

# BOARD OF SELECTMEN

## October 18, 2016

### Needham Town Hall

### Agenda

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

	<b>6:00</b>	Executive Session Exception 6
	<b>6:45</b>	<p>Informal Meeting with Citizens</p> <p><i>One or more members of the Board of Selectmen will be available between 6:45 and 7:00 p.m. for informal discussion with citizens. While not required, citizens are encouraged to call the Selectmen's Office at (781) 455-7500 extension 204 in advance to arrange for an appointment. This enables the Board to better assure opportunities for participation and respond to citizen concerns.</i></p>
<b>1.</b>	<b>7:00</b>	<p>Public Hearing- Lighttower Fiber Networks- 2<sup>nd</sup> Avenue</p> <ul style="list-style-type: none"> <li>• Robert Walls, Lighttower Fiber Networks</li> <li>• Mark Pavone, Phoenix Communications</li> </ul>
<b>2.</b>	<b>7:00</b>	<p>Public Hearing- Eversource Energy</p> <ul style="list-style-type: none"> <li>-Gage Street</li> <li>-Maple Street</li> <li>-Winfield Street</li> <li>-Tower Avenue</li> <li>• Karen Johnson, Eversource Energy Representative</li> </ul>
<b>3.</b>	<b>7:15</b>	<p>Construction-Related Traffic &amp; Project Update</p> <ul style="list-style-type: none"> <li>• Rick Merson, Director of Public Works</li> <li>• John Schlittler, Chief of Police</li> </ul>
<b>4.</b>	<b>7:30</b>	Public Hearing – Noise By-Law
<b>5.</b>	<b>8:15</b>	<p>Sewer Rate Relief</p> <ul style="list-style-type: none"> <li>• David Davison, Assistant Town Manager/Director of Finance</li> <li>• Evelyn Poness, Treasurer Collector</li> </ul>
<b>6.</b>	<b>8:20</b>	<p>Town Manager</p> <ul style="list-style-type: none"> <li>• Liquor License Regulation Update</li> </ul>
<b>7.</b>	<b>8:25</b>	<p>Board Discussion</p> <ul style="list-style-type: none"> <li>• MPO Election</li> <li>• Committee Reports</li> </ul>

### CONSENT AGENDA      \*=Backup attached

1.*	Approve Sewer System Impact Program Regulations dated October 18, 2016. Notice of the proposed regulation was advertised in the Needham Times on September 1, September 8, and September 15, 2016.
2.*	Sign the State Election Warrant scheduled for November 8, 2016.

3.	Accept the following donations made to Needham Youth Services for its "A Conversation" program: \$500 from The Needham Women's Club, and \$50 from Molly Kerrigan, a Needham resident.
4.*	Approve a Special One Day Wines & Malt Beverages Only License for Amy Sinclair of Trip Advisor to host an event for Needham Steps Up on Wednesday, November 2, 2016 from 4:00 p.m. to 9:00 p.m. The event will be held at Trip Advisor, 400 1 <sup>st</sup> Avenue, Needham.
5.*	Approve a Special One Day Wines & Malt Beverages Only License for Amy Sinclair of Trip Advisor to host an event for World Education on Friday, October 28, 2016 from 4:00 p.m. to 9:00 p.m. The event will be held at Trip Advisor, 400 1 <sup>st</sup> Avenue, Needham.
6.	Accept the \$344.18 donation for the Needham Off-Leash Dog Area gift account from various online donors made on the Needham Dog Park website.
7.*	Approve a Common Victualler license for BoonyBunz Inc. d/b/a BoonyBunz Bakery & Café, located at 1056 Great Plain Avenue, Needham.
8.*	Approve a Special One Day Wines & Malt Beverages Only License for Robert Timmerman of Needham Knights of Columbus to hold a Trivia Night Benefit for Fisher House-Boston on Thursday, November 10, 2016 from 6:30 p.m. to 11:00 p.m. The event will be held at the Needham Knights of Columbus, 1211 Highland Avenue, Needham.
9.*	Water and Sewer Abatement Order #1224
10.	Approve request from the Needham Business Association to hold Annual Blue Tree Ceremony on Saturday, December 3, 2016 at 4:30 p.m. in Avery Square and Blue Tree festivities at the Town Common at 5:00 p.m. Approval also includes use of Garrity Way from 1:00 p.m. to 5:00 p.m.
11.	Approve request from the Needham Business Association to have "meter-free" parking in Needham Center and Needham Heights from November 26, 2016 through January 2, 2017.
12.*	Approve a Special One Day Wines & Malt Beverages License from Robin Peters Schell, of the Needham High School Class of 1980 to hold its Wine & Beer Tasting Reunion event on Saturday, November 26, 2016 from 5:00 p.m. to 11:00 p.m. The event will be held at the Needham Historical Society, 1147 Central Avenue, Needham.
13.*	Approve Open Session minutes of September 12, 2016, September 29, 2016, October 4, 2016, October 5, 2016 and Executive Session minutes of August 16, 2016, September 20, 2016, and October 4, 2016.
14.	Accept the following donations made to the Needham Public Library from April 29, 2016 – October 14, 2016: Sharon Howell gave the library a copy of her latest book, <i>Dylan: A Love Story</i> (\$15.99); Marina Palmiero gave the library an original Giovanni Castano oil painting that was owned by her late mother, Elvira Castano Palmiero; Late trustee Mary H. Dickert left the library \$1,000.00; The Needham Lions Club donated \$500.00 that will be used to purchase large print books; Ann MacFate donated \$250.00 in memory of Irene MacFate for large print books; Kenneth Lundell gave the library two books on wedding speeches: <i>Wedding Speeches</i> by Sam Siv (\$9.00) and <i>Father of the Bride: Speech and Duties</i> by John Bowden (\$14.99); John and Sharon Howell gave the library a copy of <i>The Bible: New Living Translation</i> (\$69.99); Ford Peckham donated the following books to the library: In memory of Jane A. Howard:

*Your Country, My Country: A Unified History of the United States and Canada* by Robert Bothwell (\$34.95) and In memory of Major R.N. Peckham, USAF (Ret.): *Syria: The Fall of the House of Assad* by David W. Lesch (\$28.00); Lisa Vergara gave the library a copy of *Birds of Prey* by Paul Frost (\$100.00); Barbara Kochaniak donated \$100.00 for the purchase of children's books, in honor of the library's 100<sup>th</sup> anniversary at Highland and Rosemary; Richard Marshall donated 93 DVD cases (\$93.00); Kate Savage gave the library three DVDs of the Great Courses' *How Great Science Fiction Works* (\$199.00); Narinder K. Mehta gave the library a copy of his latest book, *Ace Your Job Search in 5 Steps* (\$11.95); Claire Blum gave the library a copy of Isaac Bashevis Singer's story *The Last Demon* in honor of Kayla Blum's 24<sup>th</sup> birthday (\$5.00); Bud Burnham donated \$279.00, commission from the sale of his paintings that were displayed in the Friends' Gallery; Sharon Slaton Howell sent the library an updated copy of her book, *When We're Up Against It* (\$8.00); Needham Author Susanna Hayes gave the library a copy of her new book, *Bury the Victims* (\$17.00); The Friends of the Library donated a copy of Past President Catherine Marengi' book, *Glad Farm* (\$20.99); John James Laracy donated \$20.00 to purchase a nonfiction book-on-CD; Leonore Burke donated the funds to purchase *Black & Decker's Complete Photo Guide to Home Repair, 4<sup>th</sup> edition*, in memory of Albert Lazuk (\$15.00); and Shirley Pratt gave the library copy of Maria Costantino's book, *The Life and Works of Frank Lloyd Wright* (\$25.00).

15. Grant permission for the following residents to hold block parties:

Name	Address	Party Location	Party Date	Party Rain Date	Party Time
Ratify - Michael McHugh	25 Blacksmith Drive	25 Blacksmith Drive	10/15/16	N/A	3pm-8pm



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

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**MEETING DATE: 10/18/2016**

<b>Agenda Item</b>	Public Hearing- Lighttower Fiber Networks: 100 2 <sup>nd</sup> Avenue
<b>Presenter(s)</b>	Robert Walls, Lighttower Fiber Networks representative Mark Pavone, Phoenix Communications representative

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
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Lighttower Fiber Networks requests permission to lay and maintain underground conduit, with cables placed therein under the surface of the following public way or private ways: from pole 14 2<sup>nd</sup> Avenue to place approximately 150' of (1) 4" sch40 pvc conduit to #100 2<sup>nd</sup> Avenue. This work is necessary to provide fiber optic service to Atrius Health, 100 2<sup>nd</sup> Avenue, Needham.

The Department of Public Works has approved this petition, based on Lighttower Fiber Network's commitment to adhere to the Town's regulation that **all conduit installed must be 3" schedule 40 minimum; and, that when buried, the conduit must be placed at 24" below grade to the top of the conduit.**

<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
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**Suggested Motion:**

Move that the Board of Selectmen approve and sign a petition from Lighttower Fiber Networks requests permission to lay and maintain underground conduit, with cables placed therein under the surface of the following public way or private ways: from pole 14 2<sup>nd</sup> Avenue to place approximately 150' of (1) 4" sch40 pvc conduit to #100 2<sup>nd</sup> Avenue. This work is necessary to provide fiber optic service to Atrius Health, 100 2<sup>nd</sup> Avenue, Needham.

<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
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**(Describe backup below)**

- a. Letter of Application
- b. Order
- c. Petition Plan
- d. Notice Sent to Abutters
- e. List of Abutters



9/23/2016

Town of Needham  
Petition for Lighttower  
Fiber Networks of Boxborough  
For Communication conduit

Re: 100 Second Ave. Needham, MA

To the Town of Needham Board of Selectman, Needham Massachusetts:

Respectfully Lighttower of Boxborough, Massachusetts requests permission to lay and maintain underground conduit, with cable to be placed therein under the surface of the following public way of private way.

From pole 14 Second Ave. to place approx. 150' of (1)4" sch40 pvc conduit to #100

We will be placing the conduit in the grass median between to curb and sidewalk. Construction is expected to take approx. two days. We will have a Needham Police Officer on detail during construction. The trench will conform to the town's standards with 24" of cover and proper compaction. Phoenix Communications is our preferred contractor for this work. Phoenix has filed all the proper paperwork with the town to perform this work.

Plan marked: #100 2<sup>ND</sup> AVE

Showing the location of the proposed conduit is filed herewith.

Sincerely,

Robert Walls  
Project Manager  
Lighttower Fiber Networks  
Cell 508-769-2924  
Office 978-264-6017

Questions please contact: Mark Pavone 508-471-0065

NO TRENCHING  
NO RISER ON POLE  
NO CONDUIT

OK TO  
proceed  
Meyden, DPW Engr.  
10/5/16  
OK R. P. Merson  
DPW Director  
10/5/16

## Order for Conduit Location

By the Board of Selectman in the Town of Needham, Needham Massachusetts.

### ORDERED:

That *Lightower Fiber Networks LLC*. Is hereby granted locations for permission to install and maintain fiber optic telecommunications facilities in the public way or ways hereinafter referred to as requested in petition of said company dated this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Description of Work:

**Second Ave - Install approximately 150' trench feet of (1)4"sch40 PVC conduit from p.14 to #100  
Second Ave to provide fiber optic service to Atrius Health**

Substantially as shown on plan marked 100 Second Ave dated August 30, 2016 filed with said petition. Also that permission be and hereby granted to Lightower Fiber Networks to lay and maintain underground conduit, and cables in the above or intersecting public or private ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

The foregoing permission is subject to the following conditions:

1. The conduit and cables shall be of such material and construction and all work be done in such a matter as to be satisfactory to the board of selectman or to such municipal officers as it may appoint to the supervision of the work, and a plan showing the location of conduit construction shall be filed with the town when work is completed.
2. Said company shall indemnify and save the town harmless against all damages, cost and expense whatsoever to which the town may be subjected in consequence of the acts or neglect of said company, its agents, or servants or in any manner arising from the rights and privileges granted by the town.
3. In addition said company shall before a public way is disturbed for the laying of its conduit and wires, execute its bond in penalty sum of five thousand dollars (\$5000) conditioned for the faithful performance of duties of the permit.
4. Said company shall comply with the requirements of the existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduit and cables, so far as the same are not inconsistent with the laws of the Commonwealth.

