**Town of Needham**
**Select Board**
**Minutes for April 23, 2019**
**Needham Town Hall**
**Select Board's Chamber**

6:30 p.m. Call to Order:
A meeting of the Select Board was convened by Chair John A. Bulian. Those present were Maurice P. Handel, Matthew D. Borrelli, Marianne B. Cooley, Daniel P. Matthews and Town Manager Kate Fitzpatrick. Recording Secretary Mary Hunt joined the meeting at 6:45 p.m.

6:30 p.m. Executive Session: Exception 3 - Potential Litigation

**Motion by Mr. Handel that the Select Board 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.**

**To reconvene in Open Session at 6:45 p.m.**

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

6:45 p.m. Informal Meeting with Citizens:
Michael Bailit of 33 Perry Drive spoke with the Board about recycling receptacles in public spaces, particularly near parks and fields. He said placing recycling bins next to trash cans would help curb litter left in public spaces. He noted Needham seems to have far less recycling bins than other towns in the area.

7:00 p.m. The public portion of the Select Board meeting of April 23, 2019, was convened by Chair John A. Bulian.

7:00 p.m. Mr. Handel read a proclamation recognizing the last Friday in April as Arbor Day in the Town of Needham.

**Motion by Mr. Handel that the Select Board of the Town of Needham do hereby proclaim the last Friday in April as Arbor Day in the Town of Needham and we encourage our residents to support all efforts to protect our trees and woodlands for future generations to come. Our Children, our Trees, our Future.**
**Second: Mr. Borrelli. Unanimously approved 5-0.**

7:02 p.m. Public Hearing: Comcast Corporation - Grant of Location - 189 B Street

Al Rugman, Comcast Corporation Representative and Rory Gardiner, Project Coordinator appeared before the Board requesting permission to install approximately 335’ (feet) of (1) 4” (inch) conduit in the street starting at an existing Comcast vault on 3rd Avenue, crossing 3rd Avenue approximately 50’ (feet) and continuing 160’ (feet) to a proposed installation of (1) Comcast vault on B Street, continuing out of newly installed vault 125’ (feet) on B Street to the private property of 189 B Street as shown on enclosed/attached design print. Also, replace the existing fiberglass hand hole with the 3’ x 3’ I.D. manhole and casting capable of supporting H-20 Loading and adjusted to road elevation at the time of Comcast’s extension of their cable(s) to 189 B Street.

Ms. Fitzpatrick indicated all paperwork is in order.

Mr. Bulian invited public comment. No comments were heard.

**Motion by Mr. Handel that the Select Board approve and sign a petition from Comcast Corporation to install approximately 335’ (feet) of (1) 4” (inch) conduit in the street starting at an existing Comcast vault on 3rd Avenue, crossing 3rd Avenue approximately 50’ (feet) and continuing 160’ (feet) to a proposed installation of (1) Comcast vault on B Street, continuing out of newly installed vault 125’ (feet) on B Street to the private property of 189 B Street as shown on enclosed/attached design print. Also, replace the existing fiberglass hand hole with the 3’ x 3’ I.D. manhole and casting capable of supporting H-20 Loading and adjusted to road elevation at the time of Comcast’s extension of their cable(s) to 189 B Street.**
**Second: Mr. Borrelli. Unanimously approved 5-0.**

7:00 p.m. Change of Manager - Rockets Restaurant Group d/b/a Three Squares at 669 Highland Avenue:
Stephen Buchbinder, Attorney, Elliot Weinstein, Attorney, and Joey Luckner, Proposed Manager appeared before the Board to discuss an application for a change in Manager. A review indicates Mr. Luckner meets the statutory requirements to serve as a manager of a facility licensed to dispense alcohol. The additional filing materials seem in order.

Ms. Fitzpatrick said all paperwork is in order.

**Motion by Mr. Handel that the Select Board approve and sign an application for a Change in Manager to Joey Luckner for Rockets Restaurant Group d/b/a 3 Squares, 669 Highland Avenue, Needham and to forward this application to the ABCC for approval.**
**Second: Mr. Borrelli. Unanimously approved 5-0.**

Mr. Matthews noted Mr. Luckner’s work experience. He said having an alcohol license is a public trust and that Mr. Luckner will be held to a high standard by the Town. Mr. Matthews said the Select Board is concerned about public safety, the well being of the community, and reiterated to Mr. Luckner that he is personally responsible as a manager of a liquor license. Mr. Luckner said he throughly understands.

