

**Town of Needham  
Board of Selectmen  
Minutes for November 28, 2017  
Needham Town Hall  
Selectmen's Chamber**

6:15 p.m. Executive Session: (Exception 3)  
A meeting of the Board of Selectmen was convened by Chair Marianne B. Cooley. Those present were Daniel P. Matthews, John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, and Town Manager Kate Fitzpatrick. Recording Secretary Mary Hunt joined the meeting at 6:45 p.m.

**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.**

**Second: Mr. Handel. Ms. Cooley polled the Board. Unanimously approved 5-0.**

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

7:00 p.m. The public portion of the Board of Selectmen meeting of November 28, 2017, was convened by Chair Marianne B. Cooley.

7:00 p.m. Certificate of Appreciation: Nola Clark, Walgreens Employee:  
**Motion by Mr. Matthews that the Board of Selectmen approve and sign a Certificate of Appreciation recognizing 40 years of cheerful and outstanding customer service to the residents of and visitors to the Needham Walgreens.**  
**Second: Mr. Bulian. Unanimously approved 5-0.**

The Board extended its best wishes to Ms. Clark and thanked her for her years of service.

7:02 p.m. Joint Meeting with the Planning Board on Industrial Zoning:  
The Board of Selectmen held a joint meeting with members of the Planning Board. Ted Owens, Chairman called the Planning Board to order. Those present were Paul Alpert, Jeanne McKnight, Elizabeth Grimes, and Martin Jacobs.

Members of the Council of Economic Advisors including Jack Cogswell and Adam Block, and Devra Bailin, Director of Economic Development appeared before the Boards to review a proposal and recommend changes to the zoning by-law in the industrial district.

Mr. Cogswell explained the role of the CEA and process used for zoning proposals. He said concepts developed by the CEA are to meet goals and objectives set by the Board of Selectmen, i.e. increasing commercial tax revenue. He said it is a balance trying to satisfy both the business and residential communities. He commented development of zoning regulations are to be as transparent as possible, with final recommendations sent to the Board of Selectmen for referral to the Planning Board, ultimately reaching Town Meeting. He said the process seems not to be as expected or anticipated, suggesting updates with various boards may be necessary in the future.

Ms. Cooley said tonight's meeting is to discuss process, and to weigh in on a proposal from the CEA regarding zoning changes in the industrial district and whether or not to refer the project to the Planning Board for their study and action. Ms. Cooley concurred with Mr. Cogswell's explanation of the process, but questioned whether the proposal should have been submitted earlier to the Board of Selectmen.

Site maps were distributed.

Ms. Bailin added the zoning proposal brought tonight began in 2013, with meetings held in 2014. She commented buildout, traffic, and elevation analysis were necessary and took time to complete. She said members of the CEA believed discussions were being reported back to various boards, acknowledging the error in communication.

Mr. Owens agreed the process described by Mr. Cogswell is correct. He said his understanding is that members of the CEA are appointed by and are an advisory board to the Board of Selectmen regarding economic development. He commented to the extent economic development turns into zoning proposals, the proper path is from the CEA to the Board of Selectmen, with referral to the Planning Board for draft zoning and further study.

Mr. Borrelli said this particular issue seemed a little further "down the line," suggesting more communication and that Board Chair/Vice Chair "check ins" are necessary. He commented the CEA has been instrumental in all zoning for Needham Crossing.

Mr. Cogswell agreed more communication is necessary and the importance of making sure the Board of Selectmen are comfortable with work being done by the CEA.

Discussion ensued on particular steps in the process.

Mr. Matthews echoed the CEA has done great work and have been helpful to the Town on key issues over the years. He said miscommunication led to a situation where a developed proposal is presented, with policy decisions that should have

been addressed earlier. He commented details of the proposal depend on whether or not the policy direction is one the Town wants to move forward on. Mr. Matthews said if the CEA reaches the point of wanting to recommend a policy, the policy must have formal vetting before any detailed work is done on a project. He commented he is undecided on whether or not it is a good idea to bring urban scale development to the outside of Route 128 in Needham. He said the Board of Selectmen must discuss the issue. Mr. Matthews suggested the CEA formally bring requests for policy changes to the Board of Selectmen at a meeting, by memo, or during a joint meeting. He said it is not enough to have members of a board attend a meeting without authority or duty to report information. He reiterated, if the CEA wants the Board of Selectmen to know something, the CEA must be put in writing and deliver it to the Board of Selectmen or Town Manager.

Ms. Grimes said she had no idea the issue was being studied by the CEA. She said she would like to move forward, but on a different path. She recommended the Planning Board's involvement with the CEA begin at the early stage of any project. Ms. Grimes said the Planning Board can help the CEA move its ideas forward more quickly as partners.

Ms. McKnight mentioned the Planning Board will hold quarterly meetings devoted to long range planning. She said a member of the Planning Board will make a report on the focus of the CEA. Mr. Cogswell suggested the CEA send minutes from its monthly meeting to the Planning Board. Ms. Cooley said "check ins" are important for a major initiative.

Ms. Cooley spoke of the specific proposal, noting the Board of Selectmen have not had a public discussion about the scale of development on the parcels in question. She asked the Board of Selectmen for comment.

