directed to Lee Newman, Director of Planning and Community Development, from Raphael Nir, Manager, RRNIR LLC, dated May 22, 2015.
- Exhibit 5 - Definitive Subdivision Application, Boundary Description.
- Exhibit 6 - Drainage Calculations, prepared by H2O Engineering Consulting Associates, Inc., dated April 4, 2014.
- Exhibit 7 - Plan entitled "London Lane, Definitive Subdivision Plan," prepared by Field Resources, Inc., 281 Chestnut Street, Needham, MA 02492, Lakeview Engineering Associates, Civil Engineers, P.O. Box 787, Hudson, Massachusetts, 01749, consisting of 7 sheets: Sheet 1 of 7, dated May 21, 2015; Sheet 2 of 7, entitled "Existing Conditions Plan of Land," dated October 28, 2013, revised May 21, 2015 and June 21, 2015; Sheet 3 of 7, entitled "By Right Example of Subdivision Plan of Land," dated March 9, 2015, revised May 21, 2015 and June

21, 2015; Sheet 4 of 7, entitled "Definitive Subdivision Plan of Land," dated March 9, 2015, revised May 21, 2015 and June 21, 2015; Sheet 5 of 7, entitled "Proposed Site Plan," dated July 10, 2014, revised May 21, 2015 and June 21, 2015; Sheet 6 of 7, entitled "Plan and Profile," dated July 10, 2014, revised May 21, 2015 and June 21, 2015; Sheet 7 of 7, entitled "Detail Sheet," dated July 10, 2014, revised May 21, 2015 and June 21, 2015.

- Exhibit 8 - Drainage Summary, 1001 Central Avenue, Needham, MA, prepared by Lakeview Engineering Associates, Civil Engineers, P.O. Box 787, Hudson, Massachusetts, 01749, dated April 4, 2014.
- Exhibit 9 - Letter to Lee Newman, Director of Planning and Community Development, from George Giunta, Jr., Attorney, dated August 11, 2015.
- Exhibit 10 - Letter to Theodora Eaton, Town Clerk, from Lee Newman, Director of Planning and Community Development, dated August 12, 2015 with attachment.
- Exhibit 11 - Letter to Lee Newman, Director of Planning and Community Development, from George Giunta, Jr., Attorney, dated September 29, 2015.
- Exhibit 12 - Letter to Theodora Eaton, Town Clerk, from Lee Newman, Director of Planning and Community Development, dated September 30, 2015 with attachment.
- Exhibit 13 - Plan entitled "London Lane, Definitive Subdivision Plan," prepared by Field Resources, Inc., 281 Chestnut Street, Needham, MA 02492, Lakeview Engineering Associates, Civil Engineers, P.O. Box 787, Hudson, Massachusetts, 01749, consisting of 7 sheets: Sheet 1 of 7, dated May 21, 2015; Sheet 2 of 7, entitled "Existing Conditions Plan of Land," dated October 28, 2013, revised May 21, 2015, June 21, 2015 and October 20, 2015; Sheet 3 of 7, entitled "By Right Example of Subdivision Plan of Land," dated March 9, 2015, revised May 21, 2015, June 21, 2015 and October 20, 2015; Sheet 4 of 7, entitled "Definitive Subdivision Plan of Land," dated March 9, 2015, revised May 21, 2015, June 21, 2015 and October 20, 2015; Sheet 5 of 7, entitled "Proposed Site Plan," dated July 10, 2014, revised May 21, 2015, June 21, 2015 and October 20, 2015; Sheet 6 of 7, entitled "Plan and Profile," dated July 10, 2014, revised May 21, 2015, June 21, 2015 and October 20, 2015; Sheet 7 of 7, entitled "Detail Sheet," dated July 10, 2014, revised May 21, 2015, June 21, 2015 and October 20, 2015.
- Exhibit 14 - Letter to Lee Newman, Director of Planning and Community Development, from George Giunta, Jr., Attorney, dated January 8, 2016.
- Exhibit 15 - Letter to Theodora Eaton, Town Clerk, from Lee Newman, Director of Planning and Community Development, dated January 13, 2016 with attachment.
- Exhibit 16 - Plan entitled "London Lane, Definitive Subdivision Plan," prepared by Field Resources, Inc., 281 Chestnut Street, Needham, MA 02492, Lakeview Engineering Associates, Civil Engineers, P.O. Box 787, Hudson, Massachusetts, 01749, consisting of 7 sheets: Sheet 1 of 7, dated October 20, 2015; Sheet 2 of 7, entitled "Existing Conditions Plan of Land," dated October 28, 2013, revised May 21, 2015, June 21, 2015, October 20, 2015 and January 11, 2016; Sheet 3 of

7, entitled "By Right Example of Subdivision Plan of Land," dated March 9, 2015, revised May 21, 2015, June 21, 2015, October 20, 2015 and January 11, 2016; Sheet 4 of 7, entitled "Definitive Subdivision Plan of Land," dated March 9, 2015, revised May 21, 2015, June 21, 2015, October 20, 2015 and January 11, 2016; Sheet 5 of 7, entitled "Proposed Site Plan," dated July 10, 2014, revised May 21, 2015, June 21, 2015, October 20, 2015 and January 11, 2016; Sheet 6 of 7, entitled "Plan and Profile," dated July 10, 2014, revised May 21, 2015, June 21, 2015, October 20, 2015 and January 11, 2016; Sheet 7 of 7, entitled "Detail Sheet," dated July 10, 2014, revised May 21, 2015, June 21, 2015, October 20, 2015 and January 11, 2016.

Exhibit 17- Drainage Summary, 1001-1015 Central Avenue, Needham, MA, prepared by Lakeview Engineering Associates, Civil Engineers, P.O. Box 787, Hudson, Massachusetts, 01749, dated July 21, 2015, revised January 18, 2016.

Exhibit 18 - Amended List of Waivers, received January 26, 2016.

Exhibit 19 - Interdepartmental Communication (IDC) to the Board from Thomas Ryder, Assistant Town Engineer, dated June 15, 2015, December 1, 2015, January 26, 2016 and January 26, 2016; IDC to the Board from Dennis Condon, Fire Chief, Needham Fire Department, dated June 11, 2015, August 24, 2015, January 26, 2016 and January 26, 2016; IDC to the Board from John Kraemer, Police Lt., Needham Police Department, dated June 18, 2015 and August 26, 2015; and IDC to the Board from Tara Gurge, Agent, Needham Board of Health, dated June 18, 2015 and December 2, 2015.

Submitted for their deliberations following the close of the public hearing were the following exhibits.

Exhibit 20 - Email from Denise DiRocco, 1019 Central Avenue, Needham, MA, dated January 28, 2016.

Exhibits 2, 3, 4, 5, 16, 17 and 18 are referred to hereinafter as the Plan.

The Board hereby APPROVES the Subdivision, as shown on the Plan, located in Needham, Norfolk County, Massachusetts, to be recorded herewith, for the reasons and subject to the plan modifications, conditions and waivers herein set forth. The approval herein granted is based on the Plan entitled "London Lane, Definitive Subdivision Plan," prepared by Field Resources, Inc., 281 Chestnut Street, Needham, MA 02492, Lakeview Engineering Associates, Civil Engineers, P.O. Box 787, Hudson, Massachusetts, 01749, consisting of 7 sheets: Sheet 1 of 7, dated October 20, 2015; Sheet 2 of 7, entitled "Existing Conditions Plan of Land," dated October 28, 2013, revised May 21, 2015, June 21, 2015, October 20, 2015 and January 11, 2016; Sheet 3 of 7, entitled "By Right Example of Subdivision Plan of Land," dated March 9, 2015, revised May 21, 2015, June 21, 2015, October 20, 2015 and January 11, 2016; Sheet 4 of 7, entitled "Definitive Subdivision Plan of Land," dated March 9, 2015, revised May 21, 2015, June 21, 2015, October 20, 2015 and January 11, 2016; Sheet 5 of 7, entitled "Proposed Site Plan," dated July 10, 2014, revised May 21, 2015, June 21, 2015, October 20, 2015 and January 11, 2016; Sheet 6 of 7, entitled "Plan and Profile," dated July 10, 2014, revised May 21, 2015, June 21, 2015, October 20, 2015 and January 11, 2016; Sheet 7 of 7, entitled "Detail Sheet," dated July 10, 2014, revised May 21, 2015, June 21, 2015, October 20, 2015 and January 11, 2016.

1. The Board has waived compliance with the following requirements of the Town of Needham, Subdivision Rules and Procedural Rules of the Planning Board, having found that such action is in the public interest and is not inconsistent with the intent and purposes of the Subdivision Control Law.

a) The Board hereby waives the requirements of Section 3.3.1 of the Town of Needham, Subdivision Rules and Procedural Rules of the Planning Board, which would otherwise require that all streets be laid out to a width of 50 feet and approves instead a 40-foot wide right-of-way, as shown on the Plan, as modified by this decision. The above-named waiver is subject to the provisions of paragraphs 3 through 12 of this decision. The Board found a right-of-way width of 40 feet to be sufficient to accommodate the 6 lot residential subdivision. In the granting of this waiver, the Board considered the Plan as referred to in Exhibits 2, 3, 4, 5, 16, 17 and 18 hereof.

b) The Board hereby waives the requirements of Section 3.3.3 of the Town of Needham, Subdivision Rules and Procedural Rules of the Planning Board, which would otherwise require that the minimum street centerline radius for turns be 100 feet and approves instead a minimum street centerline radius for turns of 75 feet, as shown on the Plan, as modified by this decision. The above-named waiver is subject to the provisions of paragraphs 3 through 12 of this decision. The Board found a minimum centerline radius for turns of 75 feet to be sufficient to accommodate the 6 lot residential subdivision. In the granting of this waiver, the Board considered the Plan as referred to in Exhibits 2, 3, 4, 5, 16, 17 and 18 hereof.

c) The Board hereby waives the requirements of Section 3.3.1 of the Town of Needham, Subdivision Rules and Procedural Rules of the Planning Board, which would otherwise require that the grade of the street not exceed 1% within 50 feet of a street intersection and approves instead a maximum grade of 3.25% at the Central Avenue intersection, as shown on the Plan, as modified by this decision. The above-named waiver is subject to the provisions of paragraphs 3 through 12 of this decision. In the granting of this waiver, the Board considered the site distance found at the London Lane/Central Avenue intersection, the safety of the intersection to function in accordance with ASHTO roadway safety standards, and the affirmative recommendation of the Town Engineer for this roadway design program.

d) The Board hereby waives the requirements of Section 3.3.16 of the Town of Needham, Subdivision Rules and Procedural Rules of the Planning Board, which would otherwise require the construction of a sidewalk in accordance with the "Standard Specifications" of the Town of Needham along both sides of the proposed roadway and approves instead a walkway on only one side of the proposed roadway, as shown on the Plan, as modified by this decision. The above-named waiver is subject to the provisions of paragraphs 3 through 12 of this decision. In the granting of this waiver, the Board considered the number of homes served by this subdivision, the projected traffic volume for London Lane and the dead end nature of the proposed street.

e) The Board hereby waives the requirements of Section 3.3.5 of the Town of Needham, Subdivision Rules and Procedural Rules of the Planning Board, which would otherwise require that all cul-de-sacs have a minimum radius of 60 feet and approves instead a radius of 50 feet, as shown on the Plan, as modified by this decision. The above-named waiver is subject to the provisions of paragraphs 3 through 12 of this decision. In the granting of this waiver, the Board considered the Plan as referred to in Exhibits 2, 3, 4, 5, 16, 17 and 18 hereof and the specific goal of minimizing regrading on the site which would otherwise have been required if a 60 foot radius diameter turnaround was to be required.

2. Petitioner shall cause the Plan to be revised to show the following additional or revised information which modifications shall be subject to review and approval of the Board prior to endorsement of the Plan:

- a) The Plan shall be revised to show the drainage easement on the lotting plan.
- b) The Plan shall be revised to show the cul-de-sac pavement width increased from 20 to 24 feet.
- c) The Plan shall be revised to show a detail for the street lighting fixtures. Said detail shall be that approved by the Town for installation in residential subdivisions.
- d) The Plan shall be revised to reflect the revised list of subdivision waivers submitted on January 26, 2016.
- e) The Plan shall be revised to show the construction of a sidewalk along the full length of the Central Avenue frontage. A detail of said sidewalk shall also be provided.

3. The waiver of street construction requirements, as fully set forth in paragraphs 1.a, 1.b, 1.c, 1.d, and 1.e is expressly conditioned upon and subject to the restriction that neither the owner nor any successor owner or owners of Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, or Lot 6 as shown on the Plan (hereinafter referred to individually as a Lot or collectively as the Lots) shall use the Lots for any purpose other than single-family residential use or Lot owner home occupations as allowed under the Zoning By-Law, as shown on the Plan, as approved by the Board and recorded herewith, and there shall be no further division of the Lots as shown thereon without the prior written approval of the Planning Board.

4. Each and every owner or owners of any Lot shall be jointly and severally responsible and liable, and shall fulfill all lot owners' obligations under the London Lane Homeowners Trust Agreement, for the costs of the maintenance, repair and reconstruction of the Private Way shown on the Plan and designated thereon and all services, (whether the services are located within the Private Way or in areas shown partially on the Private Way and partially on a Lot), the installation of which are required in connection with this approval, or which may be installed at any time, including, without limitation, maintenance, repair and reconstruction of roadways, water, sewer and drainage facilities and other utilities and related equipment, curbs, monuments, walkways, landscaping and street signs, as and whenever necessary, and including all actions of any kind or nature necessary or appropriate in order to maintain the Private Way in a good, safe and passable condition, including snow plowing, providing access from each Lot to a public way, as shown on the Plan, and providing adequate services to each Lot, all in accordance with these conditions.

5. Each and every owner or owners of any Lot shall be jointly and severally responsible and liable, and shall fulfill all Lot owners' obligations under the London Lane Homeowners Trust Agreement, for all maintenance, repairs and reconstruction required for or on the Private Way in compliance with and in conformity with requirements of the Town of Needham and other requirements imposed by law or governmental authority.

6. The Trustees under the London Lane Homeowners Trust Agreement and each owner of a Lot shall not use or permit use of the Private Way for any purpose other than ingress and egress from the Lots by the residents of the Lots and their guests and invitees, such use to be limited to pedestrian and private-passenger vehicular traffic, and such other vehicular traffic as is necessary from time to time in cases of emergency, delivery of customary and usual household services and

equipment or in connection with the maintenance, repair or reconstruction of the Private Way, the Lot, and any structures thereon and services installed thereon, or hereunder.