I hereby certify the foregoing order was adopted at a meeting of the Board of Selectman of the Town of Needham

Massachusetts held on this the \_\_\_\_\_ day of \_\_\_\_\_, 2016

\_\_\_\_\_  
Chairman, Board of Selectman



**PROPOSED CONDUIT INSTALLATION**

**AT**

**100 2ND AVE**

**IN**

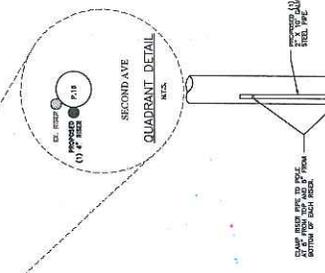
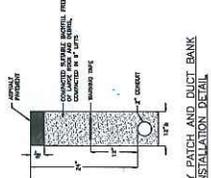
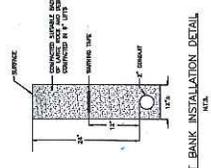
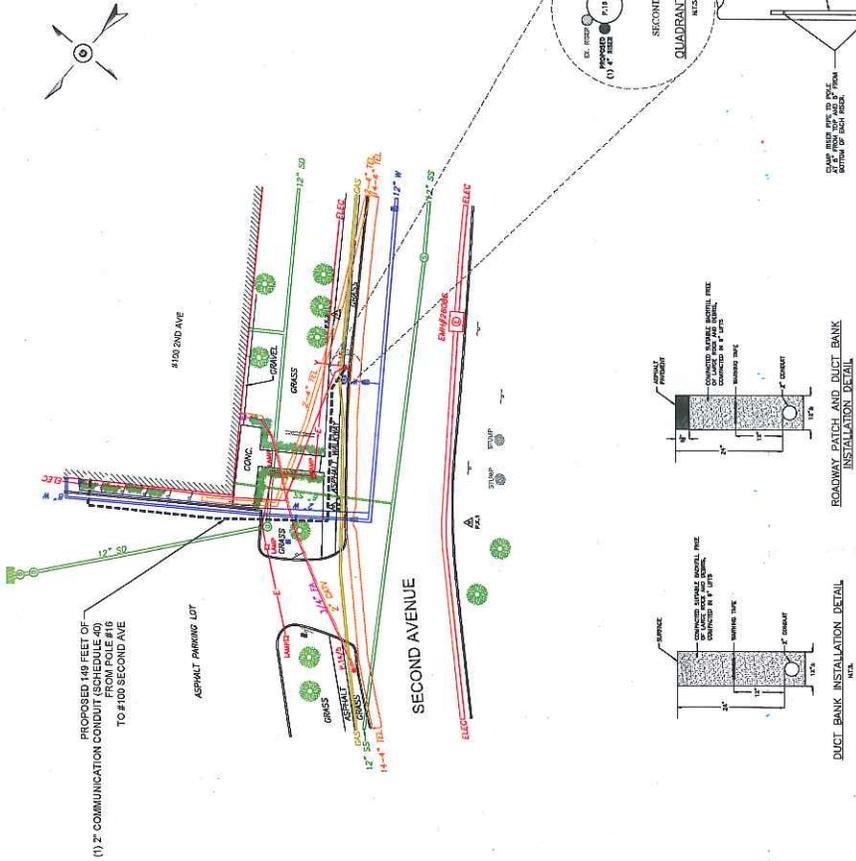
**NEEDHAM, MA**

**INDEX OF DRAWING**

SHT NO.	DESCRIPTION
01	PROPOSED PLAN

**GENERAL NOTES**

1. THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN BY THE DOTTED LINES. THESE UTILITIES HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR THESE NOTES WILL DETERMINE THE EXACT LOCATION OF EXISTING UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGES WHICH MIGHT BE CAUSED BY THE CONTRACTOR FAILURE TO LOCATE ALL UNDERGROUND UTILITIES.
2. IF AN EXISTING UTILITY IS FOUND TO HAVE CAUSED A CONFLICT WITH THE PROPOSED WORK, THE CONTRACTOR SHALL ADVISE THE OWNER OF THE CONFLICT, ELEVATION AND SIZE OF THE UTILITY, IF ANY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGES WHICH MIGHT BE CAUSED BY THE CONTRACTOR FAILURE TO REVEAL THE CONFLICT.
3. THE CONTRACTOR SHOULD MAINTAIN ALL EXISTING UTILITIES AND FACILITIES AS SHOWN ON THE PLAN UNLESS OTHERWISE NOTED.
4. THE CONTRACTOR SHALL MAKE ALL OF THE ARRANGEMENTS FOR THE PROTECTION OF ALL UTILITIES, PRIVATE AND PUBLIC.
5. THE CONTRACTOR SHALL DIRT DETOUR PUBLIC TRAFFIC AND SERVICES.
6. AREAS OUTSIDE THE LIMITS OF PROPOSED WORK DISTURBED BY THE CONTRACTOR SHALL BE RESTORED TO ORIGINAL CONDITION AND SHALL BE RESPONSIBLE TO THE OWNER.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PLACING AND MAINTAINING ALL SIGNAGE AND FLAGGING ON PLACING FOR ALL EXCAVATIONS ON THE PROJECT. THE CONTRACTOR SHALL MAINTAIN FRESH WATERING IS EXHAUSTIVE.
8. CONFLICTS BETWEEN NEW UTILITIES AND EXISTING UTILITIES SHALL BE RESOLVED BY THE CONTRACTOR TO BE SEALE WITH BITUMEN AND PROPERLY BACK BANDED.
9. THE CONTRACTOR SHOULD PROTECT EXISTING UTILITIES FROM DAMAGE BY LINES THAT BECAME EXPOSED DUE TO EXCAVATION.
10. THE CONTRACTOR WILL REPLACE ALL EXISTING UTILITIES AND FACILITIES DEFECTIVE TO A PROPER WORKING CONDITION. THE CONTRACTOR SHALL MAINTAIN SIGNAGE OF THE MUNICIPAL TRAFFIC DEPARTMENT.
11. ALL EXISTING STATE, COUNTY, CITY, AND LOCAL UTILITIES SHALL BE PROTECTED LINES HAVE BEEN USED FROM PROJECT INFORMATION. THEIR EXACT LOCATION AND DEPTH SHALL BE VERIFIED BY THE CONTRACTOR. ALL UTILITIES SHALL BE PROTECTED BY THE CONTRACTOR. ALL UTILITIES SHALL BE PROTECTED BY THE CONTRACTOR. ALL UTILITIES SHALL BE PROTECTED BY THE CONTRACTOR.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND FACILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND FACILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND FACILITIES.



**GENERAL NOTES:**  
 1. 24" MAXIMUM FROM TOP OF CONCRETE TO SURFACE.  
 2. WARNING TAPE PLACED ABOVE.  
 3. INSTALLATION SHALL BE MAINTAINED WITH SAME MATERIALS AS EXISTING.

1" = 20 FEET



PROPERTY LINE	EDGE OF PAVEMENT	PROPOSED HAND HOLE	PROPOSED MANHOLE	PROPOSED CONDUIT	AS-BUILT CONDUIT
PK MARK	PARKING METER	DOUBLE PARKING METER	HANDICAP RAMP	STONE BOUND	STUMP
TRAFFIC SIGNAL	SEWER MANHOLE	DRAIN MANHOLE	CATCH BASIN	INLET CATCH BASIN	STEAM MANHOLE
TRAFIC BOX	UNKNOWN MANHOLE	DAS DATE	UNKNOWN DATE	STEAM MANHOLE	CRANE MANHOLE
JOINT OWNED ELEC POLE	SOLE OWNED ELEC POLE	SOLE OWNED TEL POLE	SOLE OWNED LIGHT POLE	ELECTRIC MANHOLE	TRANSFORMER
WATER PIPE	SEWER PIPE	DRAIN PIPE	ELECTRIC PIPE	CATV PIPE	STEAM PIPE
WATER MANHOLE	SEWER MANHOLE	DRAIN MANHOLE	ELECTRIC MANHOLE	CATV MANHOLE	STEAM MANHOLE

WATER PIPE	SEWER PIPE	DRAIN PIPE	ELECTRIC PIPE	CATV PIPE	STEAM PIPE
WATER MANHOLE	SEWER MANHOLE	DRAIN MANHOLE	ELECTRIC MANHOLE	CATV MANHOLE	STEAM MANHOLE
JOINT OWNED ELEC POLE	SOLE OWNED ELEC POLE	SOLE OWNED TEL POLE	SOLE OWNED LIGHT POLE	ELECTRIC MANHOLE	TRANSFORMER
WATER PIPE	SEWER PIPE	DRAIN PIPE	ELECTRIC PIPE	CATV PIPE	STEAM PIPE
WATER MANHOLE	SEWER MANHOLE	DRAIN MANHOLE	ELECTRIC MANHOLE	CATV MANHOLE	STEAM MANHOLE

DATE	APPROVED	REVISION
<p><b>PROPOSED PLAN</b></p> <p>100 SECOND AVE                  HESSELIA, MN</p> <p><b>lighttower</b>                  LIGHT TOWER</p> <p>PROJECT NO. _____                  SHEET NO. _____ OF 1</p>		



## NOTICE

To the Record

You are hereby notified that a public hearing will be held at the **Needham Town Hall, 1471 Highland Avenue, at 7:00 p.m. on October 18, 2016** upon petition of Lighttower Fiber Networks dated **September 23, 2016** to lay and maintain underground conduit, with cables placed therein under the surface of the following public way or private ways: install approximately 150' trench feet of (1) 4" sch40 PVC conduit from p.14 to #100. This work is necessary to provide fiber optic service to Atrius Health, 100 Second Avenue, Needham.

Phoenix Communications is the preferred contractor for the work and they have filed a bond in the Town.

A public hearing is required and abutters should be notified.

If you have any questions regarding this petition, please contact Lighttower Fiber Networks representative, Mark Pavone at 508-471-0065.

Matthew D. Borrelli  
Marianne Cooley  
Daniel P. Matthews  
Maurice P. Handel  
John A. Bulian

BOARD OF SELECTMEN

Dated: September 30, 2016

100 SECOND AVE

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	STATE	ZIP	PARCEL ID	PROPERTY ADDRESS
ABBOTT, DIANE W.		69 HIGHLAND TERR	NEEDHAM	MA	02494	1990730000200000	69 HIGHLAND TERR
BOLOTOVSKAYA, YEKATERINA		67 HIGHLAND TERR	NEEDHAM	MA	02494	1990730000300000	67 HIGHLAND TERR
MEI, MILLIE WENG & TING BO TRS.	HIGHLAND ORCHID REALTY TRUST	26 INDIAN RIDGE RD	NEWTON	MA	02459	1990730000400000	61 HIGHLAND TERR
LEE, ROGER & LEE, SELENA		57 HIGHLAND TERR	NEEDHAM	MA	02494	1990730000500000	57 HIGHLAND TERR
DIFAZIO, BRUNO, TR & CHEN, KE HUI, TR	DIFAZIO, LINDA J, TR	56 WINCHESTER ST	NEWTON	MA	02461	1990730000600000	53 HIGHLAND TERR
JC EVERGREEN REALTY TRUST		8 WELLINGTON RD	MEDFORD	MA	02155	1990730000700000	49 HIGHLAND TERR
BROMAN REALTY, LLC & BROMAN REALTY, LLC & BROMAN REALTY, LLC & BROMAN REALTY, LLC & BROMAN REALTY, LLC & NEGOSHIAN, JOHN M., III	CHEEKS REALTY, LLC CHEEKS REALTY, LLC CHEEKS REALTY, LLC CHEEKS REALTY, LLC CHEEKS REALTY, LLC	8 WINGATE RD 8 WINGATE RD 8 WINGATE RD 8 WINGATE RD 8 WINGATE RD	WALTHAM WALTHAM WALTHAM WALTHAM WALTHAM	MA MA MA MA MA	02451 02451 02451 02451 02451	1990730000800000 1990730000900000 1990730001000000 1990730001100000 1990730001200000	45 HIGHLAND TERR 41 HIGHLAND TERR 37 HIGHLAND TERR 33 HIGHLAND TERR 29 HIGHLAND TERR
FIRST CHOICE MANAGEMENT, LLC FIRST CHOICE MANAGEMENT, LLC FIRST CHOICE MANAGEMENT, LLC FIRST CHOICE MANAGEMENT, LLC BEREJK, GEORGE, TRUSTEE EPSTEIN, RICHARD W. & 150A #1 LIMITED PARTNERSHIP ASRTECH REALTY CORP, TR		1101 SOUTH ST 1101 SOUTH ST 1101 SOUTH ST 1101 SOUTH ST 26 PINE TREE DR 75 HIGHLAND TERRACE 100 GALEN ST SUITE 301 60 WELLS AVE STE 100	NEEDHAM NEEDHAM NEEDHAM NEEDHAM	MA MA MA MA	02492 02492 02492 02492	1990730001300000 1990730001400000 1990730001500000 1990730001600000 1990730001800000 1990730005900000 1993000003500000 1993000003800000	25 HIGHLAND TERR 23 HIGHLAND TERR 19 HIGHLAND TERR 15 HIGHLAND TERR 100 HIGHLAND AVE 75 HIGHLAND TERR 130 A ST 152 SECOND AVE
BHX, LLC, TR., SECOND AVENUE REALTY TRUST HILLSITE REALTY ASSOCIATES DE, LLC	ASHLAND TECHNOLOGY TRUST C/O SECOND NEEDHAM DE, LLC	250 FIRST AVENUE -STE 200 250 FIRST AVE, SUITE 200	NEEDHAM NEEDHAM	MA MA	02494 02494	1993000003900000 1993000004100000	100 SECOND AVE 75 SECOND AVE

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  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

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**MEETING DATE: 10/18/2016**

<b>Agenda Item</b>	Public Hearing- Eversource Energy: 50 Winfield Street
<b>Presenter(s)</b>	Karen Johnson, Eversource Representative

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
<p>Eversource Energy requests permission to install about 9 feet of conduit in Winfield Street. This work is necessary to provide underground electric service to 50 Winfield Street, Needham.</p> <p>The Department of Public Works has approved this petition, based on Eversource Energy's commitment to adhere to the Town's regulation that <b>all conduit installed must be 3" schedule 40 minimum; and, that when buried, the conduit must be placed at 24" below grade to the top of the conduit.</b></p>	
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
<p><b><u>Suggested Motion:</u></b></p> <p>Move that the Board of Selectmen approve and sign a petition from Eversource Energy to install about 9 feet of conduit in Winfield Street. This work is necessary to provide underground electric service to 50 Winfield Street, Needham.</p>	
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
<p><b>(Describe backup below)</b></p> <ul style="list-style-type: none"><li>a. Letter of Application</li><li>b. Petition</li><li>c. Order</li><li>d. Petition Plan</li><li>e. Notice Sent to Abutters</li><li>f. List of Abutters</li></ul>	

September 23, 2016

Board of Selectmen  
Town Hall  
1471 Highland Ave  
Needham, MA 02192

RE: <sup>#50</sup> Winfield Street  
Needham, MA  
W/O #2163811

NO CONDUIT  
NO TRENCH  
NO RISER

Dear Members of the Board:

The enclosed petition and plan is being presented by the NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install about 9 feet of conduit in Winfield Street.