Mr. Handel concurred with Mr. Matthews that the Board of Selectmen must come to a conclusion about the scale of development. He recognized the three areas have zoning issues and are not able to sustain development, in any meaningful way, for which they were zoned. He noted the areas are already industrial with urban characteristics, although somewhat blighted. Mr. Handel said the proposal for zoning changes corrects setbacks and allows for orderly rectification of the area, while protecting the residential characteristics of the surrounding areas. Ms. Cooley commented Mr. Handel is the Board of Selectmen's designee on the CEA.

Mr. Matthews said the total package has many significant zoning items, with a range of considerations. He suggested it may be helpful to have a summary of core provisions from the CEA. Mr. Matthews said he is not ready to make any decision and needs time to think about the right process for the Town.

Ms. Cooley asked Ms. Bailin for a brief summary of the three areas in question; i.e. what makes them different from each other and guiding principles. Ms. Bailin explained the methodology for the proposal in each area, thus far. Ms. Cooley said

underlying and separate from any proposal is a recommendation for de-zoning of Route 128. Ms. Bailin concurred.

Mr. Matthews commented de-zoning of the highway strip might be well served to be broken out of the project and referred to the Planning Board. He asked if there are other elements to be considered in the same way. Mr. Cogswell commented the three areas could be done separately, but all have policy issues.

Mr. Borrelli said he is concerned with density, as the areas are neighborhoods. He suggested a slow approach, noting small changes could have large impacts. He said he is not sure the Town is ready and needs more information.

Mr. Bulian commented build-outs attract workers and residents leading to gridlock and traffic, suggesting working with the State on extending transportation networks into the area. He said Needham is a community plagued by traffic due to development.

Mr. Handel said the Board of Selectmen have actively engaged with Newton and the Commonwealth to preserve the function of the old railroad right-of-way for multi-modal transportation.

Ms. Cooley summarized the Board's interest in referring the "housekeeping" matter of the re-zoning of Route 128 to the Planning Board, with more discussion necessary on other matters.

1. **Motion by Mr. Handel that the Board of Selectmen vote to refer the proposed amendment to the Zoning Map to exclude from the Single Residence B and Single Residence A Zoning Districts any and all portions of the layout of Route 128/I 95, so that said layout areas shall no longer have any zoning designation, regulations or requirements to the Planning Board for its review, hearing, and report.**  
**Second: Mr. Bulian. Unanimously approved 5-0.**

Ms. Cooley asked the Planning Board for feedback.

Mr. Owens stated the Planning Board has not discussed the proposal or reached any conclusion as a group. He said the Town has learned, from work done in Needham Crossing, of the benefits of a little bit of vision. He said while some people do not like seeing the TripAdvisor building from their yard, the overall benefit to the Town has been a big step forward. He commented the three parcels in the proposal have different physical characteristics, saying the "devil is in the details" regarding planning and zoning. He said he believes the concept is one the Town should consider, noting potential beautification, land value, and access to transportation. He encouraged the Board of Selectmen to be open to more discussion.

Ms. McKnight suggested concentrating on the Muzi area and TV Place, as well as the other side of the railroad tracks off Gould Street. She suggested the Reservoir

Street area be put off for a future time. Ms. McKnight noted a completed traffic study and looks forward to working on the area off Gould Street and Highland Avenue.

Mr. Jacobs concurred with comments by Mr. Owens, noting all areas deserve to be studied. He said he does not consider the areas “blighted,” but rather areas that could use improvement.

Mr. Matthews reiterated fast tracking the de-zoning of the highway makes sense, but the Board of Selectmen must discuss some of the underlying policy decisions. He said the question of urban development, particularly regarding height, is one the Board must consider for the future. Ms. Cooley agreed with Mr. Matthews that more discussion is required.

Mr. Cogswell said the CEA is available anytime to meet for consultation.

Ms. Cooley thanked everyone for attending the meeting tonight.

Mr. Owens announced the Planning Board will recess and reconvene downstairs at Town Hall.

8:05 p.m.

Children’s Programs at Needham Public Library:

Carol Thomas, Chair, Board of Library Trustees, Paula Dugan, Children’s Department Supervisor, and Ann MacFate, Director of Needham Public Library appeared before the Board with an update on a STEAM grant recently received by the Children’s Department and other children’s activities at the library.

Ms. MacFate told the Board Ms. Dugan has been with the library for three years and has turned the Children’s Department programming around. She said a 15% increase in quality programming has occurred since Ms. Dugan started working. She acknowledged the increase in programming has also realized a 44% increase in attendance. Ms. MacFate said Ms. Dugan is doing a great job.

Ms. Dugan described the many new programs available at the library and a STEAM grant recently received by the Children’s Department. She said new books, magazines, robots, computer coding board games, and digital microscope have been purchased. She commented 16 STEAM programs have been funded throughout the year. Ms. Dugan explained other initiatives in the Children’s Department that have helped to increase attendance, as well as activities, conferences, and presentations she has attended this year.

The Board thanked Ms. MacFate, Ms. Dugan, and Ms. Thomas for the very important work they do in the Children’s Department at the Needham Library.

