

**BOARD OF SELECTMEN**  
**August 16, 2011**  
**Needham Public Services Administration Building**  
**REVISED Agenda**

	<b>6:45</b>	Informal Meeting with Citizens
<b>1.</b>	<b>7:00</b>	Public Hearing: New Wine & Malt License Application <ul style="list-style-type: none"> <li>▪ Archimedis Sclavounos – Arisco, LLC d/b/a Acropolis, 1257 Highland Avenue</li> </ul>
<b>2.</b>	<b>7:00</b>	Public Hearing: Underground Storage of Flammables <ul style="list-style-type: none"> <li>▪ 126 Jarvis Circle</li> </ul>
<b>3.</b>	<b>7:05</b>	Public Hearing: Underground Storage of Flammables <ul style="list-style-type: none"> <li>▪ 31 Grasmere Road</li> </ul>
<b>4.</b>	<b>7:10</b>	Introduce Fire Captain Matthew Doohar <ul style="list-style-type: none"> <li>▪ Paul Buckley, Fire Chief</li> </ul>
<b>5.</b>	<b>7:15</b>	North Hill Construction Project <ul style="list-style-type: none"> <li>▪ Kevin Burke, North Hill Life Care Facility</li> <li>▪ Roy Cramer, Esq.</li> </ul>
<b>6.</b>	<b>7:30</b>	Sign Notice of Traffic Regulation – Bradford Street <ul style="list-style-type: none"> <li>▪ Richard Merson, Director of DPW</li> </ul>
<b>7.</b>	<b>7:35</b>	Town Manager <ul style="list-style-type: none"> <li>▪ Call for Special Town Meeting</li> <li>▪ Special Town Meeting Preview</li> <li>▪ FY2013 Budget Pro Forma and Budget Consultation</li> <li>▪ Powers Hall Use Regulations</li> </ul>
<b>8.</b>	<b>8:00</b>	Board Discussion <ul style="list-style-type: none"> <li>▪ Goal Discussion / Next Steps</li> <li>▪ Committee Reports</li> <li>▪ <b>Boston MPO Municipal Elections</b></li> </ul>
<b>9.</b>	<b>8:15</b>	Executive Session – Exception 6

**APPOINTMENTS**

1.	See Attached List
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**CONSENT AGENDA      \*=Backup attached**

1.	In accordance with Section 20 (c) of the Town Charter, approve the Town Manager’s appointment of Philip E. Droney as Chief of Police.
2.*	Approve application for a new 2011 Bowling Alley License for Needham Bowlaway LLC d/b/a Needham Bowlaway, 16 Chestnut Street Needham, Zach and Taryn Sundberg, owners.
3.	Accept donation of a framed map of the Town of Needham as it existed in 1888 from Needham resident Richard Luskin, 53 Wayne Road.
4.	Accept the following donations made to the Needham Public Library for the period May 4, 2011 – August 4, 2011: Donations made in memory of Kathleen F. Weller: Adolf W. Karchmer, M.D. (\$25), Harvard Medical Faculty Physicians at BID Medical

	Center (\$100), Joseph and Virginia Murray (\$50.00), Ellen and Steve Wilner (\$100); Gail Hedges donated 93 review books to the Children's Room (\$1,395); Ann MacFate made a donation in memory of Irene MacFate for large print books (\$250); The Needham Democratic Women Discussion Group donated \$70 to the library in honor of Eleanor Weekes; Keith and Lynn McClelland gave the library a copy of the book, <i>Dire Threads</i> , written by Keith's sister (\$8); The library received a \$17,000 donation from a donor who wishes to remain anonymous; The Needham High School Anime Club donated \$325 to the library for the purchase of Manga, Anime, and other young-adult literature; Jacqueline Davies gave the Children's Room a copy of the book, <i>Basketball Belles: How Two Teams and One Scrappy Player Put Women's Hoops on the Map</i> by Sue Macy (\$16.95); The Needham Lions Club donated \$500 for the purchase of Large Print Books; Tricia Silverman donated \$25 for children's books; The Needham Historical Commission gave the library two copies of volume 2 of its publication that lists historic Needham properties.					
5.	Accept gift of \$575 from the Needham High School Class of 1945 to be used for the purchase of a bench at Town Hall.					
6.	Disband the Carol Brewster Land Use Study Committee with thanks to its members for their service to the Town.					
7.*	Approve and sign Water & Sewer Abatement order number 1129.					
8.*	Approve minutes from July 26, 2011.					
8.A	Upon the recommendation of the Director of Public Works and Town Engineer, grant permission to construct a new single family home at 263 Nehoiden Street within the existing sewer easement after the new sewer main and sewer easement have been accepted by the Town.					
9.	Grant Permission for the following residents to hold a block party:					
	Name	Address	Party Location	Party Date	Party Rain Date	Party Time
	Bruce Patz	39 Woodbine Circle	Fay Lane	9/10/11	9/11/11	2-8pm
	Andrea Rae	36 Gage St	Gage St	9/10/11	9/11/11	1-8pm
	Beata Fernandez	7 Woodledge Rd	Corner of Woodledge Rd and Highgate Rd to corner of Highgate to Audrey	9/10/11	9/11/11	4-8pm 3-7pm
	Jennifer Lynch	278 Edgewater Drive	Edgewater Drive	9/10/11	9/11/11	3:30-5:30pm
	Heidi Wiesel	46 Ware Road	Ware Road	9/17/11		3-8pm
	Joanne Crispin	46 Hillcrest Rd	41-46 Hillcrest	9/10/11	9/10/11	2-6pm
	Sandra Jaszek	18 Crescent Rd	Crescent Road between Union & West St	9/10/11		2-6pm
	Mary Lou Hughes	41 Perry Dr	Perry Drive	9/10/11	9/11/11	4-6:30pm
	Claudette Shea	107 Grosvenor	Grosvenor	9/10/11	9/11/11	3-7pm

Lorraine Tucceri	156 Chambers	5 Chambers	9/10/11		3-5pm
Lauren Alexander	64 Mayflower Rd	Mayflower Rd	9/10/11	9/11/11	4:30-8pm
Judith Gragg	115 Dawson	111-121 Dawson Dr	9/10/11	9/11/11	2-7pm 4-8pm
Christen Robins	45 Broadmeadow	Broadmeadow from Bird St fork to Greendale Ave	9/24/11 changed from 9/10/11		3-8pm
Julie Blake	763 Great Plain Ave	Powers & Woodlawn	9/10/11	9/11/11	4-7pm
Ann Dever-Keegan	111 Nehoiden St	Meredith Circle	9/10/11	9/24/11	3-7pm
James Rochford	74 Rolling Ln	Rolling Ln	9/10/11	9/17/11	12-5pm
Marie Shapiro	9 Ardmore Rd	End of Ardmore & Taylor	9/10/11		4-7pm
Amy Knopf	2 Winslow Rd	Corner of Winslow & Mary Chilton	9/10/11		4-7pm
Charlie Hecht	59 Walnut St	Walnut between Henderson & Willow	9/10/11	9/11/11	12-7pm 12-6pm
Judith Allen	6 Smith St	Brackett St	9/10/11		4-7pm
Thomas Harkins	24 May St	Fair Oaks Park	9/10/11	9/11/11	3-7pm
Megan McQuivey	35 Wayne Road	Wayne Road	9/10/11		3-5pm
Mary Beth Warner	394 Webster St	Sprint St	9/10/11		4:30-9pm
Rachel Spector	24 Lexington Ave	Lexington Ave	9/10/11		5-6:30pm
Lisa Madkins	15 Bobsled Dr	At the bottom of Bobsled Dr	9/10/11		12-5pm
Katherine Deeley	61 Kenney St	Kenney St & Barbara Rd	9/10/11	9/11/11	3-9pm
Deborah Mead	25 Thurston Ln	Elmwood Rd & Thurston Ln	9/10/11	9/11/11	2-8pm
Marty Rensen	28 Warren St	Warren St between Kingsbury & may St	9/10/11		3:30-7pm
Alexis Kelleher	121 Damon Rd	Upper Damon Rd at Pythias Circle	9/10/11		3:30-7:30

Kathleen Phelps	9 Fuller Road	Fuller Road	9/10/11	9/17/11	3-9pm
Norma Stephenson	18 Newbury Park	Newbury Park	9/10/11		4-6pm
Sarah Mesnik	26 Dartmouth Ave	Dartmouth Ave	9/10/11	9/11/11	3-8:30pm
Stacey Keenan *pending approval from Fire Dept	30 North Hill Ave	Fuller Brook	9/10/11		4-9pm
Cathy Dermody *pending approval from Fire Dept	12 Concrod St	Concord St/Burnside Ave Intersec	9/10/11	9/11/11	3-7pm
Caroline Rufo *pending approval from Fire Dept	33 Emerson Pl	Emerson Circle	9/10/11	9/11/11	3-6pm
Cathy Aikman *pending approval from Fire Dept	19 Beaufort Ave	Beaufort Ave. between Bond & Nichols St	9/10/11		3-8pm

**Needham Board of Selectmen Committee/Board Reappointments  
August 2011**

<b>COMMITTEE</b>	<b>Name</b>	<b>Term Expiration</b>
Board of Appeals	Howard S Goldman	6/30/2014
Cable Television Advisory Board	John D Fountain	6/30/2014
Conservation Commission	Sharon Soltzberg	6/30/2014
Conservation Commission	Lisa A. Standley	6/30/2014
Council of Economic Advisors	Glen Cammarano	6/30/2014
Council of Economic Advisors	Maurice P. Handel	6/30/2014
Council of Economic Advisors	Bob Hentschel	6/30/2013
Council of Economic Advisors	Tom Jacob	6/30/2013
Council of Economic Advisors	Matthew D. Talcoff	6/30/2014
Council On Aging	Susanne D Hughes	6/30/2014
Council On Aging	Andrea Rae	6/30/2014
Council On Aging	Mary Elizabeth Weadock	6/30/2014
Cultural Council	Abby Cheng	6/30/2014
Cultural Council	Claire Dee Ecsedy	6/30/2014
Cultural Council	Cynthia J. Lingley	6/30/2014
Design Review Board	Mark Gluesing	6/30/2014
Design Review Board	Richard M. Reilly Jr	6/30/2014
Future School Needs Committee	David Coelho	6/30/2014
Golf Course Advisory Committee	Jane A. Howard	6/30/2014
Golf Course Advisory Committee	Jon Schneider	6/30/2014
Historical Commission	Carol Johnson Boulris	6/30/2014
Historical Commission	Joel H Lebow	6/30/2014
Human Rights Committee	Marjorie Lynne Freundlich	6/30/2014
Human Rights Committee	Liora Harari	6/30/2014
Human Rights Committee	Michael T. Vaughn	6/30/2014
Local Emergency Planning Committee	Donald Anastasi	6/30/2013
Local Emergency Planning Committee	Bill Arsenault	6/30/2013
Local Emergency Planning Committee	Janice E Berns	6/30/2013
Local Emergency Planning Committee	Seymour Bigman	6/30/2013
Local Emergency Planning Committee	Paul F. Buckley Jr	6/30/2013
Local Emergency Planning Committee	Kevin Burke	6/30/2013
Local Emergency Planning Committee	Tom Campbell	6/30/2013
Local Emergency Planning Committee	Donna M Carmichael	6/30/2013
Local Emergency Planning Committee	Christopher Coleman	6/30/2013
Local Emergency Planning Committee	Walter Collins	6/30/2013
Local Emergency Planning Committee	Lindsay Dumas	6/30/2013
Local Emergency Planning Committee	Meg Femino	6/30/2013
Local Emergency Planning Committee	Kate Fitzpatrick	6/30/2013
Local Emergency Planning Committee	Wolfgang K Floitgraf	6/30/2013
Local Emergency Planning Committee	John D Fountain	6/30/2013
Local Emergency Planning Committee	Alan Glou	6/30/2013
Local Emergency Planning Committee	Natasha Glushko	6/30/2013
Local Emergency Planning Committee	Sheila Hamwey	6/30/2013
Local Emergency Planning Committee	Joanne Kossuth	6/30/2013
Local Emergency Planning Committee	John Kraemer	6/30/2013
Local Emergency Planning Committee	Chip Laffey	6/30/2013
Local Emergency Planning Committee	Kenneth P. Leclair	6/30/2013
Local Emergency Planning Committee	David Levine	6/30/2013
Local Emergency Planning Committee	Kathy Lewis	6/30/2013
Local Emergency Planning Committee	Robert Lewis	6/30/2013

**Needham Board of Selectmen Committee/Board Reappointments  
August 2011**

Local Emergency Planning Committee	Roger Scott Macdonald	6/30/2013
Local Emergency Planning Committee	Heather Mackay	6/30/2013
Local Emergency Planning Committee	Joe Mackinnon	6/30/2013
Local Emergency Planning Committee	Marc Mandel	6/30/2013
Local Emergency Planning Committee	Ann Martello	6/30/2013
Local Emergency Planning Committee	Richard Merson	6/30/2013
Local Emergency Planning Committee	John O'Brien	6/30/2013
Local Emergency Planning Committee	Susan Pacheco	6/30/2013
Local Emergency Planning Committee	James Pollard	6/30/2013
Local Emergency Planning Committee	Vincent Roy	6/30/2013
Local Emergency Planning Committee	Michael Schwinden	6/30/2013
Local Emergency Planning Committee	Mimi Stamer	6/30/2013
Local Emergency Planning Committee	Kevin Trottier	6/30/2013
Local Emergency Planning Committee	Annemarie Walsh	6/30/2013
MBTA Advisory Board	Richard S Creem	6/30/2012
MWRA Advisory Board	John P Cosgrove Jr	6/30/2012
MWRA Advisory Board	Robert Lewis	6/30/2012
Needham Community Revitalization Trust Fund	Maryruth Perras	6/30/2014
Needham Community Television Dep Corp	Robert Boder	6/30/2012
Needham Community Television Dep Corp	John D Fountain	6/30/2014
Needham Community Television Dep Corp	Arnold Goldstein	6/30/2012
Needham Community Television Dep Corp	Robert Stegman	6/30/2012
Property Tax Assistance Committee	Elizabeth P Handler	6/30/2014
Property Tax Assistance Committee	Peter Hess	6/30/2014
Property Tax Assistance Committee	Jill C Kahn-Boesel	6/30/2014
Property Tax Assistance Committee	Thomas J Mulhern	6/30/2014
Registrars of Voters	Barbara Doyle	6/30/2014
Solid Waste Disposal/Recycling Advisory	Albert D. Cooley	6/30/2014
Subcommittee to Study the Minuteman School	Daniel P Matthews	6/30/2012
Subcommittee to Study the Minuteman School	Gerald A Wasserman	6/30/2012
Taxation Aid Committee	Elizabeth P Handler	6/30/2014
Taxation Aid Committee	Patricia A. Harris	6/30/2012
Taxation Aid Committee	Thomas J Mulhern	6/30/2014
Taxation Aid Committee	Helen Newton	6/30/2013
Taxation Aid Committee	Evelyn M. Poness	6/30/2014
Technology Advisory Board	Carl M. Rubin	6/30/2014
Town Counsel	David S. Tobin	6/30/2012
Traffic Management Advisory Committee	John Kraemer	6/30/2014
Traffic Management Advisory Committee	Glen Schneider	6/30/2014
Traffic Management Advisory Committee	Thomas Stokes	6/30/2014
Water/Sewer Rate Structure Committee	John P Cosgrove Jr	6/30/2014
Water/Sewer Rate Structure Committee	Tom Loughran	6/30/2013
Water/Sewer Rate Structure Committee	Nick Renzulli	6/30/2014
Water/Sewer Rate Structure Committee	John Tallarico	6/30/2013
Youth Center Committee	Melissa K Meehan	6/30/2012

**Board of Selectmen**  
**AGENDA FACT SHEET for 8/16/2011**

**Agenda Item:** Public Hearing – Application for New Wine/Malt License for Arisco, LLC  
d/b/a Acropolis, located at 1257 Highland Avenue  
**Presenter(s):** Archimedis Sclavounos, Manager

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**1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:**

Archimedis Sclavounos, Manager of Acropolis, has filed an application for a new Wine and Malt Liquor License in a Restaurant with under 100 seats. Acropolis opened as a restaurant (without liquor license) at 1257 Highland Avenue in December 2010. The floorplan of Acropolis remains the same as its previous occupant, providing seating for 36 patrons. In addition to the Wine and Malt Liquor License, Mr. Sclavounos seeks a waiver of Selectmen Alcohol Regulation Section 7.3, which states:

No Wine and Malt Beverage Only License will be issued to any applicant unless such applicant is the licensee named in a public victualler's license and has operated a restaurant for the 12 month period immediately preceding the filing of an application. When deemed appropriate by the Licensing Board this provision may be waived.

**2. VOTE REQUIRED BY BOARD OF SELECTMEN:** [ YES ] NO (circle one)

**Suggested Motion:** That the Board of Selectmen approve and sign the application for a new Wine and Malt Liquor License to Arisco LLC d/b/a Acropolis, Archimedis Sclavounos, Manager, and to forward the approved application to the ABCC for an approval of the liquor license; and to grant a waiver of Selectmen Alcoholic Regulation, Section 7.3.