The reason for this work is to provide underground electric service to 50 Winfield Street.

If you have any further questions, contact Maureen Carroll at (781) 314-5053.  
Your prompt attention to this matter would be greatly appreciated.

Very truly yours,



Steven M. Owens, Supervisor  
Rights and Permits

OK To proceed  
As noted use 4" conduit  
Meyler, DPW Engr.  
10/5/16  
OK R.P. Aronson  
DPW Director  
10/5/16

SMO/kj  
Attachments

**PETITION OF NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY  
FOR LOCATION FOR CONDUITS AND MANHOLES**

To the **Board of Selectmen** of the Town of **NEEDHAM** Massachusetts:

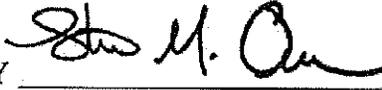
Respectfully represents **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by **A. Debenedictis Dated September 14, 2016** and filed herewith, under the following public way or ways of said Town:

**Winfield Street – Northerly from pole 95/7 approximately 173 feet north of Pheasant Road a distance of 9 ± feet of conduit.**

(W.O. #2163811)

**NSTAR ELECTRIC COMPANY  
dba EVERSOURCE ENERGY**

BY 

Steven M. Owens  
Rights & Permits, Supervisor

**Dated this 23rd day of September**

Town of **NEEDHAM** Massachusetts

Received and filed \_\_\_\_\_ 2016  
\_\_\_\_\_

**ORDER FOR LOCATION FOR CONDUITS AND MANHOLES**  
**Town of NEEDHAM**

WHEREAS, **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** has petitioned for permission to construct a line for the transmission of electricity for lighting, heating or power under the public way or ways of the Town thereafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** be and hereby is granted permission to construct and a location for, such a line of conduits and manholes with the necessary wires and cables therein under the following public way or ways of said Town:

**Winfield Street – Northerly from pole 95/7 approximately 173 feet north of Pheasant Road a distance of 9 ± feet of conduit.**

**(W.O. #2163811)**

**Hearing Required**

All construction work under this Order shall be in accordance with the following conditions:

1. Conduits and manholes shall be located as shown on the plan made by **A. Debenedictis, Dated September 14, 2016** on the file with said petition.
2. Said shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. Company All work shall be done to the satisfaction of the Board of Selectmen or such officer or officers as it may appoint to supervise the work.

1	_____	
2	_____	Board of Selectmen
3	_____	the Town of
4	_____	<b>NEEDHAM</b>
5	_____	

**CERTIFICATE**

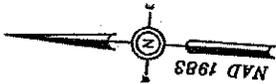
We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit: after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Selectmen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the \_\_\_\_\_ day of \_\_\_\_\_ 2016 at \_\_\_\_\_ in said Town.

1	_____	
2	_____	Board of Selectmen
3	_____	the Town of
4	_____	<b>NEEDHAM</b>
5	_____	

**CERTIFICATE**

I hereby certify that the foregoing are true copies of the Order of the **Board of Selectmen** of the Town of **NEEDHAM**, Massachusetts, duly adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 2016 and recorded with the records of location Orders of said Town, Book \_\_\_\_\_, Page \_\_\_\_\_ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.) and any additions thereto or amendments thereof, as the same appear of record.

Attest: \_\_\_\_\_  
Clerk of the Town of **NEEDHAM**, Massachusetts



APPROX. PT.  
OF PICKUP

CUST TO INSTALL 1 - 3" PVC PIPES  
SCHEDULE 40  
NO CONCRETE 9'±

#44

#50

95/8?



ASPHALT SIDEWALK

GRANITE CURB

WINFIELD ST

GRANITE CURB

ASPHALT SIDEWALK

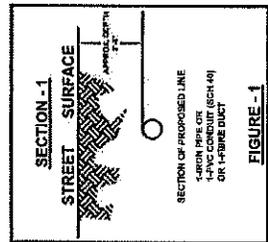
95/6?

APPROX 173.4 ±  
TO PRESENT RD

95/7?

#53

LINE	DIMENSIONS		ELEVATION	
	A	B	A	B
1	15.2	15.2	11.7	21.7
2	2.8	15.2	11.2	21.2
3	2.8	15.2	11.2	21.2
4	2.8	15.2	11.2	21.2
5	2.8	15.2	11.2	21.2
6	18.4	25.2	11.2	21.2
7	18.4	25.2	11.2	21.2
8	24.2	15.2	11.2	21.2
9	24.2	15.2	11.2	21.2
10	24.2	15.2	11.2	21.2
11	15.2	15.2	11.2	21.2
12	2.8	15.2	11.2	21.2
13	2.8	15.2	11.2	21.2
14	2.8	15.2	11.2	21.2
15	15.2	15.2	11.2	21.2
16	15.2	15.2	11.2	21.2



BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND IS MADE FOR THE INFORMATION CONTAINED HEREIN. THE INFORMATION IS PROVIDED AS IS WITHOUT WARRANTY OF ANY KIND, INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. THE USER SHALL BE RESPONSIBLE FOR OBTAINING NECESSARY PERMITS AND FOR OBTAINING THE NECESSARY INFORMATION TO VERIFY THE ACCURACY OF THE INFORMATION. THE INFORMATION IS PROVIDED FOR YOUR INFORMATION ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE INFORMATION IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE INFORMATION IS NOT TO BE USED FOR ANY OTHER PURPOSE.



**NSTAR EVERSOURCE**  
ELECTRIC  
d/b/a  
1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of WINFIELD ST  
NEEDHAM

Showing PROPOSED CUSTOMER CONDUIT LOCATION

Proposed Structures: LM

Approved: A DEBENEDICTIS

Scale 1"=20'

Date 9/14/16

P# 1 of 1

C#

Ward #

Work Order # 2163811

Surveyed by: N/A

Research by: SC

Plotted by: LM

**MASS. LAW**  
REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233



## NOTICE

To the Record

You are hereby notified that a public hearing will be held at the **Needham Town Hall, 1471 Highland Avenue, at 7:00 p.m. on October 18, 2016** upon petition of Eversource Energy dated **September 23, 2016** to install about 9 feet of conduit in Winfield Street. The work is necessary to provide underground electric service to 50 Winfield Street, Needham.

A public hearing is required and abutters should be notified.

If you have any questions regarding this petition, please contact Eversource Energy representative, Maureen Carroll, at 781-314-5053.

Matthew D. Borrelli  
Marianne B. Cooley  
Daniel P. Matthews  
John A. Bulian  
Maurice P. Handel

BOARD OF SELECTMEN

Dated: September 30, 2016

50 WINFIELD STREET

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	STATE	ZIP	PARCEL ID	PROPERTY ADDRESS
WINNICK, DEBORAH S.		12 MALLARD ROAD	NEEDHAM	MA	02492	1991270002500000	12 MALLARD RD
PAPAGELIS, DIMOS & HOWARTH, BRIAN M. & MCFARLAND, BERNARD	PAPAGELIS, EKATERINI HOWARTH, DEBORAH C.	98 HANCOCK RD 44 WINFIELD ST 99 OXBOW RD	NEEDHAM NEEDHAM NEEDHAM	MA MA MA	02492 02492 02492	1991270002600000 1991270002700000	98 HANCOCK RD 44 WINFIELD ST 80 HANCOCK RD
TSAVDARIDES, DIMITRIS & JORDAN, JOHN D. JR & MITTAZ, JEAN-PIERRE & BLASZKOWSKY, JILL S.	TSAVDARIDES, KATIE JORDAN, JULIE A. MITTAZ, MARYBETH	58 WINFIELD ST 50 WINFIELD ST 35 WINFIELD ST 53 WINFIELD ST	NEEDHAM NEEDHAM NEEDHAM NEEDHAM	MA MA MA MA	02492 02492 02492 02492	1991280004800000 1991280004900000 1991280005100000	58 WINFIELD ST 50 WINFIELD ST 35 WINFIELD ST 53 WINFIELD ST
MILLER, JONATHAN W.	MILLER, IRENE ELIZABETH	63 WINFIELD ST	NEEDHAM	MA	02492	1991280005300000	63 WINFIELD ST

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  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

---

**MEETING DATE: 10/18/2016**

<b>Agenda Item</b>	Public Hearing- Eversource Energy: 43 Gage Street
<b>Presenter(s)</b>	Karen Johnson, Eversource Representative

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
-----------	---

Eversource Energy requests permission to install about 8 feet of conduit in Gage Street. This work is necessary to provide underground electric service to 43 Gage Street, Needham.

The Department of Public Works has approved this petition, based on Eversource Energy's commitment to adhere to the Town's regulation that **all conduit installed must be 3" schedule 40 minimum; and, that when buried, the conduit must be placed at 24" below grade to the top of the conduit.**

<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
-----------	--

**Suggested Motion:**

Move that the Board of Selectmen approve and sign a petition from Eversource Energy to install about 8 feet of conduit in Gage Street. This work is necessary to provide underground electric service to 43 Gage Street, Needham.

<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
-----------	-------------------------------------

**(Describe backup below)**

- a. Letter of Application
- b. Petition
- c. Order
- d. Petition Plan
- e. Notice Sent to Abutters
- f. List of Abutters

September 23, 2016

Board of Selectmen  
Town Hall  
1471 Highland Ave  
Needham, MA 02192

RE: <sup>#43</sup> Gage Street  
Needham, MA  
W/O #2164292

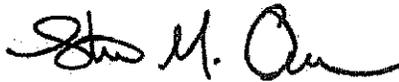
Dear Members of the Board:

The enclosed petition and plan is being presented by the NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install about 8 feet of conduit in Gage Street.

The reason for this work is to provide underground electric service to 43 Gage Street.

If you have any further questions, contact Maureen Carroll at (781) 314-5053.  
Your prompt attention to this matter would be greatly appreciated.

Very truly yours,



Steven M. Owens, Supervisor  
Rights and Permits

SMO/kj  
Attachments

NO CONDUIT  
NO TRENCH VISIBLE  
NO RISER ON POLE

OK TO  
PROCEED AS NOTED  
MURPHY, DPW Engr.  
10/5/16  
OK R.P. Emerson  
DPW Director  
10/5/16

**PETITION OF NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY  
FOR LOCATION FOR CONDUITS AND MANHOLES**

To the **Board of Selectmen** of the Town of **NEEDHAM** Massachusetts:

Respectfully represents **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by **A. Debenedictis Dated September 22, 2016** and filed herewith, under the following public way or ways of said Town:

**Gage Street – Southerly from pole 19/1 approximately 101 feet west of Marshall Street a distance of 8 ± feet of conduit.**

(W.O. #2164292)

**NSTAR ELECTRIC COMPANY  
dba EVERSOURCE ENERGY**

BY   
Steven M. Owens  
Rights & Permits, Supervisor

**Dated this 23rd day of September**

Town of **NEEDHAM** Massachusetts

Received and filed \_\_\_\_\_ 2016  
\_\_\_\_\_

**ORDER FOR LOCATION FOR CONDUITS AND MANHOLES**  
**Town of NEEDHAM**

WHEREAS, **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** has petitioned for permission to construct a line for the transmission of electricity for lighting, heating or power under the public way or ways of the Town thereafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** be and hereby is granted permission to construct and a location for, such a line of conduits and manholes with the necessary wires and cables therein under the following public way or ways of said Town:

**Gage Street – Southerly from pole 19/1 approximately 101 feet west of Marshall Street  
a distance of 8 ± feet of conduit.**

(W.O. #2164292)

**Hearing Required**

All construction work under this Order shall be in accordance with the following conditions:

1. Conduits and manholes shall be located as shown on the plan made by **A. Debenedictis, Dated September 22, 2016** on the file with said petition.
2. Said shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. Company All work shall be done to the satisfaction of the Board of Selectmen or such officer or officers as it may appoint to supervise the work.

1	_____	
2	_____	Board of Selectmen
3	_____	the Town of
4	_____	<b>NEEDHAM</b>
5	_____	

**CERTIFICATE**

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit: after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Selectmen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the \_\_\_\_\_ day of \_\_\_\_\_ 2016 at \_\_\_\_\_ in said Town.

1	_____	
2	_____	Board of Selectmen
3	_____	the Town of
4	_____	<b>NEEDHAM</b>
5	_____	

**CERTIFICATE**

I hereby certify that the foregoing are true copies of the Order of the **Board of Selectmen** of the Town of **NEEDHAM**, Massachusetts, duly adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 2016 and recorded with the records of location Orders of said Town, Book \_\_\_\_\_, Page \_\_\_\_\_ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.) and any additions thereto or amendments thereof, as the same appear of record.