7. Neither the Lot owner nor the Trustees under the London Lane Homeowners Trust Agreement shall perform, nor shall they permit changes to be made to any Lot, which would impact the functionality or design of the drainage improvements as shown on the Plan.

8. Any and all maintenance, repair or reconstruction work performed on or to the Private Way or in connection with services installed thereon or hereunder by or at the direction of any owner or owners of any Lot or the Trustees under the London Lane Homeowners Trust Agreement as provided herein shall be carried out so as to ensure that no fill material nor any products or excavation or erosion resulting from or arising in connection with such work shall be discharged into any storm drainage system, and soil and other material or debris shall be removed from the site only if such removal will not impact the functionality or design of the drainage improvements shown on the Plan, and only to the extent necessary in connection with such work.

9. No Lot owner nor the Trustees under the London Lane Homeowners Trust Agreement shall at any time request that the Private Way be laid out or accepted as a public way in the Town of Needham unless such owner or owners or Trustees at its or their sole expense, perform and complete such work as is necessary to cause the Private Way to comply with all standards and regulations of the Town of Needham without waiver, and obtain all permits and approvals required by law in connection therewith. If the Private Way is accepted by the Town of Needham as a public way at any time, then the provisions hereof applicable to ownership and maintenance of the Private Way shall thereupon terminate.

10. No Lot owner nor the Trustees under the London Lane Homeowners Trust Agreement, shall at any time request or petition that any drainage system, water pipes, sewer pipes or related equipment or any other improvement within the subdivision for which design or improvement requirements have been waived by the Board as provided herein, be accepted or maintained by the Town of Needham.

11. The Town of Needham and its designees shall have the right to enter upon the Private Way for all purposes for which public ways are used in the Town of Needham.

12. In any sale or transfer by the owner or any successor owner of any of the Lots, the deed or other instrument shall refer to and incorporate conditions 3 through 11 inclusive and a) any conveyance shall include transfer of a fee interest or the perpetual right and easement to use the Private Way in common with others lawfully entitled thereto for all purposes for which public ways in the Town of Needham may now or hereafter be used consistent with the provisions hereof, and the b) subsurface areas, equipment and facilities used and maintained in connection with the provision of water, sewer, drainage and other utility services provided to the conveyed premises. Any deed or other instrument purporting to transfer or convey any interest in any Lot or Lots which does not expressly refer to and incorporate these conditions shall nevertheless be deemed to contain the same and in all events shall be subject thereto.

13. The Petitioner shall deliver to the Board a Restrictive Covenant incorporating conditions 3 through 11 inclusive of this decision in a form suitable for recording in the Registry of Deeds that shall run with the land and shall be enforceable by the Town. Such restriction shall be referenced on the Plan and shall be recorded therewith. Said covenant shall be enforceable in perpetuity or for the longest period permitted by law and in any event for 100 years.

14. Lots 1 through 6 inclusive as shown on the Plan shall be accessed solely from London Lane with no vehicular access for said lots provided directly to Central Avenue. Vehicular access to London Lane shall be limited to said Lots 1, 2, 3, 4, 5 and 6 as shown on the Plan.

15. The Petitioner shall cooperate with the owner of the property located at 1019 Central Avenue to implement the work program detailed in an email to Lee Newman and Alex Clee from Denise DiRocco and dated January 28, 2016 (Exhibit 20).

16. Street lighting shall be provided in the subdivision in accordance with the Plan. The light sources shall be on posts at least 10 feet high and shall be controlled by photovoltaic switches. Post lighting shall be supplied as shown on the Plan. The lighting system shall be maintained and the electricity shall be supplied by the Lot owners, and each Lot owner shall fulfill all Lot owner obligations relating thereto under the London Lane Homeowners Trust Agreement.

17. The island in the center of the London Lane cul-de-sac shall be landscaped. A cul-de-sac landscaping plan shall be submitted to the Board and the Department of Public Works for review and approval prior to endorsement of the subdivision Plan. The island landscaping shall be maintained by the Lot owners, and each Lot owner shall fulfill all Lot owner obligations relating thereto under the London Lane Homeowners Trust Agreement.

18. There shall be no alteration or change to a Lot so as to affect the drainage system for any Lot, or the drainage systems running across a Lot, as shown on the Plan, as modified by this decision, without the prior written approval of the Planning Board or Town Engineer as noted below. Any Lot owner who proposes to make a change from the approved Plan shall first file a copy of a plan depicting the proposed changes with the Needham Town Engineer, with a request for a determination as to whether the changes affect the drainage system. If the Town Engineer determines that the changes affect the drainage system, or if the Town Engineer fails to respond to the request for a determination within 45 days, the Lot owner may file the plan with the Planning Board for its review. In such event, the Lot owner shall file with the Planning Board such information as the Planning Board determines necessary for its review. The Planning Board shall hold a public hearing within 60 days of receiving a complete filing. After said public hearing, the Board may, in its sole discretion, find that the proposed changes do not appear to negatively impact down gradient property owners or interfere with the functioning of the drainage system(s) of the Lot or subdivision. In such event the Lot owner, only upon receipt of a written decision from the Planning Board, may implement the changes as shown on the new plan.

19. The Town of Needham shall have the authority with respect to any emergency as relates to the maintenance of the drainage system, to enter and make necessary repairs in order to abate said emergency. Emergency shall be defined as the creation of a condition that results or could result in flooding of adjacent properties, the overloading of the municipal drainage system or the creation of a condition that is injurious to the public health or safety. Within thirty days of invoice by the Town all costs incurred by the Town of Needham in the event of such emergency shall be paid by the London Lane Homeowners Trust, and if not paid within said thirty days, then such costs shall be assessed against all the Lot owners and shall become a lien on all the Lots in the subdivision which may be collected and enforced in the manner fixed by law for the collection of taxes. All costs shall include, but shall not be limited to, the cost of materials and the salary costs for all employees involved with the emergency actions. Notice of lien shall be recorded in the Norfolk County Registry of Deeds.

20. Off-street drainage surety in the amount of \$21,000.00 shall be posted (\$3,500.00 per lot) prior to the release of Lots 1-6 inclusive as shown on the Plan for purposes of building or conveyance. As recommended in the memo of the Board of Health dated June 18, 2015, all lots shall be graded to the limits of construction so as to have no standing water and/or otherwise create a public health nuisance. Grading shall not improperly shed or illegally increase drainage onto adjacent properties. All subsequent developers or builders shall be notified of the off-street drainage bond and the specific off-street drainage requirements. If required by the Board of Health, an as-built certified grading plan(s) of all or any of the lots shall be submitted prior to release of the drainage surety.

21. Each record owner, whether one or more persons or entities, of title to Lots 1 through 6, as shown on the Plan, shall maintain and keep operational their respective roof drainage system in accordance with the Plan, as approved by this decision and as further described in the Drainage analysis entitled "Drainage Summary, 1001-1015 Central Avenue, Needham, MA," prepared by Lakeview Engineering Associates, Civil Engineers, P.O. Box 787, Hudson, Massachusetts, 01749, dated July 21, 2015, revised January 18, 2016.

22. Prior to plan endorsement and in keeping with Phase II NPDES, Town of Needham as filed July 30, 2003, the Petitioner shall select a BMP topic under "Public Education and Outreach" and "Public Participation/Involvement" and shall implement said selected topic prior to the release of the subdivision lots.

23. The following safeguards shall be implemented during construction:

a. The hours of construction and construction related activities shall be limited to 7:30 a.m. to 6:00 p.m. Monday through Saturday.

b. The Petitioner's contractor shall designate a person who shall be responsible for the construction process. That person shall be identified to the Police Department, the Department of Public Works, the Building Inspector and the abutters and shall be contacted if problems arise during the construction process. The designee shall also be responsible for assuring that truck traffic and the delivery of construction material does not interfere with or endanger traffic flow on Central Avenue. The designee shall supply a phone number where the designee can be reached 24 hours per day.

c. The Petitioner shall take appropriate steps to minimize, to the maximum extent feasible, dust generated by the construction, including, but not limited to, requiring subcontractors to place covers over open trucks transporting construction debris or materials to or from the site and keeping Central Avenue clean of dirt and debris and watering appropriate portions of the construction site from time to time as may be necessary.

d. The Petitioner shall install and maintain a tire tracking pad for trucks leaving the site before they enter onto Central Avenue.

24. All trees having a caliper of 6 inches as measured three feet off the ground on the site shall be retained and not disturbed or destroyed during construction of the subdivision except for those trees which must be removed for the construction of the proposed way, driveways, utilities, and dwellings and uses accessory thereto.

25. Prior to site alteration the Petitioner shall mark in the field those trees which the landscape plan indicates will be retained. Such trees identified to be preserved shall be distinguished with appropriate markings, which may include surrounding fences or stakes. Any such trees removed which were identified for retention shall be replaced with trees of similar quality and caliper or as otherwise approved by the Board.
26. A Department of Environmental Protection sewer extension and connection permit may be required to service the subdivision and abutting lots. If required, approval of this subdivision is subject to the granting by the Board of Selectmen and the Department of Environmental Protection of a Sewer Extension and Connection Permit.
27. Any and all special permits required by the Massachusetts Water Resources Authority shall be obtained at the expense of the Petitioner.
28. A special sewer connection permit program fee shall be provided for all lots within the subdivision.
29. Grade adjustment rings are not permitted to adjust gate boxes and/or other castings. The Petitioner shall use appropriately sized castings.
30. All catch basins shall remain functional at all times. Rims shall be set at binder elevation and shall be adjusted to finish course elevation prior to placement of the top course of pavement.
31. If the binder course of pavement is exposed to one winter season, it shall be chipsealed prior to September 1 of the following winter season. If the roadway work is not completed prior to the third winter season, road reconstruction may be required by the Highway Superintendent.
32. No openings in the pavement shall be made after the chipseal has been laid between September 1 and April 1.
33. The construction, operation and maintenance of the subdivision shall be conducted in accordance with the EPA's Memorandum of Understanding signed by the Board of Selectmen.
34. "As-built" construction plans of the sewer, water and drainage utilities shall be submitted to the Department of Public Works and the Board for review and approval prior to release of the respective performance bond amounts.
35. All future sewer tie-ins to properties located outside of this subdivision shall be accomplished in a manner consistent with the "Town of Needham Master Plan of Connection to the MWRA Sewer" dated January 8, 1988, (as revised) and prepared by the Needham Public Works, Sewer Division.
36. Prior to the commencement of any street construction within the subdivision, the location of future street lighting, location of fire alarm circuits and outlets, and the location of underground power to serve these shall be shown on an amended version of the definitive utility plan to be filed with the Board and Public Works Department.
37. The provisions of M.G.L., Chapter 131, Section 40 and 40A and the Needham Wetlands Protection By-Law shall be satisfied.

38. All construction staging and parking shall be on-site. No construction parking shall be permitted on Central Avenue or on any other public street.
39. All areas where utilities are proposed shall be compacted to the satisfaction of the Public Works Department.
40. In the absence of any details or waivers set forth herein, the current Subdivision Regulations and Procedural Rules of the Planning Board shall govern and are hereby made a part of this decision. All construction details not specifically shown on the approved Plan shall conform to Department of Public Works specifications.
41. The developer is directed to submit the Subdivision Inspection Form during all phases of construction as required, in accordance with Appendix E of the Subdivision Regulations and Procedural Rules of the Planning Board.
42. Notwithstanding the provisions of the Town of Needham, Subdivision Rules and Procedural Rules of the Planning Board, the Petitioner shall have two years from the date of endorsement of the Plan to complete the installation and construction of London Lane, and the services provided therein, in accordance with the applicable Subdivision Regulations and Procedural Rules of the Planning Board. Failure to so complete shall automatically rescind approval of the Subdivision Plan.
43. The Petitioner shall enter a written agreement to guarantee completion, once commenced, of the required improvements for all lots in the Subdivision, as shown on the Plan, with such construction and installation to be additionally secured by one of the methods delineated under the provisions of Section 3.5.1. Such agreement shall be subject to review and approval of the Board prior to endorsement of the Plan.
44. The Petitioner shall deliver to the Board for its approval a duly executed easement deed to the Town of Needham granting to the Town the right to pass on foot or by vehicle over the Private Way and access rights over the "Drainage Easement" on each of the Lots, a Subdivision Covenant, a Restrictive Covenant and London Lane Homeowners Trust Agreement, all as may be required and as shown on the Plan ("the Documents"). The Documents shall be subject to review and approval of the Board prior to endorsement of the Plan. The Documents shall be referenced on the Plan and all documents shall be recorded with the Plan.
45. Prior to the release of any lots for building or sale, copies of the recorded instruments described in paragraphs 13 and 44 of this decision and copies of the recorded plan shall be provided to the Planning Director.
46. The Petitioner shall present the Plan to the Board for proper endorsement within ninety (90) days of the date this decision is executed unless such time period is extended, in writing, by the Board. The Board reserves the right to rescind its approval if said Plan is not presented to the Board for endorsement within the time period herein specified. Further, the Petitioner or his authorized representative shall submit the Plan to the Planning Director fourteen (14) days in advance of its presentation to the Board to allow adequate time to review the revised Plan for compliance with the Conditions of this decision.

The foregoing have been stated for the purpose of emphasizing their importance and are not intended to be all inclusive or to negate any provision of the Town of Needham, Subdivision Rules and Procedural Rules of the Planning Board.

Under the provisions of the Town of Needham, Subdivision Regulations and Procedural Rules of the Planning Board and Massachusetts General Laws, Chapter 41, Sections 81-K through 81-GG, inclusive, the Board shall have the power to modify or amend the terms and conditions of this approval after due notice on the application of the owner, lessee or mortgagee of the premises or upon its own motion. All the provisions of the Subdivision Control Law applicable to approval shall, where appropriate, be applicable to such modification or amendment. Such power is hereby reserved. Appeals, if any, shall be made pursuant to Section 81-BB of the Massachusetts General Laws, Chapter 41, and shall be filed within twenty (20) days after the date of filing this decision with the Town Clerk.

The provisions of this Approval and Conditions shall be binding upon every owner or owners of each of the lots, as shown on the Plan, and the executors, administrators, heirs, successors and assigns of such owners, and the obligations and restrictions herein set forth shall run with said land in full force and effect for the benefit of and enforceable by the Town of Needham. Reference to this Approval shall be entered upon the Plan and this Approval shall be recorded in the Norfolk Registry of Deeds with the Plan.