**3. BACK UP INFORMATION ATTACHED:**

- |  |                              |
|--|------------------------------|
| 1. Application for Retail Alcoholic Beverage License | 5. Manager Application Form  |
| 2. Certificate of Organization                       | 6. Personal Information Form |
| 3. Floorplan   | 7. Applicant's Statement     |
| 4. Lease   | 8. LLC Vote                  |

**4. SIGN OFF/APPROVAL REQUIRED:**

a. Town Manager	yes	no	NA	_____
b. Town Counsel	yes	no	NA	_____
c. Finance Director	yes	no	NA	_____
d. <u>ABCC</u>	(yes)	no	NA	_____

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**Disposition by BOS**

**Action taken:** \_\_\_\_\_ **Present on future Agenda:** \_\_\_\_\_

**Refer to/Inform:** \_\_\_\_\_ **Report back to BOS on:** \_\_\_\_\_

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# Application for Retail Alcoholic Beverage License

City/Town

Needham

## 1. Licensee Information:

Legal Name/Entity of Applicant:(e.g Corporation, LLC, individual) Arisco LLC

Business Name (if different) : Acropolis

Manager of Record: Archimedis Sclavounos

ABCC License Number (for existing licenses only) :

Address of Licensed Premises: 1257 Highland Avenue

CITY/TOWN: Needham

STATE MA

ZIP 02492

Business Phone: 781-453-9888

Cell Phone:

Email: tzourona@gmail.com

Website:

## 2. Transaction:

- New License       New Officer/Director       Transfer of Stock       Issuance of Stock  
 Transfer of License       New Stockholder       Management/Operating Agreement

### The following transactions must be processed as new licenses:

- Seasonal to Annual       6-Day to 7-Day License       Wine & Malt to All Alcohol

**IMPORTANT ATTACHMENTS:** The applicant must attach a vote of the entity authorizing all requested transactions, including the appointment of a Manager of Record or principal representative.

## 3. Type of License:

- \$12 Restaurant       \$12 Hotel       \$12 Club       \$12 Veterans Club  
 \$12 General On-Premise       \$12 Tavern (No Sundays)       \$15 Package Store

## 4. License Category:

- All Alcoholic Beverages       Wine & Malt Beverages Only       Wine or Malt Only  
 Wine & Malt Beverages with Cordials/Liqueurs Permit

## 5. License Class:

- Annual       Seasonal

**6. Contact Person concerning this application (attorney if applicable)**

NAME:

Roy A. Cramer

ADDRESS:

Frieze Cramer Rosen & Huber LLP, 60 Walnut Street

CITY/TOWN:

Wellesley

STATE

MA

ZIP CODE

02481

CONTACT PHONE NUMBER:

781-943-4030

FAX NUMBER:

781-943-4040

EMAIL:

rac@128law.com

**7. Description of Premises:**

Please provide a complete description of the premises to be licensed. The description should include the location of all entrances and exits.

Premises is 1400 square feet on ground level with two entrances/exits located on opposite ends of premises

**IMPORTANT ATTACHMENTS:** The applicant must attach a floor plan with dimensions and square footage for each floor & room.

Occupancy Number:

Seating Capacity:

36

**8. Occupancy of Premises:**

By what right does the applicant have possession and/or legal occupancy of the premises?

Final Lease

**IMPORTANT ATTACHMENTS:** The applicant must submit a copy of the final lease or documents evidencing a legal right to occupy the premises.

Other:

Landlord is a(n):

Individual

Other

Name

Laurence & Dennis Maloomian

Phone:

781-444-8798

Address:

1329 Highland Avenue

City/Town:

Needham

State

MA

Zip

02492

Initial Lease Term: Beginning Date

02/01/2010

Ending Date

01/31/2016

Renewal Term:

02/01/2010

Options/Extensions at

2/5

Years Each

Rent:

\$48,000.00

per year

Rent:

\$4,000.00

per month

Do the terms of the lease or other arrangement require payments to the Landlord based on a percentage of the alcohol sales?

Yes  No

**IMPORTANT ATTACHMENTS:** If yes, the Landlord is deemed a person or entity with a financial or beneficial interest in this license. Each individual with an ownership interest in the Landlord must be disclosed in §10 and must submit a completed Personal Information Form attached to this application. Entity formation documents for the Landlord entity must accompany the application to confirm the individuals disclosed.

**9. Licensee Structure:**

The Applicant is a(n):

LLC

Other :

If the applicant is a Corporation or LLC, complete the following:

State of Incorporation/Organization: Massachusetts

Date of Incorporation/Organization:

Is the Corporation publicly traded? Yes  No

**10. Interests in this License:**

List all individuals involved in the entity (e.g. corporate stockholders, directors, officers and LLC members and managers) and any person or entity with a direct or indirect, beneficial or financial interest in this license (e.g. landlord with a percentage rent based on alcohol sales).

**IMPORTANT ATTACHMENTS:** All individuals or entities listed below are required to complete a Personal Information Form.

Name	Title	Stock or % Owned	Other Beneficial Interest
Archimedis Sclavounos	Member	100%	

\*If additional space is needed, please use last page.

**11. Existing Interests in Other Licenses:**

Does any individual listed in §10 have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes  No  **If yes, list said interest below:**

Name	License Type	Licensee Name & Address
	Please Select	

\*If additional space is needed, please use last page.

**12. Previously Held Interests in Other Licenses:**

Has any individual listed in §10 who has a direct or indirect beneficial interest in this license ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes  No . **If yes**, list said interest below:

Name	Licensee Name & Address	Date	Reason Terminated
Archimedis Sclavounos	Lakous, Inc. d/b/a Pizza on the Pier, 89 South Street, Pier 17, New York, NY 10038	6/98-2/2008	Not Renewed
			Please Select
			Please Select

**13. Disclosure of License Disciplinary Action:**

Have any of the disclosed licenses to sell alcoholic beverages listed in §11 and/or §12 ever been suspended, revoked or cancelled? Yes  No . If yes, list said interest below:

Date	License	Reason of Suspension, Revocation or Cancellation

**14. Criminal Record:**

Has any individual listed in §10 or who has a direct or indirect beneficial interest in this license ever been convicted of a municipal, state, federal or military crime? Yes  No

**If yes, the individual must provide an affidavit as to any and all charges as well as the disposition.**

**15. Citizenship and Residency Requirements for a (§15) Package Store License ONLY:**

- Are all Directors/LLC Managers U.S. Citizens? Yes  No
- Are a majority of Directors/LLC Managers Massachusetts Residents? Yes  No
- Is the License Manager or Principal Representative a U.S. Citizen? Yes  No
- Are all members and partners involved at least twenty-one years old? Yes  No

**16. Citizenship and Residency Requirements for (§12) Restaurant, Hotel, Club, General On Premise, Tavern, Veterans Club License ONLY:**

- Are all Directors/LLC Managers U.S. Citizens? Yes  No
- Are a majority of Directors/LLC Managers Massachusetts Residents? Yes  No
- Is the License Manager or Principal Representative a U.S. Citizen? Yes  No

**17. Costs Associated with License Transaction:**

A. Purchase Price for Real Property:	\$0.00
B. Purchase Price for Business Assets:	\$0.00
C. Costs of Renovations/Construction:	\$2,500.00
D. Initial Start-Up Costs:	\$800.00
E. Purchase Price for Inventory:	\$0.00
F. Other: (Specify)	
<b>G: TOTAL COST</b>	<b>\$3,300.00</b>
<b>H. TOTAL CASH</b>	<b>\$3,300.00</b>
<b>I. TOTAL AMOUNT FINANCED</b>	<b>0.00</b>

**IMPORTANT ATTACHMENTS:** Submit any and all records, documents and affidavits including loan agreements that explain the source(s) of money for this transaction. Sources of cash should include a minimum of three (3) months of bank statements.

The amounts listed in subsections (H) and (I) must total the amount reflected in (G).

**18. Provide a detailed explanation of the form(s) and source(s) of funding for the costs identified in §17 (include loans, mortgages, lines of credit, notes, personal funds, gifts):**

Personal Funds

\*If additional space is needed, please use last page.

**19. List each lender and loan amount(s) from which "total amount financed" noted in subsections 17(I) will derive:**

Name	Dollar Amount	Type of Financing

\*If additional space is needed, please use last page.

Does any individual or entity listed in §19 as a source of financing have a direct or indirect, beneficial or financial interest in this license or any other license(s) granted under Chapter 138? Yes  No

If yes, please describe:

**20. Pledge:** (i.e. collateral for a loan)

Is the applicant seeking approval to pledge the license?  Yes  No

If yes, describe terms and conditions and to whom:

If a corporation, is the applicant seeking approval to pledge any of the corporate stock?  Yes  No

If yes, to whom:

Number of Shares

Is the applicant pledging the inventory?  Yes  No

If yes, to whom:

**IMPORTANT ATTACHMENTS:** If you are applying for a pledge, submit the pledge agreement, the promissory note and a vote of the Corporation/LLC approving the pledge.

**21. Construction of Premise**

Are the premises being remodeled, redecorated or constructed in any way? If YES, please provide a description of the work being performed on the premises:  Yes  No

**If all the information is not completed the application may be returned**

**CERTIFICATE OF ORGANIZATION  
ARISCO LLC**

RECEIVED

MAY 30 2010

SECRETARY OF THE COMMONWEALTH  
PROFESSIONAL REGULATION DIVISION

Pursuant to the provisions of the Massachusetts Limited Liability Company Act (the Act), the undersigned, desiring to organize a Massachusetts limited liability company, hereby certifies as follows:

1. Federal Employer Identification Number. The limited liability company organized hereby is in the process of applying for (but has not yet received) a federal employer identification number.
2. Name of the Limited Liability Company. The name of the limited liability company formed hereby ("the LLC") is: ARISCO LLC.
3. Office of the Limited Liability Company. The address of the office of the LLC for purposes of Section 5 of the Act is: 24 Bacon Street, Watertown, MA 02472.
4. Business of the LLC.
  - a) To own and operate one or more restaurants for the serving of food and beverages, for eat-in on the premises of the LLC or take-out by its customers;
  - b) to engage in any other activity which may be lawfully carried on by a limited liability company organized under the laws of the Commonwealth of Massachusetts.
5. Date of Dissolution. The LLC shall have no fixed date on which it shall dissolve.
6. Agent for Service of Process. The name and address of the resident agent for service of process for the LLC is: Archimedes Sclavounos, 24 Bacon Street, Watertown, MA 02472.
7. Manager. The LLC currently has one (1) manager,

whose name and address is as follows: Archimedes Slavounos, 24 Bacon Street, Watertown, MA 02472

8. Execution of Documents (Secretary of the Commonwealth). Any manager of the LLC is authorized to execute on behalf of the LLC any documents to be filed with the Secretary of State of the Commonwealth of Massachusetts.

9. Execution of Recordable Instruments. Any manager of the LLC is authorized to execute, acknowledge, deliver and record any recordable instrument purporting to affect an interest in real property.

IN WITNESS WHEREOF, the undersigned hereby affirms under the penalties of perjury that the facts stated herein are true, as of the 28th day of July, 2010.

  
Archimedes Slavounos  
Manager  
Duly Authorized

Check/Voucher # 3174

The Commonwealth of Massachusetts  
Limited Liability Company  
(General Laws, Chapter 156C)

FILED Filed this 30 day July

*William Francis Galvin*

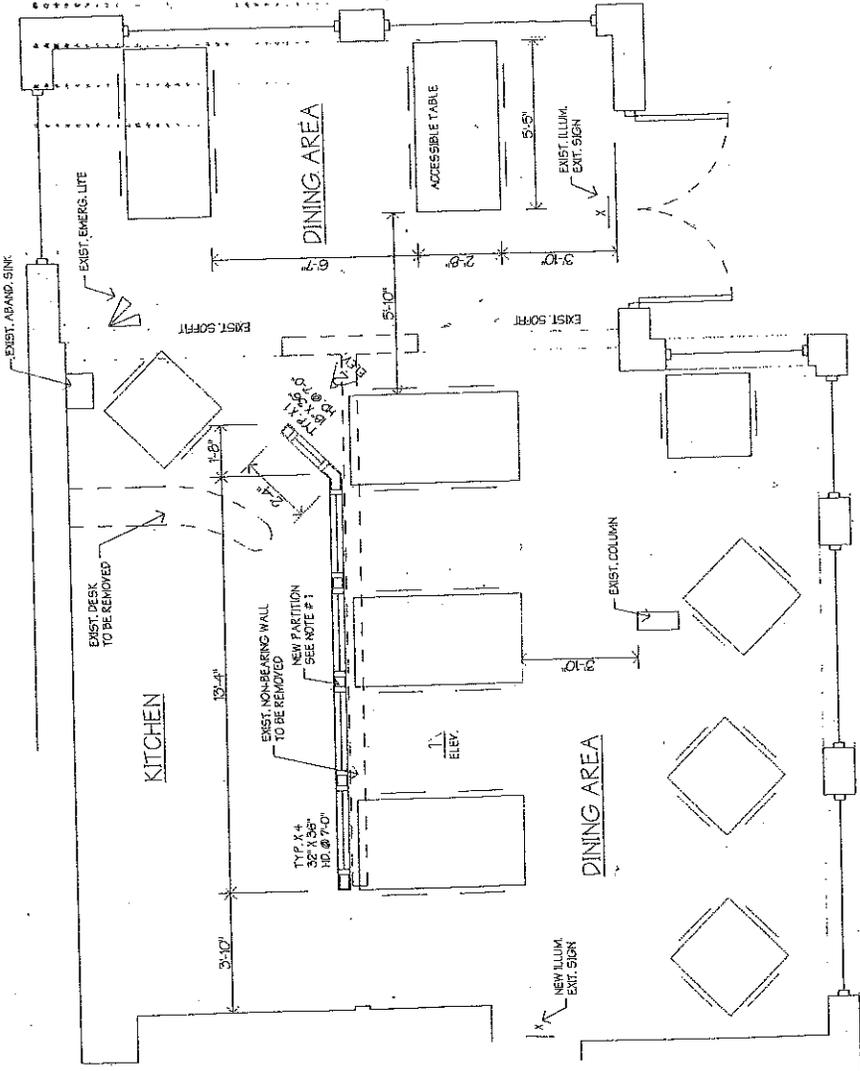
William Francis Galvin  
Secretary of the Commonwealth

Name Stephen Wilbank

Phone 617 726 9200

ELEVATION 1  
scale: 1/4" = 1'-0"

scale: 1/4" = 1'-0"



NOTES:

1. NEW PARTITION SHALL BE 3/4" STEEL STUDS @ 16" OC, 5/8" GYPSUM BOARD EACH SIDE TAPE AND SAND SMOOTH, PRIME AND TWO COATS ACRYLIC PAINT, VINYL BASE. WINDOWS SHALL BE ALUMINUM TUBE FRAME W/ 1/4" TEMPERED GLASS. ALL BLOCKING SHALL BE FIRE RATED WOOD.
2. HANDICAP REQUIREMENTS:  
 6% MIN OF ONE OF THE TABLES SHALL BE ACCESSIBLE THEREFORE ONE TABLE MUST BE ACCESSIBLE  
 MINIMUM CLEARANCES: 36" ACCESSIBLE  
 36" WIDE  
 30" DEEP  
 15" SPACE  
 HEIGHT OF TABLE ABOVE FLOOR: 28" TO 34"

FLOOR PLAN @ SEATING AREA

scale: 1/4" = 1'-0"

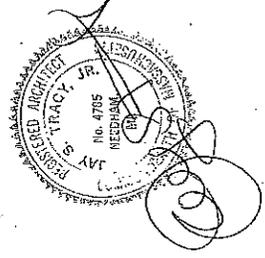
NOW ACROPOLIS

EURO TASTE RESTAURANT

1257 HIGHLAND AVENUE

NEEDHAM, MA.

Jay S. Tracy, Jr. - AIA  
 140 Fisher Street  
 Walpole, MA. 02091  
 508-660-8869



Board of Selectmen

AGENDA FACT SHEET for 8/16/2011

Agenda Item: Public Hearing: Application for a License to Store Propane Fuel Underground at 126 Jarvis Circle

Presenter(s): Mark Heavner, Contractor- Heavner Construction, Inc.

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

Mr. Heavner of Heavner Construction, Inc. is requesting a license to store 1,000 gallons of propane fuel in an underground tank on the property located at 126 Jarvis Circle, Needham, MA. The Town of Needham General By-laws (Section 4.3) requirement is that any amount of liquid petroleum gas in excess of 500 gallons on a property requires a license issued by the Board of Selectmen.

2. VOTE REQUIRED BY BOARD OF SELECTMEN: [YES] NO (circle one)

Suggested Motion: That the Board of Selectmen vote to approve and authorize the Chairman to sign a license for Heavner Construction, Inc. to store 1,000 gallons of propane fuel in an underground tank on the property at 126 Jarvis Circle with the following restriction: 1. That the petitioner agree to contract for an annual gas appliance system check making sure that the entire propane system is checked for leaks; and further, making sure that every element satisfies local regulations and industry standards with evidence of such a systems check sent to the Needham Fire Department and 2. the tank, with all its piping and equipment; and the system when installed will fully meet U.S., State, and local code regulations, specifications, and directives.

3. BACK UP INFORMATION ATTACHED:

- 1. Application / License Form / Map
2. Needham Times with Legal Notice
3. Certified Abutters List

4. SIGN OFF/APPROVAL REQUIRED:

a. Town Manager yes no NA
b. Town Counsel yes no NA
c. Finance Director yes no NA
d. yes no NA

Disposition by BOS

Action taken: Present on future Agenda:

Refer to/Inform: Report back to BOS on:



Commonwealth of Massachusetts  
 Department of Fire Services – Office of the State Fire Marshal



City or Town Needham

Date 7-21-11

### APPLICATION FOR LICENSE

For the lawful use of the herein described building... or other structure..., application is hereby made in accordance with the provisions of Chapter 148 of the General Laws, for a license to use the land on which such building... or other structure... is/are or is/are to be situated, and only to such extent as shown on plot plan which is filed with and made a part of this application.