7:09 p.m. Proposed Development at 1180 Great Plain Avenue:
Mike McKay, Architect and Giorgio Petruzziello, Supreme Development appeared before the Board to discuss proposed development at 1180 Great Plain Avenue.

Mr. McKay showed renderings of the project, explaining 16 total units are proposed with 28 parking spaces. He referred to the Project Narrative dated March 8, 2019 giving a summary of the project.

Mr. Bulian asked for Board questions.

Mr. Handel asked for more information about traffic circulation on the property.

Mr. McKay said it is a "balancing act" between parking and the residential area behind the proposed building. He said a traffic study will be completed.

Mr. Bulian said a public hearing will be held at the May 14, 2019 Select Board hearing so neighbors and concerned citizens can ask questions.

Mr. Borrelli said he likes the design and the upgrade to the neighborhood. He said traffic is an issue, noting the property would normally be zoned for a single residence building for up to three single family homes. He said the proposal is for 16 units, noting Needham is over 10% affordable housing. He questioned the use and whether it might be detrimental. Mr. Borrelli asked, in general terms, about housing needs in Needham (i.e., senior housing). Mr. Borrelli suggested fewer units may fit better on the property, as density and traffic will be an issue.

Mr. Matthews said he understands the proposal is a request to supersede Town zoning as the project is a 40 B housing development which, if filed, will go before the Zoning Board of Appeals. He clarified the May 14th public hearing is to hear public opinion and for the Select Board to determine whether to support or not support the project. He said the key issue for him is affordability, i.e. subsidized housing affordability or market rate affordability, noting the Select Board has some jurisdiction over the subsidized housing inventory element of the project and whether the project should be allowed to override town zoning in order to forward the interest of having more affordable housing in Needham, and rental housing. Mr. Matthews commented seven years ago the Town adopted guidelines regarding density, proximity to transportation, environmental guidelines etc. He said for the most part, the project fits within the guidelines. However, since the Town is now over the 10% affordable housing threshold, other factors can be considered including whether the Town will allow any additional affordable housing. Mr. Matthews said there are always tradeoffs. He noted the original guidelines, premised on reaching the 10% affordable housing threshold must be updated, which he said the Board intended to start doing this summer. Mr. Matthews said now that the Town has control over its 40B zoning, as well as a greater degree of discretion about affordable housing, standards must be set as to what the Town will allow so that everyone knows the view of the Town.

Mr. Borrelli commented the affordable housing component is not the issue for him, but he is concerned with the density.

Discussion ensued on density and affordable housing in Needham.

Mr. Matthews asked if it would make sense to do a 12 unit development?

Mr. Engler said the economics are very tight for a small rental project. Mr. Petruzziello concurred, 12 units is not economically doable due to rental prices.

Mr. Borrelli reiterated the conversation is two way as things move forward. He said there is a "happy medium" suggesting creative approaches to make the project work.

The Board thanked the presenters for the presentation.

7:57 p.m. Appointments and Consent Agenda:

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

**APPOINTMENTS: No Appointments were made at this meeting.**

**CONSENT AGENDA**

1. **Approve the calendar year 2019 Spring Licenses as follows. This approval is predicated on the receipt of all completed required paperwork before April 30, 2019.**

| **Establishment** | **License Type** |
|---|---|
| **Veteran's Taxi of Newton, LLC** | **Taxi/Livery** |
| **Boston Sultan Limousine** | **Taxi/Livery** |
| **Lt. Manson H. Carter Post 2498 VFW Building Association, Inc.** | **Pool Table** |
| **Closet Exchange – Best of the Mall** | **Sale of Second Hand Articles** |
| **Closet Exchange – Designer & Boutique** | **Sale of Second Hand Articles** |
| **Closet Exchange – Consignment Drop Off** | **Sale of Second Hand Articles** |
| **Closet Exchange – Last Chance Store** | **Sale of Second Hand Articles** |
| **Crosby Jewelers, Inc.** | **Sale of Second Hand Articles** |
| **Segaloff's Jewelers** | **Sale of Second Hand Articles** |
| **Janet Cotter Design** | **Sale of Second Hand Articles** |
| **Needham Bowl Away** | **Bowling Alley** |

2. **Accept the following donation made to the Needham Community Revitalization Trust Fund: $1500 from Nancy Farrow.**