Witness our hands this 9th day of February, 2016

NEEDHAM PLANNING BOARD

Jeanne S. McKnight
Jeanne S. McKnight, Chairman

Elizabeth J. Grimes
Elizabeth J. Grimes

Bruce T. Eisenhut
Bruce T. Eisenhut

Martin Jacobs
Martin Jacobs

Paul S. Alpert
Paul S. Alpert

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

Feb. 9, 2016

On this 9 day of February, 2016, before me, the undersigned notary public, personally appeared Jeanne McKnight, one of the members of the Planning Board of the Town of Needham, Massachusetts, proved to me through satisfactory evidence of identification, which was personally known to me, to be the person whose name is signed on the proceeding or attached document, and acknowledged the foregoing to be the free act and deed of said Board before me.

Alyson D. Allen
Notary Public

My Commission Expires: March 18, 2022

TO WHOM IT MAY CONCERN: This is to certify that the 20-day appeal period on the decision on the petition of RRNIR LLC, 20 Beaufort Avenue, Needham, Massachusetts, for property located at 1001 Central Avenue, and 1015 Central Avenue, Needham, Norfolk County, Massachusetts, has passed and there have been no appeals made to this office. (All Judicial Appeals taken from this decision have been dismissed).

Date

Theodora K. Eaton, Town Clerk

Copy sent to:

Petitioner - Certified Mail #
Town Clerk
Building Inspector
Director, DPW
Board of Health
Conservation Commission

Engineering
Police Department
Fire Department
George Giunta, Jr.

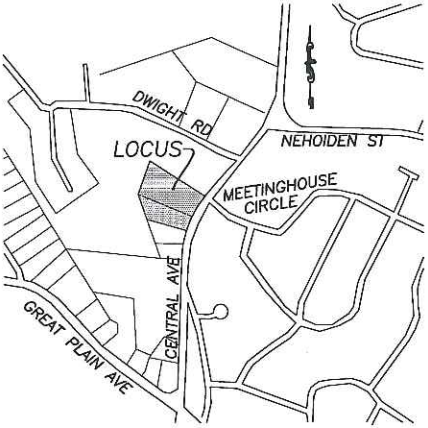
LONDON LANE
DEFINITIVE SUBDIVISION PLAN

LOCATED IN
NEEDHAM, MASSACHUSETTS
1001 & 1015 CENTRAL AVENUE
NEEDHAM, MASS. 02492

OWNERS: RRNIR LLC
20 BEAUFORT AVENUE
NEEDHAM, MA 02492

PREPARED BY:
Field Resources, Inc.
LAND SURVEYORS
281 CHESTNUT STREET NEEDHAM, MASS. 02492
(781) 444-5936
AND
LAKEVIEW ENGINEERING ASSOCIATES
P.O. BOX 787, HUDSON, MASS. 01749
(508) 232-8302

JUNE 2, 2016



LOCUS MAP
NOT TO SCALE

ZONING DISTRICT -- SINGLE RESIDENCE B (SRB)
MINIMUM REQUIREMENTS

MINIMUM AREA REQUIREMENT -- 10,000 S.F.
MINIMUM FRONTAGE REQUIREMENT -- 80 FEET
MINIMUM FRONT YARD SETBACK -- 20 FEET
MINIMUM SIDE YARD SETBACK -- 12.5 FEET
MINIMUM REAR YARD SETBACK -- 20 FEET
STREET DESIGNATION -- MINOR

PROPERTY REFERENCE

BOOK 33110, PAGE 002
BOOK 32056, PAGE 495

ZONING REFERENCE

ASSESSORS MAP 120, PARCELS 21 & 22
ZONING DISTRICT: SR-B

APPROVED BY:
NEEDHAM PLANNING BOARD

DATE: _____

I HEREBY CERTIFY:
THAT THIS PLAN CONFORMS WITH
THE RULES AND REGULATIONS
OF THE REGISTERS OF DEEDS.

BRADLEY J. SIMONELLI ~ P.L.S.
DATE: _____

EDWARD T. T. CHIANG ~ P.E.

I, TOWN CLERK OF THE TOWN OF NEEDHAM, MASSACHUSETTS, HEREBY
CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE
NEEDHAM PLANNING BOARD HAS BEEN RECEIVED AND RECORDED
ON _____ BY THIS OFFICE AND NO APPEAL WAS RECEIVED DURING
THE TWENTY (20) DAYS AFTER SUCH RECEIPT AND RECORDING OF
SAID NOTICE.

TOWN CLERK

DATE

WAIVER REQUESTS

SECTION 3.3.1.- TO WAIVE THE REQUIREMENT FOR A
RIGHT OF WAY WIDTH OF 50 FEET
ALLOW A LAYOUT WIDTH OF 40 FEET.

SECTION 3.3.1.- TO WAIVE THE REQUIREMENT FOR A
MAXIMUM SLOPE OF 1% SLOPE WITHIN
50 FEET OF AN INTERSECTION TO ALLOW
FOR A 3.25% SLOPE.

SECTION 3.3.3- TO WAIVE THE REQUIREMENT FOR A
STREET CENTERLINE RADIUS OF 100 FEET
TO ALLOW A STREET CENTERLINE
RADIUS OF 75 FEET.

SECTION 3.3.5- TO WAIVE THE REQUIREMENT FOR A
60 FOOT RADIUS CUL-DE-SAC
TO ALLOW A RADIUS OF 50 FEET.

SECTION 3.3.16- TO WAIVE THE REQUIREMENT FOR
SIDEWALKS ON BOTH SIDES OF
THE RIGHT OF WAY

SUBJECT TO A "DEFINITIVE SUBDIVISION DECISION, 1001-1015 CENTRAL
AVENUE, RRNIR, LLC, DATED FEBRUARY 9, 2016" TO BE
RECORDED HEREWITH.

SUBJECT TO A "SUBDIVISION COVENANT UNDER PROVISIONS OF GENERAL
LAWS CHAPTER 41, SECTION 81-U" TO BE RECORDED
HEREWITH.

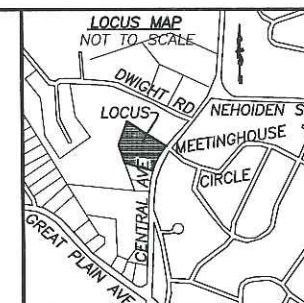
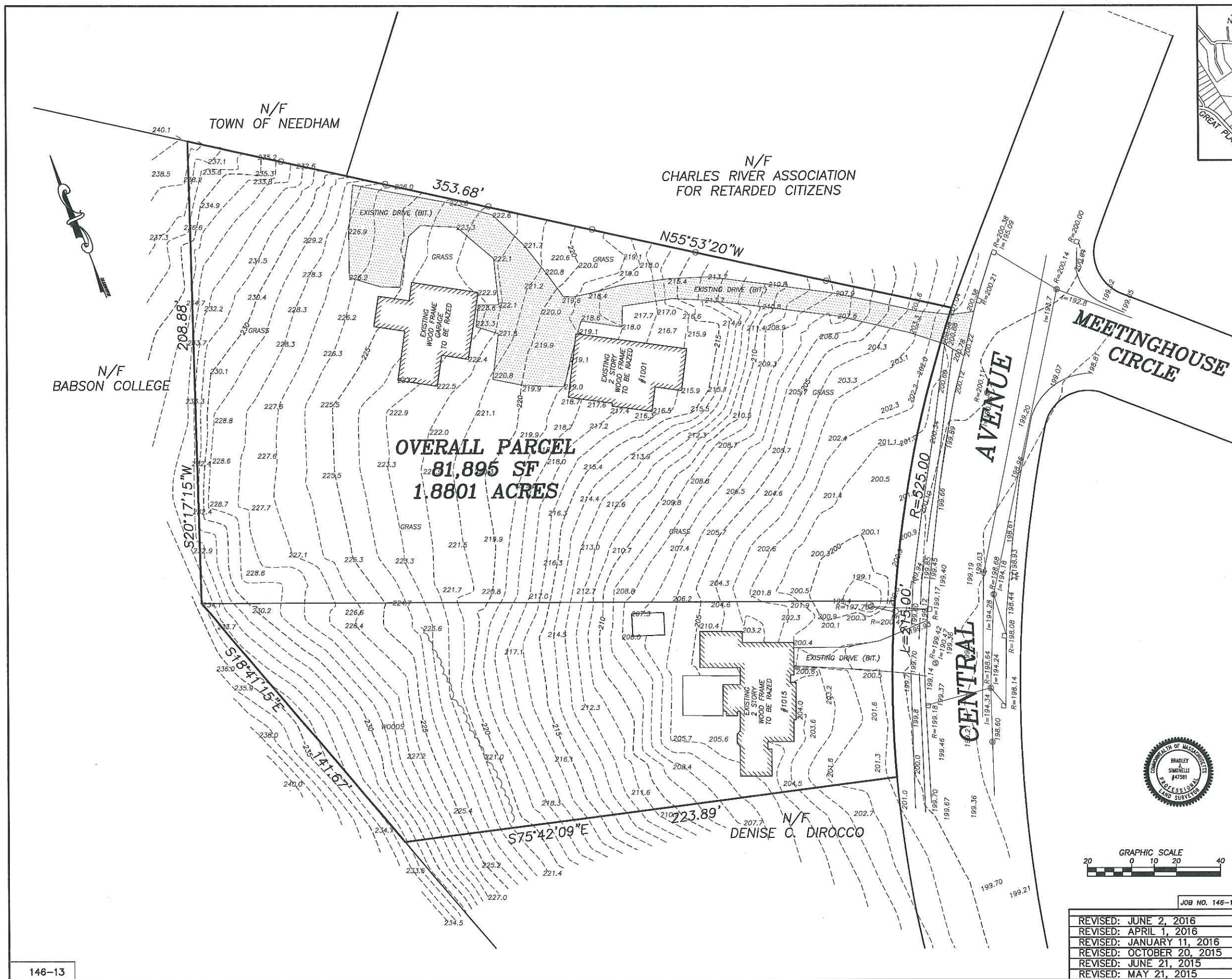
SUBJECT TO A "DECLARATION OF RESTRICTIVE COVENANT, LONDON LANE,
NEEDHAM, MA" TO BE RECORDED HEREWITH.

SUBJECT TO A "GRANT OF EASEMENTS, LONDON LANE, NEEDHAM, MA" TO BE
RECORDED HEREWITH.

SUBJECT TO A "DECLARATION OF TRUST, LONDON LANE HOMEOWNERS
TRUST" TO BE RECORDED HEREWITH.

INDEX TO DRAWINGS:

- SHEET 1 OF 8 -- TITLE SHEET
- SHEET 2 OF 8 -- EXISTING CONDITIONS PLAN
- SHEET 3 OF 8 -- BY RIGHT SUBDIVISION PLAN
- SHEET 4 OF 8 -- DEFINITIVE SUBDIVISION PLAN
- SHEET 5 OF 8 -- TOPOGRAPHIC PLAN
- SHEET 6 OF 8 -- PLAN & ROADWAY PROFILE
- SHEET 7 OF 8 -- CONSTRUCTION DETAILS
- SHEET 8 OF 8 -- ROADWAY PLANTINGS



FOR REGISTRY USE ONLY

APPROVED IN ACCORDANCE WITH SECTION 81-U OF CHAPTER 41 OF THE GENERAL LAWS AS AMENDED
NEEDHAM PLANNING BOARD

DATED 2015

APPROVED

DIRECTOR OF PUBLIC WORKS

TOWN ENGINEER

I TOWN CLERK OF THE TOWN OF NEEDHAM
HEREBY CERTIFY THAT THE NOTICE OF APPROVAL
OF THIS PLAN BY THE NEEDHAM PLANNING BOARD
HAS BEEN RECEIVED AND RECORDED AT THIS
OFFICE AND NO APPEAL WAS RECEIVED DURING
THE TWENTY DAYS NEXT AFTER SUCH RECEIPT
AND RECORDING OF SAID NOTICE.

DATE TOWN CLERK



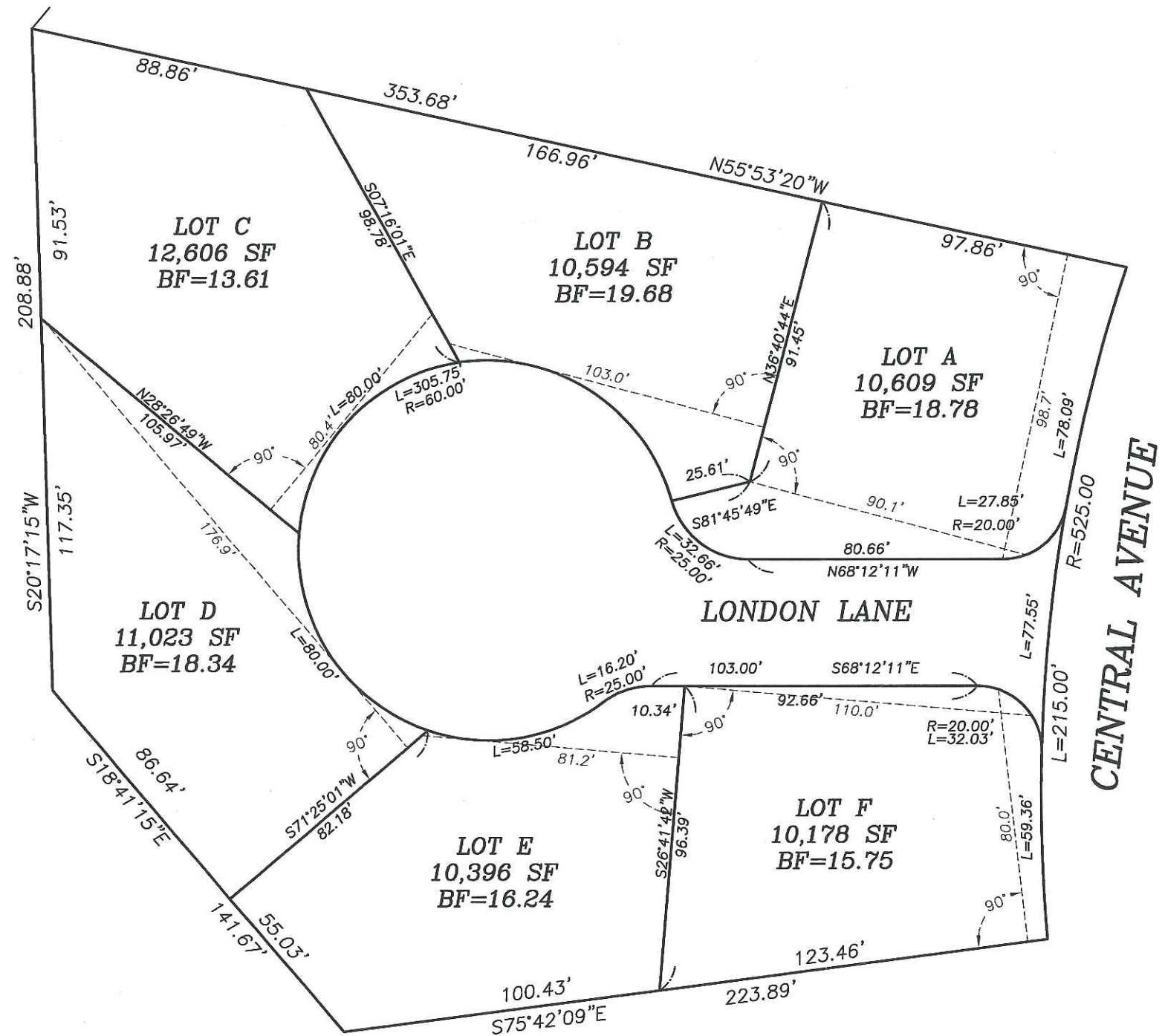
SHEET 2 OF 8
EXISTING CONDITIONS
PLAN OF LAND
1001 & 1015 CENTRAL AVENUE
NEEDHAM, MASS.