Location of land 126 Jarvis Circle Nearest cross street NARDONE RD

Owner of land Heaven Construction, Inc Address 838 Washington St  
Holliston, MA 01746

Number of buildings or other structures to which this application applies one

Occupancy or use of such buildings Single Family Residential

Total capacity of tanks in gallons: Aboveground \_\_\_\_\_ Underground 1,000 - Gallon

Kind of fluid to be stored in tanks: LPG

Approved  Disapproved

Paul J Buckley  
 (Head of Fire Department)

7-22-2011  
 (Date)

[Signature]  
 (Signature of Applicant)

838 Washington St  
Holliston, MA 01746  
 (Address) 508-561-6091



Commonwealth of Massachusetts  
 Department of Fire Services — Office of the State Fire Marshal



City or Town Needham

Date August 16, 2011

## LICENSE

For the lawful use of the herein described building... or other structure..., application is hereby made in accordance with the provisions of Chapter 148 of the General Laws, for a license to use the land on which such building... or other structure... is/are or is/are to be situated, and only to such extent as shown on plot plan which is filed with and made a part of this application.

Location of land 126 Jarvis Circle Nearest cross street Nardone Road

Owner of land Heavner Construction, Inc. Address 838 Washington St. Holliston MA. 01746

Number of buildings or other structures to which this application applies One

Occupancy or use of such buildings Single Family Residential

Total capacity of tanks in gallons: Aboveground \_\_\_\_\_ Underground 6,000 Gallon

Kind of fluid to be stored in tanks: LPG

Restrictions – if any: \_\_\_\_\_

\_\_\_\_\_  
 Signature of licensing authority

\_\_\_\_\_  
 Title

Propane fuel storage licenses are granted with the following restrictions: 1) The petitioner agrees to contract for an annual gas appliance system check making sure that the entire propane system is checked for leaks; and further making sure that every element satisfies local regulations and industry standards. Evidence of such a systems check must be sent annually to the Needham Fire Department; and 2) The tank, with all its piping and equipment, and the system, when installed, will meet the U.S., State and local code regulations, specifications and directives.

A fuel storage license is deemed a grant attached to the land and a certificate of registration must be filed annually on or before April 30<sup>th</sup> by the owner/occupant of the land who holds the license.

THIS LICENSE OR A PHOTOSTATIC OR CERTIFIED COPY THEREOF MUST BE CONSPICUOUSLY POSTED IN A PROTECTED PLACE ON THE LAND FOR WHICH IT IS GRANTED

LC 25397A



LOT 1

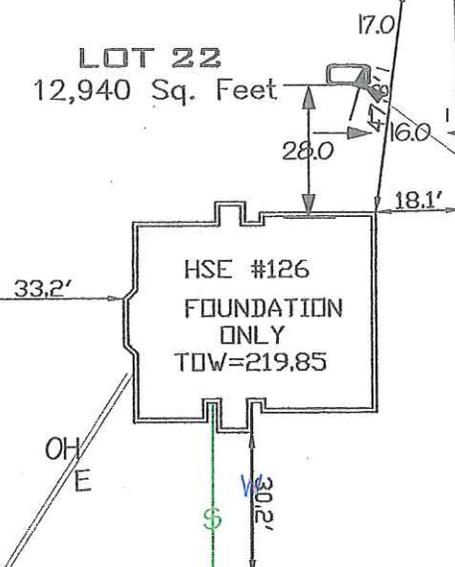
LOT 22  
12,940 Sq. Feet

PROPOSED 1,000 GALLON  
UNDERGROUND PROPANE  
STORAGE TANK

LOT 23

LOT 21

HSE #126  
FOUNDATION  
ONLY  
TOW=219.85



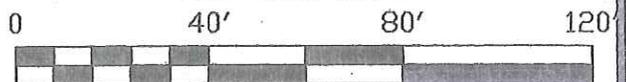
JARVIS CIRCLE  
(PUBLIC 40 WIDE)

FOUNDATION AS-BUILT  
PLAN OF LAND  
IN  
NEEDHAM, MA

OWNER: HEAVNER CONSTRUCTION, INC.  
838 WASHINGTON STREET  
HOLLISTON, MA 01746

DATE: JULY 7, 2011  
SCALE 1" = 40'

COLONIAL ENGINEERING, INC.  
P.O BOX 95  
MEDWAY, MA 02053  
508-533-1644



I CERTIFY THAT THE FOUNDATION SHOWN  
ON THIS PLAN CONFORMS TO THE TOWN OF  
NEEDHAM ZONING BY-LAWS AND DOES NOT  
LIE WITHIN THE FLOOD PLAIN.



LEGAL NOTICE  
Town of Needham  
Board of Selectmen  
Public Hearing

Public Notice is hereby given that Mark Heavner has made an application in accordance with the provisions of Chapter 148 of the Massachusetts General Laws, for a license to store 1,000 gallons of propane fuel in an underground tank at 126 Jarvis Circle, Needham, MA 02492

Upon said application it is hereby ORDERED: That a Public Hearing be held at the office of the Board of Selectmen, Town Hall, at its temporary offices located at 500 Dedham Avenue, Needham, MA, Tuesday, August 16, 2011 at 7:00 pm, at which time all persons interested may appear and be heard.

Maurice Handel  
Gerald A. Wasserman  
Daniel P. Matthews  
John A. Bulian  
James G. Healy

BOARD OF SELECTMEN

Dated: July 26, 2011

LIC/126 JARVIS CIRCLE  
LEGAL NOTICE  
Town of Needham  
Board of Selectmen  
Public Hearing

Public Notice is hereby given that Mark Heavner has made an application in accordance with the provisions of Chapter 148 of the Massachusetts General Laws, for a license to store 1,000 gallons of propane fuel in an underground tank at 126 Jarvis Circle, Needham, MA 02492

Upon said application it is hereby ORDERED:  
That a Public Hearing be held at the office of the Board of Selectmen, Town Hall, at its temporary offices located at 500 Dedham Avenue, Needham, MA, Tuesday, August 16, 2011 at 7:00 pm, at which time all persons interested may appear and be heard.

Maurice Handel  
Gerald A. Wasserman  
Daniel P. Matthews  
John A. Bulian  
James G. Healy

BOARD OF SELECTMEN

Dated: July 26, 2011

AD#12564031  
Needham Times 8/4/11

# 126 JARVIS CIRCLE

<u>PARCEL ID</u>	<u>St No.</u>	<u>Street</u>	<u>Owner Names</u>	<u>Owner Address</u>	<u>Mailing Address</u>		
					<u>OWNER CITY</u>	<u>State</u>	<u>OWNER ZIP</u>
199/121.0-0050-0000.0	106	JARVIS CIR	STONEWOOD COMPANY PROPERTIES,LLC	106 JARVIS CIR	NEEDHAM	MA	02492
199/121.0-0050-0106.0	106	JARVIS CIR	MORAN, BRIAN C/O KATZ, LAURIE M.	106 JARVIS CIRCLE	NEEDHAM	MA	02492
199/121.0-0050-0108.0	108	JARVIS CIR	KHAN, MUHAMMAD FUAD & FUAD, MAMUNA NASIM	108 JARVIS CIRCLE	NEEDHAM	MA	02492
199/121.0-0053-0000.0	112	JARVIS CIR	OLDE LANDMARK BUILDERS, INC	113 WINTER ST	HOPKINTON	MA	01748
199/121.0-0053-0112.0	112	JARVIS CIR	FREEDBERG, CATHY M.	112 JARVIS CIRCLE	NEEDHAM	MA	02492
199/121.0-0053-0114.0	114	JARVIS CIR.	CENTOLA, JOSEPH P., TR JARVIS REALTY TRUST	113 WINTER STREET	HOPKINTON	MA	01748
199/121.0-0054-0000.0	120	JARVIS CIR	OFENGEI, LEONID & ZAVLIN, GALINA	120 JARVIS CIRCLE	NEEDHAM	MA	02494
199/121.0-0057-0000.0	886	CENTRAL AVE	GUREVICH, TANYA	886 CENTRAL AVE	NEEDHAM	MA	02492
199/121.0-0059-0000.0	0	BESS RD	KAPLAN, ERIC & KAPLAN, AIMEE K.	22 GILBERT ROAD	NEEDHAM	MA	02492
199/122.0-0044-0000.0	97	JARVIS CIR	MCAWARD, JOHN M. & MCAWARD, KIM. E.	97 JARVIS CIR	NEEDHAM	MA	02492
199/122.0-0045-0000.0	108	NARDONE RD	ZELMAN, ALEKSANDR F. & ZELMAN, IDA R.	108 NARDONE RD	NEEDHAM	MA	02492
199/122.0-0046-0000.0	116	NARDONE RD	COHEN, IRENE C/O J. DERENZO PROPERTIES, LLC	116 NARDONE RD	NEEDHAM	MA	02492
199/122.0-0048-0000.0	139	JARVIS CIR	CALITRI, EDWARD & CALITRI, FLORENCE L	PO BOX 711	DOVER	MA	02030
199/122.0-0049-0000.0	131	JARVIS CIR	AJAMIAN, NECTAR M. & ET AL, TRUSTEES	131 JARVIS CIR	NEEDHAM	MA	02492
199/122.0-0050-0000.0	103	JARVIS CIR	ZIELONKO, KAROL E. & FITZGERALD, MARY C.	103 JARVIS CIR	NEEDHAM	MA	02492
199/122.0-0051-0000.0	123	JARVIS CIR	EKTOV, YEVENITY & PINCHUK, LARISA	123 JARVIS CIR	NEEDHAM	MA	02492

PLANNING ADDRESS

OWNER CITY  
HOLLISTON

State  
MA

OWNER ZIP  
01746

Owner Address  
838 WASHINGTON ST

Owner Names  
ROSS, SYLVIA I.  
C/O HEAVNER CONSTRUCTION

Street  
JARVIS CIR

St No.  
126

PARCEL I.D.  
199/122.0-0052-0000.0

02492

MA

NEEDHAM

134 JARVIS CIR

ENGLISH, ANNE MARIE

JARVIS CIR

134

199/122.0-0053-0000.0

02492

MA

NEEDHAM

140 JARVIS CIR

NICOLAS, PATRICK S., JR. +  
NICOLAS, SUSANNE M.

JARVIS CIR

140

199/122.0-0054-0000.0

02494

MA

NEEDHAM

854 CENTRAL AVE

MOTTOLO, DAVID K.  
C/O TARRAGONA, NESTOR G & BARBERA VA

CENTRAL AVE

854

199/122.0-0071-0000.0

02492

MA

NEEDHAM

860 CENTRAL AVE

MISKIN, MARK D. &  
CONSIDINE-MISKIN, BRENDA

CENTRAL AVE

860

199/122.0-0072-0000.0

02492

MA

NEEDHAM

870 CENTRAL AVE

ELLIS, JOHN MICHAEL &  
ELLIS, ERIN M

CENTRAL AVE

870

199/122.0-0073-0000.0

02492

MA

NEEDHAM

876 CENTRAL AVE

DEVRIES, LEE S &  
DEVRIES, LAURIE C

CENTRAL AVE

876

199/122.0-0074-0000.0

02492

MA

NEEDHAM

881 CENTRAL AVE

HERSEY, RICHARD A. &  
HERSEY, EDWARD C.

CENTRAL AVE

881

199/309.0-0007-0000.0

02492

MA

NEEDHAM

865 CENTRAL AVENUE

BABSON COLLEGE  
C/O LIVING CARE VILLAGES -MASS

CENTRAL AVE

865

199/309.0-0025-0000.0

Certified as list of parties in interest under Mass. General Laws and Needham Zoning By-Law, to the Best of our knowledge  
For the Needham Board of Assessors.....



Board of Selectmen

AGENDA FACT SHEET for 8/16/2011

Agenda Item: Public Hearing: Application for a License to Store Propane Fuel Underground at 31 Grasmere Road

Presenter(s): Joe Centola, Contractor- Olde Landmark Builders Inc.

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

Mr. Centola of Olde Landmark Builders Inc. is requesting a license to store 1,000 gallons of propane fuel in an underground tank on the property located at 31 Grasmere Road, Needham, MA. The Town of Needham General By-laws (Section 4.3) requirement is that any amount of liquid petroleum gas in excess of 500 gallons on a property requires a license issued by the Board of Selectmen.

2. VOTE REQUIRED BY BOARD OF SELECTMEN: [YES] NO (circle one)

Suggested Motion: That the Board of Selectmen vote to approve and authorize the Chairman to sign a license for Olde Landmark Builders Inc. to store 1,000 gallons of propane fuel in an underground tank on the property at 31 Grasmere Road with the following restriction: 1. That the petitioner agree to contract for an annual gas appliance system check making sure that the entire propane system is checked for leaks; and further, making sure that every element satisfies local regulations and industry standards with evidence of such a systems check sent to the Needham Fire Department and 2. the tank, with all its piping and equipment; and the system when installed will fully meet U.S., State, and local code regulations, specifications, and directives.

3. BACK UP INFORMATION ATTACHED:

- 1. Application / License Form / Map
2. Needham Times with Legal Notice
3. Certified Abutters List

4. SIGN OFF/APPROVAL REQUIRED:

a. Town Manager yes no NA
b. Town Counsel yes no NA
c. Finance Director yes no NA
d. yes no NA

Disposition by BOS

Action taken: Present on future Agenda:

Refer to/Inform: Report back to BOS on:

Note: Complete upper portion of form and forward to local fire department.  
Do not make application to Department of Fire Services.



# Commonwealth of Massachusetts



Department of Fire Services - Office of the State Fire Marshal

City or Town Needham Date 7/29/11

## APPLICATION FOR LICENSE

For the lawful use of the herein described building... or other structure..., application is hereby made in accordance with the provisions of Chapter 148 of the General Laws, for a license to use the land on which such building... or other structure... is/are or is/are to be situated, and only to such extent as shown on plot plan which is filed with and made a part of this application.

Location of land 31 Conasmore Rd (Street & Number) Nearest cross street Ardenmore Taylor

Owner of land Older Landmark Bldgs Inc Address 113 Winter St Hopkinton MA

Number of buildings or other structures to which this application applies 1

Occupancy or use of such buildings Single family home

Total capacity of containers in gallons: - Aboveground \_\_\_\_\_ Underground 1,000

Kind of fluid to be stored in containers: - Propane

Approved  Disapproved

[Signature]  
(Head of Fire Dept.)

[Signature] President  
(Signature of Applicant)

8/5/11  
(Date)

113 Winter St Hopkinton  
(Address)



# Commonwealth of Massachusetts



Department of Fire Services - Office of the State Fire Marshal

City or Town Needham Date MA

## LICENSE

In accordance with the provisions of Chapter 148 of the General Laws, a license is hereby granted to use the land herein described for the lawful use of the building... or other structure... which is/are or is/are to be situated thereon, and as described on the plot plan filed with the application for this license.