Attest: \_\_\_\_\_  
Clerk of the Town of **NEEDHAM**, Massachusetts

N:\SHARED-projects\102\CIM\GEBASE\INS\ENGINEE-GAGE\STAB.dwg

#44

147/6

MARSHALL ST

BACK OF SIDEWALK

EDGE OF PAVEMENT

GAGE ST

EDGE OF PAVEMENT

BACK OF SIDEWALK

147/7

APPROX. PT.  
OF PICKUP

8'±

CUSTOMER TO INSTALL  
1 - 3" PVC PIPE  
SCHEDULE 40 NO CONCRETE

SECTION -1  
STREET SURFACE



#69

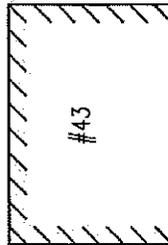


FIGURE -1

**NSTAR EVERSOURCE**  
ELECTRIC  
1165 MASSACHUSETTS AVE DORCHESTER, MASS. 02125

C#	
Ward #	
Work Order#	2164292
Surveyed by:	N/A
Research by:	SC
Plotted by:	JF
Proposed Structures:	
Approved:	A DEBENEDICTIS
Scale	1" = 20'
DATE	SEPTEMBER 22, 2016
P#	1 of 1

Plan of GAGE ST., NEEDHAM

Showing PROPOSED CUSTOMER TO INSTALL CONDUIT LOCATION

BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC COMPANY, NSTAR GAS COMPANY, NOR ITS AFFILIATED COMPANIES SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THE INFORMATION, OR IN RELIANCE UPON IT, TO THE MAXIMUM EXTENT ALLOWED BY LAW. YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE NSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY. THE INFORMATION MAY NOT REPRESENT A SURVEY, MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION, OTHER EXPRESSED OR IMPLIED. UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.



SCALE IN FEET

MASS. LAW

REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233



## NOTICE

To the Record

You are hereby notified that a public hearing will be held at the **Needham Town Hall, 1471 Highland Avenue, at 7:00 p.m. on October 18, 2016** upon petition of Eversource Energy dated **September 23, 2016** to install about 8 feet of conduit in Gage Street. The work is necessary to provide underground electric service to 43 Gage Street, Needham.

A public hearing is required and abutters should be notified.

If you have any questions regarding this petition, please contact Eversource Energy representative, Maureen Carroll, at 781-314-5053.

Matthew D. Borrelli  
Marianne B. Cooley  
Daniel P. Matthews  
John A. Bulian  
Maurice P. Handel

BOARD OF SELECTMEN

Dated: September 30, 2016

43 GAGE STREET

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	STATE	ZIP	PARCEL ID	PROPERTY ADDRESS
PARNELL, HENRY & MALPIEDE, MARIORE M.	PARNELL, CATHERINE	1189 GREAT PLAIN AVE	NEEDHAM	MA	02492	19913100001000000	1189 GREAT PLAIN AVE
CONCANNON, WILLIAM A & RUBIN, DAVID M. & RUTTER, ROBERT J. & DONAHUE, ELLEN S.	CONCANNON, SUZANNE RUBIN, CAROLINE G. RUTTER, MARY KATE	1197 GREAT PLAIN AVE 37 GAGE ST 43 GAGE ST 69 MARSHALL ST	NEEDHAM NEEDHAM NEEDHAM NEEDHAM	MA MA MA MA	02492 02492 02492 02492	19913100002000000 19913100003400000 19913100003500000 19913100003600000	1197 GREAT PLAIN AVE 37 GAGE ST 43 GAGE ST 69 MARSHALL ST
SOCKOL, AARON, TRUSTEE RUGGERI, CHRISTOPHER P. & PARNELL, HENRY & MALPIEDE, MARIORE M.	RONLO REALTY TRUST RUGGERI, NANCY PARNELL, CATHERINE	611 GREENDALE AVE 36 GAGE ST 1189 GREAT PLAIN AVE 1197 GREAT PLAIN AVE	NEEDHAM NEEDHAM NEEDHAM NEEDHAM	MA MA MA MA	02492 02492 02492 02492	19913100003700000 19913100003900000 19913100004000000 19913100001000000	44 GAGE ST 36 GAGE ST 1189 GREAT PLAIN AVE 1197 GREAT PLAIN AVE
CONCANNON, WILLIAM A & RUBIN, DAVID M. & RUTTER, ROBERT J. & DONAHUE, ELLEN S.	CONCANNON, SUZANNE RUBIN, CAROLINE G. RUTTER, MARY KATE	37 GAGE ST 43 GAGE ST 69 MARSHALL ST 52 GAGE ST	NEEDHAM NEEDHAM NEEDHAM NEEDHAM	MA MA MA MA	02492 02492 02492 02492	19913100003400000 19913100003500000 19913100003600000 19913100003700000	37 GAGE ST 43 GAGE ST 69 MARSHALL ST 52 GAGE ST
SOCKOL, AARON, TRUSTEE RUGGERI, CHRISTOPHER P. &	RONLO REALTY TRUST RUGGERI, NANCY	611 GREENDALE AVE 36 GAGE ST	NEEDHAM NEEDHAM	MA MA	02492 02492	19913100003900000 19913100004000000	44 GAGE ST 36 GAGE ST

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  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

---

**MEETING DATE: 10/18/2016**

<b>Agenda Item</b>	Public Hearing- Eversource Energy: 80 Maple Street
<b>Presenter(s)</b>	Karen Johnson, Eversource Representative

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
-----------	---

Eversource Energy requests permission to install about 8 feet of conduit in Maple Street. This work is necessary to provide underground electric service to 80 Maple Street, Needham.

The Department of Public Works has approved this petition, based on Eversource Energy's commitment to adhere to the Town's regulation that **all conduit installed must be 3" schedule 40 minimum; and, that when buried, the conduit must be placed at 24" below grade to the top of the conduit.**

<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
-----------	--

**Suggested Motion:**

Move that the Board of Selectmen approve and sign a petition from Eversource Energy to install about 8 feet of conduit in Maple Street. This work is necessary to provide underground electric service to 80 Maple Street, Needham.

<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
-----------	-------------------------------------

**(Describe backup below)**

- a. Letter of Application
- b. Petition
- c. Order
- d. Petition Plan
- e. Notice Sent to Abutters
- f. List of Abutters

September 23, 2016

Board of Selectmen  
Town Hall  
1471 Highland Ave  
Needham, MA 02192

#  
RE: <sup>80</sup> Maple Street  
Needham, MA  
W/O #2163284

CONDUIT IS IN (TRENCH VISIBLE)  
RISER ON POLE

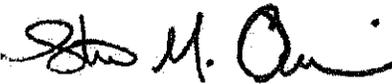
Dear Members of the Board:

The enclosed petition and plan is being presented by the NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install about 8 feet of conduit in Maple Street.

The reason for this work is to provide underground electric service to 80 Maple Street.

If you have any further questions, contact Maureen Carroll at (781) 314-5053. Your prompt attention to this matter would be greatly appreciated.

Very truly yours,



Steven M. Owens, Supervisor  
Rights and Permits

OK to proceed as noted  
use 4" conduit  
Meyer, DPW Engr.  
10/5/16  
OK R.P. Merson  
DPW Director  
10/5/16

SMO/kj  
Attachments

**PETITION OF NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY  
FOR LOCATION FOR CONDUITS AND MANHOLES**

To the **Board of Selectmen** of the Town of **NEEDHAM** Massachusetts:

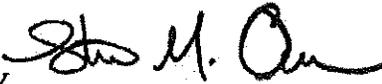
Respectfully represents **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by **A. Debenedictis Dated September 16, 2016** and filed herewith, under the following public way or ways of said Town:

**Maple Street – Easterly from pole 39/10 approximately 78 feet north of Oak Street a distance of 8 ± feet of conduit.**

(W.O. #2163284)

**NSTAR ELECTRIC COMPANY  
dba EVERSOURCE ENERGY**



BY \_\_\_\_\_  
Steven M. Owens  
Rights & Permits, Supervisor

**Dated this 23rd day of September**

Town of **NEEDHAM** Massachusetts

Received and filed \_\_\_\_\_ 2016  
\_\_\_\_\_

**ORDER FOR LOCATION FOR CONDUITS AND MANHOLES**  
**Town of NEEDHAM**

WHEREAS, **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** has petitioned for permission to construct a line for the transmission of electricity for lighting, heating or power under the public way or ways of the Town thereafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is **ORDERED** that **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** be and hereby is granted permission to construct and a location for, such a line of conduits and manholes with the necessary wires and cables therein under the following public way or ways of said Town:

**Maple Street – Easterly from pole 39/10 approximately 78 feet north of Oak Street a distance of 8 ± feet of conduit.**

**(W.O. #2163284)**  
**Hearing Required**

All construction work under this Order shall be in accordance with the following conditions:

1. Conduits and manholes shall be located as shown on the plan made by **A. Debeneditis, Dated September 16, 2016** on the file with said petition.
2. Said shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. Company All work shall be done to the satisfaction of the Board of Selectmen or such officer or officers as it may appoint to supervise the work.

1	_____	
2	_____	
3	_____	Board of Selectmen
4	_____	the Town of
5	_____	<b>NEEDHAM</b>

**CERTIFICATE**

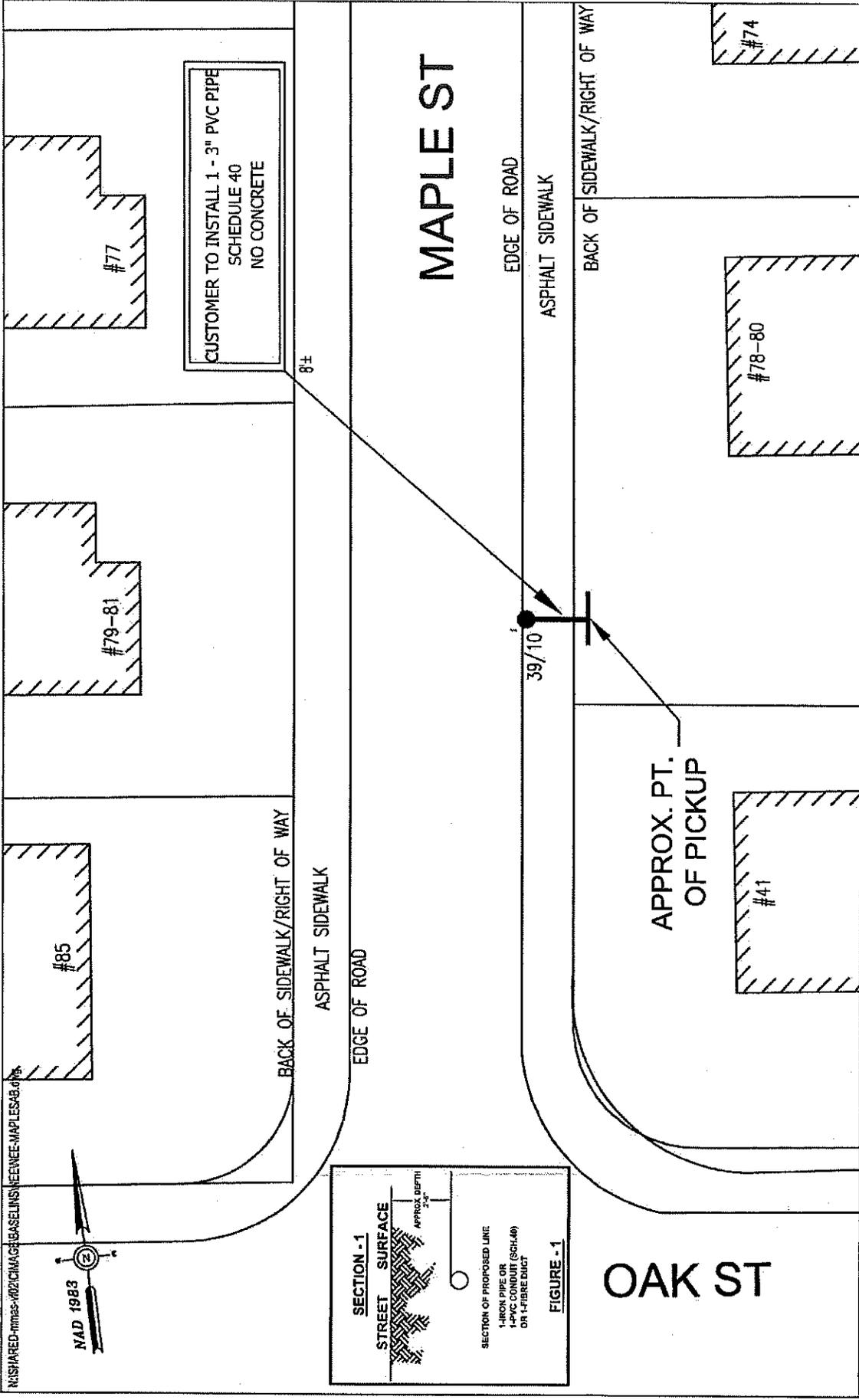
We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit:-after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Selectmen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the \_\_\_\_\_ day of \_\_\_\_\_ 2016 at \_\_\_\_\_ in said Town.