Field Resources, Inc.
LAND SURVEYORS



JOB NO. 146-13	
REVISED: JUNE 2, 2016	
REVISED: APRIL 1, 2016	
REVISED: JANUARY 11, 2016	
REVISED: OCTOBER 20, 2015	
REVISED: JUNE 21, 2015	
REVISED: MAY 21, 2015	

OCTOBER 28, 2013 SCALE 1"=20'
P.O. BOX 324 281 CHESTNUT ST.
AUBURN, MA NEEDHAM, MA.
508 832 4332 781 444 5936
fieldresources@hotmail.com



FOR REGISTRY USE ONLY

APPROVED IN ACCORDANCE WITH SECTION 81-U
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NEEDHAM PLANNING BOARD

DATED 2016

APPROVED

DIRECTOR OF PUBLIC WORKS

TOWN ENGINEER

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DATE TOWN CLERK



SHEET 3 OF 8
BY RIGHT EXAMPLE
SUBDIVISION PLAN OF LAND
1001 & 1015 CENTRAL AVENUE
NEEDHAM, MASS.

ZONING INFORMATION: SINGLE RESIDENCE B (SRB)

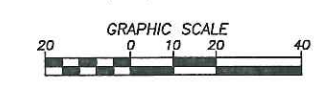
- MINIMUM LOT AREA10,000 SF.
- MINIMUM LOT FRONTAGE.....80 FEET
- MINIMUM FRONT SETBACK.....20 FEET
- MINIMUM SIDE YARD.....12.5 FEET*
- MINIMUM REAR YARD.....20 FEET
- MAXIMUM BUILDING COVERAGE.....25%
- MAXIMUM BUILDING HEIGHT.....35 FEET
- MAXIMUM BUILDING HEIGHT.....2 1/2 STORIES

*MAXIMUM OF 28 LINEAR FEET OF THE BUILDING MAY BE
BUILT AT 12.5 FEET THE REMAINDER MUST BE AT LEAST 14.5 FEET.

JOB NO. 146-13	
REVISED: JUNE 2, 2016	
REVISED: APRIL 1, 2016	
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REVISED: JUNE 21, 2015	
REVISED: MAY 21, 2015	

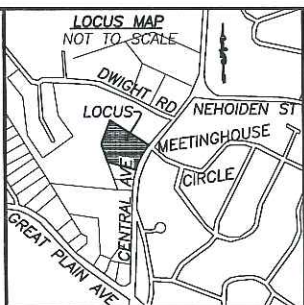
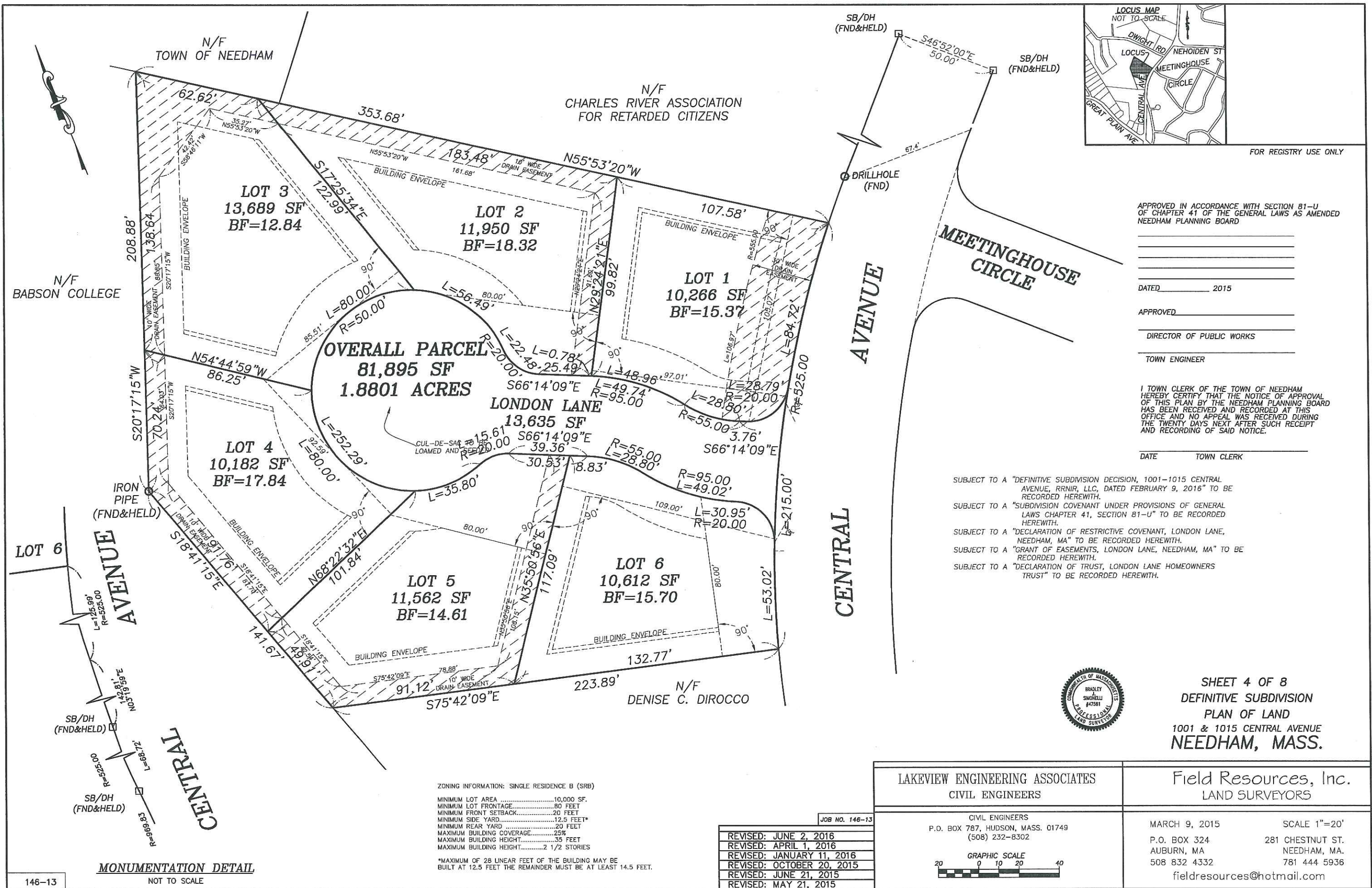
LAKEVIEW ENGINEERING ASSOCIATES
CIVIL ENGINEERS

CIVIL ENGINEERS
P.O. BOX 787, HUDSON, MASS. 01749
(508) 232-8302



Field Resources, Inc.
LAND SURVEYORS

MARCH 9, 2015 SCALE 1"=30'
P.O. BOX 324 281 CHESTNUT ST.
AUBURN, MA NEEDHAM, MA.
508 832 4332 781 444 5936
fieldresources@hotmail.com



FOR REGISTRY USE ONLY

APPROVED IN ACCORDANCE WITH SECTION 81-U OF CHAPTER 41 OF THE GENERAL LAWS AS AMENDED NEEDHAM PLANNING BOARD

DATED 2015

APPROVED

DIRECTOR OF PUBLIC WORKS

TOWN ENGINEER

I TOWN CLERK OF THE TOWN OF NEEDHAM HEREBY CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE NEEDHAM PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND NO APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECEIPT AND RECORDING OF SAID NOTICE.

DATE TOWN CLERK

SUBJECT TO A "DEFINITIVE SUBDIVISION DECISION, 1001-1015 CENTRAL AVENUE, RRNR, LLC, DATED FEBRUARY 9, 2016" TO BE RECORDED HERewith.
SUBJECT TO A "SUBDIVISION COVENANT UNDER PROVISIONS OF GENERAL LAWS CHAPTER 41, SECTION 81-U" TO BE RECORDED HERewith.
SUBJECT TO A "DECLARATION OF RESTRICTIVE COVENANT, LONDON LANE, NEEDHAM, MA" TO BE RECORDED HERewith.
SUBJECT TO A "GRANT OF EASEMENTS, LONDON LANE, NEEDHAM, MA" TO BE RECORDED HERewith.
SUBJECT TO A "DECLARATION OF TRUST, LONDON LANE HOMEOWNERS TRUST" TO BE RECORDED HERewith.



SHEET 4 OF 8
DEFINITIVE SUBDIVISION
PLAN OF LAND
1001 & 1015 CENTRAL AVENUE
NEEDHAM, MASS.

LAKEVIEW ENGINEERING ASSOCIATES
CIVIL ENGINEERS

CIVIL ENGINEERS
P.O. BOX 787, HUDSON, MASS. 01749
(508) 232-8302



Field Resources, Inc.
LAND SURVEYORS

MARCH 9, 2015 SCALE 1"=20'
P.O. BOX 324 281 CHESTNUT ST.
AUBURN, MA NEEDHAM, MA.
508 832 4332 781 444 5936
fieldresources@hotmail.com

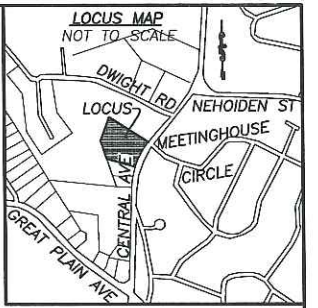
ZONING INFORMATION: SINGLE RESIDENCE B (SRB)

MINIMUM LOT AREA10,000 SF.
MINIMUM LOT FRONTAGE.....80 FEET
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MAXIMUM BUILDING COVERAGE.....25%
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REVISED: JUNE 2, 2016
REVISED: APRIL 1, 2016
REVISED: JANUARY 11, 2016
REVISED: OCTOBER 20, 2015
REVISED: JUNE 21, 2015
REVISED: MAY 21, 2015



APPROVED IN ACCORDANCE WITH SECTION 81-U
OF CHAPTER 41 OF THE GENERAL LAWS AS AMENDED
NEEDHAM PLANNING BOARD

DATED _____ 2016

APPROVED _____

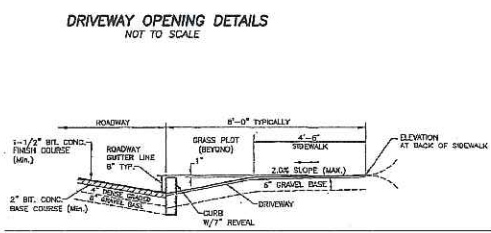
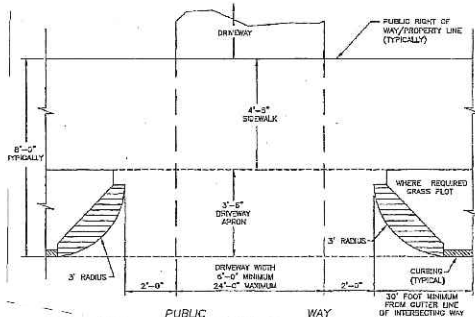
DIRECTOR OF PUBLIC WORKS

TOWN ENGINEER

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AND RECORDING OF SAID NOTICE.