8:25 p.m.

Appointments and Consent Agenda:

**Motion by Mr. Handel that the Board vote to approve the Appointments and Consent Agenda as presented.**

**APPOINTMENTS**

- 1. Human Rights Committee Nadaa Ali (term expires 6/30/20)**

**CONSENT AGENDA**

- 1. Approve request from Rabbi Mendel Krinsky from the Chabad Jewish Center to hold a Menorah lighting ceremony on the Town Common on Wednesday, December 13, 2017 starting at 6:00 pm. Garrity Way cannot be accessed until 5:00 pm.**
  - 2. Accept a \$1,000 donation made to the Needham Public Health Department's Traveling Meals Program from Dracaena and Sandeep Thicker, Needham residents.**
  - 3. Accept the gift of two Koralex II, American made polyester United States Flags from the Norfolk Lodge A.F. & A.M. for the Needham Town Common and the Needham Heights Common to use during the winter months.**
  - 4. Approve a One Day Wines and Malt Only Beverages License for Audrey Rideout, Practice Manager of Pediatrics at Newton Wellesley, to host its Holiday Party on December 12, 2017 from 6:00 p.m. to 9:00 p.m. The event will be held at the Needham Bowl Away, 16 Chestnut Street, Needham.**
  - 5. Water & Sewer Abatement Order #1246**
  - 6. In accordance with Section 4.2 of the Regulation for the Sale of Alcoholic Beverages approve operational hours for Section 15 Licensees on the dates of December 24, 2017 and December 31, 2017 to be 9:00 a.m. to 8:00 p.m.**
  - 7. Sign letter to express support for the application of the Beth Israel Deaconess Medical Center system, Lahey Health System, Mount Auburn Hospital, New England Baptist Hospital, and Anna Jaques Hospital, to create a new, lower cost, high quality non-profit health care system in Eastern Massachusetts.**
  - 8. Accept a \$200 donation made to the Needham Public Health Department's Gift of Warmth Fund from Shahin Sagafi, Rockville, MD.**
- Second: Mr. Bulian. Unanimously approved 5-0.**

8:25 p.m. Daxing Sister City Emergency Medicine Exchange:  
Tim McDonald, Director of Health and Human Services and Dennis Condon, Fire Chief updated the Board on their recent trip to Needham's sister city, Daxing, Beijing, China to participate in an emergency medicine exchange. They told the Board of their meetings with counterparts in Daxing and opportunities for future collaboration.

The Board thanked Chief Condon and Mr. McDonald for the update.

8:35 p.m. Director of Public Works:  
Richard Merson, Director of Public Works appeared before the Board with one item to discuss:

- 1. Downtown Improvement Project Update**

Mr. Merson provided an update on outstanding punch list items and the traffic system activation, as Phase 1 of the project is drawing to a close.

He commented a report was made on November 20, 2017 by consultants on the project after a day was spent checking the new system. He said several general contractor items require attention, as well as troubleshooting some electrical elements (traffic detector loops). He said the camera system relating with the loop detectors remains inactive and problematic, noting the Town continues working toward completion of the project.

Mr. Borrelli asked about the grade crossing traffic light; whether it remains a federal requirement, and if there will be any change once punch list items and synchronization of the system are complete? Mr. Merson commented time is needed for testing the system, noting a more permanent improvement may come when work is done on the grade crossing. He said grant money is currently being sought for reconstruction of the crossing, including new signals. He acknowledged the situation is frustrating. Ms. Fitzpatrick added while the Town has applied for a grant, discussions with MBTA officials and Representative Garlick will be held to try to find other ways to remedy the situation. Mr. Borrelli asked if any of the consultants have said the traffic light is no longer a necessity? Mr. Merson said he is not aware of anyone saying the traffic light is no longer necessary, noting the consultant is willing to discuss with the Board the reason and rational of why the light is necessary.

Discussion ensued on the grade crossing, function of the traffic light, and the traffic control system.

The Board thanked Mr. Merson for his continued work on the project.

8:44 p.m. Town Manager:  
Kate Fitzpatrick, Town Manager appeared before the Board with one item to discuss:

1. Preliminary FY2019-FY2023 Capital Improvement Plan

The Board discussed the “Town of Needham Fiscal Year 2019 Requests Preliminary Capital Funding Recommendations,” dated November 22, 2017. Ms. Fitzpatrick highlighted key projects including the DPW Central Avenue Storage Facility, Memorial Park Buildings and Grounds Improvements, Public Safety Complex/Station #2, and Water Quality Improvements at Rosemary Lake. She noted discussion of the five year plan will occur at the Board’s meeting on December 5, 2017, with final approval and Board vote at its meeting on December 19, 2017.

8:53 p.m. Board Discussion:

1. Committee Reports

No Committee Reports were made.

Ms. Cooley reminded the Board and residents of the Blue Tree lightings taking place on Saturday, December 2, 2017 at 4:30 p.m. in Needham Heights and 5:00 p.m. on the Town Common.

8:55 p.m.

Adjourn:

**Motion by Mr. Handel that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of November 28, 2017.**

**Second: Mr. Bulian. 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=>