Location of land 31 Conasmore Rd (Street & Number) Nearest cross street Ardenmore Taylor

Owner of land Older Landmark Bldgs Inc Address 113 Winter St Hopkinton MA

Number of buildings or other structures to which this application applies 1

Occupancy or use of such buildings Single family home

Total capacity of containers in gallons: - Aboveground \_\_\_\_\_ Underground 1,000

Kind of fluid to be stored in containers: - Propane

Restrictions - If any: \_\_\_\_\_

Signature of licensing authority

Title

THIS LICENSE OR A PHOTOSTATIC OR CERTIFIED COPY THEREOF MUST BE CONSPICUOUSLY POSTED IN A PROTECTED PLACE ON THE LAND FOR WHICH IT IS GRANTED

# TOWN OF NEEDHAM, MASSACHUSETTS

## Building Inspection Department

Assessor's Map & Parcel No. MAP 107 PARCEL 52

Building Permit No. \_\_\_\_\_ At No. 31 GRASMERE ROAD

Lot Area 19,045 SF Zoning District SRB

Owner WELOCKE DEVELOPMENT CORPORATION Builder \_\_\_\_\_

PLOT PLAN

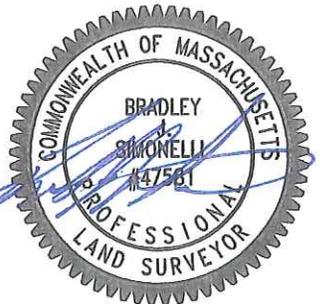
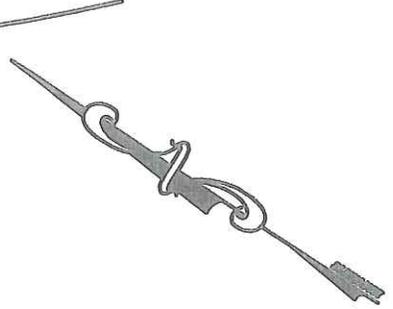
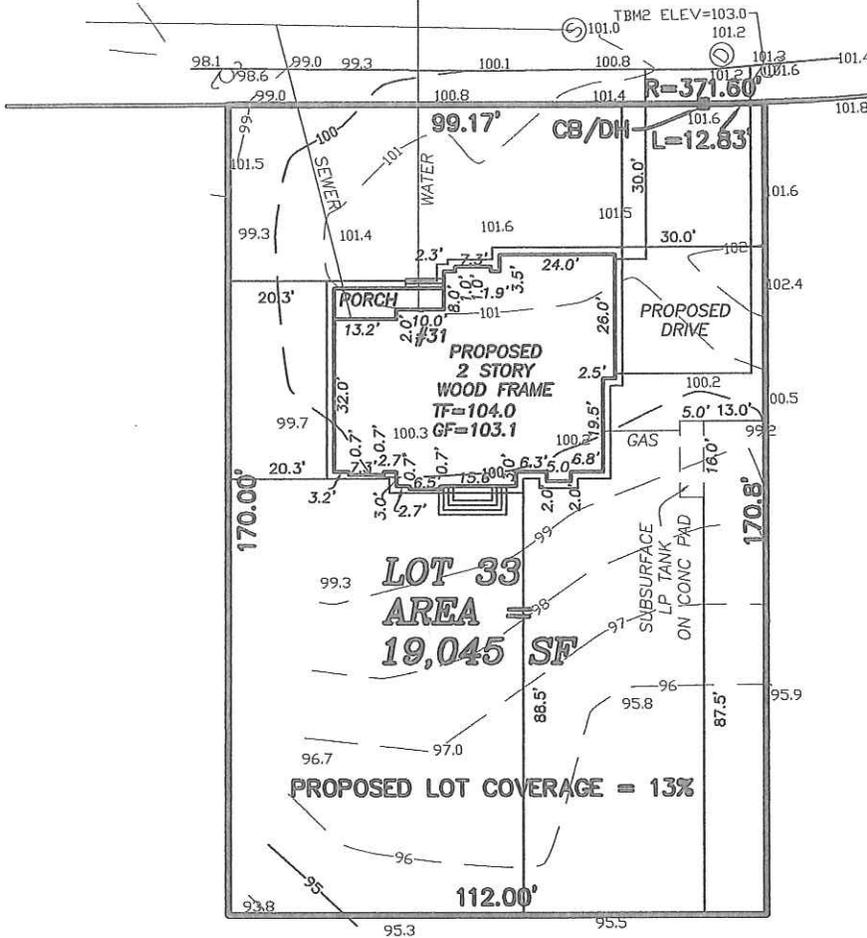
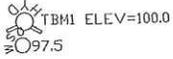
40 Scale

**GRASMERE ROAD**

Field Resources, Inc.

LAND SURVEYORS

P.O. Box 324 281 Chestnut Street  
Auburn, MA 01501 Needham, MA 02492  
508 832 4332 781 444 5936  
fieldresources@hotmail.com



077-11

Note: Plot plans shall be drawn in accordance with Sections 7.2.1 and 7.2.2 of the Zoning By-Laws for the Town of Needham. All plot plans shall show existing structures and public utilities, including water mains, sewers, drains, gaslines, etc.; driveways, Flood Plain and Wetland Areas, lot dimensions, dimensions of proposed structures, sideline offsets and setback distances, (allowing for overhangs) and elevation of top of foundations and garage floor. For new construction, elevation of lot corners at street line and existing and approved street grades shall be shown for grading along lot line bordering streetline. For pool permits, plot plans shall also show fence surrounding pool with a gate, proposed pool and any accessory structures\*, offsets from all structures and property lines, existing elevations at nearest house corners and pool corners, nearest storm drain catch basin (if any) and, sewage disposal system location in unsewered area.  
(\*Accessory structures may require a separate building permit - See Building Code)

I hereby certify that the information provided on this plan is accurately shown and correct as indicated.  
The above is subscribed to and executed by me this 29TH day of JULY 2011  
Name Bradley J. Simonelli, PLS Registered Land Surveyor No 47581  
dress 281 CHESTNUT ST City NEEDHAM State MA Zip 02492 Tel No 781-444-5936  
Approved \_\_\_\_\_ Director of Public Works Date \_\_\_\_\_  
Approved \_\_\_\_\_ Building Inspector



LEGAL NOTICE  
Town of Needham  
Board of Selectmen  
Public Hearing

Public Notice is hereby given that Olde Landmark Builders Inc. has made an application in accordance with the provisions of Chapter 148 of the Massachusetts General Laws, for a license to store 1,000 gallons of propane fuel in an underground tank at 31 Grasmere Road, Needham, MA 02492

Upon said application it is hereby ORDERED: That a Public Hearing be held at the office of the Board of Selectmen, Town Hall, at its temporary offices located at 500 Dedham Avenue, Needham, MA, Tuesday, August 16, 2011 at 7:05 pm, at which time all persons interested may appear and be heard.

Maurice Handel  
Gerald A. Wasserman  
Daniel P. Matthews  
John A. Bulian  
James G. Healy

BOARD OF SELECTMEN

Dated: Needham Times, August 11, 2011

31 GRASMERE ROAD  
LEGAL NOTICE  
Town of Needham  
Board of Selectmen  
Public Hearing

Public Notice is hereby given that Olde Landmark Builders Inc. has made an application in accordance with the provisions of Chapter 148 of the Massachusetts General Laws, for a license to store 1,000 gallons of propane fuel in an underground tank at 31 Grasmere Road, Needham, MA 02492

Upon said application it is hereby ORDERED: That a Public Hearing be held at the office of the Board of Selectmen, Town Hall, at its temporary offices located at 500 Dedham Avenue, Needham, MA, Tuesday, August 16, 2011 at 7:05 pm, at which time all persons interested may appear and be heard.

Maurice Handel  
Gerald A. Wasserman  
Daniel P. Matthews  
John A. Bulian  
James G. Healy  
BOARD OF SELECTMEN

AD#12568909  
Needham Times 8/11/11

GRASMERE ROAD

PARCEL ID	St No.	Street	Owner Names	Mailing Address		
				Owner Address	OWNER CITY	OWNER ZIP
199/106.0-0003-0000.0	41	LAKIN ST	CURTIN, NANCY E.	41 LAKIN ST	NEEDHAM HTS	MA 02494
199/106.0-0004-0000.0	33	LAKIN ST	KING, TYSON P. & KING, YASMINE S.	33 LAKIN ST	NEEDHAM	MA 02492
199/106.0-0005-0000.0	25	LAKIN ST	CARINI, ELVIN C + CARINI, CRISTEL G	25 LAKIN ST	NEEDHAM HTS	MA 02494
199/106.0-0006-0000.0	17	LAKIN ST	TAYLOR, ROSS L. & KALLUS, LAURIE A.	17 LAKIN ST	NEEDHAM HTS	MA 02494
199/107.0-0026-0000.0	79	HUNNEWELL ST	RICHAL, MICHAEL R. & RICHAL, CYNTHIA J.	79 HUNNEWELL ST	NEEDHAM	MA 02494
199/107.0-0027-0000.0	73	HUNNEWELL ST	DESPRES, MICHAEL R. & DESPRES, LISA L.	73 HUNNEWELL ST	NEEDHAM HTS	MA 02494
199/107.0-0028-0000.0	67	HUNNEWELL ST	DUNN, BERNADETTE M	67 HUNNEWELL ST	NEEDHAM HTS	MA 02494
199/107.0-0029-0000.0	61	HUNNEWELL ST	SEGEV, SHLOMO & STAROBIN-SEGEV, LESLIE	61 HUNNEWELL STREET	NEEDHAM	MA 02494
199/107.0-0030-0000.0	53	HUNNEWELL ST	HALFREY, JOHN C. & HALFREY, NANCY E.	53 HUNNEWELL ST	NEEDHAM HTS	MA 02494
199/107.0-0031-0000.0	6	BRIARWOOD CIR	PROROK, THADDEUS J + PROROK, MARY	6 BRIARWOOD CIR	NEEDHAM HTS	MA 02494
199/107.0-0039-0000.0	44	HUNNEWELL ST	PILTCH, STANLEY E. + HAUSERMAN, TERRANCE J.	44 HUNNEWELL ST	NEEDHAM HTS	MA 02494
199/107.0-0040-0000.0	56	HUNNEWELL ST	ONEILL, THOMAS P. & ONEILL, LYNN T	56 HUNNEWELL ST	NEEDHAM	MA 02494
199/107.0-0041-0000.0	66	HUNNEWELL ST	SIMPSON, JON ALAN & C/O SIMPSON, BONNIE LEE	66 HUNNEWELL ST	NEEDHAM HTS	MA 02494
199/107.0-0042-0000.0	76	HUNNEWELL ST	HOMER, ABIGAIL B.	76 HUNNEWELL ST	NEEDHAM HTS	MA 02494
199/107.0-0043-0000.0	90	HUNNEWELL ST	MARKS, ROBERT & MARKS, SHARON	90 HUNNEWELL ST	NEEDHAM HTS	MA 02494
199/107.0-0050-0000.0	51	GRASMERE RD	ALWART, TODD STEPHEN & ALWART, KATHLEEN K.	51 GRASMERE RD	NEEDHAM HTS	MA 02494

OWNER ZIP  
02494

OWNER CITY  
NEEDHAM HTS

Owner Address  
41 GRASMERE RD

Owner Names  
GOLDBERG, MARK A., TR &  
KAISER, URSULA B., TR

St No.  
41 GRASMERE RD

PARCEL I  
199/107.0-0051-0000.0

02494

MA

NEEDHAM HTS

31 GRASMERE RD

GOLDSTEIN, GAIL & GREGG  
C/O WELOCKE DEVELOPMENT CORPORATI

31 GRASMERE RD

199/107.0-0052-0000.0

02494

MA

NEEDHAM HTS

23 GRASMERE RD

CATALANOTTI, ROSE B.

23 GRASMERE RD

199/107.0-0053-0000.0

02494

MA

NEEDHAM HTS

15 GRASMERE RD

GREEN, DIANE F. &  
FAY, KATHLEEN M. TRS.

15 GRASMERE RD

199/107.0-0054-0000.0

02494

MA

NEEDHAM HTS

22 GRASMERE RD

COUGHLIN, CORNELIUS J, III +  
COUGHLIN, MARILYN NARGOZIAN

22 GRASMERE RD

199/107.0-0059-0000.0

02494

MA

NEEDHAM HTS

30 GRASMERE RD

CHEIDVASSER, DMITRI &  
LEIBOVITSH, NATALIA

30 GRASMERE RD

199/107.0-0060-0000.0

02494

MA

NEEDHAM HTS

42 GRASMERE RD

FINN, LEONARD M +  
FINN, CAROLYN COTSONAS

42 GRASMERE RD

199/107.0-0061-0000.0

02494

MA

NEEDHAM HTS

50 GRASMERE RD

BRALEY, TIMOTHY W. &  
BRALEY, JILL M.

50 GRASMERE RD

199/107.0-0062-0000.0

02494

MA

NEEDHAM HTS

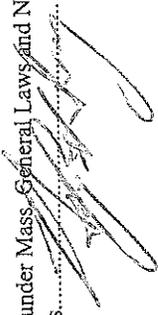
82 HUNNEWELL ST

FRYBERGER, DATES F. JR.  
C/O WAGMAN, RICHARD & PINCUS-WAGMA

82 HUNNEWELL ST

199/107.0-0064-0000.0

Certified as list of parties in interest under Mass General Laws and Needham Zoning By-Law, to the Best of our knowledge  
For the Needham Board of Assessors.....



Board of Selectmen

AGENDA FACT SHEET for 8/16/2011

Agenda Item: Introduction of Fire Captain

Presenter(s): Paul Buckley, Fire Chief

---

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

Chief Buckley will introduce newly promoted Fire Captain Matt Doohar.

2. VOTE REQUIRED BY BOARD OF SELECTMEN: YES [NO] (circle one)

3. BACK UP INFORMATION ATTACHED:

a) Resume of Matt Doohar

4. SIGN OFF/APPROVAL REQUIRED:

a.	Town Manager	yes	no	NA	_____
b.	Town Counsel	yes	no	NA	_____
c.	Finance Director	yes	no	NA	_____
d.	_____	yes	no	NA	_____

---

Disposition by BOS

Action taken: \_\_\_\_\_ Present on future Agenda: \_\_\_\_\_

Refer to/Inform: \_\_\_\_\_ Report back to BOS on: \_\_\_\_\_

---

Board of Selectmen

AGENDA FACT SHEET for 8/16/11

Agenda Item: North Hill Construction Project

Presenter(s): Kevin Burke, North Hill Life Care Facility  
Roy Cramer, Esq.

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

Mr. Burke and Mr. Cramer will outline for the Board the pending construction project at North Hill, and discuss a request to the Planning Board for a zoning change to accommodate the project.

2. VOTE REQUIRED BY BOARD OF SELECTMEN: YES (NO) (circle one)

Update only

3. BACK UP INFORMATION ATTACHED:

- a. North Hill Overall Site Plan (Proposed)
- b. Letter from Roy Cramer to the Planning Board dated August 9, 2011 (with attachments)

4. SIGN OFF/APPROVAL REQUIRED:

a.	Town Manager	yes	no	NA	_____
b.	Town Counsel	yes	no	NA	_____
c.	Finance Director	yes	no	NA	_____
d.	_____	yes	no	NA	_____

Disposition by BOS

Action taken: \_\_\_\_\_ Present on future Agenda: \_\_\_\_\_

Refer to/Inform: \_\_\_\_\_ Report back to BOS on: \_\_\_\_\_



FRIEZE CRAMER ROSEN & HUBER LLP  
COUNSELLORS AT LAW

60 WALNUT STREET, WELLESLEY, MASSACHUSETTS 02481  
781-943-4000 • FAX 781-943-4040

ROY A. CRAMER  
781-943-4030  
RAC@T28LAW.COM

August 9, 2011

**BY HAND AND E-MAIL**

[lnewman@needhamma.gov](mailto:lnewman@needhamma.gov)

[aclee@needhamma.gov](mailto:aclee@needhamma.gov)

Town of Needham Planning Board

500 Dedham Avenue

Needham, MA 02492

Attn: Lee Newman, Planning Director

Re: North Hill  
Proposed Zoning Amendment  
Apartment 2 Zoning District

Dear Planning Board Members and Ms. Newman:

As you are aware, North Hill Needham Inc. is in the process of redeveloping and modernizing its facility. One of the components of that effort is the replacement of the existing 72-bed skilled nursing facility with a new 72-bed skilled nursing facility, and the construction of 45 new enhanced independent living units adjacent to the skilled nursing facility.

Due primarily to the topography of the site and the layout of the existing buildings, one of the wings of the proposed skilled nursing facility will require changing two of the dimensional regulations of the Apartment-2 Zoning District.

One of the wings of the skilled nursing facility is proposed to be four stories in height, which is one story more than what is presently allowed by the Zoning By-Law. Since the skilled nursing facility is to be built on a slope, four stories are created by essentially excavating much of one of the wings of the facility, to create what would be known in a residential dwelling as a "walk-out basement". Due to the excavation of the lowest level and the occupancy of all four levels by residents, a zoning change is required.

The second zoning change is related to the first. The maximum height in the Apartment-2 Zoning District is 40 feet. Height is measured in the Zoning By-Law as "the vertical distance of the highest point of the structure or the roof of the building above the average grade of the ground adjoining the building or surrounding structure". Using that definition, if the skilled nursing facility is considered to be one structure, the height is

Town of Needham Planning Board  
August 9, 2011  
Page 2

approximately 48 feet. As a result, it is requested that the maximum height in the Apartment-2 District, under certain limited circumstances, be raised to 50 feet. It should be noted that if the skilled nursing facility and the enhanced independent living units (connected by a common entrance area) were considered to be one structure as defined by the Zoning By-Law, the "height" of that single, larger structure containing both uses, is less than 40 feet.

I have written the amendment so that it only is applicable to nursing homes in the Apartment-2 Zoning District. The reason for this, quite simply, is that the Applicant does not want the zoning change to be interpreted or utilized to permit additional independent living units in the Apartment-2 Zoning District. The existing 72-bed nursing home will be re-used as office and other administrative space and will not be used as a nursing home. In other words, the By-Law has been written narrowly to accomplish a particular purpose.

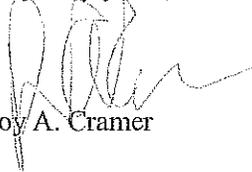
The alternative to amending the Zoning By-Law is much less desirable from an operational point of view. To not allow the zoning change would require one of the floors of the nursing home to be placed in the enhanced independent living building (by adding one story, since the enhanced independent living building is presently planned as a two-story building). Apart from the obvious operational difficulties of having part of the nursing home in a different, more remote location from the main part of the nursing home, it would require the independent living building to adhere to a different form of construction (i.e., nursing home standards) resulting in a substantial cost increase. Finally, the added story (and height) of the enhanced independent living building would be visible from the Charles River ARC property.

The Applicant would like the opportunity to work with the Planning Board, the Board of Selectmen, and the Finance Committee to have this matter considered at the Fall 2011, Special Town Meeting. I have attached a copy of the portion of the Zoning By-Law pertaining to the Apartment-2 Zoning District, as well as several architectural drawings locating the wing of the skilled nursing facility that would be the subject of the amendment and its relationship to the rest of the campus. I note that the closest residence, located on East Militia Heights Road, is approximately 670 feet away.

My client and I look forward to meeting with the Board at your earliest convenience to discuss this matter.

Thank you for your cooperation.