DATE _____ TOWN CLERK

- LEGEND:**
- TELEPHONE PEDASTAL
 - ELECTRIC BOX
 - CABLE TV MANHOLE
 - DRAIN MANHOLE
 - ELECTRIC MANHOLE
 - MBTA MANHOLE
 - SEWER MANHOLE
 - TELEPHONE MANHOLE
 - WATER MANHOLE
 - STEAM MANHOLE
 - MANHOLE
 - CATCH BASIN
 - GAS SHUT OFF
 - WATER SHUT OFF
 - HYDRANT
 - UTILITY POLE
 - LIGHT POLE
 - LIGHT POST FOR STREET LIGHTING
POWERED BY RESPECTIVE HOUSES
 - SIGN
 - HANDICAP RAMP
 - PROPOSED STREET TREES
 - FENCE LINE
 - STONE WALL
 - S SEWER
 - D DRAIN
 - W WATER
 - G GAS
 - E,C&T ELECTRIC, CABLE & TELEPHONE CONDUIT
 - STL STREET LIGHTING SERVICE
 - C&T CABLE & TELEPHONE CONDUIT
 - E ELECTRIC CONDUIT



146-13

JOB NO. 146-13

REVISED: JUNE 2, 2016
REVISED: APRIL 1, 2016
REVISED: JANUARY 11, 2016
REVISED: OCTOBER 20, 2015
REVISED: JUNE 21, 2015
REVISED: MAY 21, 2015

LAKEVIEW ENGINEERING ASSOCIATES
CIVIL ENGINEERS

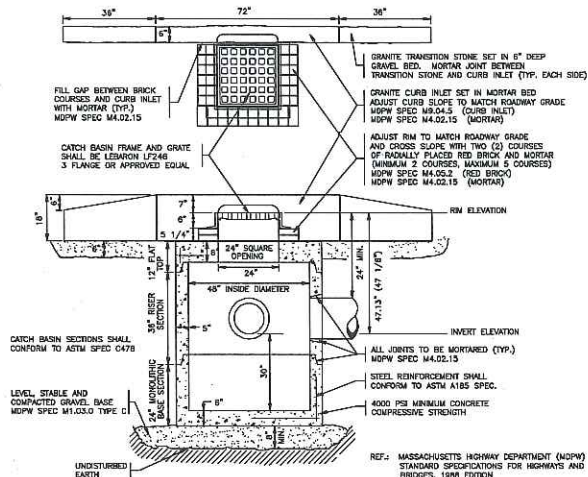
CIVIL ENGINEERS
P.O. BOX 787, HUDSON, MASS. 01749
(508) 232-8302

GRAPHIC SCALE
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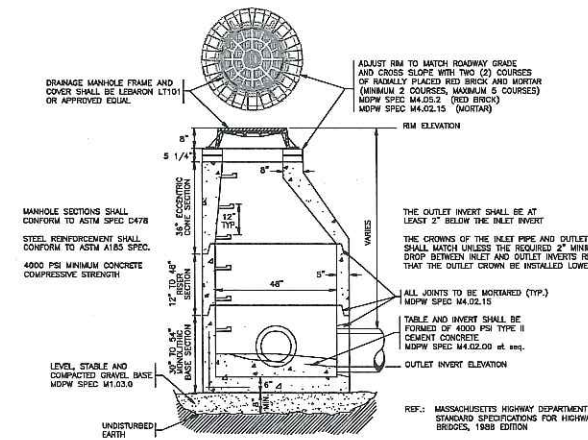
SHEET 5 OF 8
PROPOSED SITE PLAN
1001 & 1015 CENTRAL AVENUE
NEEDHAM, MASS.

Field Resources, Inc.
LAND SURVEYORS

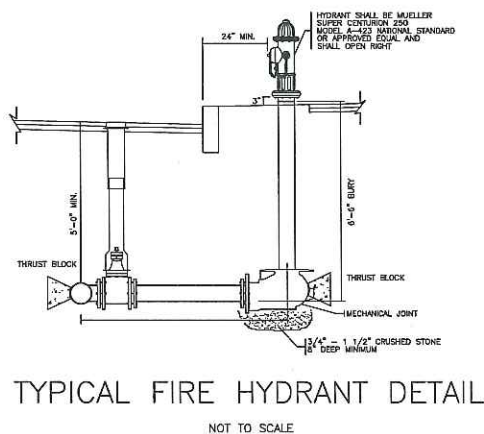
JULY 10, 2014 SCALE 1"=20'
P.O. BOX 324 281 CHESTNUT ST.
AUBURN, MA NEEDHAM, MA.
508 832 4332 781 444 5936
fieldresources@hotmail.com



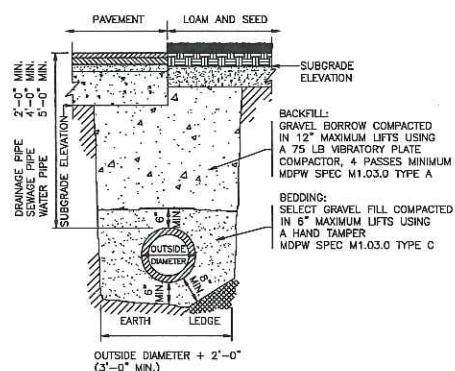
TYPICAL 30" CATCH BASIN DETAIL
NOT TO SCALE



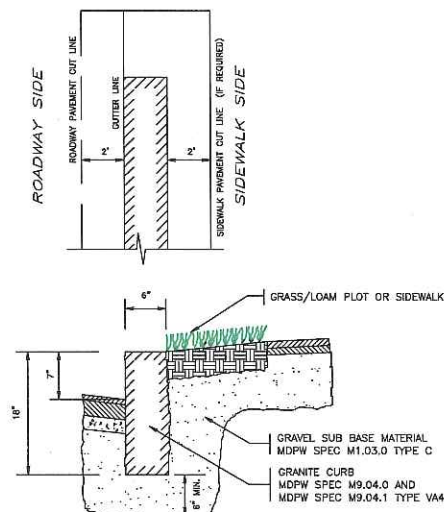
TYPICAL DRAINAGE MANHOLE DETAIL
NOT TO SCALE



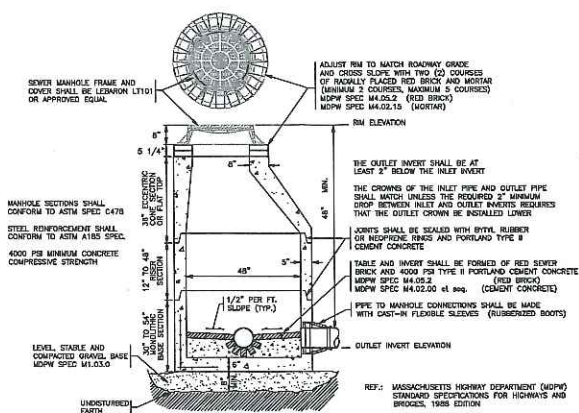
TYPICAL FIRE HYDRANT DETAIL
NOT TO SCALE



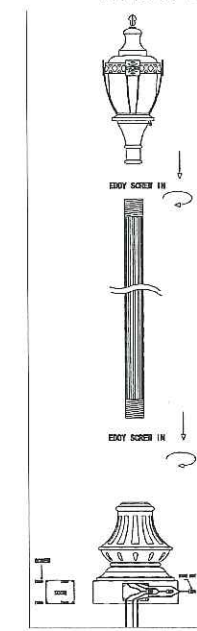
TYPICAL TRENCH DETAIL
NOT TO SCALE



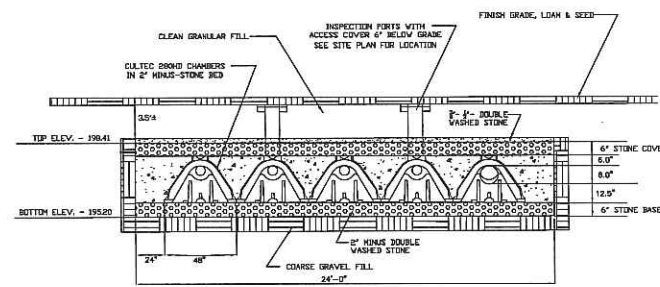
TYPICAL GRANITE CURB DETAIL
NOT TO SCALE



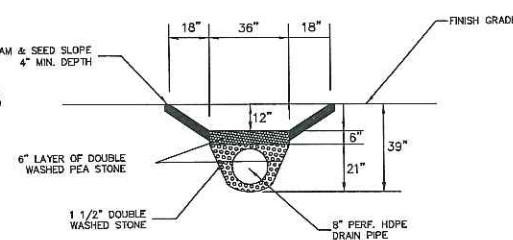
TYPICAL SEWER MANHOLE DETAIL
NOT TO SCALE



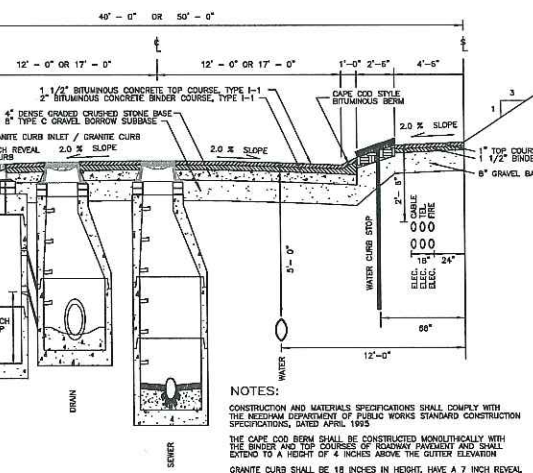
STREET LIGHT DETAIL
NOT TO SCALE



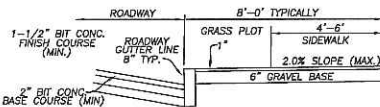
TYPICAL INFILTRATION SYSTEM SECTION
N.T.S.
NOTE: SYSTEM LENGTH = 76'-0"



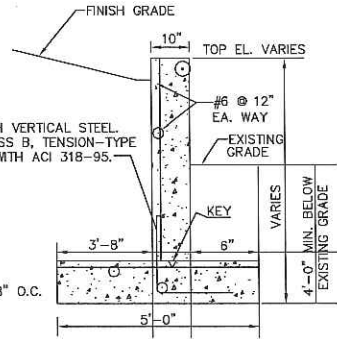
TYPICAL DRAINAGE SWALE CROSS-SECTION
N.T.S.



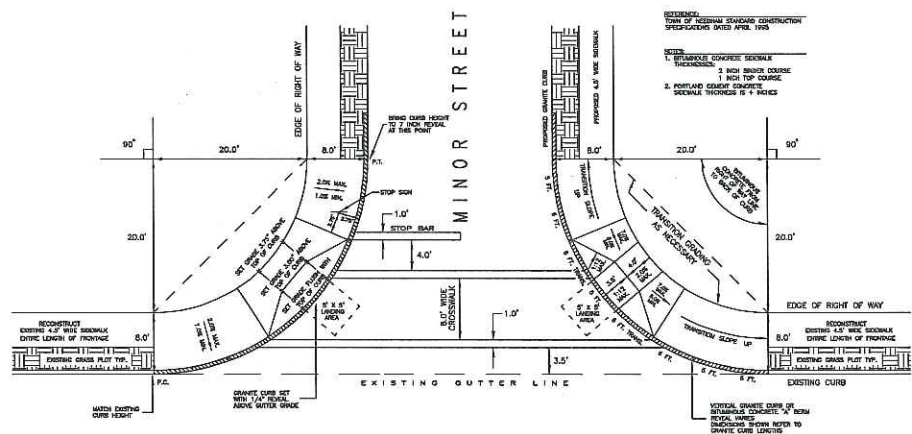
STANDARD STREET CORNER DETAIL
NOT TO SCALE



TYPICAL THRUST BLOCK DETAIL
NO SCALE



TYPICAL RET. WALL SECTION



STREET CORNER RECONSTRUCTION DETAIL
NOT TO SCALE

APPROVED IN ACCORDANCE WITH SECTION 81-U OF CHAPTER 41 OF THE GENERAL LAWS AS AMENDED NEEDHAM PLANNING BOARD

DATED 2016

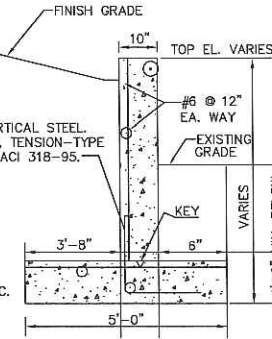
APPROVED

DIRECTOR OF PUBLIC WORKS

TOWN ENGINEER

I TOWN CLERK OF THE TOWN OF NEEDHAM HEREBY CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE NEEDHAM PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND NO APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECEIPT AND RECORDING OF SAID NOTICE.

DATE TOWN CLERK



TYPICAL RET. WALL SECTION

GENERAL NOTES:

1. All Concrete to be 3,000 psi in 28 Days.
2. Reinforcing Steel to be ASTM A615, Grade 60.
3. Place Concrete in Accordance with ACI-318-95.
4. Remove All Fill or Other Unsuitable Material Below Base of Footing. Refill with Granular Material, Placed and Compacted in 6" Lifts.
5. Final Design of Retaining Wall to be Performed by a Registered Professional Structural Engineer and Submitted to the Building Dept. for a Permit.

SHEET 7 OF 8
DETAIL SHEET
1001 & 1015 CENTRAL AVENUE
NEEDHAM, MASS.

LAKEVIEW ENGINEERING ASSOCIATES
CIVIL ENGINEERS

CIVIL ENGINEERS
P.O. BOX 787, HUDSON, MASS. 01749
(508) 232-8302

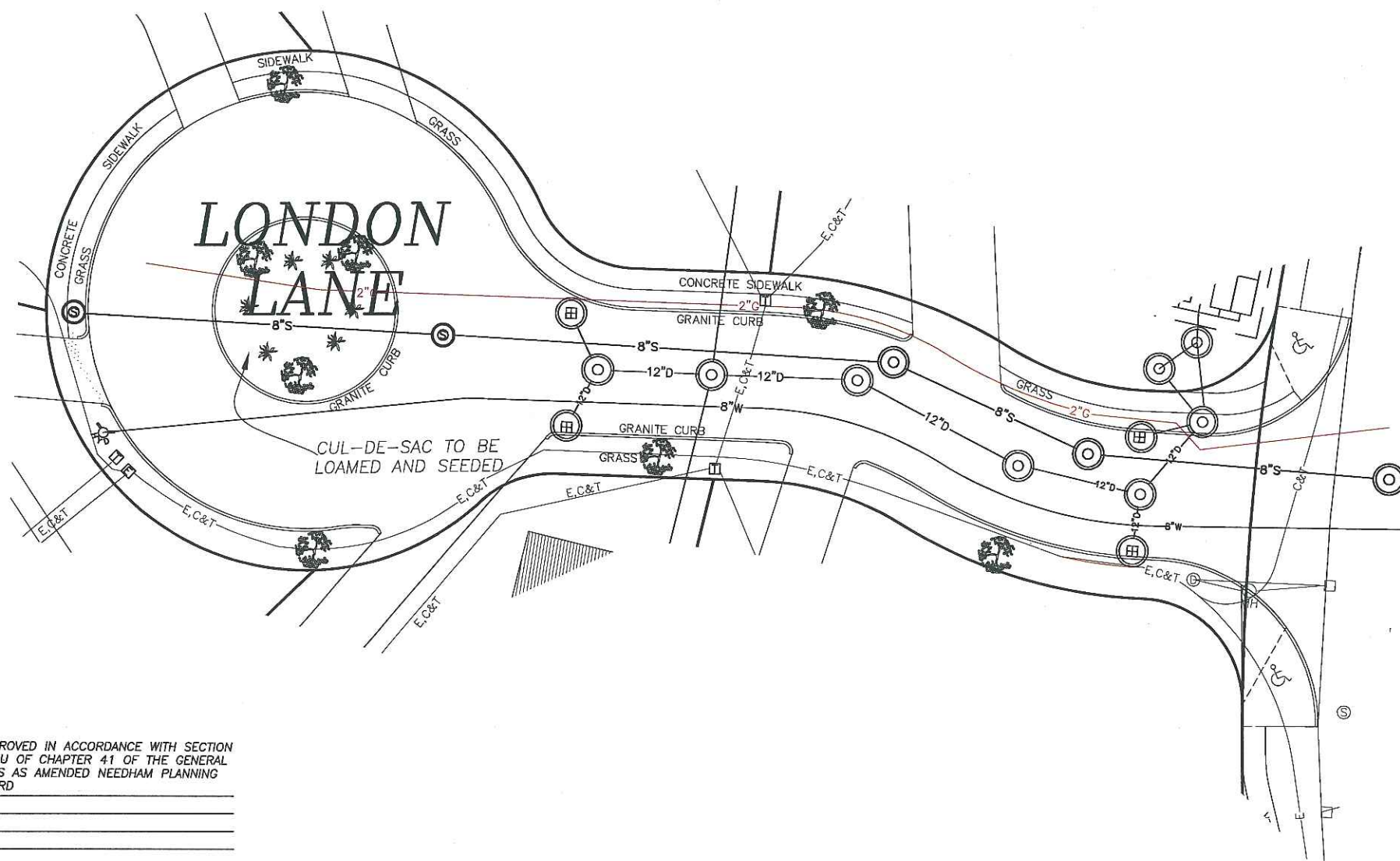
Field Resources, Inc.
LAND SURVEYORS

JULY 10, 2014 SCALE: NONE
P.O. BOX 324 281 CHESTNUT ST.
AUBURN, MA NEEDHAM, MA.
508 832 4332 781 444 5936
fieldresources@hotmail.com