1	_____	
2	_____	
3	_____	Board of Selectmen
4	_____	the Town of
5	_____	<b>NEEDHAM</b>

**CERTIFICATE**

I hereby certify that the foregoing are true copies of the Order of the **Board of Selectmen** of the Town of **NEEDHAM**, Massachusetts, duly adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 2016 and recorded with the records of location Orders of said Town, Book \_\_\_\_\_, Page \_\_\_\_\_ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.) and any additions thereto or amendments thereof, as the same appear of record.

Attest: \_\_\_\_\_  
Clerk of the Town of **NEEDHAM**, Massachusetts



N:\SHARED-nmas-102\CHMAG\BASELINS\NEEVEE-MAPLESAB.dwg

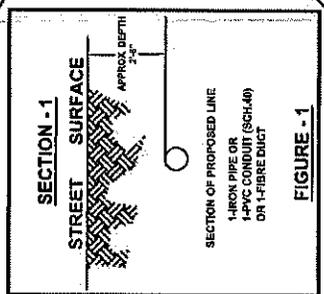
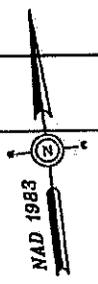
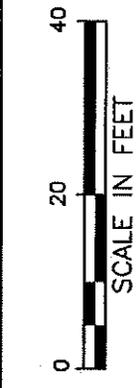


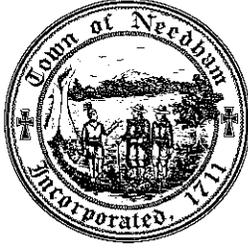
FIGURE - 1

FOR YOUR USE: THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND IS MADE BY THE COMPANY FOR THE ACCURACY OF THE INFORMATION. THE COMPANY, ITS EMPLOYEES OR AGENTS (COLLECTIVELY THE "NSTAR ENTITIES") SHALL BE LIABLE FOR ANY LOSS OR HARMY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION OR IN RELIANCE UPON IT, TO THE MAXIMUM EXTENT ALLOWED BY LAW. YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE NSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR HARMY. THE INFORMATION MAY NOT REPRESENT A SURVEY, MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION, EITHER EXPRESSED OR IMPLIED. UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.

**MASS. LAW**  
REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233



<b>NSTAR EVERSOURCE</b> ELECTRICAL d/b/a 1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125	
Plan of MAPLE ST., NEEDHAM	
Showing PROPOSED CUSTOMER TO INSTALL CONDUIT LOCATION	
Proposed Structures:	
Approved: A DEBENEDICTIS	Scale 1"=20'
P#	SHEET 1 of 1
Research by: SC	Date SEPTEMBER 16, 2016
Plotted by: JF	
Surveyed by: N/A	
Work Order # 2163284	
Ward #	
C#	



## NOTICE

To the Record

You are hereby notified that a public hearing will be held at the **Needham Town Hall, 1471 Highland Avenue, at 7:00 p.m. on October 18, 2016** upon petition of Eversource Energy dated **September 23, 2016** to install about 8 feet of conduit in Maple Street. The work is necessary to provide underground electric service to 80 Maple Street, Needham.

A public hearing is required and abutters should be notified.

If you have any questions regarding this petition, please contact Eversource Energy representative, Maureen Carroll, at 781-314-5053.

Matthew D. Borrelli  
Marianne B. Cooley  
Daniel P. Matthews  
John A. Bulian  
Maurice P. Handel

BOARD OF SELECTMEN

Dated: September 30, 2016

80 MAPLE STREET

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	STATE	ZIP	PARCEL ID	PROPERTY ADDRESS
72-74 MAPLE STREET CONDOMINIUM MACK, JOANNA F.		72-74 MAPLE STREET	NEEDHAM	MA	02492	1991320001500000	72 MAPLE ST
ROGERS, RANDOLPH E. TR. VOLPE, MARIA	MARGARET R. HANSIS 2011 TRUST	72 MAPLE ST 74 MAPLE STREET	NEEDHAM	MA	02492	1991320001500720	72 MAPLE ST
LOWENSTERN, JAMES D. & MA, LITING & 39-41 OAK STREET CONDOMINIUM	SELIVANOVA, ELENA M. HU, QI-YING	33 OAK ST 78 MAPLE ST	NEEDHAM	MA	02492	1991320001500740	74 MAPLE ST
DAY, ROBERT F.	C/O COX, GILBERT W. JR	41 OAK ST	NEEDHAM	MA	02492	1991320001700000	33 OAK ST
CONRY, JOSEPH A. JR. & REULBACH, KEVIN & TRAMONTOZZI, MICHAEL G.D.	CONNELLY, KATHRYN J. DAY, CAROLYN	39 OAK ST 18 RAINBOW POND DR D-1 79 MAPLE ST 75 MAPLE ST 20 BRIDGE ST	NEEDHAM	MA	02494	1991320001900000	78 MAPLE ST
			WALPOLE	MA	02081	1991320003400000	41 OAK ST
			NEEDHAM	MA	02492	1991320003600000	39 OAK ST
			NEEDHAM	MA	02492	1991320003700000	85 MAPLE ST
			NEEDHAM	MA	02494	1991320003800000	79 MAPLE ST
			NEEDHAM	MA	02494	1991320003800000	75 MAPLE ST
			NEEDHAM	MA	02494	1991320003800000	71 MAPLE ST

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  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

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**MEETING DATE: 10/18/2016**

<b>Agenda Item</b>	Public Hearing- Eversource Energy: 147 Tower Avenue
<b>Presenter(s)</b>	Karen Johnson, Eversource Representative

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
	<p>Eversource Energy requests permission to install about 6 feet of conduit in Tower Avenue. This work is necessary to provide underground electric service to 147 Tower Avenue, Needham.</p> <p>The Department of Public Works has approved this petition, based on Eversource Energy's commitment to adhere to the Town's regulation that <b>all conduit installed must be 3" schedule 40 minimum; and, that when buried, the conduit must be placed at 24" below grade to the top of the conduit.</b></p>
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
	<p><b><u>Suggested Motion:</u></b></p> <p>Move that the Board of Selectmen approve and sign a petition from Eversource Energy to install about 6 feet of conduit in Tower Avenue. This work is necessary to provide underground electric service to 147 Tower Avenue, Needham.</p>
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
	<p><b>(Describe backup below)</b></p> <ul style="list-style-type: none"><li>a. Letter of Application</li><li>b. Petition</li><li>c. Order</li><li>d. Petition Plan</li><li>e. Notice Sent to Abutters</li><li>f. List of Abutters</li></ul>

**EVERSOURCE**  
ENERGY

RECEIVED  
TOWN OF NEEDHAM  
BOARD OF SELECTMEN  
200 Calvary Street  
Waltham, Ma 02453

6 OCT -7 P 2: 12

October 4, 2016

Board of Selectmen  
Town Hall  
1471 Highland Ave  
Needham, MA 02192

#147  
RE: Tower Avenue  
Needham, MA  
W/O #2166163

Dear Members of the Board:

The enclosed petition and plan is being presented by the NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install about 6 feet of conduit in Tower Avenue.

The reason for this work is to provide underground electric service to 147 Tower Avenue.

If you have any further questions, contact Maureen Carroll at (781) 314-5053. Your prompt attention to this matter would be greatly appreciated.

Very truly yours,

Steven M. Owens, Supervisor  
Rights and Permits

SMO/kj  
Attachments

OK to  
proceed  
Twyder, DPW Engineer  
10/7/16  
OK R.P. Merson  
DPW Director  
10/7/16

**PETITION OF NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY  
FOR LOCATION FOR CONDUITS AND MANHOLES**

To the **Board of Selectmen** of the Town of **NEEDHAM** Massachusetts:

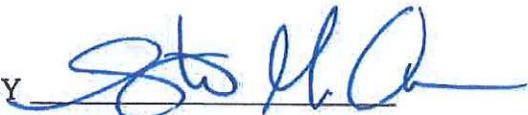
Respectfully represents **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by **A. Debenedictis Dated September 23, 2016** and filed herewith, under the following public way or ways of said Town:

**Tower Avenue - Westerly from pole 197/18 approximately 433 feet northwest of  
Lindbergh Avenue a distance of 6 ± feet of conduit**

(W.O. #2166163)

**NSTAR ELECTRIC COMPANY  
dba EVERSOURCE ENERGY**

BY   
Steven M. Owens  
Rights & Permits, Supervisor

**Dated this 4th day of October**

Town of **NEEDHAM** Massachusetts

Received and filed \_\_\_\_\_ 2016  
\_\_\_\_\_

**ORDER FOR LOCATION FOR CONDUITS AND MANHOLES**  
**Town of NEEDHAM**

WHEREAS, **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** has petitioned for permission to construct a line for the transmission of electricity for lighting, heating or power under the public way or ways of the Town thereafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** be and hereby is granted permission to construct and a location for, such a line of conduits and manholes with the necessary wires and cables therein under the following public way or ways of said Town:

**Tower Avenue - Westerly from pole 197/18 approximately 433 feet northwest of  
Lindbergh Avenue a distance of 6 ± feet of conduit**

**(W.O. #2166163)**

**Hearing Required**

All construction work under this Order shall be in accordance with the following conditions:

1. Conduits and manholes shall be located as shown on the plan made by **A. Debenedictis, Dated September 23, 2016** on the file with said petition.
2. Said shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. Company All work shall be done to the satisfaction of the Board of Selectmen or such officer or officers as it may appoint to supervise the work.

1 2 3 4 5	_____ _____ _____ _____ _____	Board of Selectmen the Town of <b>NEEDHAM</b>
-----------------------	---	---

**CERTIFICATE**

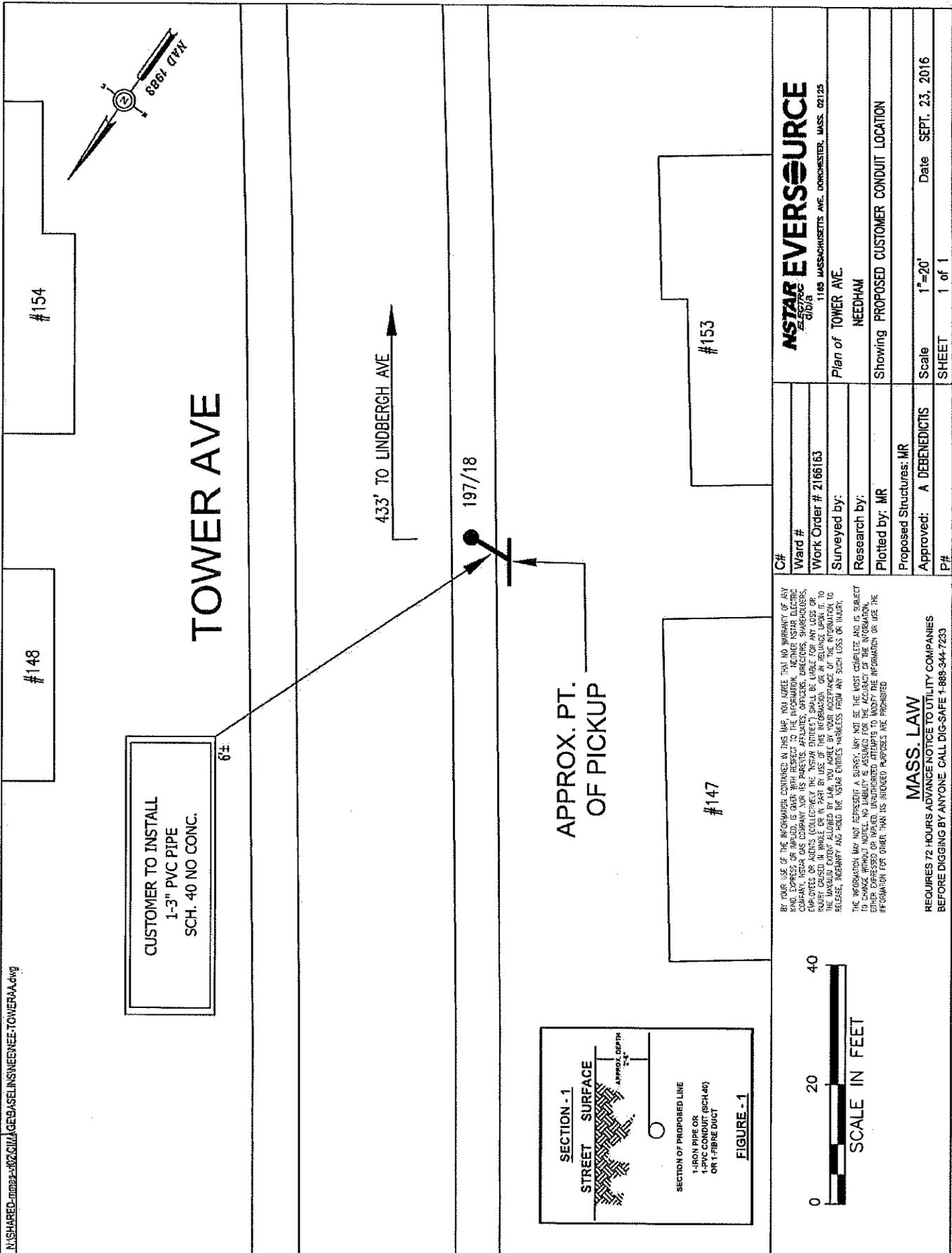
We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit:-after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Selectmen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the \_\_\_\_\_ day of \_\_\_\_\_ 2016 at \_\_\_\_\_ in said Town.