Very truly yours,



Roy A. Cramer

**4.3 Dimensional Regulations for Apartment Districts**

**4.3.1 Table of Regulations**

No apartment or multi-family building or group of buildings shall be constructed, altered or relocated on any lot except in conformance with these regulations:

	Min. Lot Area (sf)	Min. Frontage (ft)	Max. Dwelling Units (Per Acre)**	Max. FAR	Max. Setbacks (ft) Front/Side/Rear	Max. Height* (ft)
A-1	20,000	120	18	0.5	25/20/20	3 Stories-40
A-2	43,560	150	8	0.3	40/40/40	3 Stories-40
A-3	43,560	150	4	0.3	40/40/40	2-1/2 Stories-35

\* No more than three (3) floors to be used for human occupancy. See height limitation exceptions in Section 4.6.2.

\*\* The total area used in calculating density shall exclude 100% of all water bodies; 70% of land located in a Flood Plain District; and 70% of land subject to M.G.L., Ch. 131, S. 40 and S. 40A, and to federal flood storage restrictions included within the Charles River Valley Storage Project.

**4.3.2 Driveway Openings**

(a) In that portion of a lot between an apartment house or houses and the exterior line of any way upon which the lot abuts, there may be opened not more than two (2) driveway openings onto each such way. Said driveway openings shall not exceed twenty-five (25) feet in width and shall not be less than 150 feet from another such opening or within 50 feet of each other if the driveway openings do not exceed fifteen (15) feet in width. In no event shall a driveway opening be within fifty (50) feet from the sideline of an intersecting way. When there are two (2) driveways of varying widths, the required distance between them will be governed by the driveway with the greatest width.

(b) In order to preserve the residential character of the Town, an additional driveway opening may be provided if the following conditions are met:

- (1) The lot area shall have a minimum of two acres:

- (2) Such additional openings shall not exceed fifteen (15) feet in width, with the distance between to be recommended by the Planning Board through its Site Plan Review, as per Section 7.4 of this By-Law;
- (3) Such additional openings shall not serve more than four (4) parking spaces, including garages;
- (4) The total number of openings on any given way shall not exceed the quotient of the total lot frontage on such way divided by 1-3/4 of the required lot frontage in that density zone.

#### **4.3.3 Open Space**

Except for driveways and walks, the front setback area shall be kept open and in lawn or landscaped, unparked on and unbuilt upon. The area between a lot line and a line five (5) feet from and parallel thereto shall be kept open and in lawn or landscape, unparked on and unbuilt upon.

#### **4.3.4 Building Location**

No part of a building or structure shall be located less than twenty (20) feet from any part of any other building or structure on the same lot, provided, however, that (a) any apartment house or other building used for dwelling purposes and permitted in that apartment district may be connected by a covered walkway, corridor, or breeze way to (i) any other apartment house or other such building on the same lot or (ii) any garage on the same lot permitted as an accessory use to the building to which it is so connected, and (b) at least seventy-five (75) percent of the perimeter of each building so connected to another building be accessible.

#### **4.3.5 Setbacks for Other Uses**

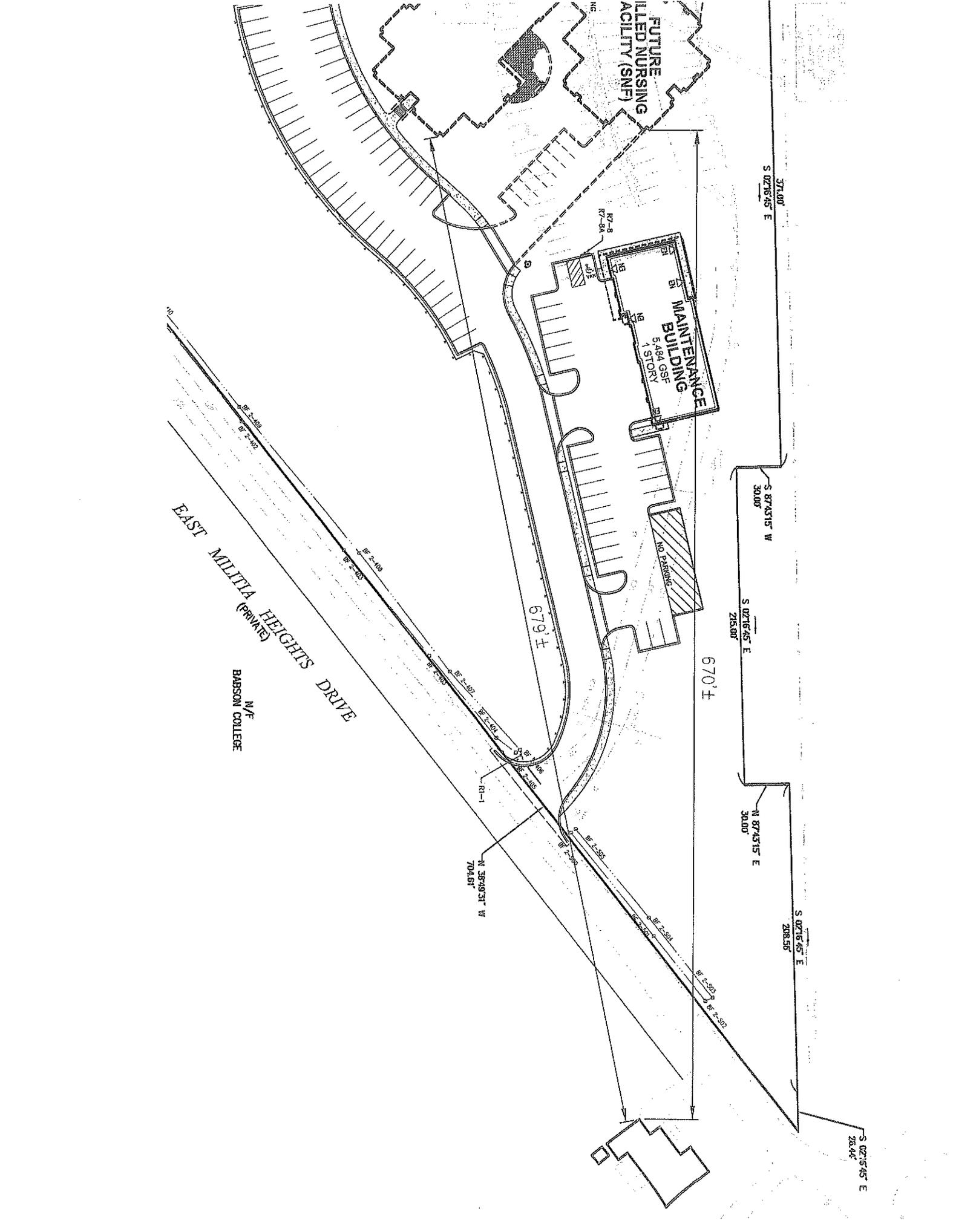
Front, side, and rear line setbacks for any permitted building or structure, other than an apartment house (or a structure accessory thereto), shall be the same as required in Section 4.2.1 and 4.6.4.

Article \_\_\_\_\_: Amend Zoning By-Law/Apartment-2 Zoning District

To see if the Town will vote to amend the Needham Zoning By-Law, Section 4.3, Dimensional Regulations for Apartment Districts, as follows:

1. To add a third and fourth sentence to footnote\* in Section 4.3.1 Table of Regulations (applicable to Apartment Districts) that states: "Provided further, however, in the Apartment-2 Zoning District, there shall be a maximum of 4 stories, a maximum height of 50 feet, and four (4) floors may be used for human occupancy, if (i) the structure or portion of the structure that is four stories and permitted to be used for human occupancy is utilized as a convalescent or nursing home and supportive and/or accessory uses, and (ii) the height of the structure that exceeds 40 feet is utilized as a convalescent or nursing home and supportive and/or accessory uses. If a building contains two or more uses, then only that portion of the building that is utilized as a convalescent or nursing home, and supportive and/or accessory uses thereto, can reach a maximum height of 50 feet,  
  
or take any other action relative thereto.





FUTURE NURSING FACILITY (SNF)

MAINTENANCE BUILDING  
5,484 GSF  
1 STORY

EAST MILITIA HEIGHTS DRIVE

N/E  
BARBSON COLLEGE

371.00'  
S 02°16'45" E

S 87°43'15" W  
30.00'

S 02°16'45" E  
215.00'

N 87°43'15" E  
30.00'

S 02°16'45" E  
208.50'

S 02°16'45" E  
28.00'

679' ±

670' ±

N 38°49'31" W  
704.61'

BF 2-109  
BF 2-100

BF 2-108  
BF 2-103

BF 2-107  
BF 2-102

RI-1

BF 2-305  
BF 2-300

BF 2-304  
BF 2-299

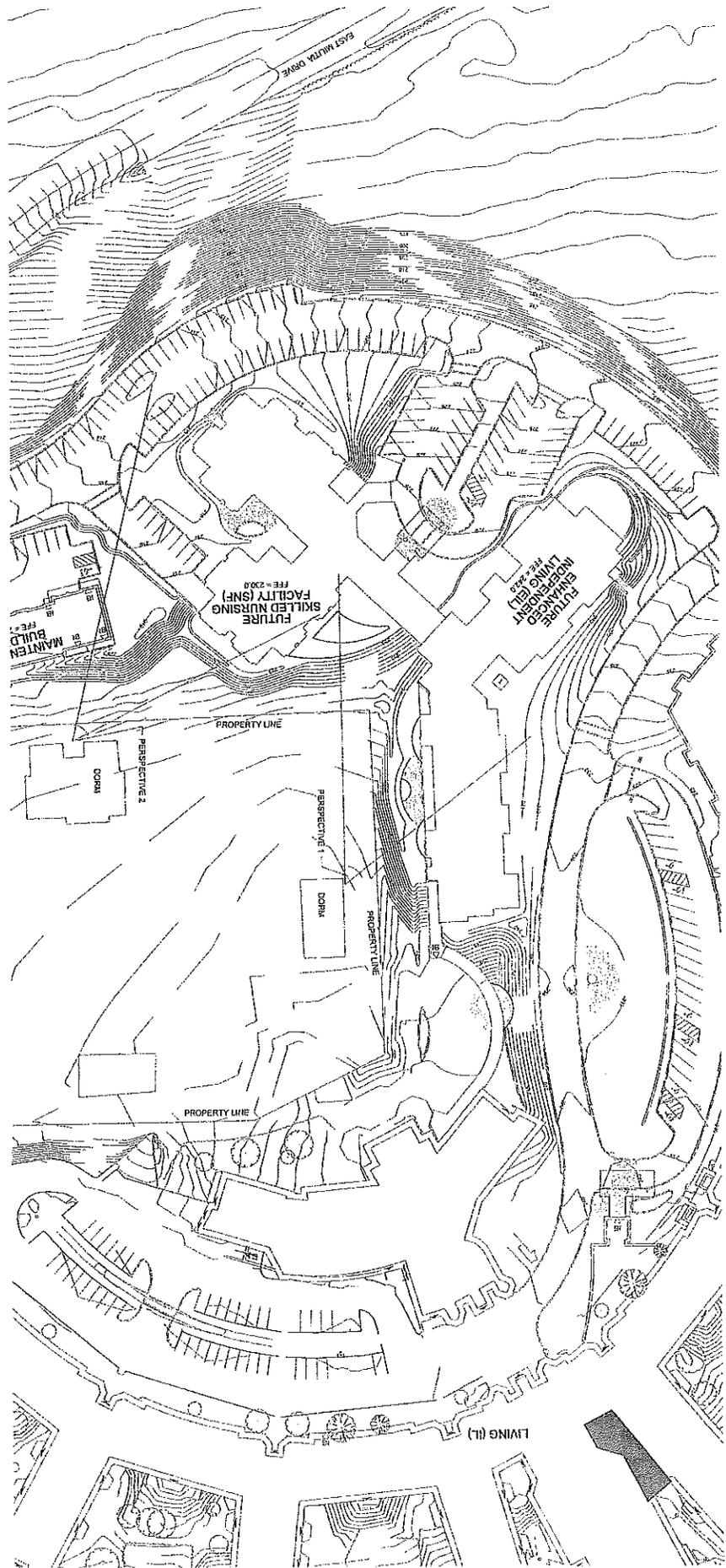
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BF 2-298

R7-8  
R7-5A

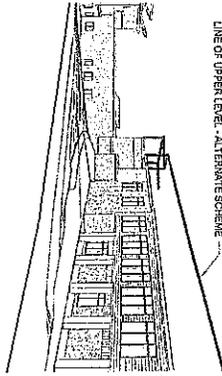
MS



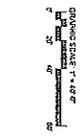
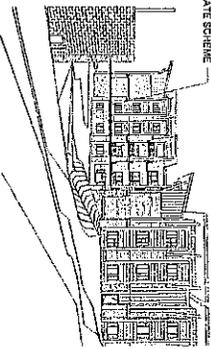
1 PAVING PLAN  
1" = 40'-0"



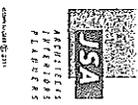
2 PERSPECTIVE 1  
VIEW LOOKING FROM DOWN AT CHARLES RIVER TOWARDS NEW BL. BUILDING



1 PERSPECTIVE 2  
VIEW LOOKING FROM ORNAMENT AT CHARLES RIVER TOWARDS NEW SNF BUILDING



**Site Section 2**  
**North Hill**  
 1" = 40'-0"  
 08/01/2011



Board of Selectmen

AGENDA FACT SHEET for 8/16/11

Agenda Item: 1. Sign Notice of Traffic Regulation - Bradford Street

Presenter(s): Richard P. Merson, DPW Director

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

The Traffic Management Advisory Committee (TMAC) received a request from the Permanent Public Building Committee asking that a no parking zone be established on Bradford Street in order to provide adequate clearance for school buses. The TMAC recommended that a no parking zone be established on the west side of Bradford Street between Harris Avenue and Dedham Avenue.

2. VOTE REQUIRED BY BOARD OF SELECTMEN: YES NO (circle one)

Suggested Motion:

"That the Board vote to approve and sign the Notice of Traffic Regulation Permit #P11-08-16 for Bradford Street, Parking Prohibited During Certain Hours, West side from the southerly sideline of Harris Avenue to the easterly sideline of Dedham Avenue, No Parking, 7:00 AM - 4:00 PM, Monday through Friday, except holidays."

3. BACK UP INFORMATION ATTACHED:

- 1. Copy of Traffic Regulation P11-08-16
2. PFD memo to TMAC, 7/28/11

4. SIGN OFF/APPROVAL REQUIRED: (circle one)

- a. Town Manager. Yes No NA
b. Town Counsel Yes No NA
c. Finance Director Yes No NA
d. Accountant Yes No NA

Staff use: Disposition by BOS:
Action taken: Present on future Agenda:
Refer to/Inform: Report back to BOS by:

TOWN OF NEEDHAM  
BOARD OF SELECTMEN

NOTICE OF TRAFFIC REGULATION

By virtue of the authority vested in the Board of Selectmen of the Town of Needham, it is hereby

VOTED: That the Town of Needham Traffic Rules and Regulations adopted by the Board of Selectmen February 14, 1989 and subsequent amendments thereto be and are hereby further amended as follows:

By adding to Schedule I – PARKING of Article V, Section 5-6, the following:

PARKING PROHIBITED DURING CERTAIN HOURS

BRADFORD STREET – West side, from the southerly sideline of Harris Avenue to the easterly sideline of Dedham Avenue – No Parking, 7:00 AM – 4:00 PM, Monday through Friday, except Holidays, dated 8/16/11, Permit P11-08-16.

VOTED: by the Board of Selectmen at a meeting held on Tuesday, August 16, 2011

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

BOARD OF SELECTMEN

Permit No. P11-08-16

Date of Passage \_\_\_\_\_

Attest of Town Clerk \_\_\_\_\_

TMC  
8/16/11



Public Facilities Department – Construction  
Permanent Public Building Committee  
Town of Needham  
470 Dedham Avenue  
Needham, MA 02492  
781 453-8040  
781 449-9023 fax

## Memo

**To:** Traffic Management Advisory Committee

**From:** Hank Haff, Project Manager

**CC:** Steve Popper, Director PFD – Construction  
Anthony DelGaizo, Town Engineer

**Date:** July 28, 2011

**Re:** Adding “No Parking” signs to one side of Bradford Street &  
Confirmation on Location of School signs on Dedham Ave

---

### Adding “No Parking” signs to one side of Bradford Street

As a part of a Planning and Community Development Decision dated March 8, 2011 for the Pollard Middle School (Application No. 2011-02) paragraph 3.15 the PPBC must review the addition of No Parking zones along Bradford Street as recommended in that approval with the Town of Needham – Traffic Advisory Committee (TMAC). A copy of paragraph 3.15 on page 15 on that Decision is attached for reference. (Attachment A) If approved by TMAC then PPBC will coordinate with DPW for the installation of those signs.

The Town Engineer has requested that approval from the abutters precede appearing before the TMAC. The attached Memo dated May 11, 2011 (Attachment B) was hand delivered to the 15 abutting residences as identified in the attached Assessors certified list of abutters. (Attachment C) The Town Engineer, Anthony DelGaizo had recommended that the requested parking restriction for the section of Bradford Road between Harris Ave and Glenwood Road be placed on the westerly side (not the easterly side) because there are fewer houses on that side of the street, and only two of the four houses on that side of the street had driveways accessed from Bradford.

A second notice was hand delivered on June 20, 2011 to those who had not responded by that time.