JOB NO. 146-13

REVISED: JUNE 2, 2016
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APPROVED IN ACCORDANCE WITH SECTION
81-U OF CHAPTER 41 OF THE GENERAL
LAWS AS AMENDED NEEDHAM PLANNING
BOARD

DATED 2016

APPROVED

DIRECTOR OF PUBLIC WORKS

TOWN ENGINEER

I TOWN CLERK OF THE TOWN OF NEEDHAM
HEREBY CERTIFY THAT THE NOTICE OF
APPROVAL OF THIS PLAN BY THE NEEDHAM
PLANNING BOARD HAS BEEN RECEIVED AND
RECORDED AT THIS OFFICE AND NO APPEAL
WAS RECEIVED DURING THE TWENTY DAYS
NEXT AFTER SUCH RECEIPT AND RECORDING
OF SAID NOTICE.

DATE TOWN CLERK

LEGEND:

- PROPOSED STREET TREES (8)
1"-2" SUGAR MAPLE acer saccharum
- * --- PROPOSED ISLAND SHRUBS (6)
COMMON LILAC syringa vulgaris
#2 POT FOR PLANTINGS

JOB NO. 146-13

REVISED: JANUARY 11, 2016
REVISED: OCTOBER 20, 2015
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REVISED: MAY 21, 2015

LAKEVIEW ENGINEERING ASSOCIATES
CIVIL ENGINEERS

CIVIL ENGINEERS
P.O. BOX 787, HUDSON, MASS. 01749
(508) 232-8302

GRAPHIC SCALE
20 0 10 20 40

SHEET 8 OF 8
PROPOSED ROADWAY PLANTINGS
1001 & 1015 CENTRAL AVENUE
NEEDHAM, MASS.

Field Resources, Inc.
LAND SURVEYORS

JULY 10, 2014 SCALE 1"=20'
P.O. BOX 324 281 CHESTNUT ST.
AUBURN, MA NEEDHAM, MA.
508 832 4332 781 444 5936
fieldresources@hotmail.com



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

MEETING DATE: 06/28/2016

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, Massachusetts
Road Event Form

RECEIVED
TOWN OF NEEDHAM
BOARD OF SELECTMEN
2016 JUN - 8 A 11:16

INTERNAL USE ONLY

___ DPW ☒ Police
___ Fire ___ OTM
☒ Park & Rec
___ PFD ___ Paid

TYPE OF EVENT: (check all that apply)

☒ RUN ☐ WALK ☐ BICYCLE ☐ MOTORCYCLE

Name of Event:

Charles River YMCA 4th of July 5K Road Race

Name of Organization:

Charles River YMCA

Has this event been conducted in other
Towns in the past? ☐ YES ☒ NO

If yes, name of Town and date:

Has this event been held in Needham in
the past? ☒ YES ☐ NO

If yes, are you repeating the same route as
in prior year(s)? ☒ YES ☐ NO

Organization Mailing Address:

863 Great Plain Ave Needham, MA 02492

☒ Organization
is
Not-for-Profit

Organization Billing Address (if Police Detail is required):

863 Great Plain Ave Needham, MA 02492

Primary Contact:

Dan Chambers

Contact Title:

Health & Wellness Coordinator

Contact Address:

380 Chestnut Street Needham, MA 02492

Contact Phone (Day):

781-449-6646 ext. 1914

Contact Phone (Cell):

781-752-5149

Contact Email:

dchambers@ymcaboston.org

Event Date(s): Monday July 4, 2016	Date Expected to be in Needham: Monday July 4, 2016
Earliest Time Expected in Needham: 7:00 am Set-Up; 8:30 am Start	Latest Time Expected in Needham: 11:00 am Clean-up
Number of Expected Participants: 700	Number of Expected Spectators at Peak Time: 100
Are participants charged a fee? ☒ YES ☐ NO	
Estimated Number of Vehicles: 250	What type of Parking is required: None; participants find parking
Describe Parking Plan, include where participants and spectators will park and length of time expected to be parked: Participants park at various locations in side streets; Many walk from homes	
Are event organizers available to meet with members of the Town to plan event? ☒ YES ☐ NO	Do event organizers foresee the need for any road closures (subject to police review)? ☒ YES ☐ NO
What will be done in case of inclement weather? Race goes on	
Will neighborhoods be impacted by parking and traffic? Yes	
What activities are planned for the start of the race (if in Needham)? DJ; Vendors will be in parking lot	
What activities are planned for the end of the race (if in Needham)? Awards ceremony	

What facilities are needed for the start of the race (if in Needham)?

Christ Episcopal Church Parking lot is used for vendors & runners; Church bathrooms are used

What facilities are needed for the end of the race (if in Needham)?

Christ Episcopal Church Parking lot & Church bathrooms

Once the event begins, how long will it take to complete the event?

2.5 hours

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 use signage at start/finish & along route

Will volunteers be placed along the route?

Yes

Will you be using a sound system? (includes music) If yes, please describe where and when it will be used.

Yes - Bebe for music, national anthem, announcements, ^{After for awards ceremony}

Will there be any food served? (contact Needham Health Dept: 781-455-7500 x262)

Yes

Will portable toilets be used? List locations.

No

Will hydration stops be set up along route? If yes, please include these on route plan.

Yes, resident on Webster Street gives out water

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?

First Aid Tent at Start/Finish; Y staff & BID staff on-hand

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 but limited due to holiday

Does the route pass any business that might be impacted by the event? (e.g. funeral homes, markets, restaurants)

No closed for holiday

Are there any churches/houses of worship located along the event route? Will church/house of worship services take place during the event?	Yes but no services take place
What is the plan to handle trash?	Use church dumpsters; carry out the rest

Please return the completed application and attachments to the Office of the Town Manager, Needham Town Hall, 1471 Highland Avenue, Needham, MA 02492:

- event route map (include map and text of route, parking plan, volunteer placement)
- application fee (\$25 events that start and end in Needham; \$50 event passes through Needham)
- certificate of insurance

PLEASE NOTE:

For Road Events scheduled more than 4 months out from application receipt date, a soft hold will be placed on the date, but final approval will not be granted until under the 4 month window. This is due to unforeseen conditions which may impact this event.

http://www.mapmyrun.com/routes/view/1070962080

Charles River Y 5K in Needh...

CHARLES RIVER Y 5K

DISTANCE
3.1
miles

CLIMB
93 ft

BEGINS IN: Needham, MA, United States

CREATED BY: j. alain ferry

DESCRIPTION: This is a 3.1 mi route in Needham, MA, United States. The route has a total ascent of 93.79 ft and has a maximum elevation of 216.5 ft. This route was created by velospeed on 05/09/2016. View other maps that velospeed has done or find similar maps.

TYPE: Run

AVAIL POINTS
0

SHARE

ACTIONS

PRINT

SEND TO PHONE

BOOKMARK

Map Options

ELEVATION (ft)

START ELEVATION
184 FT

MAX ELEVATION
216 FT

GAIN
93 FT

CLIMBS ON ROUTE

beat yesterday.
10/01/2016 12:03:04
with wrist-based heart rate

buy now

CREATE A ROUTE

CREATE A COURSE

LOG THIS WORKOUT

TOP COURSES

There are no courses on this route.

ROUTE INFO

Export this Route (GPX, KML)

View 3D Video of this Map | Large Version

View Route Full Screen

Add this Route to Your Site

Times Done: 0 - Viewed: 0 - Bookmarked: 0

Photos

User Photos (0) Flickr Tagged (0)

This user has not uploaded any photos...

Support

Windows Taskbar

11:05 AM 5/9/2016

Nikki Witham

From: Daniel Chambers <DChambers@ymcaboston.org>
Sent: Thursday, June 09, 2016 4:48 PM
To: Nikki Witham
Subject: RE: Certificate of Insurance for 4th of July 5k

Here is the course route:

Start in front of library
South on Highland
Right on Rosemary St
Left on Nehoiden St
Left on May St
Left on Webster St
Left on Mark Lee Rd
Right on Alfreton Rd
Left on Highland Ave
End in front of Masonic Way

RUN THE CHARLES RIVER YMCA 4TH OF JULY 5K ROAD RACE!

Dan Chambers
Health & Wellness Coordinator
Charles River YMCA
380 Chestnut Street
Needham, MA 02492
781-449-6646 ex. 1914
dchambers@ymcaboston.org

The Y: We're for youth development, healthy living and social responsibility

From: Nikki Witham [<mailto:nwitham@needhamma.gov>]
Sent: Thursday, June 09, 2016 1:42 PM
To: Daniel Chambers
Subject: Certificate of Insurance for 4th of July 5k

Hi Dan,

I received your application for the 4th of July 5K. Could you please provide us with a copy of the Certificate of Insurance when you have a chance or when you get it?

Regards,
Nikki

Nikki Witham
Town of Needham
Town Manager's Office
1471 Highland Avenue
Needham, MA 02492



TOWN OF NEEDHAM

For Calendar Year: 2016

APPLICATION/ RENEWAL FOR A COMMON VICTUALLER LICENSE

The undersigned hereby applies for a Common Victualler License in accordance with the provisions of the Statutes relating thereto:

Name of Corporation: Great Plain Hospitality

Name of Establishment (d/b/a): RFK Kitchen

If business is a Corporation / Corporate Name and Officers: Francesco Melandri Manager
Rachel Klein

If business is not a Corporation, Name of Owner: _____

Email Address: Rachel@RFKKitchen.com

Address of Establishment: 948 Great plain ave Needham ma 02492

Contact Person (name who will receive notices under this license): Rachel Klein

Mailing Address (of contact person), if different from Establishment: _____

Establishment's Days of Operation: M-S

Establishment's Hours of Operation: 11:30 - Mid

Manager: Rachel Klein # of Staff: 30 # of Seats: 99

Telephone Number: 617 699-5525 Fax Number: _____

Signature of Owner: [Signature] Date: 6/21/16

(If corporation, signature of a duly authorized agent of the corporation)

A certificate of insurance showing evidence that the applicant has workers' compensation insurance must be included with this completed application.

If you currently hold an alcoholic beverages license, you must provide a copy of a certificate of liquor liability insurance in the minimum amount of \$100,000/person/\$1,000,000 aggregate for personal injury and \$100,000 per occurrence for property damage before your alcoholic beverages license will be renewed.

Pursuant to MGL Ch. 62C, Sec. 49A:

I certify under the penalties of perjury that I, to my best knowledge and belief, have read and am in compliance with the contents of M.G.L. Chapter 62C, Section 49A (on reverse side of this application).

[Signature]
Signature of Applicant (Mandatory)

By Corporate Officer (if applicable)

Either a Social Security Number or Federal ID
Number must be Supplied

6/21/16
Date (required)

This License will not be issued unless this certification clause is signed by the applicant.

**Town of Needham
Board of Selectmen
Minutes for June 14, 2016
Selectmen's Chamber
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 Chairman Matthew D. Borrelli. Those present were Marianne B. Cooley, Daniel P. Matthews, Maurice P. Handel, John A. Bulian, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

A moment of silence was observed recognizing the terror attacks in Orlando, Florida in the early morning hours of June 12, 2016.

7:00 p.m. Public Hearing: Water and Sewer Rates
David Davison, Assistant Town Manager/Director of Finance, Christopher Seariac, Superintendent of Water and Sewer, and members of the Water and Sewer Rate Structure Committee appeared before the Board to discuss the rate recommendations for FY2017.

Mr. Davison told the Board the Water and Sewer Rate Structure Committee met on May 3, 2016 and voted to recommend the rates as proposed which are explained in the June 10, 2016 memo. He said the Committee supports the proposed water and sewer rate schedule which was designed to lessen the financial impact of the needed higher sewer rates by phasing in the sewer rate increase as it was presented to the Board of Selectmen last year at the public hearing. Mr. Davison said the increase in the average annual regular water/sewer bill for FY2017 would be 2.8% and the estimated increase for FY2018 would increase the annual bill by 1.5%.

Mr. Borrelli invited public comment. No comments were made.

Mr. Borrelli asked for Board comment.

Mr. Bulian commented on Table 3 on page 5 of the information packet, and asked about the 7 year average in the Town of Dedham. He asked about irrigation use and whether the Water and Sewer Rate Structure Committee have considered increasing the water charge to bring the use of water lower.

Mr. Davison said it is possible that the Town of Dedham is not using as much water from the MWRA. Ms. Fitzpatrick said calculations are being done on the top 50 water users while considering the size of the property to determine the driving factor of irrigation use.

Mr. Handel commented on managing rates so that they adequately reflect costs in the future. Mr. Davison said the rates are reflective of the cost impact, noting a three year range is utilized.