1 2 3 4 5	_____ _____ _____ _____ _____	Board of Selectmen the Town of <b>NEEDHAM</b>
-----------------------	---	---

**CERTIFICATE**

I hereby certify that the foregoing are true copies of the Order of the **Board of Selectmen** of the Town of **NEEDHAM**, Massachusetts, duly adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 2016 and recorded with the records of location Orders of said Town, Book \_\_\_\_\_, Page \_\_\_\_\_ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.) and any additions thereto or amendments thereof, as the same appear of record.

Attest: \_\_\_\_\_  
Clerk of the Town of **NEEDHAM**, Massachusetts



<b>C#</b>	<b>Ward #</b>	<b>Work Order #</b>	<b>Surveyed by:</b>	<b>Research by:</b>	<b>Plotted by:</b>	<b>Proposed Structures:</b>	<b>Approved:</b>	<b>P#</b>
		2166163		MR	MR	MR	A DEBENEDICTIS	
<b>Plan of TOWER AVE.</b>								
<b>NEEDHAM</b>								
<b>Showing PROPOSED CUSTOMER CONDUIT LOCATION</b>								
<b>Scale</b>								<b>Date</b>
<b>1"=20'</b>								<b>SEPT. 23, 2016</b>
<b>SHEET</b>								<b>1 of 1</b>

BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC COMPANY, NSTAR GAS COMPANY NOR ITS PARTNER, AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS (COLLECTIVELY THE "NSTAR ENTITIES") SHALL BE LIABLE FOR ANY LOSS OF PROFITS OR REVENUE, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING FROM ANY LOSS OF SERVICE OR INTERRUPTION OF SERVICE CAUSED BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INCURRY AND HOLD THE NSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.

THE INFORMATION MAY NOT REPRESENT A SURVEY AND NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. THE INFORMATION IS PROVIDED FOR YOUR INFORMATION ONLY AND SHOULD NOT BE USED FOR ANY PURPOSES OTHER THAN THE INTENDED PURPOSES. THE INFORMATION OR USE OF THE INFORMATION FOR OTHER THAN THE INTENDED PURPOSES, ARE PROHIBITED.

**MASS. LAW**  
REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233



## NOTICE

To the Record

You are hereby notified that a public hearing will be held at the **Needham Town Hall, 1471 Highland Avenue, at 7:00 p.m. on October 18, 2016** upon petition of Eversource Energy dated **October 4, 2016** to install about 6 feet of conduit in Tower Avenue. The work is necessary to provide underground electric service to 147 Tower Avenue, Needham.

A public hearing is required and abutters should be notified.

If you have any questions regarding this petition, please contact Eversource Energy representative, Maureen Carroll, at 781-314-5053.

Matthew D. Borrelli  
Marianne B. Cooley  
Daniel P. Matthews  
John A. Bulian  
Maurice P. Handel

BOARD OF SELECTMEN

Dated: October 7, 2016

147 TOWER AVE

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	STATE	ZIP	PARCEL ID	PROPERTY ADDRESS
EICHHOLD, WILLIAM H., JR & HIRSCHEN, MARCY W	NEALE, JOANNE	44 DARTMOUTH AVE	NEEDHAM HTS	MA	02494	1990600002400000	44 DARTMOUTH AVE
KAUFMAN, HOWARD A. & MESNIK, JEFFREY S & KURD, JULIE	KAUFMAN, LAURA B. MESNIK, SARAH T	38 DARTMOUTH AVE 32 DARTMOUTH AVE 26 DARTMOUTH AVE	NEEDHAM HTS NEEDHAM HTS NEEDHAM HTS	MA MA MA	02494 02494 02494	1990600002500000 1990600002600000 1990600002700000	38 DARTMOUTH AVE 32 DARTMOUTH AVE 26 DARTMOUTH AVE
LI, JOSEPH M. & PRESSKREISCHER, BENJAMIN H.M.+ LI, JOSEPH MING WAH & PARKER, RICHARD J & SHERMAN, DONNA, TRS. LAZUK, ALBERT V. & PRISCILLA N.E.TRS	BERGER, DEBORAH H. TAYLOR-LI, KELLY R. TAYLOR-LI, KELLY R 154 TOWER AVENUE NOMINEE TRUST ALBERT LAZUK IRREVOCABLE TRUST CHARLES H. HOGAN REVOCABLE TRUST BLACKWELL, KATHLEEN H.	147 TOWER AVE 153 TOWER AVE 159 TOWER AVE 160 TOWER AVE 154 TOWER AVE 148 TOWER AVE 140 TOWER AVE 130 TOWER AVE	NEEDHAM HTS NEEDHAM HTS NEEDHAM HTS NEEDHAM HTS NEEDHAM HTS NEEDHAM HTS NEEDHAM HTS NEEDHAM HTS	MA MA MA MA MA MA MA MA	02494 02494 02494 02494 02494 02494 02494 02494	1990600004200000 1990600004300000 1990600004400000 1990600005700000 1990600006000000 1990600006100000 1990600006300000 1990600002400000	147 TOWER AVE 153 TOWER AVE 159 TOWER AVE 160 TOWER AVE 154 TOWER AVE 148 TOWER AVE 140 TOWER AVE 130 TOWER AVE
EICHHOLD, WILLIAM H., JR & HIRSCHEN, MARCY W MESNIK, JEFFREY S & KURD, JULIE	KAUFMAN, LAURA B. MESNIK, SARAH T	44 DARTMOUTH AVE 38 DARTMOUTH AVE 32 DARTMOUTH AVE 26 DARTMOUTH AVE	NEEDHAM HTS NEEDHAM HTS NEEDHAM HTS NEEDHAM HTS	MA MA MA MA	02494 02494 02494 02494	1990600002500000 1990600002600000 1990600002700000 1990600004100000	44 DARTMOUTH AVE 38 DARTMOUTH AVE 32 DARTMOUTH AVE 26 DARTMOUTH AVE
BERGER, RUSSELL J. & LI, JOSEPH M. & PRESSKREISCHER, BENJAMIN H.M.+ PARKER, RICHARD J & SHERMAN, DONNA, TRS. LAZUK, ALBERT V. & PRISCILLA N.E.TRS	BERGER, DEBORAH H. TAYLOR-LI, KELLY R. PRESSKREISCHER, HELENE TAYLOR-LI, KELLY R 154 TOWER AVENUE NOMINEE TRUST ALBERT LAZUK IRREVOCABLE TRUST CHARLES H. HOGAN REVOCABLE TRUST BLACKWELL, KATHLEEN H.	147 TOWER AVE 153 TOWER AVE 159 TOWER AVE 160 TOWER AVE 154 TOWER AVE 148 TOWER AVE 140 TOWER AVE 130 TOWER AVE	NEEDHAM HTS NEEDHAM HTS NEEDHAM HTS NEEDHAM HTS NEEDHAM HTS NEEDHAM HTS NEEDHAM HTS NEEDHAM HTS	MA MA MA MA MA MA MA MA	02494 02494 02494 02494 02494 02494 02494 02494	1990600004200000 1990600004300000 1990600004400000 1990600005700000 1990600006000000 1990600006100000 1990600006300000 1990600002400000	147 TOWER AVE 153 TOWER AVE 159 TOWER AVE 160 TOWER AVE 154 TOWER AVE 148 TOWER AVE 140 TOWER AVE 130 TOWER AVE

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  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

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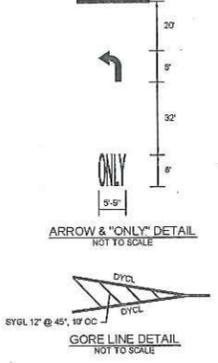
**MEETING DATE: 10/18/2016**

<b>Agenda Item</b>	Construction Related Traffic & Project Update
<b>Presenter(s)</b>	Rick Merson, Director of Public Works John Schlittler, Chief of Police

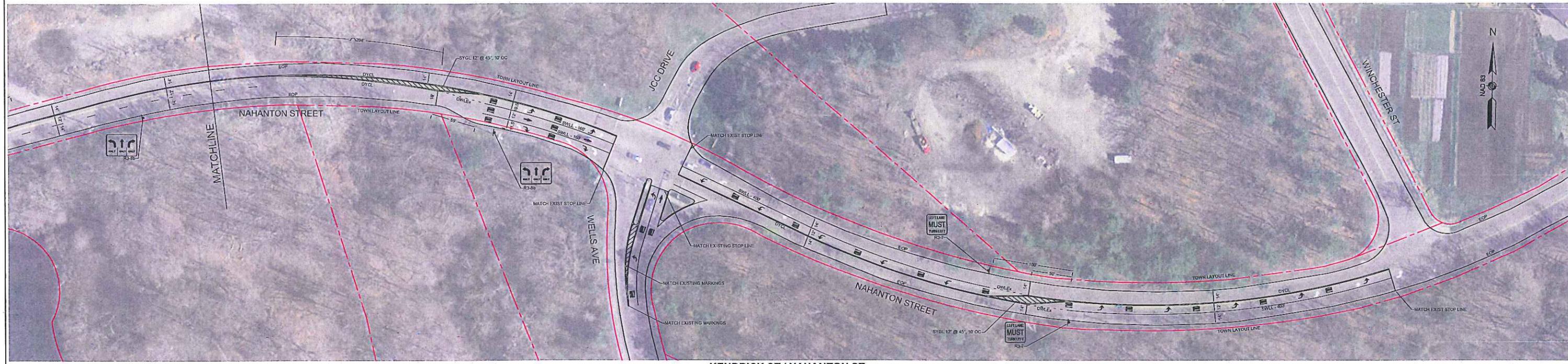
<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
	Director Merson and Chief Schlittler will update the Board on construction-related traffic concerns, up-coming deadlines and projects, and steps the Town of Needham is taking to improve traffic flow.
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
	<b>(Describe backup below)</b>  a.) Kendrick St./Nahanton St. Pavenment Marking Plan



IDENTIFICATION NUMBER	SIZE OF SIGN		TEXT	TEXT DIMENSIONS (INCHES)			NUMBER OF SIGNS REQUIRED	COLOR	POST SIZE AND NUMBER REQUIRED	UNIT AREA (S.F.)	AREA IN SQUARE FEET		
	WIDTH (W)	HEIGHT (H)		LETTER HEIGHT	VERTICAL SPACING	ARROW RTE. MKR.							
R3-7	36	36	LEFT LANE MUST TURN LEFT	SEE 2009 MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES			2	WHITE	BLACK	BLACK	P-5 2	9	18
R3-8	36	36	LEFT LANE MUST TURN LEFT				2	WHITE	BLACK	BLACK	P-5 2	9	18
R3-8b	48	30	LEFT LANE MUST TURN LEFT				2	WHITE	BLACK	BLACK	P-5 4	10	20
TOTAL										P-5 8		TOTAL	56 SF



**LEGEND**  
 EOP - EDGE OF PAVEMENT  
 SL - STOP LINE - 12"  
 SWEL - SOLID WHITE EDGE LINE - 6"  
 SYEL - SOLID YELLOW EDGE LINE - 6"  
 SYGL - SOLID YELLOW GORE LINE - 12" SPACING NOTED  
 DYCL - DOUBLE YELLOW CENTER LINE - 6" EACH  
 BWL - BROKEN WHITE LANE LINE - 6", 10 LINE 30 SKIP  
 SWLL - SOLID WHITE LANE LINE - 6"  
 DWLEX - DOTTED WHITE LANE EXTENSION - 6", 2 LINE 6" SKIP



**BETA**  
 www.BETA-tcc.com  
 NOTE: ALL PAVEMENT MARKING SHOWN ON PLAN ARE PROPOSED.  
 APPROXIMATE SCALE: 1" = 30'  
 NOTE: PLAN BASED ON GIS MAPPING.

**KENDRICK ST / NAHANTON ST  
 PAVEMENT MARKING PLAN  
 4TH AVE TO WINCHESTER ST**



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

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**MEETING DATE: 10/18/2016**

<b>Agenda Item</b>	Public Hearing – Noise By-law
<b>Presenter(s)</b>	Board Discussion

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
	<p>The Board will discuss the possibility of expanding the hours of the existing Noise By-law, General By-law 3.8.1, which states: “Except in an emergency, construction activity conducted pursuant to a building permit, which causes noise that extends beyond the property line, shall be limited to the hours of 7AM to 8PM unless authorized by rules or regulations adopted by the Board of Selectmen. The penalty for violation of this regulation shall be a \$50 fine.”</p> <p>The Board will invite public comment.</p>
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
	<p>a) Public Hearing Notice</p>

**Board of Selectmen  
Notice of Public Hearing  
Possible Expansion of the Existing Noise By-law**

The Board of Selectmen will hold a public hearing on Tuesday, October 18, 2016 at 7:30 pm at the Needham Town Hall, 1471 Highland Avenue, Needham to gather input from interested parties regarding the existing Noise By-law.

The Board will discuss the possibility of expanding the hours of the existing Noise By-law, General By-law 3.8.1, which states: "Except in an emergency, construction activity conducted pursuant to a building permit, which causes noise that extends beyond the property line, shall be limited to the hours of 7AM to 8PM unless authorized by rules or regulations adopted by the Board of Selectmen. The penalty for violation of this regulation shall be a \$50 fine."

The Board of Selectmen invites all residents and interested parties to attend and provide input regarding this subject. Written comments may also be submitted to the Board of Selectmen, c/o Needham Town Hall, 1471 Highland Avenue, Needham, MA or by email to [selectmen@needhamma.gov](mailto:selectmen@needhamma.gov).