The proposed No Parking zones are described below, and in the plan diagram:

- (1) A no-parking zone for the westerly side of the 22-foot wide section of Bradford Street between Glenwood Road and Harris Ave.
  - (2) A no-parking zone for the northerly side of the 28-foot wide section of Bradford Street between Dedham Ave and Glenwood Ave.
-

(3) Time of the proposed no-parking restriction: 7AM to 3PM Monday to Friday

The results of the survey are summarized on Attachment D and below:

- o Yes (8 of 15 = 53.3%)
- o No (5 of 15 = 33.3%)
- o No response or neutral (2 of 15 = 13.3%)

A copy of all abutter responses is included as Appendix Z.

***We are requesting TMAC approval of the proposed No-Parking Signs on Bradford Street.***

#### Location of the School Signs and Plaques on Dedham Ave

The Planning Decision noted above also noted under Condition 3.12 that:

*"The Petitioner shall review the following signs with the Town of Needham Traffic Management Advisory Committee and if approved shall proceed with installation: School Sign (S1-1) and School Plaque (S403P) shall be placed on Dedham Avenue 175 feet in advance of the proposed Site Driveway intersection in accordance with the Manual on Uniform Control Devices(Federal Highway Administration, 2009). The purpose of these signs is to advise drivers that they are approaching a school and the additional care is necessary. "*

Attachment E-1 shows an aerial view of the proposed location of the recommended signs. Due to the site constraints it is not possible to place the signs at exactly 175 feet from the new drive. The Railroad bridge abutment impedes the placement of the sign on the approach from the south on Dedham Ave, and existing residential driveways impede the sign placement on the approach from the north along Dedham Ave.

Attachment E-2 shows a photo of the proposed location for the School sign & plaque just south of the RR bridge abutment, attached to an existing Route 135 sign post just south of the Bridge abutment.

Attachment E-3 shows a photo of the proposed location for the School sign and plaque attached to existing utility pole that is on the property line between the houses at 257 Dedham Ave. and 263 Dedham Ave. This pole is approximately 300 ft from the new drive.

***We are requesting TMAC approval for the proposed locations for the two sets of School signs and plaques in the locations noted above.***

#### ***Attachments:***

- Attachment A – Planning Decision 3/8/2011 Excerpts paragraphs 3.15 & 3.12
- Attachment B – Memo dated May 11, 2011 distributed to abutters
- Attachment C – Assessors Certified list of Abutters
- Attachment D – Plan of Survey results
- Attachment E-1 - Pollard School Sign Locations
- Attachment E-2 – School sign before RR Bridge abutment
- Attachment E-3 – School sign on utility pole

Appendix – Z – copy of Abutter responses



PLANNING

# TOWN OF NEEDHAM, MA

PLANNING AND COMMUNITY  
DEVELOPMENT DEPARTMENT

DECISION

## MAJOR PROJECT SITE PLAN SPECIAL PERMIT

March 8, 2011

Pollard Middle School  
Application No. 2011-02

RECEIVED TOWN CLERK  
NEEDHAM, MA 02492

500 Dedham Ave  
Needham, MA 02492  
781-455-7500  
PH 12:31

- 3.12 The driveway link from Dedham Avenue to the Site shall be restricted to school bus use only for the Newman at Pollard project during the 2011-2012 school year. "Do Not Enter – Bus Only" signs shall be installed at the entrance to the Access Way to enforce this condition. As sight lines to the south from the driveway are limited (because of the railroad bridge), the driveway, from its intersection with Dedham Avenue to a point approximately 220 feet east of Dedham Avenue, shall be restricted to one-way travel onto the school property (i.e. entering traffic only). No exiting traffic from the driveway onto Dedham Avenue shall be permitted. "Do Not Enter" signs shall be located on both sides of the driveway as noted in the plans, just west of the temporary tennis court access driveway to enforce the one-way restriction. The Petitioner shall review the following signs with the Town of Needham Traffic Management Advisory Committee and if approved shall proceed with installation: School Sign (S1-1) and School plaque (S403P) shall be placed on Dedham Avenue 175 feet in advance of the proposed Site Driveway intersection in accordance with the Manual on Uniform Traffic Control Devices (Federal

14

Highway Administration, 2009). The purpose of these signs is to advise drivers that they are approaching a school and that additional care is necessary. Following the end of the 2011-2012 Newman at Pollard school year the driveway link from Dedham Avenue to the Site shall be inactivated and shall be permanently gated except for the purpose of providing emergency access. No precedent as to future use of the driveway link from Dedham Avenue to the Site, if any, shall be inferred by this Decision.

- 3.15 The Petitioner shall review the following no-parking zones with the Town of Needham Traffic Management Advisory Committee and if approved shall coordinate with the DPW to install: (1) A no-parking zone for the easterly side of the 22-foot wide section of Bradford Street between Glenwood Road and Harris Avenue; (2) A no-parking zone for the westerly side of the 28-foot wide section of Bradford Street between Dedham Avenue and Glenwood Road.



Public Facilities Department – Construction  
Permanent Public Building Committee

Town of Needham

470 Dedham Avenue  
Needham, MA 02492  
781 453-8040  
781 449-9023 fax

**Memo**

**To:** Bradford Street Residents and Abutters between Dedham Ave & Harris Ave.

**From:** Hank Haff, Project Manager

**CC:** Steve Popper, Director PFD – Construction  
Anthony DelGaizo, Town Engineer

**Date:** May 9, 2011

**Re:** Adding “No Parking” signs to one side of Bradford Street as noted below

---

You are receiving this request because your property has frontage or access from Bradford Street between Dedham Ave and Harris Ave. As a part of a Planning and Community Development Decision dated March 8, 2011 for the Pollard Middle School (Application No. 2011-02) paragraph 3.15 the PPBC must review the addition of No Parking zones along Bradford Street as recommended in that approval with the Town of Needham – Traffic Advisory Committee (TMAC). The Town Engineer has requested that approval from the abutters precede appearing before the TMAC.

The proposed No Parking zones are described below, and in the attached diagram:

- (1) A no-parking zone for the westerly side of the 22-foot wide section of Bradford Street between Glenwood Road and Harris Ave.
- (2) A no-parking zone for the northerly side of the 28-foot wide section of Bradford Street between Dedham Ave and Glenwood Ave.
- (3) Time of the proposed no-parking restriction: 7AM to 3PM Monday to Friday

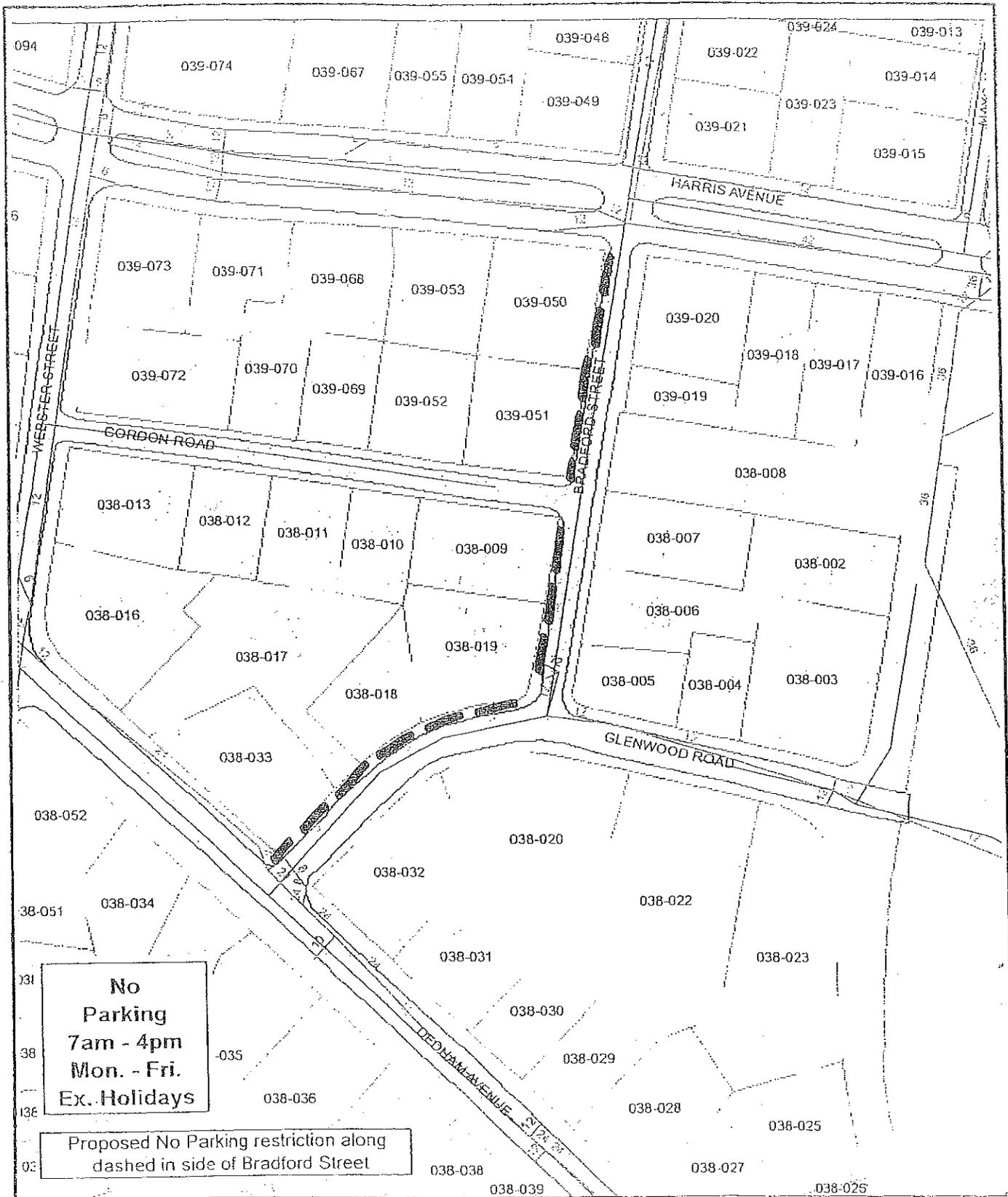
We are asking your approval of the proposed No-Parking Signs because your property might be affected by this new restriction. Please indicate your approval by signing below and returning this memorandum in the attached self-addressed stamped envelope, or dropping it off at the following address:

Permanent Public Building Committee, 470 Dedham Ave., Needham, MA 02492

Approval indicated by Signature: \_\_\_\_\_ date: \_\_\_\_\_

Property Address: \_\_\_\_\_

Thank you for your assistance

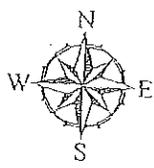
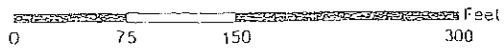


**No  
Parking  
7am - 4pm  
Mon. - Fri.  
Ex. Holidays**

Proposed No Parking restriction along  
dashed in side of Bradford Street

**Bradford Street Proposed  
No Parking Sign Location Diagram**  
May 10, 2011

*Town of Needham, Massachusetts*





BRADFORD ST

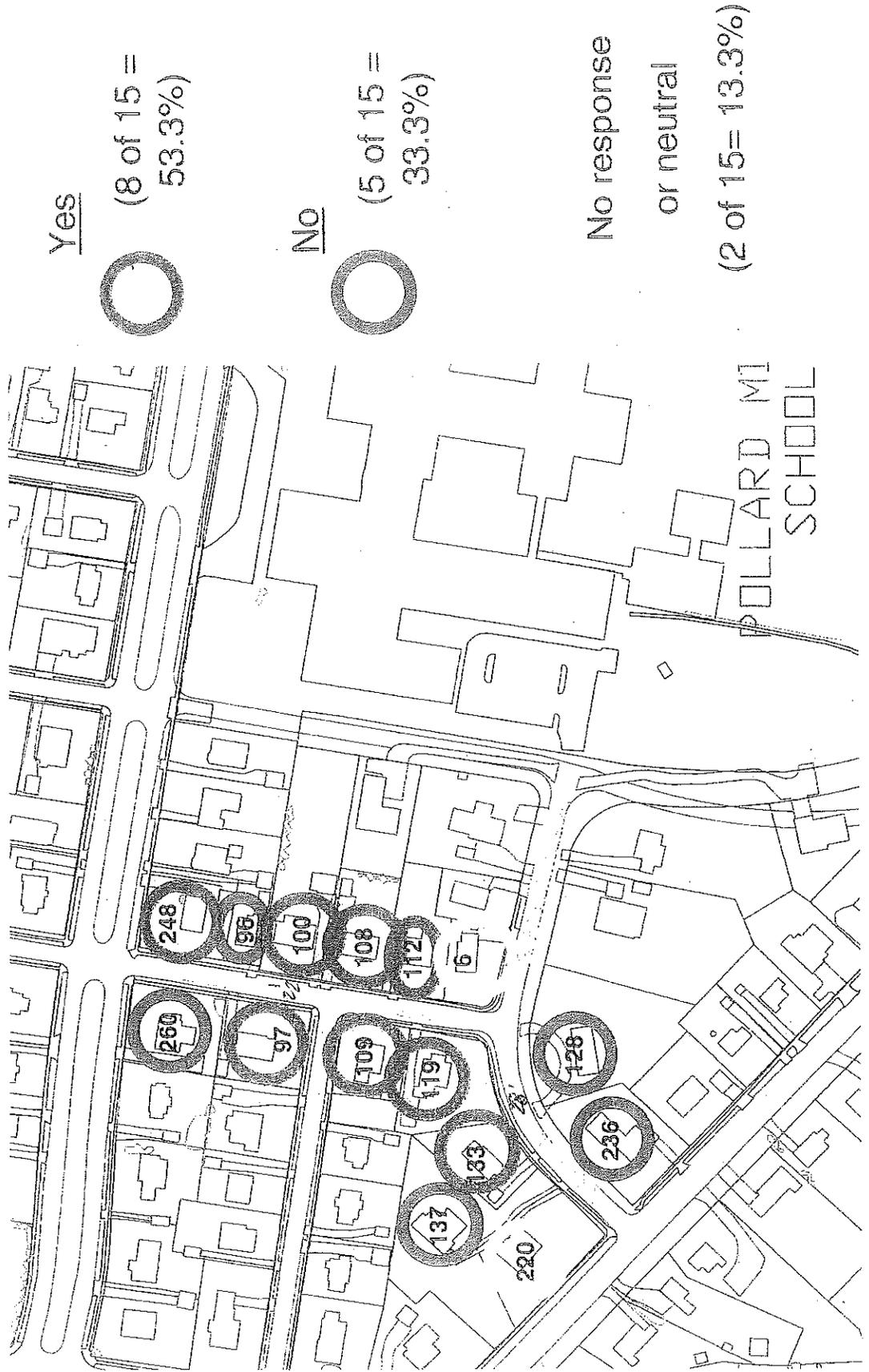
PARCEL ID	St No.	Street	Owner Names	Mailing Address		
				OWNER CITY	State	OWNER ZIP
199/038.0-0005-0000.0	6	GLENWOOD RD	WINER, WILLIAM B. & WINER, KIM E	NEEDHAM	MA	02492
199/038.0-0006-0000.0	112	BRADFORD ST	LOMBARDO, MELINDA A. TR LOMBARDO REALTY TRUST	NEEDHAM	MA	02492
199/038.0-0007-0000.0	108	BRADFORD ST	LEVY, LANCE & FOLB, KAREN	NEEDHAM	MA	02492
199/038.0-0008-0000.0	100	BRADFORD ST.	RISKIND, PETER N. + GAYLE, CAROLYN A.	NEEDHAM	MA	02492
199/038.0-0009-0000.0	109	BRADFORD ST	CASE, BARBARA	NEEDHAM	MA	02492
199/038.0-0017-0000.0	137	BRADFORD ST	WHITE, GREGORY S. & WHITE, AMIE S.	NEEDHAM	MA	02492
199/038.0-0018-0000.0	133	BRADFORD ST	MASUR, LAWRENCE J. + SOKOLOFF, DALE	NEEDHAM	MA	02492
199/038.0-0019-0000.0	119	BRADFORD ST	PASCUCCI, PHILIP H. & PASCUCCI, SUZANE M.	NEEDHAM	MA	02492
199/038.0-0020-0000.0	128	BRADFORD ST	REILLY, DONALD T & DOMOTO, KATHERINE K.	NEEDHAM	MA	02492
199/038.0-0032-0000.0	236	DEDHAM AVE	DERANY, AUDREY E.	NEEDHAM	MA	02492
199/038.0-0033-0000.0	220	DEDHAM AVE	WHITLOCK, DOROTHY O. & WHITLOCK, JOHN L.	NEEDHAM	MA	02492
199/039.0-0019-0000.0	96	BRADFORD ST	REULBACH, JAMES E.	NEEDHAM	MA	02492
199/039.0-0020-0000.0	248	HARRIS AVE	BEAN, VICKI JEANNE & WALKER, JACQUELINE M	NEEDHAM	MA	02492
199/039.0-0050-0000.0	260	HARRIS AVE	HEGARTY, PATRICK JOSEPH & HEGARTY, MELISSA COPPOLA	NEEDHAM	MA	02492

PARCEL ID 199/039-0-0051-0000.9 St No. 97 Street BRADFORD ST Owner Names HOGUET, ALEXANDER L. & HOGUET, JESSICA C.Z. Owner Address 97 BRADFORD ST Owner City NEEDHAM State MA Owner ZIP 02492

Certified as list of parties in interest under Mass. General Laws and Needham Zoning By-Law, to the Best of our knowledge For the Needham Board of Assessors.....