Ms. Cooley asked about usage in other towns, and wondered if some towns who were out of compliance with the 65 gallons per person/day saw a spike in their cost for water. She noted Needham is trying to adjust costs to stay balanced, but not much headway is being made on conservation. She said if there were better conservation, there may be a need for greater increases in water to fully cover the cost of infrastructure. Mr. Davison said the rate structure was based upon achieving the DEP target of 65 gallons per person/day. Ms. Cooley commented as long as Needham continues to be out of compliance, it could be anticipated there is potential for a rebate for being out of compliance. Mr. Davison said yes.

Mr. Borrelli asked if retained earnings, after three years, will be minimal. Mr. Davison said retained earnings for sewer will need to be watched.

Mr. Borrelli said the information will be taken under advisement and voted on at the next Board of Selectmen meeting on June 28, 2016. He said the public hearing will remain open for additional comments.

7:20 p.m.

Grant of Location Public Hearings - Eversource Energy:

Maureen Carroll, Eversource Energy representative appeared before the Board with 4 requests for Grant of Location.

1. 45 Livingston Circle

Ms. Carroll requested permission to install 10 feet of conduit in Livingston Circle. She said the work is necessary to provide underground electric service for a new home at 45 Livingston Circle, Needham.

Mr. Borrelli invited public comment. No comments were made.

Ms. Fitzpatrick indicated all paperwork is in order.

Motion by Mr. Bulian that the Board of Selectmen approve and sign a petition from Eversource Energy to install 10 feet of conduit in Livingston Circle. This work is necessary to provide underground electric service to 45 Livingston Circle, Needham.

Second: Ms. Cooley. Unanimously approved 5-0.

2. 1079 South Street

Ms. Carroll requested permission to install 10 feet of conduit in South Street. She said the work is necessary to provide underground electric service for a new home at 1079 South Street, Needham.

Mr. Borrelli invited public comment. No comments were made.

Ms. Fitzpatrick indicated all paperwork is in order.

Motion by Mr. Bulian that the Board of Selectmen approve and sign a petition from Eversource Energy to install about 10 feet of conduit in South Street. This work is necessary to provide underground electric service to 1079 South Street, Needham.

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

3. 132 Washington Street

Ms. Carroll requested permission to install about 10 feet of conduit in Edgewood Street. She said the work is necessary to provide underground electric service for a new home at 132 Washington Avenue, Needham.

Mr. Borrelli invited public comment. No comments were made.

Ms. Fitzpatrick indicated all paperwork is in order.

Motion by Mr. Bulian that the Board of Selectmen approve and sign a petition from Eversource Energy to install about 10 feet of conduit in Edgewood Street. This work is necessary to provide underground electric service to 132 Washington Avenue, Needham.

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

4. 66 Oak Street

Ms. Carroll requested permission to install approximately 18 feet of conduit in Oak Street. She said the work is necessary to provide underground electric service for a new home at 66 Oak Street, Needham.

Mr. Borrelli invited public comment. No comments were made.

Ms. Fitzpatrick indicated all paperwork is in order.

Motion by Mr. Bulian that the Board of Selectmen approve and sign a petition from Eversource Energy to install approximately 18 feet of conduit in Oak Street. This work is necessary to provide underground electric service to 66 Oak Street, Needham.

Second: Ms. Cooley. Unanimously approved 5-0.

7:23 p.m.

Grant of Location Public Hearing - Teleport Communications America - Charles & Wexford Streets:

David Edgar, Siena Engineering Group, Inc., consultants for Teleport Communications America, a wholly owned subsidiary of AT&T appeared before the Board requesting permission to lay, maintain, and operate underground conduits, with cables to be placed therein, under the surface of Charles Street and Wexford Street, Needham.

Mr. Borrelli invited public comment.

Resident, said she is concerned about 207 Highland Avenue (Speedway) and how work will affect the property. Mr. Edgar said the contractor would work with her and/or the company to schedule the work for a convenient time. He said the work could be completed at night.

Ms. Fitzpatrick said all paperwork is in order on the application.

Motion by Mr. Bulian that the Board vote to approve Teleport Communications America's request for permission to lay, maintain, and operate underground conduits, with the cables to be placed therein, under the surface of the following public ways:

Charles Street, from a point where existing conduits were capped in front of 27 Charles Street during Phase 1 of the project, to a point approximately 75-feet north of the intersection of Highland Avenue, four (4), 4-inch PVC conduits, approximately 1,000-feet in length. Conduit includes a four-inch lateral to pole #7A and two (2), 4-inch laterals to pole #299/0. Two (2) concrete manholes shall also be set along the proposed route to assist in cable placement; and

Wexford Street, from a point where existing conduits were capped in front of 77 Wexford Street during Phase 1 of the project, to a point approximately 10-feet north of the intersection of Highland Avenue, four (4), 4-inch PVC conduits, approximately 900-feet in length. Conduit includes a four-inch lateral to pole #300/8 and two (2), 4-inch laterals to pole #300/1. Two (2) concrete manholes shall also be set along the proposed route to assist in cable placement.

This work is necessary to provide the cable infrastructure to the building located at 27 Charles Street/77 Wexford Street, which is Teleport Communications.

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

7:28 p.m.

Approval of the Sale of Refunding Bonds and Notes:
Dave Davison, Assistant Town Manager/Finance and Evelyn Poness, Town Treasurer/Collector appeared before the Board to review the results of the bond and note sales and discuss the S&P rating. Mr. Davison asked for the Board's approval on the sale of two notes for temporary financing on a number of capital projects in various stages of completion. He noted the list of projects was included in his memo dated June 10, 2016 to the Board. Mr. Davison acknowledged the work of Evelyn Poness, Town Treasurer who was able to bring to the Board and the taxpayers of Needham on an advance refunding of savings \$788,000. Mr. Davison said a review of the Town's financial status, along with planned projects throughout

Needham, was completed. He noted the credit report was also included in his memo and said it was interesting to see the statement by Standard and Poor's mentioning "Needham's GO bonds are eligible to be rated above the sovereign because we believe the town can maintain better credit characteristics than the nation in a stress scenario." He explained it is impressive that Standard and Poor's viewed Needham's credit quality stronger than the United States of America. Mr. Davison noted Theodora K. Eaton, Town Clerk is in attendance as witness.

Motion A

Motion by Mr. Bulian that in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund the Town's (i) \$5,600,000 General Obligation Municipal Purpose Loan of 2008 Bonds dated November 1, 2008 maturing on and after August 1, 2019 in the aggregate principal amount of \$2,350,000, and (ii) \$12,600,000 General Obligation Municipal Purpose Loan of 2008 Bonds dated June 1, 2008 maturing on and after December 1, 2019 in the aggregate principal amount of \$4,670,000 (collectively, the "Refunded Bonds") and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium and interest on the Refunded Bonds and costs of issuance of the refunding bonds.

Second: Ms. Cooley. Unanimously approved 5-0.

Motion B

Motion by Mr. Bulian that the sale of the \$6,645,000 General Obligation Refunding Bonds of the Town dated June 16, 2016 (the "Bonds"), to J.P. Morgan Securities LLC at the price of \$7,659,739.25 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on August 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2016	\$140,000	2.00%	2023	\$900,000	4.00%
2019	940,000	4.00	2024	890,000	4.00
2020	930,000	4.00	2025	400,000	4.00
2021	915,000	4.00	2026	390,000	4.00
2022	910,000	4.00	2027	230,000	4.00

Second: Ms. Cooley. Unanimously approved 5-0

Motion C

Motion by Mr. Bulian to approve the sale of a \$1,153,860 0.85 percent General Obligation Taxable Bond Anticipation Note, Series A of the Town dated June

16, 2016, and payable June 30, 2016 (the "Series A Note"), to Century Bank at par and accrued interest, if any.

Second: Ms. Cooley. Unanimously approved 5-0.

Motion D

Motion by Mr. Bulian to approve the sale of \$9,285,000 2.00 percent General Obligation Bond Anticipation Notes, Series B of the Town dated June 16, 2016, payable January 18, 2017 (the "Series B Notes", and together with the Series A Note, the "Notes"), to TD Securities (USA) LLC at par and accrued interest, if any, plus a premium of \$71,215.95.

Second: Ms. Cooley. Unanimously approved 5-0.

Motion E

Motion by Mr. Bulian that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 23, 2016, and a final Official Statement dated May 31, 2016 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Second: Ms. Cooley. Unanimously approved 5-0.

Motion F

Motion by Mr. Bulian that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 23, 2016, and a final Official Statement dated May 31, 2016, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Second: Ms. Cooley. Unanimously approved 5-0.

Motion G

Motion by Mr. Bulian to authorize the execution and delivery of a Refunding Escrow Agreement to be dated June 16, 2016, between the Town and U.S. Bank National Association, as Refunding Escrow Agent.

Second: Ms. Cooley. Unanimously approved 5-0.

Motion H

Motion by Mr. Bulian that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver continuing and significant events disclosure undertakings in compliance with SEC Rule 15c2-12 in such forms as may be approved by bond counsel to the Town, which undertakings shall be incorporated by reference in the Bonds and Notes, as applicable, for the benefit of the holders of the Bonds and Notes from time to time.

Second: Ms. Cooley. Unanimously approved 5-0.

Motion I

Motion by Mr. Bulian that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and Notes.

Second: Ms. Cooley. Unanimously approved 5-0.

Motion J

Motion by Mr. Bulian that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Second: Ms. Cooley. Unanimously approved 5-0.

7:35 p.m.

Appointments and Consent Agenda:

Motion by Mr. Matthews that the Board of Selectmen approve the Appointments and Consent Agenda as presented.

APPOINTMENTS: No Appointments were made at this meeting.

CONSENT AGENDA:

- 1. Approve a request from the Hillside Elementary School PTC to hold its Halloween Trick or Trot 5K Run/Walk and Monster Fun Run event on Sunday, October 23, 2016. The route starts and ends at the Hillside School, with the route following Glen Gary, West, Eliot, Parish, Damon, Parish, Nehoiden, Central down Bess, Julia, Jarvis, Central, and Booth Street. The event will be finished by 11:00 am. 300 participants are expected. This event has been approved by the following departments: Police, Fire, Park & Recreation, and DPW.**
- 2. Accept the following donations made to the Needham Community Revitalization Trust fund: \$8337.60 from The Exchange Club of Needham for the Symbols of Pride banner program; and \$500 from Holly and Bruce Johnstone.**
- 3. Approve an event for the Circle of Hope to hold its "Full Circle: Raising Caring Kids" event on the Town Common, Saturday, September 24, 2016 from 10:00 a.m. to 12:00 p.m. Event has been reviewed and approved by the Police, Fire, and DPW departments.**
- 4. Approve a request from Greg Jundanian, of Three Squares New England, who is organizing its annual fundraiser bike ride to benefit food pantries in numerous communities including Needham, to have a portion of its ride to go through Needham. The event is scheduled for September 25, 2016 from 7:30 a.m. to 1:00 p.m. The route of the ride has been approved by the following departments, DPW, Police, Fire, and Park and Recreation.**
- 5. Approve a rain date request from Arik Grier of Bikes Not Bombs for its event to be held on June 19, 2016. Event was previously approved for June 5, 2016**

but was canceled due to weather. They will be in Needham around 11:45 a.m. The Needham portion of the route has been approved by the DPW, Police, Fire and Park and Recreation departments.

6. Approve May 24, 2016 Open and Executive Session minutes.
7. Accept a \$50 donation made to Needham Youth Services from Mr. & Mrs. Timothy Dasey, Needham residents. They would like the monies to be used to sponsor Needham Youth Services VAN program.
8. Accept donation of 252 Hoodsie Ice Cream cups, and 288 spoons at a value of \$81.33 for the Memorial Day observation that was held on May 30, 2016 from Roche Brothers, Needham.
9. Water and Sewer Abatement Order #1219.
10. Grant permission for the following residents to hold block parties:

Name	Address	Party Location	Party Date	Party Rain Date	Party Time
Jenny Berk	10 Hollow Ridge Rd.	Hollow Ridge Rd	6/11/16	N/A	3pm-9pm
Robert Klein	11 Andrea Circle	Andrea Circle	6/12/16	N/A	1pm-4:30pm
Christine Holland	104 Newell Ave	Corner of Newell Ave & Prospect Street	9/10/16	9/11/16	4pm-8pm

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

7:40 p.m.

Town Manager:

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

1. Call for Special Town Meeting

Ms. Fitzpatrick recommended the Board of Selectmen call for a Special Town Meeting to be held on October 5, 2016. She said this action will provide Town Meeting members with advance notice for planning purposes. She noted the Board is scheduled to open the warrant for the Special Town Meeting on July 19, 2016.

Motion by Mr. Handel that the Board of Selectmen vote to call for a Special Town Meeting to be held on October 5, 2016 at the Needham Town Hall.

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

2. Senate 2311 - An Act Promoting Housing and Sustainable Development

Mr. Borrelli said he and Ms. Fitzpatrick met with Senator Rush and Senator Ross, as well as State Representative Denise Garlick to discuss Senate Bill No. 2311. He said the zoning bill gives broad powers to the State, with a loss of local control on some issues. He commented the bill passed in the Senate. He suggested writing a letter to the State legislature asked for Board input.

Mr. Matthews said the legislation had very minimal comment until last weeks coordinated effort by the proponents of the bill, without most of the general public

including some people who probably would have good faith objections to a lot of the provisions of the bill. He said the purpose of the bill is to try to modernize zoning laws, particularly in finding ways to help expand the housing stock in the region. He said many people agree on the idea in principal, but one of the reasons the law has not substantially changed in the last 50 years is because the general public and various stakeholders have not reached agreement. He said it does not make sense for one group to get a majority for one day, in one branch of the legislature, and to enact the bill as is. He said full discussion is required with everyone having an opportunity to be heard. Mr. Matthews suggested the Town Manager draft a letter, with Board input, to be signed and sent to the legislature.

Mr. Bulian agreed with Mr. Matthews. He noted Needham has acted appropriately and faithfully in meeting elements of Chapter 40B, resulting in increased housing, with two large scale projects starting this year. He said a substantial number of new residents will live in Needham, and the Town needs to digest the additional units and population. Mr. Bulian said Needham is doing its share to increase housing.

Mr. Borrelli said local control is necessary.

Mr. Handel agreed with the comments and mentioned there are elements of the bill that require approval as a matter of right, requiring public input. He said that is the egregious part of the bill, essentially an unfunded mandate to try and solve the housing problem in Greater Boston. He noted Needham has been very aggressive and effective in meeting the social need for more housing in the region.

Ms. Cooley said she views the bill as "one size fits all" to solve a problem in a big city, and not applied everywhere in the same way. She is supportive of sending a letter to the legislature.