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

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**MEETING DATE: 10/18/2016**

<b>Agenda Item</b>	Sewer Rate Relief Application
<b>Presenter(s)</b>	David Davison, Assistant Town Manager/Director of Finance Evelyn Pones, Town Treasurer/Collector

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
	<p>The Commonwealth has monies available for sewer rate relief for FY2017 which the Town can apply. Every year that the program has been offered, the Town has filed an application. The application requires the Town Manager and Board of Selectmen signatures in order to submit.</p>
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
	<p><i>Move that the Board support and sign the sewer rate relief application to be filed with the Commonwealth and that the Board approves applying the proceeds of the grant, if any, as a credit against the sewer bill.</i></p>
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
	<p>a. Sewer Rate Relief Application for FY2017</p>

**Division of Local Services  
Massachusetts Department of Revenue**

**COMMONWEALTH SEWER RATE RELIEF FUND**

**APPLICATION FOR FY2017 DISTRIBUTION**

NEEDHAM

~~City/Town/District/Authority~~

**A. RECORD OF ELIGIBLE INDEBTEDNESS:**

List permanent debt issued for **more than five years** (i.e., do not list bond anticipation notes) **on or after January 1, 1990** wholly or in substantial part to finance or refinance the costs of planning, design, or construction of any water pollution control project or part thereof **required to meet the provisions of the Federal Water Pollution Control Act** (33 USC, sec. 1251 et seq.) and secs. 26 to 53 inclusive of M.G.L. Ch. 21 or any wastewater collection or transportation project related thereto. Attach additional sheets if needed.

Any project for which **state grants** were received is ineligible.

Projects financed through the **Mass. Clean Water Trust** are also ineligible unless the total debt issued through MWPAT exceeded \$50,000,000 on June 30, 1995.

Project Number	Project Name	Issue Date	Original Amount*	FY2017 Debt Service*	Grants Received
1.	West St. Pump Sta. Art. # 58	6/15/99	\$1,939,000	\$151,669.00	N
2.	West St. Force Mn. Art. #59	6/15/99	881,800	67,632.50	N
3.	Sewer Pump Sta. Art. # 49	12/15/05	484,500	paid in full	N
4.	Sewer Main Rehab. Art. #9	6/15/07	2,000,000	122,500	N
5.	Sewer Pump Sta. Art. #49	6/01/09	500,000	56,000	N
6.	Sewer Pump Sta. Art. #45	12/15/09	550,000	42,050	N
7.	Sewer Main Rehab. Art. #9	12/15/09	320,000	21,937.50	N
8.	Sewer Main Rehab. Art. #9	6/15/10	145,000	16,350	N
9.					
10.					

Total FY2017 Debt Service \$ 478,139.00

\*Attach a debt service schedule for the life of the bonds for **all** projects.

**B. PROJECT DESCRIPTIONS**

For new indebtedness eligibility being requested from the FY2017 Commonwealth Sewer Rate Relief Fund, i.e., eligibility requests from new applicants or additional eligibility requests from prior year award recipients, please provide descriptions of each project. Example project descriptions have been provided at the end of this application. You may need to consult with your Public Works staff to assist in developing project descriptions. Please add additional sheets if necessary.

No new Projects

<b>Project Number</b>	<b>Project Name</b>	<b>Project Description</b>
_____	_____	_____ _____ _____ _____ _____ _____ _____

\_\_\_\_\_  
Contact Person for Project Description

\_\_\_\_\_  
Telephone Number

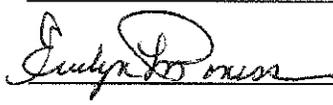
**C. USE OF AWARD PROCEEDS:**

Describe briefly how the award, if any, will be used to reduce rates in the current or future years, or finance capital projects which would otherwise be financed through borrowing. Example Use of Award Proceeds statements have been provided at the end of this application.

The funds will be used to provide a credit to sewer customers. The amount awarded the Town will offset the debt service for the year by the actual relief received.

**D. CERTIFICATION:**

We certify that the above listed debt was issued on or after January 1, 1990 for a term greater than five years to finance or refinance the costs of planning, design or construction of a water pollution control project or part thereof required to meet the provisions of the Federal Water Pollution Control Act (33 USC, secs. 1251 et seq.) and secs. 26 to 53 inclusive of M.G.L. Ch. 21.

Mayor	<u>N/A</u>	Exec. Director	<u>N/A</u>
Manager	<u></u>	Commissioners	<u>N/A</u>
Selectmen	<u></u>		<u>N/A</u>
	<u></u>		<u>N/A</u>
	<u></u>	Treasurer	<u></u>
	<u></u>	Phone	<u>781-455-7500 ext. 208</u>
	<u></u>	Fax	<u>781-455-4569</u>

**E. Return by Friday, October 28, 2016 by mail or fax:**

Division of Local Services  
Attn: Gerry Cole, Public Finance Section  
P.O. Box 9569  
Boston, Mass. 02114-9569      Fax (617) 660-3986  
[Coledg@dor.state.ma.us](mailto:Coledg@dor.state.ma.us)



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

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**MEETING DATE: 10/18/2016**

<b>Agenda Item</b>	Liquor License Regulation Update
<b>Presenter(s)</b>	Kate Fitzpatrick, Town Manager

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
	<p>The Town Manager will recommend that the Board consider amending the Town of Needham Regulations for the sale of Alcoholic Beverages, Section 4.4.3.2 to allow the Board greater flexibility in pro-rating license fees.</p>
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
	<p><i>Suggested Motion:</i> That the Board vote to amend the Town of Needham Regulations for the sale of Alcoholic Beverages, Section 4.4.3.2 by deleting the sentence "The license fee shall only be pro-rated if fewer than six (6) months remain in the calendar year at the time when a new license is issued by the vote of the Board." And inserting in place thereof the sentence "License fees shall only be pro-rated when the Board has determined that the pro-ration will be in the best interest of the Town."</p>
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
	<p><b>(Describe backup below)</b></p> <p>a. Draft Town of Needham Regulations for the Sale of Alcoholic Beverages</p>



## **CONTAINS DRAFT CHANGE 4.4.3.2**

### **TOWN OF NEEDHAM**

#### **REGULATIONS FOR THE SALE OF ALCOHOLIC BEVERAGES**

- I. Types of Licenses to be Granted in Needham
- II. Compliance
- III. Special License Provisions
- IV. General Rules and Regulations Applicable to Holders of Licenses to Sell Alcoholic Beverages within the Town
- V. Rules and Regulations for the Sale of Alcoholic Beverages by Innholders
- VI. Rules and Regulations Applicable to the Sale of Alcoholic Beverages in Restaurants and Function Rooms
- VII. Rules and Regulations applicable to Clubs and Veterans Organizations seeking and issued Alcoholic Beverage Licenses within the Town authorized by Special Act of the General Court (Chapter 3 of the Acts of 1977)
- VIII. Rules and Regulations applicable to One-Day Special Event Licenses
- IX. Rules and Regulations applicable to Package Stores

**Licensing Authority: Board of Selectmen**

*Revision Date: 9/10/2014*

The Needham Board of Selectmen, acting as local licensing authority pursuant to the provisions of Massachusetts General Laws Chapters 138 and 140 and other relevant legal authority, promulgates these regulations applicable to the sale and distribution of alcoholic beverages in the Town of Needham. These regulations are in addition and supplemental to all other legal requirements, including but not limited to applicable State and Federal law and regulations.

## **I. TYPES OF LICENSES TO BE GRANTED IN NEEDHAM**

The Town of Needham issues the types of alcoholic beverages licenses listed below. All licenses shall comply with Chapter 138 of the Massachusetts General Laws, and Chapter 204 of the Code of Massachusetts Regulations, as they relate to the specific type of license.

- 1.1 Innholders All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in a hotel dining area with a seating capacity of not less than ninety-nine (99) persons and a living capacity of not less than fifty (50) rooms, under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. The Service of alcoholic beverages to the room of any registered guest is prohibited unless otherwise authorized by the Board of Selectmen. (M.G.L. c.138, s.11, D; 11/7/72 election)
- 1.2 Restaurant All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in a restaurant and/or function room under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.11, E; 11/4/80 election; M.G.L. c.138, s.12; Chapter 32 of the Acts of 2014; 4/8/2014 election)
- 1.3 Restaurant Wine and Malt Beverages: issued to qualified applicants to sell only wine and malt beverages in a restaurant under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.12; Chapter 169 of the Acts of 2001; 11/8/01 election)
- 1.4 Club and Veterans' Organization All Alcoholic Beverages: issued to qualified applicant Clubs existing under Chapter 180 of Massachusetts General Laws and Veterans' Organizations duly chartered or authorized by the Laws of the United States or the Commonwealth of Massachusetts to sell all alcoholic beverages under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.12; 11/8/88 election)
- 1.5 One Day Special Event: issued to qualified applicants of non-profit status to sell all alcoholic beverages; or to sell wine and malt beverages only; or to qualified applicants of for profit status to sell wine and malt beverages only under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.14)

- 1.6 Package Store All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in packages not to be consumed on the premises under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (Chapter 207 of the Acts of 2012; Approved 11/6/2012 election)
- 1.7 Package Store Wine and Malt Beverages: issued to qualified applicants to sell wine and malt beverages in packages not to be consumed on the premises under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (Chapter 207 of the Acts of 2012; Approved 11/6/2012 election)

## II. COMPLIANCE

- 2.1 The issuance of a license by the Board of Selectmen for the sale of alcoholic beverages under M.G.L. c. 138 applies only to said sales and does not release the licensee from compliance, nor does it assume compliance with the rules, regulations, requirements and procedures of other government boards, agencies or bodies having jurisdiction.
- 2.2 Failure to comply with these regulations, the laws of the Commonwealth of Massachusetts, the Regulations of the Alcoholic Beverages Control Commission or the Town's bylaws may result in the revocation, suspension or cancellation of the license.

## III. SPECIAL LICENSE PROVISIONS (applicable to Restaurants only)

- 3.1 Service Bars / Waiting Areas (with or without stools/chairs), as defined for the purposes of these regulations as a counter, tabletop or other mechanism which is used for the purpose of providing alcoholic beverages to patrons who are waiting to dine, are permitted only in locations expressly approved and authorized by the Board of Selectmen. The sale or service of alcoholic beverages for consumption at any unapproved service bar / waiting area bar is prohibited.

An applicant or licensee may request from the Board of Selectmen, on an annual basis, an addendum to allow for the premises to have designated waiting areas for the service of alcoholic or wine and malt beverages only to those patrons who are waiting to dine, including stools / chairs located at the service bar area. This addendum shall be for one year and shall lapse unless renewed. In each instance, such addendum shall not be granted or renewed except under the following conditions:

- a) the Board makes a finding that it is in the best interest of the Town to allow the service of alcoholic beverages in the designated waiting areas;

- b) no more than a total of fifteen (15) seats or ten percent (10%) of the total seats in the premises, whichever is less, shall be allowed in the designated waiting area, including any seats at service bar(s);
- c) when calculating the number of seats in the premises, the seats where food is served in the designated waiting areas and service bars shall be included;
- d) all food and beverages on the menu served in the public dining room shall be available for service to the patrons in the designated waiting areas, including service bars. This requirement may be waived by the Board of Selectmen in waiting areas that do not have a service bar, but in such event no alcoholic or wine and malt beverages shall be served except to patrons who have asked to be seated in the dining area for a meal;
- e) no patron shall be served more than two (2) drinks or two (2) servings of wine or malt beverage until such time as a meal is served to that patron. For the purposes of this provision, a drink shall not contain more than one ounce of (pure) alcohol;
- f) any violation of the conditions set forth in this section, or any violation of any of the laws of the United States of America, the Commonwealth of Massachusetts or the Town of Needham shall be a basis for denying the granting or renewal of the allowance or for the revoking of the addendum;
- g) the applicant for a renewal of an addendum shall provide the Board of Selectmen with a statement certified by a Certified Public Accountant as to the percentage the annual sales for the previous period of October 1-September 30 of alcoholic beverages compared to the total annual sales of food and alcoholic or wine and malt beverages. If the percentage exceeds twenty-five (25%), the Board of Selectmen may investigate to determine whether the service of alcoholic beverages has become more than incidental to the service of food on the premises. If the Board determines that the sale of alcoholic beverages has become more than incidental to the sale of food on the premises, it may deny the granting or renewal of the addendum or suspend or revoke the addendum;
- h) any application for the original granting of an addendum shall be acted on only after notice as set forth in M.G.L. Chapter 138, Section 15A and a hearing by the Board of Selectmen. The annual renewal of the addendum shall be in a manner to be determined from time to time by the Board of Selectmen; and
- i) upon approval of such application for an addendum, the licensee shall pay an additional fee determined by the Board.

#### **IV. GENERAL RULES AND REGULATIONS APPLICABLE TO HOLDERS OF LICENSES TO SELL ALCOHOLIC BEVERAGES WITHIN THE TOWN**

This section shall apply to any and all alcoholic beverages licenses issued by the Board to eligible restaurants, clubs, veterans' organizations, innholders licensees, package stores and, with noted exceptions, one-day special event licensees. The Licensing Board reserves the right to add to, amend, modify or revoke these rules and regulations at such time or times as the Licensing Board deems appropriate.