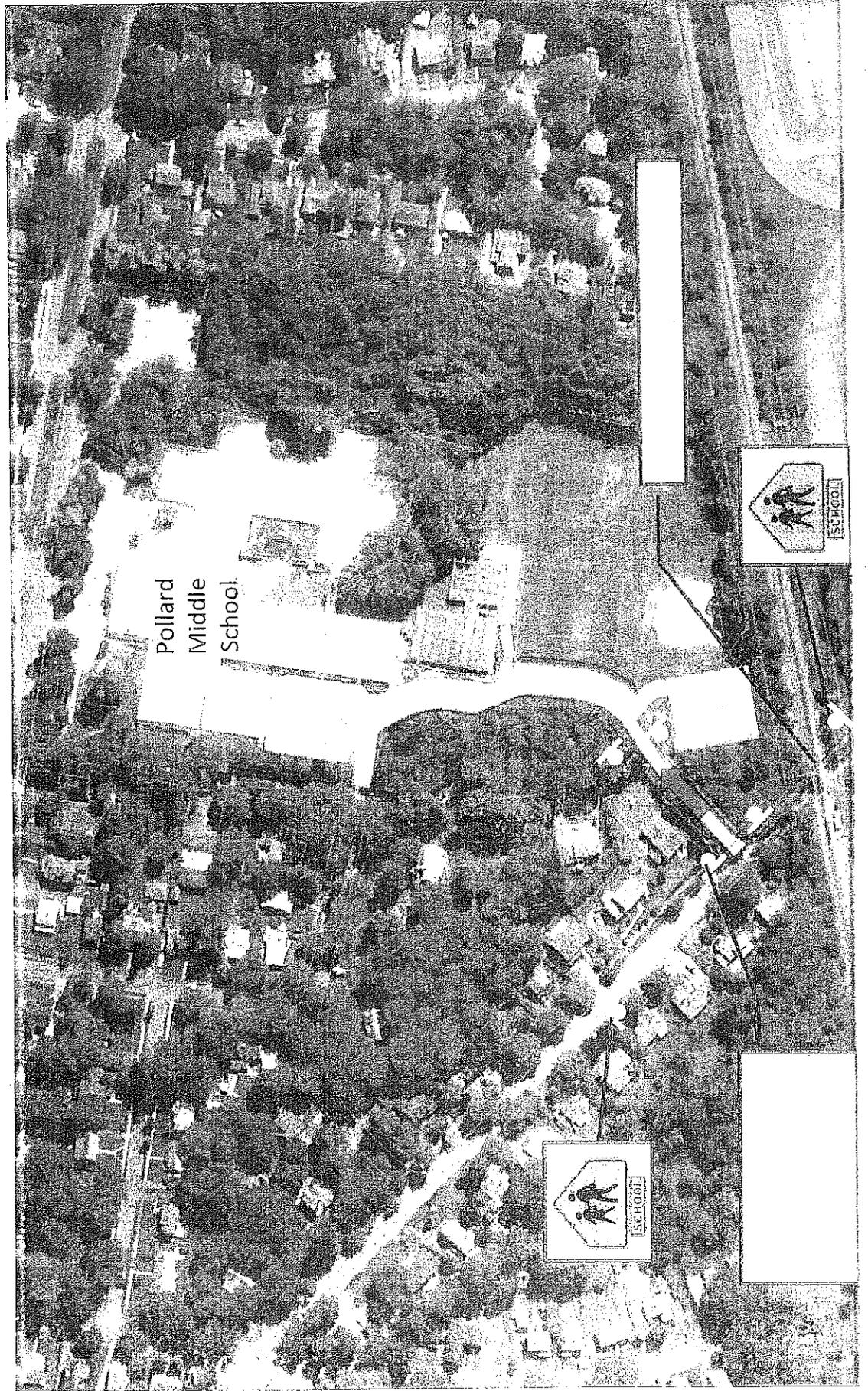
Attachment - D Response to Poll of Abutters  
to approve the proposed parking restriction



# Polard School Sign Locations

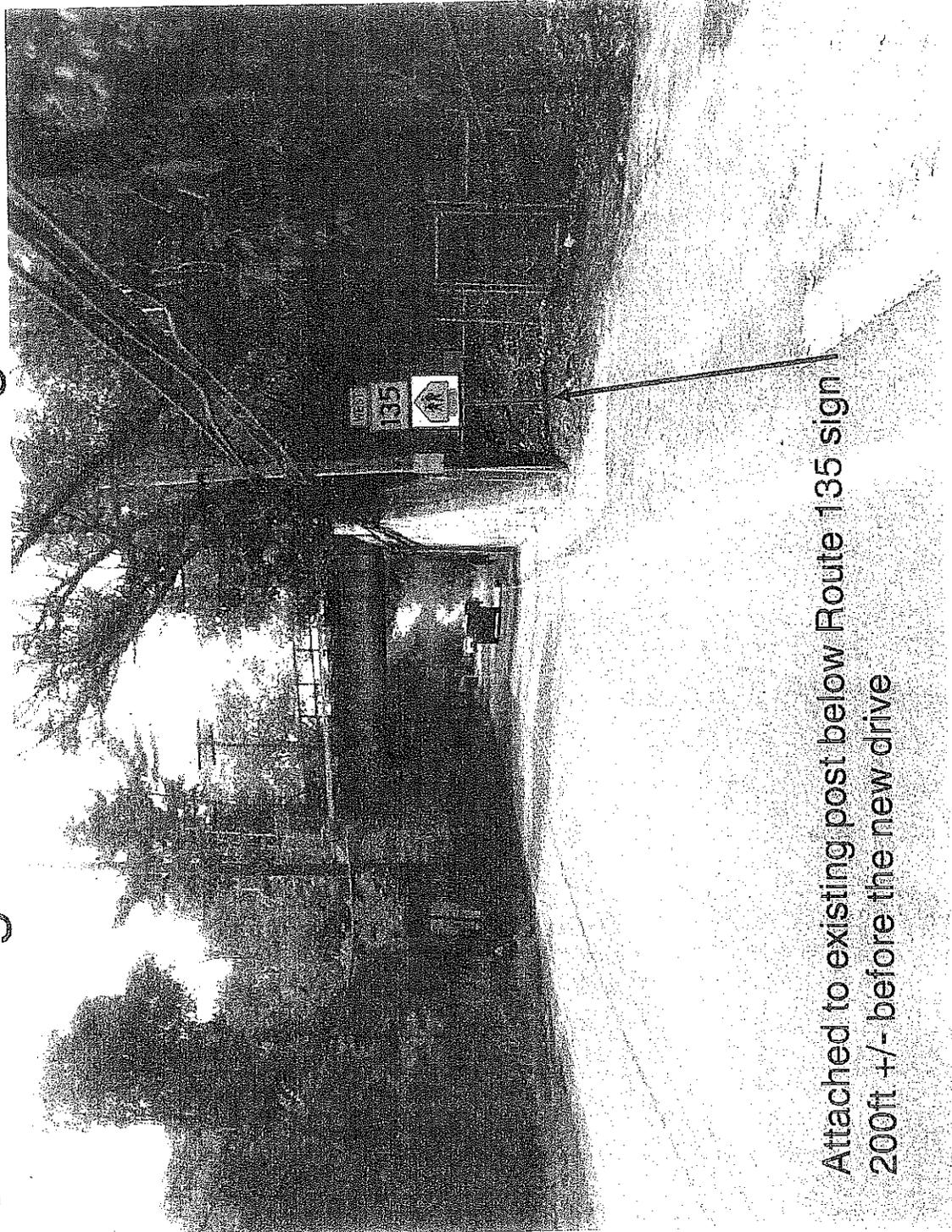
## Attachment E-1

Locations need to be greater than 175 feet from the new entry drive due to site constraints



## Attachment E-2

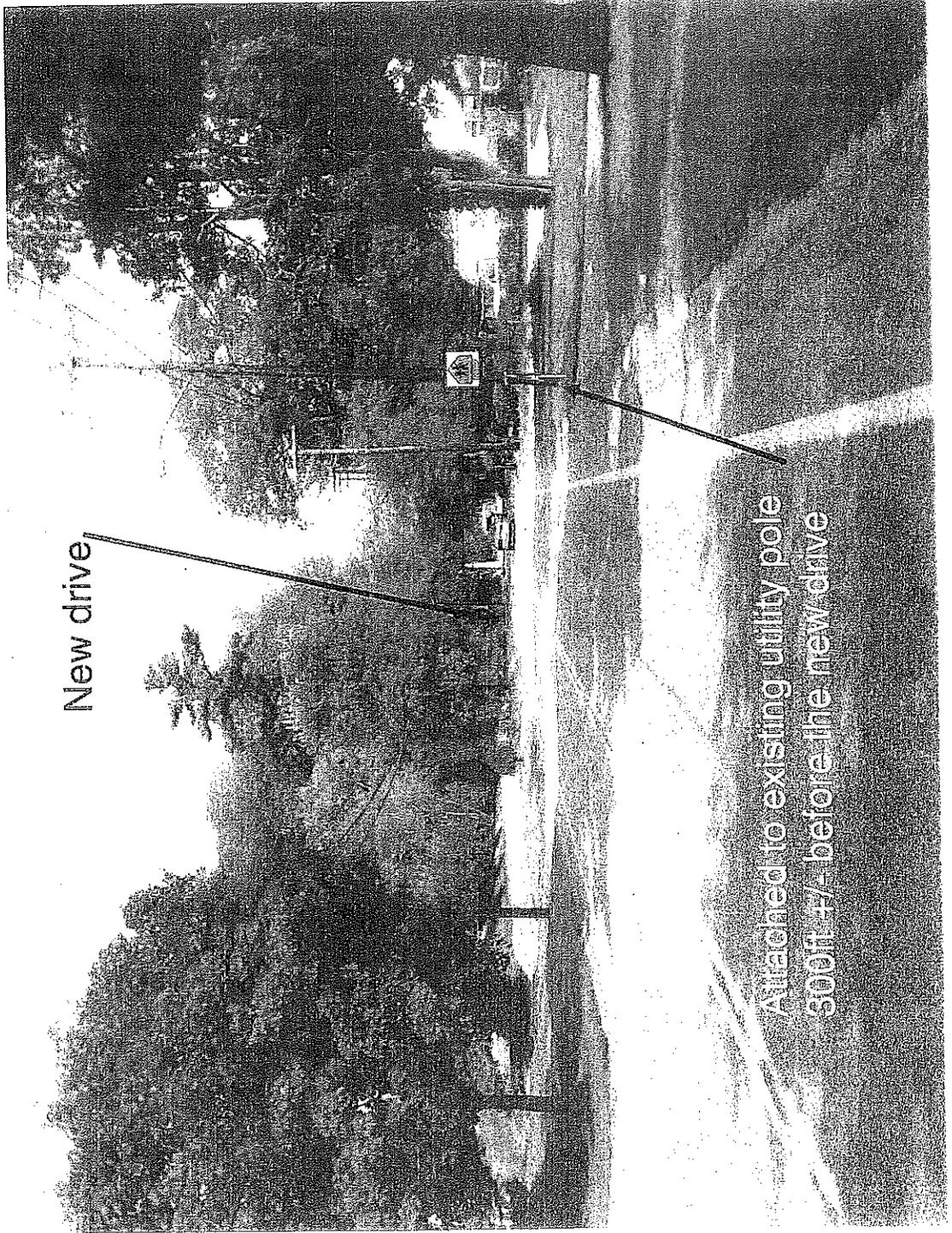
# School sign before RR Bridge abutment



Attached to existing post below Route 135 sign  
200ft +/- before the new drive

Attachment E-3

# School Sign on utility pole



New drive

Attached to existing utility pole  
300ft +/- before the new drive

**Board of Selectmen**

**AGENDA FACT SHEET for 8/16/2011**

**Agenda Item:** Call for Special Town Meeting

**Presenter(s):** Kate Fitzpatrick, Town Manager

---

**1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:**

In order to provide Town Meeting Members with ample time to plan for a Special Town Meeting, I am asking that the Board call for a Special Town Meeting to be held on Monday, November 7, 2011. Because both the Newman School and the Pollard School auditoriums are not available that evening, and in light of the Town's Tercentennial Celebration, I recommend that the Special Town Meeting be held in Powers Hall.

**2. VOTE REQUIRED BY BOARD OF SELECTMEN: [YES] NO (circle one)**

*Suggested Motion:* That the Board call for a Special Town Meeting to be held on November 7, 2011 at the Needham Town Hall.

**3. BACK UP INFORMATION ATTACHED:**

None

**4. SIGN OFF/APPROVAL REQUIRED:**

a.	Town Manager	yes	no	NA	_____
b.	Town Counsel	yes	no	NA	_____
c.	Finance Director	yes	no	NA	_____
d.	_____	yes	no	NA	_____

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**Disposition by BOS**

**Action taken:** \_\_\_\_\_ **Present on future Agenda:** \_\_\_\_\_

**Refer to/Inform:** \_\_\_\_\_ **Report back to BOS on:** \_\_\_\_\_

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**Board of Selectmen**

**AGENDA FACT SHEET for 8/16/2011**

**Agenda Item:** Special Town Meeting Preview

**Presenter(s):** Kate Fitzpatrick, Town Manager

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**1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:**

I will update the Board as to the likely articles for the November 7, 2011 Special Town Meeting.

**2. VOTE REQUIRED BY BOARD OF SELECTMEN: YES (NO) (circle one)**

Update Only

**3. BACK UP INFORMATION ATTACHED:**

None

**4. SIGN OFF/APPROVAL REQUIRED:**

a.	Town Manager	yes	no	NA	_____
b.	Town Counsel	yes	no	NA	_____
c.	Finance Director	yes	no	NA	_____
d.	_____	yes	no	NA	_____

---

**Disposition by BOS**

**Action taken:** \_\_\_\_\_ **Present on future Agenda:** \_\_\_\_\_

**Refer to/Inform:** \_\_\_\_\_ **Report back to BOS on:** \_\_\_\_\_

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Board of Selectmen

AGENDA FACT SHEET for 8/16/2011

Agenda Item: Fiscal Year 2013 – 2017 Pro Forma Budget and Budget Consultation

Presenter(s): Kate Fitzpatrick, Town Manager  
Dave Davison, Assistant Town Manager/Finance

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1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

We will provide the Board with our five year, pro forma budget analysis for fiscal years 2013 - 2017.

2. VOTE REQUIRED BY BOARD OF SELECTMEN: YES [NO] (circle one)

3. BACK UP INFORMATION ATTACHED:

a. Town of Needham General Fund Revenue and Expense Pro Forma FY 2013 – 2017 to be provided at the Board's meeting

4. SIGN OFF/APPROVAL REQUIRED:

a.	Town Manager	yes	no	NA	_____
b.	Town Counsel	yes	no	NA	_____
c.	Finance Director	yes	no	NA	_____
d.	_____	yes	no	NA	_____

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Disposition by BOS

Action taken: \_\_\_\_\_ Present on future Agenda: \_\_\_\_\_

Refer to/Inform: \_\_\_\_\_ Report back to BOS on: \_\_\_\_\_

---

Board of Selectmen

AGENDA FACT SHEET for 8/16/2011

Agenda Item: Powers Hall Use Regulations

Presenter(s): Kate Fitzpatrick, Town Manager

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1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

I will seek input from the Board on the proposed Powers Hall Use Regulations.

2. VOTE REQUIRED BY BOARD OF SELECTMEN: YES (NO) (circle one)

3. BACK UP INFORMATION ATTACHED:

- a. Memo dated August 12, 2011 regarding Powers Hall Use Regulations

4. SIGN OFF/APPROVAL REQUIRED:

a.	Town Manager	yes	no	NA	_____
b.	Town Counsel	yes	no	NA	_____
c.	Finance Director	yes	no	NA	_____
d.	_____	yes	no	NA	_____

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Disposition by BOS

Action taken: \_\_\_\_\_ Present on future Agenda: \_\_\_\_\_

Refer to/Inform: \_\_\_\_\_ Report back to BOS on: \_\_\_\_\_

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# TOWN OF NEEDHAM

TOWN HALL  
1471 Highland Avenue  
Needham, MA 02492-2669

Office of the  
TOWN MANAGER

TEL: (781) 455-7512  
FAX: (781) 449-4569  
TDD: (781) 455-7558

TO: Board of Selectmen  
FROM: Kate Fitzpatrick *Kate*  
DATE: August 12, 2011  
RE: Powers Hall Use Regulations

We are in the process of developing use regulations for Powers Hall. There are several items for which we have a preliminary recommendation and others that require further conversation. I suggest that a set of draft regulations be adopted for at least the first year of operation – we fully expect that revisions to the regulations will be required once the Town has experience in renting the hall.

### Preliminary Policy Items

- Powers Hall rental should be limited to recognized charitable or non-profit organizations engaged in municipal, educational, recreational, and/or cultural activities; and/or other activities approved by the Town Manager, whose proceeds are directed entirely to the benefit of the Town of Needham, or other municipalities and government agencies. All permitted groups must be incorporated and able to provide a certificate of liability insurance and indemnify the Town of Needham. Commercial Activity will not be allowed.
- Permits for private use, including but not limited to, parties, recitals, wedding receptions, and other private uses, will not be authorized.
- Scheduling priority will be given to Town of Needham departments, boards, and committees, then Needham-based charitable or non-profit organizations, and then other organizations meeting the guidelines.
- Municipal events will take precedence over other activities and events for scheduling purposes. Special or unforeseen events may supersede previously scheduled permitted events. The Town reserves the right to cancel a permit in these circumstances.
- Powers Hall will be available for permit from Friday evening through Sunday evening.