3. **Update Heights Permit Parking Program Rules and Regulations to allow proration of fee.**
4. **Water & Sewer Abatement Order #1273**
5. **Approve a request for a One Day Special Wines and Malt Beverages license for Robert Timmerman II, of Needham Knights of Columbus who is hosting a "Trivia Night for a Cause" event on Saturday, April 27, 2019 from 6:00 p.m. to 10:00 p.m. The event will be held at Needham Knights of Columbus, 1211 Highland Avenue, Needham.**
6. **Approve a request for a One Day Special Wines and Malt Beverages license for Robert Timmerman II, of Needham Knights of Columbus to host a Craft Beer Night on Friday, May 3, 2019 from 6:00 p.m. to 10:00 p.m. The event will be held at Needham Knights of Columbus, 1211 Highland Avenue, Needham.**
7. **Approve a Special One Day Wines & Malt Beverages License for Maxwell Sparr, of TripAdvisor to host an event for Domo User Group on Thursday, May 9, 2019 from 4:30 p.m. to 6:30 p.m. The event will be held at TripAdvisor, 400 1st Avenue, Needham.**
8. **Approve a Special One Day Wines & Malt Beverages License for Maxwell Sparr, of TripAdvisor to host an event for Boston Product Managers Association (BPMA) on May 16, 2019 from 6:00 p.m. to 9:00 p.m. The event will be held at TripAdvisor, 400 1st Avenue, Needham.**
9. **Accept a $25 donation made to Needham Youth & Family Services to be used to sponsor the VAN program from the Hollop Family, Needham residents.**
10. **Accept a $100 donation made to Needham Youth & Family Services from the Roman Catholic Archbishop of Boston, St. Bartholomew Parish in Needham. The money was given for a Parent Speaker Series on "The Influence of Technology & How Parents can be Prepared" that Youth Services Director, Sara Shine spoke at on March 26, 2019.**
11. **Approve minutes of February 15, 2019 meeting, and April 10, 2019.**

**Second: Mr. Borrelli. Unanimously approved 5-0.**

7:58 p.m. Director of Public Works:
Richard P. Merson, Director of Public Works appeared before the Board with two items to discuss:

1. Sign Notice of Traffic Regulation - Broad Meadow Road
Mr. Merson stated business owners on Broad Meadow Road near the intersection of Great Plain Avenue have requested the parking time limit on the spaces on the north side of Broad Meadow Road between Great Plain Avenue and Evans Road be increased from 2 hours to 3 hours. He asked the Select Board approve the change.

**Motion by Mr. Handel that the Board vote to approve and sign the Notice of Traffic Regulation Permit #P19-04-23a for Broad Meadow Road, Time Limited in Designated Places, North side, from the westerly sideline of Great Plain Avenue to the easterly sideline of Evans Road - 3 Hour Parking.**
**Second: Mr. Borrelli. Unanimously approved 5-0.**

2. Sign Notice of Traffic Regulation - May Street

   Mr. Merson explained that due to commuter parking in spaces on the north side of May Street between Highland Avenue and Oakland Avenue, a request is being made for a 2 hour parking zone to be established on the north side of May Street from Highland Avenue to Oakland Avenue.

   **Motion by Mr. Handel that the Board vote to approve and sign the Notice of Traffic Regulation Permit #19-04-23 for May Street, Time Limited in Designated Places, North side, from the westerly sideline of Highland Avenue to the easterly sideline of Oakland Avenue - 2 Hour Parking.**
   **Second: Mr. Borrelli. Unanimously approved 5-0.**

   Mr. Borrelli suggested an additional "No Commuter Parking" sign.

8:01 p.m. Town Manager:

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

1. Call for Special Town Meeting

   Ms. Fitzpatrick recommended that the Select Board call for a Special Town Meeting to be held on October 28, 2019. This action will provide Town Meeting Members advance notice for planning purposes. She said the Board is scheduled to open the warrant for the Special Town Meeting this summer.

   **Motion by Mr. Handel that the Select Board vote to call for a Special Town Meeting to be held on October 28, 2019 at the Needham Town Hall.**
   **Second: Mr. Borrelli. Unanimously approved 5-0.**

2. 2019 Annual Town Meeting

   The Board reviewed remaining articles in the 2019 Annual Town Meeting Warrant.

   Ms. Fitzpatrick noted Article 28 Amend Zoning By-law - Self Storage Facilities in Mixed Use-128 District in the Annual Town Meeting Warrant has been withdrawn as the proponents do not wish to proceed. Mr. Matthews suggested the applicant should provide a signed letter as to the withdrawal.