3. Facility Financing Update

Ms. Fitzpatrick said a new working draft Facility Financing Plan will be presented to the Board at its meeting on June 28, 2016. She said the goal of the document is for the Board to use it as a working document in setting capital priorities. She updated the Board on projects contained in the Plan including Rosemary Pool, Hillside School, DPW/RTS, Fire Station #2 & Police/Fire Station, Needham High School, Emery Grover Building, and Memorial Park Building.

4. Town Manager Update

Ms. Fitzpatrick said she, Mr. Handel, and Mr. Borrelli will attend the Metropolitan Planning Organization meeting on Thursday, June 23, 2016 to discuss the Commonwealth's Transportation Improvement Plan. She commented on the Highland Avenue/Needham Street Corridor project and the impending funding vote, which she said was extremely important for the Town.

8:00 p.m. Board Discussion:

1. Registered Marijuana Dispensary Letter of Non-Opposition

Motion by Mr. Bulian that the Board vote to approve and sign the Community Benefit Agreement between the Town and Sage Cannabis, Inc., dated June 14, 2016 and that the Board vote to issue a letter of non-opposition to Sage Cannabis, Inc.

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

Mr. Matthews noted representatives of Sage Cannabis, Inc. are in attendance and commented the industry is new in Needham. He said the process has been thorough, with good candidates. He commented the Town expects Sage Cannabis, Inc., to be a good corporate citizen when unanticipated problems arise.

2. Committee Reports - Large House Review Study Committee

Ms. Cooley updated the Board on the progress of the Large House Review Study Committee and the Community Meeting held on June 1st. She said feedback from developers was largely favorable, but with some areas of concern. She said the public had similar areas of concern, noting front and rear setback changes. Ms. Cooley said newspaper reports suggested concerns about large house development in general, stating there were concerns from residents about the change in diversity of the community that is a result of it. She said large house development is not easily legislated, but one that benefits property owners. Ms. Cooley said Needham has become a very desirable place to live. She said the purpose of the Committee is not to legislate, but to understand concerns with large houses. Ms. Cooley said additional discussion is necessary.

Mr. Borrelli commented on front setbacks and that "beauty is in the eye of the beholder." He said the Town must be careful with architectural requirements. Mr. Borrelli commented he likes some of the designs, but wants to make sure there are not a finite number of floor plans fitting into the footprint of a lot. He said rules must be simple.

Mr. Handel said any changes will require 2/3 vote at Town Meeting, and is among the most complex zoning issues to deal with as it affects virtually every home in Needham. He commented there is sensitivity to the architectural variety, and that it appears the Committee is trying to make the solution more simple, rather than more complex.

Discussion ensued about FAR.

Mr. Bulian said he is concerned about front setbacks. He agreed the change taking place in the neighborhoods is of concern. He commented the longer someone lives in a community the longer they have gotten use to things being a certain way, and that change can be disconcerting. He said there is a need for some changes to be made and the proposals he has read about will be good. Mr. Bulian said a four bedroom home is an important element in the region.

Mr. Matthews said he shares the concern, noting whatever goes to Town Meeting must be completed, heard, and re-written if necessary. He said the Committee must address concerns early. He commented the Town will be better off to have the same setbacks and FAR requirements for both non-conforming and conforming lots, with a few exceptions.

Mr. Handel said he agrees with Mr. Matthews' observation, and that the Town failed 10 years ago to do what Mr. Matthews is talking about. He said that while the by-law was able to be passed at the time, it rendered it relatively meaningless.

Mr. Borrelli closed commenting not many people are saying "the house next to me went up and it is hideous" and that many homes are well designed with copper roofs and various angles. But, he said, some people do say some homes are "out of place" or "massed." He said it is important to focus on setbacks, FAR, and lot coverage rather than more complex issues. He thanked Ms. Cooley for her work on a tough issue.

3. Committee Reports - N-Squared Initiative

Mr. Borrelli said he and Mr. Handel have been working with the City of Newton and the Needham/Newton Chamber of Commerce on positioning the area along I-95 in the two communities as a destination for economic growth, specifically targeting at innovation-economy and ancillary businesses.

Mr. Handel said the Chamber received a grant from the U.S. Economic Development Administration to conduct a competitiveness study and marketing plan for the N-Squared Innovation Corridor. He commented the concept has morphed into more of a "hub" in the sense that the area is a concentration, with a focus on innovation. He said a steering committee was formed and the findings of their study will be presented at a meeting at Mount Ida College on June 29, 2016. He said the working group will propose ways to make the marketing effort actually produce results by bringing in new and different kinds of businesses with a focus on innovation.

4. Committee Reports

Mr. Matthews reported the Town of Arlington will vote today on whether or not to fund their share of the Minuteman School Building project. He said if the referendum fails, it will be a significant setback for the program as the support of Arlington is necessary for the project to move forward. He said if it passes, 9 out of 10 stakeholders will have voted "yes" and a meeting will be held in Arlington on Monday, June 20, 2016.

8:30 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 litigating position of the public body and the chair so declares. Not to return to open session prior to adjournment.

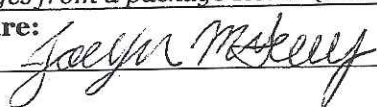
Second: Mr. Handel. Mr. Borrelli polled the Board. Unanimously approved 5-0.

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

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

Note: Meeting adjourned at 8:50 p.m.

**ONE DAY SPECIAL LICENSE
TOWN OF NEEDHAM BOARD OF SELECTMEN
EVENT INFORMATION SHEET**
(Please complete and attach event flyer or other information.)

Event Manager Name (Name that will appear on license)	Jaclyn McGrory		
Event Manager Address	30 Speen Street, Framingham, MA 01701		
Event Manager Phone Number	617-694-1047		
Organization Representing (if applicable)	The American Cancer Society		
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	☒ Non-profit	☐ For profit	
	☒ Proof of non-profit status is attached Form of Proof: 131788491		
Name of Event	Tee Off Fore Hope		
Date of Event	July 12, 2016		
License is for Sale of:			
☒ Wines & Malt Beverages Only			
☐ All Alcoholic Beverages (for non-profit groups only)			
Requested Time for Liquor License	FROM: 6:00pm	TO: 9:00pm	
Are tickets being sold in advance for this event?	☒ YES	\$ 50/per ticket	☐ NO
Is there an admission fee for this event?	☒ YES	\$ 50/per ticket	☐ NO
Are you using dues collected to purchase alcohol for this event?	☐ YES	☒ NO	
How many people are you expecting at this event?	50-60		
Name & address of event location. Please attach proof of permission to use this facility.			
Club Champion Boston, 924 Great Plain Ave, Needham, MA 02492			
Who will be serving the alcohol to your guests?			
Jaclyn McGrory			
Bartenders and/or servers of alcohol, beer and/or wine must have completed in the past three years an appropriate Massachusetts alcoholic beverages server-training program. Please state below who will be serving alcohol, beer and/or wine and attach proof of their training (certificate).			
Jaclyn McGrory - proof of certification attached			
Please use the space below to describe the manner in which alcohol will be served to your guests. (For example, will guests be served alcohol or will they need to purchase it from the bar?) Please attach floorplan (can be hand drawn) of the event facility with liquor delivery plan.			
There will be a bar area for guests to retrieve their beverages.			
☒ I understand that the alcohol purchased for this event must be purchased from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and that I have received a current list of wholesalers. (A person holding a Section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04))			
Event Manager Signature: 			Date: 6/22/2016



TEE OFF FORE HOPE

July 12, 2016

6:00pm - 9:00pm

Club Champion Boston

924 Great Plain Ave, Needham, MA 02492

Individual Ticket Price: \$50

With Featured Guest, Chip Beck, Ryder Cup winner and
acclaimed four victories on the PGA Tour.

This Cocktail Reception will host a premium Beat the Pro
competition with Chip Beck and see the actual Ryder Cup he won.

Bid on exceptional items, including a chance to play
with Chip and two additional guests!

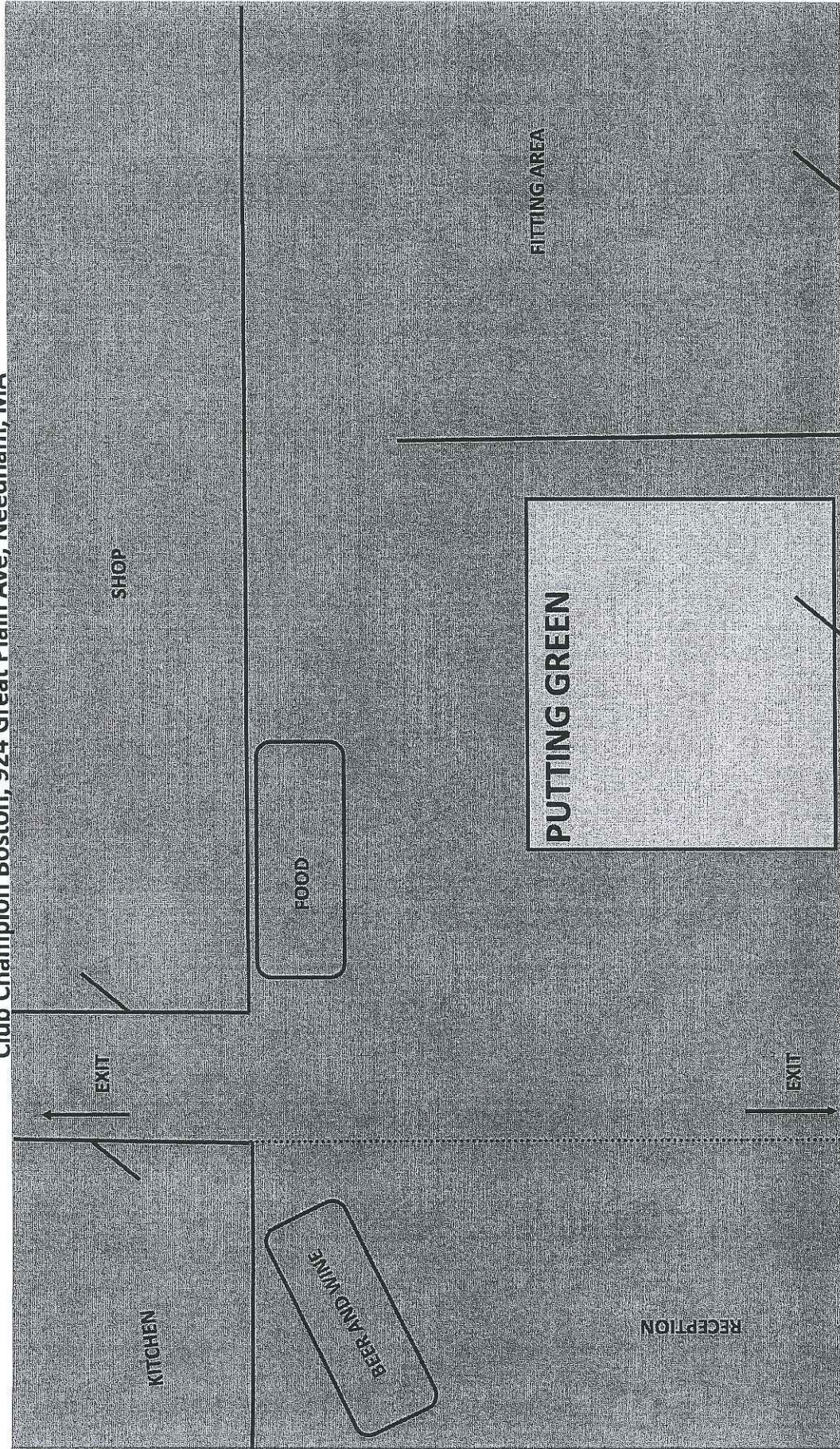


SCAN THE CODE FOR TICKET
INFORMATION



CONTACT JACLYN MCGRORY PHONE: 508-270-4663 EMAIL: JACLYN.MCGRORY@CANCER.ORG

Club Champion Boston, 924 Great Plain Ave, Needham, MA



Front Door

Great Plain Ave

**ONE DAY SPECIAL LICENSE
TOWN OF NEEDHAM BOARD OF SELECTMEN
EVENT INFORMATION SHEET**

(Please complete and attach event flyer or other information.)

Event Manager Name (Name that will appear on license)	Amy Sinclair		
Event Manager Address	400 1st Ave Needham MA		
Event Manager Phone Number	978 494 3013		
Organization Representing (if applicable)	Trip Advisor		
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	☐ Non-profit	☒ For profit	
	☐ Proof of non-profit status is attached Form of Proof: _____		
Name of Event	Hubspot / Wayfair		
Date of Event	July 13, 2016		
License is for Sale of:			
☒ Wines & Malt Beverages Only			
☐ All Alcoholic Beverages (for non-profit groups only)			
Requested Time for Liquor License	FROM:	TO:	
	4 pm	9 pm	
Are tickets being sold in advance for this event?	☐ YES \$	/per ticket	☒ NO
Is there an admission fee for this event?	☐ YES \$	/per ticket	☒ NO
Are you using dues collected to purchase alcohol for this event?	☐ YES	☒ NO	
How many people are you expecting at this event?	150		
Name & address of event location. Please attach proof of permission to use this facility.			
Trip Advisor 400 1st Ave Needham MA			
Who will be serving the alcohol to your guests?			
Amy Sinclair			
Bartenders and/or servers of alcohol, beer and/or wine must have completed in the past three years an appropriate Massachusetts alcoholic beverages server-training program. Please state below who will be serving alcohol, beer and/or wine and attach proof of their training (certificate).			
Amy Sinclair			
Please use the space below to describe the manner in which alcohol will be served to your guests. (For example, will guests be served alcohol or will they need to purchase it from the bar?) Please attach floorplan (can be hand drawn) of the event facility with liquor delivery plan.			
served to guests			
☒ I understand that the alcohol purchased for this event must be purchased from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and that I have received a current list of wholesalers. (A person holding a Section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04))			
Event Manager Signature:	Date:		
Amy Sinclair	6/27/16		



eTIPS On Premise 2.0^{SSN:} XXX-XX-XXXX
Issued: 3/1/2016 Expires: 3/1/2019
ID#: 4195754 D.O.B.: XX/XX/XXXX

Amy E Sinclair
Restaurant Associates
400 1st Ave
Needham Heights, MA 02494-2815

For service visit us online at www.gettips.com