- In addition to any permit fee, users will be required to pay for custodians and building monitors (the number to be determined by the Town Manager), Police and Fire Details (as determined by the Police and Fire Chiefs), and applicable fees.

#### Discussion Items

- Service of alcoholic beverages through a one-day license process
- Restriction on political campaign activity
- Type of food and non-alcoholic beverage service
- Fee Structure (base plus percent of ticket sales)
- Requirement to use a designated vendor of lighting and sound systems

I look forward to discussing these items with the Board at your August 16, 2011 meeting.

**Board of Selectmen**

**AGENDA FACT SHEET for 8/16/2011**

**Agenda Item:** Board of Selectmen Goal Discussion/Next Steps

**Presenter(s):** Board Discussion

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**1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:**

The Board will discuss next steps for the following goals:

- 1 (d) Evaluate the condition and potential re-use or lease of the Ridge Hill buildings
- 2 (e) Evaluate and, if warranted, make recommendations to Town Meeting and the voters regarding the retail sale of alcoholic beverages in Needham
- 5 (c) Evaluate the future of Rosemary Pool and its site, in cooperation with the Park and Recreation Commission

**2. VOTE REQUIRED BY BOARD OF SELECTMEN: YES [NO] (circle one)**

Discussion only

**3. BACK UP INFORMATION ATTACHED:**

- a. Board of Selectmen Goals for Fiscal Year 2012 (adopted 7/26/2011)

**4. SIGN OFF/APPROVAL REQUIRED:**

a.	Town Manager	yes	no	NA	_____
b.	Town Counsel	yes	no	NA	_____
c.	Finance Director	yes	no	NA	_____
d.	_____	yes	no	NA	_____

---

**Disposition by BOS**

**Action taken:** \_\_\_\_\_ **Present on future Agenda:** \_\_\_\_\_

**Refer to/Inform:** \_\_\_\_\_ **Report back to BOS on:** \_\_\_\_\_

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**FY2012 Board of Selectmen Proposed Goals**  
**Adopted 7/26/2011**

- 1. Maximize the use of Town buildings and ensure that Town and school services are housed in buildings that provide suitable and effective environments.**
  - a. Ensure construction of a new Senior Center beginning in 2012
  - b. Participate in a plan for the renovation /reconstruction of the Hillside, Mitchell and Pollard Schools
  - c. Evaluate the condition and potential re-use, lease or sale of the Emery Grover Building
  - d. Evaluate the condition and potential re-use or lease of the Ridge Hill buildings
  
- 2. Continue efforts to maintain and improve the vitality and economic success of Needham Center.**
  - a. Participate in further review of Needham Center Zoning
  - b. Expand the amount and accessibility of surface parking in Needham Center
  - c. Improve the Needham Center streetscape and infrastructure
  - d. Evaluate and determine ways in which Powers Hall should be used to enhance Needham Center consistent with the operational requirements of Town government
  - e. Evaluate and, if warranted, make recommendations to Town Meeting and the voters regarding the retail sale of alcoholic beverages in Needham
  
- 3. Increase Needham's economic base through the development of the NEBC.**
  - a. Improve the streetscape and amend the dimensional requirements of the NEBC
  - b. Participate in evaluating options for further zoning revisions to improve the NEBC
  - c. Complete the preferred renovation of Highland Avenue from Webster Street to the Charles River (State highway)
  - d. Monitor implications of the add-a-lane project and assure that Needham's interests are addressed in the final design
  - e. Work to develop a consensus with Newton regarding transportation options along the Highland Avenue/Needham Street corridor
  
- 4. Continue working toward energy efficient and environmentally sound operations for both the Town and its residents and businesses.**
  - a. Evaluate participation in the Green Communities Program
  - b. Develop a plan for further improving energy efficiency in all Town buildings
  - c. Develop a policy for purchasing fuel efficient vehicles
  - d. Evaluate the generation of power through alternative or renewable energy sources
  
- 5. Maintain and develop amenities that contribute to the desirability of Needham as a place to live and work.**
  - a. Replace Greene's Field play structure

- b. Determine the feasibility of, and, if feasible, develop a proposal for a recreational rail trail from Needham Junction to the Dover line
- c. Evaluate the future of Rosemary Pool and its site, in cooperation with the Park and Recreation Commission.

**6. Maintain and enhance the Town's Financial Sustainability**

- a. Continue following successful financial policies and when necessary develop additional policies to enhance the financial sustainability of Needham
- b. Continue to implement current financial reserve policies

**7. Evaluate the current role of the Board of Selectmen and determine if appropriate changes are necessary with respect to:**

- a. The Town's budget process
- b. Other areas to be determined

Board of Selectmen

AGENDA FACT SHEET for 8/16/2011

Agenda Item: Committee Reports

Presenter(s): Board Discussion

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED:

Board members will report on the progress and / or activities of their Committee assignments.

2. VOTE REQUIRED BY BOARD OF SELECTMEN: YES [NO] (circle one)

3. BACK UP INFORMATION ATTACHED:

None

4. SIGN OFF/APPROVAL REQUIRED:

a.	Town Manager	yes	no	NA	_____
b.	Town Counsel	yes	no	NA	_____
c.	Finance Director	yes	no	NA	_____
d.	_____	yes	no	NA	_____

Disposition by BOS

Action taken: \_\_\_\_\_ Present on future Agenda: \_\_\_\_\_

Refer to/Inform: \_\_\_\_\_ Report back to BOS on: \_\_\_\_\_



TOWN OF NEEDHAM

APPLICATION FOR BOWLING ALLEY LICENSE

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

Name of Establishment: Needham Bowlway

Name of Applicant (must be an individual): Zach Sundberg

If Business is a Corporation/Corporate Name and Officers: Needham Bowlway LLC

If business is not a Corporation, Name of Owner: Zach & Taryn Sundberg

Address of Establishment: 16 Chestnut St. Needham, MA 02472

Mailing Address, if different from Establishment: \_\_\_\_\_

Email Address: info@needhambowl.com

Telephone Number: 781 449 4060 Fax Number: \_\_\_\_\_

Number of Bowling Lanes: 8

Signature of Applicant: [Signature] Date: 8/1/11

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

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)

Zach Sundberg  
Applicant Name (please print)

8/1/11  
Date (Required)

\_\_\_\_\_  
Federal Identification Number (Mandatory)

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

Town of Needham  
Water Sewer Billing System  
Adjustment Form

DEPARTMENT OF PUBLIC WORKS

TO: TOWN TREASURER AND COLLECTOR  
(cc: TOWN COMPTROLLER)

WHEREAS the appropriate divisions of the Department of Public Works have submitted to you the following commitment(s) on the dates listed below for the collection of water, sewer revenue and

WHEREAS certain inadvertent error(s) were made in said commitment(s), it is hereby requested that you abate these particular account(s) in the amount(s) stated below.

Water Sales:	-\$230.35
Water Irrigation:	\$0.00
Water Service:	\$0.00
Sewer Sales:	-\$1,558.15
Transfer Station Charges:	\$0.00
Total Abatement:	-\$1,788.50

Order #: 1129

Read and Approved: 8/12/2011

*for Louise Miller / Jacobs*  
DPW Office Manager

For the Board of Selectmen

Date: 8/16/2011

*R.P. McNamee*

Director of Public Works

**Town of Needham  
Water Sewer Billing System  
Adjustment Form**

Prepared By:	Last Name	First Name	Customer ID#	Location ID#	Street Number	Street Name	Irrigation Water	Domestic Water	Sewer	Total	Reason	Corrected Last Read Y/N
PC	Nemon	Leonard	13321	2144	179	Tudor RD	\$0.00	\$0.00	-\$502.95	-\$502.95	Leak	N
PC	Tarantino	Carmine	27877	16226	82	Marked Tree Rd	\$0.00	-\$69.35	-\$290.35	-\$359.70	O.I	N
PC	Adam	James	28365	7664	43	Avon Cir	\$0.00	-\$105.75	-\$249.45	-\$355.20	COA	N
PC	Kassel	Jerome	21755	7836	174	Parker Rd	\$0.00	\$0.00	-\$405.95	-\$405.95	Leak	N
PC	Vakhutindhy	Petr	26893	6876	6	Lake Dr	\$0.00	-\$55.25	-\$109.45	-\$164.70	O.I	N

**Total:    -\$1,788.50**

**ALSO, LET THIS SERVE AS AUTHORIZATION TO ABATE ANY PENALTY OR INTEREST WHICH HAS ACCRUED DUE TO THE NON-PAYMENT OF AMOUNTS AS STATED ABOVE.**

**Legend:**  
O.I. = O.I. reading slower than inside meter causing large bill when inside meter is read.  
O.E. Error = Over estimation was issued  
Leak = Leak in house or at spicket that caused loss of water, with proof of repair  
O.E. = High estimation of consumption to have customer respond to meter upgrade/exchange request  
TWN = Town Project caused damage to private property  
Equip = Equipment Malfunction  
Prog. = Meters programmed incorrectly causing reading to be transferred incorrectly to billing system  
UE = Under estimated during town wide estimate  
UEW = Unexplained water loss  
P.F. = Pool Fill  
M.R.E = Meter Reading Error  
Billing = Steps were charged incorrectly  
COA = Council On Aging

**Town of Needham  
Board of Selectmen  
Minutes for July 26, 2011  
Needham Public Services Administration Building**

6:45 p.m. Informal Meeting with Citizens:  
Mr. Rich Luskin presented the Board with a framed map of Needham circa 1888. Mr. Luskin commented he has lived in Needham 37 years and will soon move to another community. He said he felt the map is part of Needham's history. The Selectmen thanked Mr. Luskin for his donation and wished him well.

7:00 p.m. Call to Order:  
A meeting of the Board of Selectmen was convened by Chairman Maurice P. Handel. Those present were Gerald A. Wasserman, Daniel P. Matthews, John A. Bulian, James G. Healy, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. Public Hearing - Verizon & NSTAR Petition for Mark Lee Road:  
Ellen Joy, Verizon Representative, appeared before the Board to request permission to relocate Pole 13/6 on Mark Lee Road in Needham. Ms. Joy stated the petition is necessary to provide clearance for a new entrance to the municipal lot on Mark Lee Road.

**Motion by Mr. Bulian that the Board of Selectmen approve and sign petition from Verizon and NSTAR to relocate Pole 13/6 on Mark Lee Road in Needham. The petition is necessary to provide clearance for a new entrance to the municipal lot on Mark Lee Road.**

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

7:00 p.m. Public Hearing – Water and Sewer Rates:  
Dave Davison, ATM/Finance Director, appeared before the Board to discuss the water and sewer rates for FY2012. Mr. Davison stated that after consultation with the Water and Sewer Rate Structure Committee, it is recommended that the Board make no change to the water and sewer rates for fiscal year 2012. Mr. Davison reviewed the rate and block structure with the Board and recommended the Board also approve a one-time rate credit to be applied during the second quarter of FY2012.

Motion A

**Motion by Mr. Bulian that the Board approve the rates and the block structure per the recommended schedules.**

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

Motion B

**Motion by Mr. Bulian that at recommendation of the Assistant Town Manger/Director of Finance that the Board approve the following one-time**

Mr. Matthews commented it takes a lot of work by all parties involved, and that it is important to have a contract in place that is fair and addresses key issues such as health insurance. He thanked the Town Manager and the Association for their work.

7:20 p.m.

Consent Agenda and Appointments:

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

## APPOINTMENTS

1. Election Workers 2011-2012 See Attached List
2. Greene's Field Play Structure Working Group (and approve amended composition from 11 to 13) See Attached List

## CONSENT AGENDA

1. Ratify Proclamation for Bill Day
2. Approve and sign thank you letters to the Wellesley Board of Selectmen and the Wellesley Celebrations Committee for their contributions to our 4<sup>th</sup> of July parade.
3. Approve One Day Special Wines and Malt Beverages Only license from Paul Pasquarosa of the Hacking Around Club, to hold a Halloween Boo-Bash on Friday, October 28, 2011 at the Village Club, 83 Morton Street, Needham.
4. Accept a donation of \$2,350.00 made to Needham Youth Services from the Congregational Church of Needham. They would like the monies to be used to sponsor a new program, Valuable Interactions among Peers, VIP. The program matches high school students (Big VIPs) with elementary school age youth (Little VIPs) who may have a need for additional support in their life.
5. Accept a donation of \$500.00 made to Needham Youth Services from the Patrick C. Forde Memorial Fund. The monies will be used to fund programs that Needham Youth Services offers throughout the year.
6. Accept a gift of a used refrigerator from Needham resident Sandra Walters made to Needham Park and Recreation to be used for the Outdoor Living Adventure program.
7. Accept a gift of one Johnny Appleseed, Apple tree, from Needham resident Sam Bass Warner made to the Department of Public Works' Parks and Forestry Division.
8. Accept \$1,000 donation made to the Needham Revitalization Trust Fund from the Needham Business Association for the maintenance account-Symbols of Pride for Banners & Flags program.
9. Accept \$1,000 donation made to the Needham Revitalization Trust Fund from the VFW for the maintenance account-Symbols of Pride for Banners & Flags program.
10. Accept \$50 donation made to The Park and Recreation Commission from

Janine McGuire	60 Colby Street	Fairfax (blocked off at intersections of Colby and Arch)	09/17/11	09/18/11	3-7pm
Andrew Allen	955 Webster Street	Webster Street from Dedham Ave to Norfolk St.	09/10/11	09/11/11	11am-2pm
Stephanie Wallace	81 Gary Road	Gary & Lee Road	09/10/11	09/11/11	3-7pm
Donna Trabucco	45 Coulton Park	Coulton Park	09/10/11		3:30-9pm
Daniel Mantell	10 Hazelton Ave	Hazelton Ave from Bond St to 47 Hazelton Ave	09/10/11	09/11/11	12-9pm
Christen Robins	45 Broadmeadow	Broadmeadow Road	09/10/11		3-8pm
Jennifer Tuttelman	99 Brookline St	Intersection of Colgate Road & Oak Hill	09/10/11		3-7pm

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

Mr. Healy questioned the Water & Sewer Abatement Order Nos. 1126, 1127 & 1128. Richard Merson, DPW Director commented during the winter no water was consumed at the address in question. He said the billing system interpreted an estimated reading versus the actual reading showing huge consumption, when in reality there was no consumption at all.

**Motion by Mr. Matthews that the Board of Selectmen vote to approve the abatement.**

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

7:20 p.m.

Board Discussion:

1. FY2012 Goal Review

The Board reviewed proposed goals for fiscal year 2012. Mr. Wasserman commented the number of goals has been limited this year. Mr. Handel said it is much easier to measure the goals and see progress.

**Motion by Mr. Matthews that the Board of Selectmen adopt the proposed goals as presented in the agenda materials.**

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

position and cause delays in construction. He said he prefers to wait and go along with the Code as it is developed.

Rick Zimbone said he voted against the issue mainly because the Stretch Energy Code is subject to different interpretations by different Town building inspectors, and places a tremendous burden on the Building Department. He commented the program overall is well thought out, but it is the Stretch Energy Code that is the difficult part.

Joanne Bissetta, Green Community Coordinator at MA Energy Resources, spoke with the Board and offered a Stretch Code presentation to be included as part of the public hearing.

Mr. Wasserman thanked the committee members for their work.

8:25 p.m.

Comcast Renewal Process Cable License Extension:

Jon Tamkin, Cable Television Advisory Committee, Michael Greis, Cable Television Advisory Committee, and Peter Epstein, Cable Counsel, appeared before the Board to discuss the Comcast Renewal Process License Extension. Mr. Tamkin told the Board the Cable Television Advisory Committee has reviewed Comcast's formal proposal, including a draft renewal license detailing Comcast's proposal in response to the RFP sent by the Town of Needham. In reviewing the proposal, Mr. Tamkin stated the Cable Television Advisory Committee and Counsel found the proposal inadequate in many areas, and recommended that the Board of Selectmen deny the license under the preliminary assessment. Mr. Epstein discussed the "Statement of Reasons for Preliminary Assessment of Denial" with members of the Board.

**Motion by Mr. Healy that the Board vote to adopt the Statement of Reasons and issue a Preliminary Assessment of Denial of Comcast of Needham, Inc.'s cable television renewal proposal to the Town of Needham dated July 6, 2011.**

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

8:40 p.m.

RCN Cable License Extension:

Jon Tamkin, Cable Advisory Committee, appeared before the Board to discuss the RCN Cable License Extension. He told the Board the Cable Television Advisory Committee recommends that the Needham Board of Selectmen, as Issuing Authority, and RCN-BecoCom, LLC as cable television Licensee, agree to extend the Cable Television Final License, dated April 25, 2000, until January 17, 2012, as the prior extension has expired. He said the granting of this extension ensures that the Town will maintain an active cable license with RCN.

**Motion by Mr. Healy that the Board vote to agree to extend the RCN-BecoCom Cable Television License dated April 25, 2000, until January 17, 2012.**

Mr. Matthews said it make a lot of sense to fund the project within the tax levy. He thanked Mr. Davison and Ms. Fitzpatrick for their work in preparing the different scenarios.

Mr. Handel thanked the Board of Selectmen and the Town staff for their work.

3. Committee Reports

No reports were made.

9:10 p.m.

Executive Session – Exception 6

**Motion by Mr. Healy that the Board vote to enter into Executive Session under Exception 6 – to consider the purchase, exchange, lease, or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. Not to return to open session prior to adjournment.**

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

**(The meeting adjourned at 10:00.)**