   Ms. Fitzpatrick also noted Article 29 - Appropriate for First Baptist Church Porch Preservation in the Annual Town Meeting Warrant has also been withdrawn by the proponents. She said no action is required by the Select Board.

   **Motion by Mr. Borrelli that the Select Board vote to support Article 30 - Appropriate for Modernization and Redevelopment of Affordable Housing Consultant in the Annual Town Meeting Warrant.**
   **Second: Mr. Handel. Unanimously approved 5-0.**

**Motion by Mr. Borrelli that the Select Board vote to support Article 31 - Appropriate for Fisher Street Trailhead Design in the Annual Town Meeting Warrant.**
**Second: Ms. Cooley. Unanimously approved 5-0.**

Article 32 - Appropriate for Town Common Renovation Design -Defer.

**Motion by Mr. Borrelli that the Select Board vote to support Article 33 - Appropriate for Rosemary Lake Trail Project in the Annual Town Meeting Warrant.**
**Second: Mr. Handel. Unanimously approved 5-0.**

**Motion by Mr. Borrelli that the Select Board vote to support Article 34 - Appropriate for Cricket Field Renovations in the Annual Town Meeting Warrant.**
**Second: Mr. Handel. Unanimously approved 5-0.**

**Motion by Mr. Borrelli that the Select Board vote to support Article 35 - Appropriate for Playground Improvements in the Annual Town Meeting Warrant.**
**Second: Mr. Handel. Unanimously approved 5-0.**

**Motion by Mr. Borrelli that the Select Board vote to support Article 36 - Appropriate to Community Preservation Fund in the Annual Town Meeting Warrant.**
**Second: Mr. Handel. Unanimously approved 5-0.**

Mr. Bulian noted the Select Board has not decided whether to take a position on Article 51 - Home Rule Petition - Resolution to Call for the United States to "Pull Back From the Brink" and Prevent Nuclear War - An Existential Threat to the Future of Humanity and the Planet. He asked for Board comment.

Mr. Handel recommends the Board take no position as the matter does not immediately affect the business or operations of the Town. He said he does not feel he has the expertise to recommend a position to Town Meeting Members.

Discussion ensued on options for addressing Town Meeting.

Mr. Matthews said if something is on the warrant, there should be an informed discussion, but he is concerned discussion would be "one sided." He acknowledged the subject is frightening, but also one the Select Board and Town Meeting Members do not have enough expertise to debate. He questioned whether the Select Board is properly exercising stewardship of the warrant. He said he prefers telling Town Meeting the merits are very complex, and is opposed to voting the resolution at Town Meeting, as the Town would be better served if issues of this type were addressed in another way, i.e. by civic groups or committees. Mr.

Matthews spoke of the risk of diverting Town Meeting attention away from other issues.

Mr. Handel noted the issue will be discussed as it is a Citizen's Petition. He agreed with Mr. Matthews issues like this should not be on the floor of Town Meeting. He noted however, there may be extraordinary circumstances where it may be good for Citizen's Petitions to come before Town Meeting even though it is outside the normal domain. Mr. Handel reiterated his viewpoint to take no position on the issue.

Mr. Borrelli suggested asking the Moderator if the Select Board could speak at Town Meeting, as it must be made clear more information or discussion must take place to render any opinion. He said the topic does not belong at Town Meeting as it is a state and federal issue. He commented if the Select Board is not allowed to address Town Meeting, he would have to vote against the article because he does not know enough about the issue. Mr. Borrelli said he feels it best to take no position and explain there hasn't been a thorough discussion.

Ms. Cooley concurred with Mr. Borrelli, saying she would like to know if the Select Board could speak to Town Meeting before making a decision. She said she prefers the Select Board speak on the issue after taking no position.

Discussion continued on whether non-town matters should come before Town Meeting, and asking the Town Meeting Moderator if the Select Board could make a statement at Town Meeting.

The Board agreed not to vote tonight. They also agreed to ask the Town Moderator if they could be recognized to speak at Town Meeting even if no position is taken by the Select Board.

8:25 p.m. Board Discussion:

1. Committee Reports

No Committee Reports were made.

8:26 p.m. Adjourn:

**Motion by Mr. Handel that the Select Board vote to adjourn the Select Board meeting of Tuesday, April 23, 2019.**
**Second: Mr. Borrelli. Unanimously approved 5-0.**

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

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