Subject to further limitations fixed or from time to time modified by the Board of Selectmen with respect to a particular license, the General Laws of Massachusetts and the regulations

of the Alcoholic Beverages Control Commission, the following rules and regulations shall be in full force and effect:

4.1 Fire Safety Inspections (applicable to Restaurants, Innholders & Clubs only)

Chapter 304 of the Acts of 2004, An Act Relative to Fire Safety In the Commonwealth, requires that every license holder under M.G.L. Chapter 138 Section 12 must submit as a precondition of renewal of the license “a valid certificate of inspection issued by a local inspector and signed by the head of the fire department for the city, town or district in which the premises is located.” No license shall be issued for the sale of alcoholic beverages in the Town until such time as a copy of the valid certificate of inspection has been filed with application.

4.2 Hours of Operation

The hours during which the sale of all alcoholic beverages may be made in a dining room are further limited to the time when the dining room is open and food service is available to the public. No alcoholic beverages shall be sold or served in a dining room before the dining room is open and food service is available, or after the dining room has been closed and food service has been suspended to the public. The hours during which the sale of all alcoholic beverages to be consumed on the premises may be made by any licensee shall be from 11:00 a.m. to 12:00 midnight on secular days and from 12:00 noon to 12:00 midnight on Sundays unless otherwise determined by the Board of Selectmen. The hours during which the sale of all alcoholic beverages to be consumed off the premises may be made by any licensee shall be from 9:00 a.m. to 10:00 p.m., Monday through Saturday, including legal holidays, and 12:00 noon to 6:00 p.m. on Sundays, unless otherwise determined by the Board of Selectmen. Holiday sales hours are further limited to the holiday schedule set by the ABCC. The hours when sales may be made will be established by the Board of Selectmen with each individual application.

- 4.2.1 The Board may adjust hours for individual and/or classifications of licensees upon receipt of their request(s) for consideration of special circumstances and/or occasions.
- 4.2.2 No patron shall be served or sold alcoholic beverages within the licensed premises before or after the hours stated in the license.
- 4.2.3 No alcoholic beverages shall be served within the licensed premises during the fifteen (15) minutes preceding the hours stated on the license at which service of alcoholic beverages must cease.
- 4.2.4 All bottles, glasses, containers, etc., shall be cleared from all tables and bars within thirty (30) minutes of the established closing hour and all patrons will be off the licensed premises within forty-five (45) minutes of the established closing hour.
- 4.2.5 With the exception of the licensee and the manager, all employees shall vacate the licensed premises no later than sixty (60) minutes after the official closing hour designated on the alcohol license. Bona fide employees of the licensed establishment may remain upon or enter upon the licensed premises outside of the regular hours of operation while actually engaged in cleaning, opening, closing or preparing for the current or next day's business, but they may not dispense or consume any

alcoholic beverage during such non-public hours. In any instance wherein a licensee will have employees working on the licensed premises in excess of sixty (60) minutes before or after the serving times, the licensee shall cause notification of the fact to be given by telephone to the Needham Police Department along with the estimate as to how long the work party will be on the premises.

4.3 Payment of Charges and Taxes

Applicants and licensees must pay in full all taxes and charges owed to the Town on a current basis prior to the issuance of a new license, the transfer of an existing license and/or the annual renewal of a license.

4.4 Filing and Application Requirements (excludes One Day Special Event Licenses)

4.4.1 Abutter Notification

When conducting a public hearing to consider the issuance of a license to sell or serve wine, malt and/or alcoholic beverages, the Board will endeavor to ask applicant to notify all owners of property within a 300 foot radius of the premises to be licensed. This will be in addition to any notification which is required by law.

4.4.2 Insurance

No license shall be issued for the sale of alcoholic beverages (one day special licenses excluded) in the Town until such time as the applicant shall present to the Board of Selectmen a certificate of insurance showing that the applicant carries the following policies of insurance from an insurance company licensed by the Department of Insurance of the Commonwealth of Massachusetts as follows: workers' compensation insurance as required by M.G.L. Chapter 152; and liquor liability insurance in the minimum amount of \$100,000 per person/\$1,000,000 aggregate for personal injury and \$100,000 per occurrence for property damage.

4.4.3 Fees

All license fees of the Board are incorporated in these rules and regulations as Attachment I, Schedule of Town of Needham Liquor License Fees. These fees shall be non-refundable.

4.4.3.1 Filing Fees All required filing fees shall be paid in full at such time as the application is filed. The Board's filing fee shall be paid by check, made payable to the "Town of Needham". Filing fees required by the Commission must be by certified check or bank treasurer's check made payable to the "Commonwealth of Massachusetts" and/or the "Alcoholic Beverages Control Commission". Filing fees shall not be pro-rated for any reason.

4.4.3.2 License Fees All license fees for the initial issuance of a new license, or for the transfer of an existing license, for a change in the structural composition of a licensed premises, and/or for the

annual renewal of a license shall be paid in full prior to the issuance of the license. The payment of the license fee shall be by cash, certified check or bank treasurer's check payable to "Town of Needham". ~~The license fee shall only be pro-rated if fewer than six (6) months remain in the calendar year for at the time when a new license is issued by the vote of the Board.~~ License fees shall only be pro-rated when the Board has determined that the pro-ration will be in the best interest of the Town.

#### 4.4.4 Floorplans – On Premises Licenses (M.G.L. Ch 138 s.12)

4.4.4.1 With the exception of applicants for package store licenses and a one-day special events license and without limiting the application of Chapter 6 of the State Building Code, applicants or licensees shall submit to the Board along with the application for license, an architectural floor plan, drawn to scale, that includes the following information, which will be clearly marked:

- a. the net floor area (net floor area shall be the area of the rooms measured between the interior walls exclusive of stairways, service bars, hallways, etc.) and dimensions of the existing room or rooms and exterior premises requested to be licensed including dining rooms, function rooms, exterior premises and rooms in which alcoholic beverages are to be stored;
- b. the location of any proposed bars/waiting areas and cocktail lounges (for innkeepers license only);
- c. areas in which seats or benches are to be securely fastened to the floor and areas in which the seats and tables are moveable;
- d. entrances and exits;
- e. kitchens and/or food preparation areas;
- f. take out areas;
- g. storage areas;
- h. restrooms;
- i. all rooms not being requested to be licensed shall be labeled as to their function, such as, kitchen, coatroom, lobby, etc.;
- j. total occupant load; and
- k. other spaces, or in relevant cases, exterior premises for which approval of the Board for the sale of alcoholic beverages is requested. Approval of the use of exterior space will only be allowed if there is a physical barrier and signage restricting the transportation or possession of any alcohol, wine, or malt beverage beyond the limitation of the barrier.

4.4.4.2 The number and location of all seats, chairs, and stools upon or

within the licensed premises must be approved in writing by the Board. In no event shall the total number of seats, chairs, and stools upon the licensed premises exceed the maximum seating capacity nor the maximum occupancy capacity of the licensed premises.

4.4.4.3 No physical alteration, the effect of which would be to constitute a change in the description of the licensed premises as shown on the license, shall be made without prior written approval of the Board.

4.4.4.4 Outdoor seating shall be excluded from the seating capacity used to determine the type of license granted to applicant.

#### 4.5.5 Floor Plans – Off Premise Licenses (M.G.L. Ch 138 s. 15)

4.5.5.1 Applicants for a package store license shall submit to the Board along with the application for license, an architectural floor plan, drawn to scale, that includes the following information, which will be clearly marked

- a. the net floor area (net floor area shall be the area of the rooms measured between the interior walls exclusive of stairways, service bars, hallways, etc.) and dimensions of the existing room or rooms and exterior premises requested to be licensed;
- b. gross floor area of the premises and those portions of the premises proposed to be dedicated to the sale, storage or display of alcoholic beverages;
- c. entrances and exits;
- d. storage areas;
- e. restrooms;
- f. cash register areas.

4.5.5.2 Applicants shall submit a plan for signage including window display signs.

#### 4.6 General and Miscellaneous Provisions

4.6.1 No alcoholic beverages shall be taken from the building so approved in the licenses, with exception of approved exterior seating noted on floorplan, as noted in section 4.4.4.1 (k). This does not apply to package stores.

4.6.2 No licensee shall sell alcoholic beverages in any part of the premises not specified on this license. No change of such area or location shall be made without prior written approval of the Board of Selectmen. The licensed premises shall meet and fully comply with all health standards and regulations applicable to the sale of alcoholic beverages.

- 4.6.3 The licensed premises must be well lighted at all times.
- 4.6.4 There shall be no indecent or immoral entertainment on the licensed premises.
- 4.6.5 Gambling, lotteries, or other illegal machines or games are prohibited except as otherwise permitted by law.
- 4.6.6 The licensed premises shall be subject, at all times, to inspection by members of the Board of Selectmen, the Town Manager, Inspector of Buildings, Board of Health or its representatives, Police Department, Fire Department, or any other department or official of the town so directed by the Selectmen.
- 4.6.7 Service of food is required in all areas where alcoholic beverages are to be served for consumption on premises.
- 4.6.8 Meals must be served on solid dinnerware with silverware accompanying the same. No paper plates or plastic cutlery is permitted. Alcoholic beverages may be consumed only from glassware. Package stores and one day licenses are excluded from this provision.
- 4.6.9 No pitchers of beer may be served. (applicable to on premises licenses only)
- 4.6.10 No licensed restaurant or package store may permit the use of any amusement service such as electronic games on the premises.
- 4.6.11 Service of alcoholic beverages shall be by a server/wait person.
- 4.6.12 At all times that the licensed premises are open for the sale or service of alcoholic beverages, the licensee shall have on the premises a manager or assistant manager who has successfully completed an alcoholic beverage server training program satisfactory to the Board of Selectmen.
- 4.6.13 The alcoholic beverage license must be prominently displayed and available for public viewing inside the premises.

## **V. RULES AND REGULATIONS FOR THE SALE OF ALCOHOLIC BEVERAGES BY INNOLDERS**

Subject to further limitations fixed or from time to time modified by the Board of Selectmen with respect to a particular license, the General Laws of Massachusetts and the regulations of the Alcoholic Beverages Control Commission, the following rules and regulations shall be in full force and effect:

- 5.1 No application for an alcoholic beverage license shall be accepted except from qualified owners of a hotel having a dining room capacity of not less than ninety-nine [99] persons and living capacity of not less than fifty [50] rooms.

- 5.2 Each applicant shall submit to the Board of Selectmen with each application for a license a floor plan of the building or that portion of the building on which is clearly marked and designated the location of the proposed seating arrangement, service bars, dining rooms, function rooms or other rooms in which approval of the Board of Selectmen for the sale of alcoholic beverages is requested.
- 5.3 Cocktail lounges are permitted with the approval of the Board of Selectmen but limited to approved areas by the Board of Selectmen with appropriate identification of the specific location documented by the Inspector of Buildings.
- 5.4 The Service of alcoholic beverages to the room of any registered guest is prohibited unless otherwise authorized by the Board of Selectmen.

## **VI. RULES AND REGULATIONS APPLICABLE TO THE SALE OF ALCOHOLIC BEVERAGES IN RESTAURANTS AND FUNCTION ROOMS**

Subject to further limitations fixed or from time to time modified or amended by the Board of Selectmen acting as the duly constituted Licensing Board of the Town of Needham with respect to this class of license, the General Laws of Massachusetts and the Regulations of the Alcoholic Beverages Commission, the following rules and regulations shall be in full force and effect:

- 6.1 It is the policy and purpose of the Board of Selectmen acting as the Licensing Board of the Town of Needham to limit the issuance of alcoholic licenses as an accommodating and incidental part of a Common Victualler's primary and principal business endeavor of preparing and serving food to the public in a restaurant and function room.
- 6.2 The issuance of alcoholic licenses will be utilized so as to both enhance the dining experience of individuals patronizing Needham restaurants and to foster the economic development of business areas in the Town by encouraging and promoting foot traffic in those areas where restaurants are located. The Board will consider when deciding upon a license application the foregoing factors and any other matter deemed appropriate by the Board including by way of description but not limitation: proximity to residential neighborhoods, traffic, parking, appropriateness of menu and other aesthetic considerations including the physical layout of the interior of the establishment. Licenses will not be granted to establishments whose principal business activity is fast food, take-out, or which has any "drive-through" component.
- 6.3 No function room may be separately licensed.
- 6.4 No alcohol license will be issued to any applicant unless such applicant is the licensee named in a common victualler's license and has operated a restaurant and function rooms for the twelve month period immediately preceding the filing of an application. When deemed appropriate by the Board of Selectmen this provision may be waived.

- 6.5 Service of food is required in all areas in which alcoholic beverages are to be served. Where a function room is available, the service of alcoholic beverages is permitted as authorized herein and may be closed to the general public.

**VII. RULES AND REGULATIONS APPLICABLE TO CLUBS AND VETERANS ORGANIZATIONS SEEKING AND ISSUED ALCOHOLIC BEVERAGE LICENSES WITHIN THE TOWN AUTHORIZED BY SPECIAL ACT OF THE GENERAL COURT (CHAPTER 3 OF THE ACTS OF 1977)**

Licenses issued by the Needham Licensing Board shall be subject to the minimum requirements of G.L. Chapter 138, Regulations of the Alcoholic Beverage Commission and the following regulations of the local Licensing Board and any amendments thereto hereinafter adopted:

- 7.1 Every club applicant to be eligible to be licensed to sell any or all alcoholic beverages within the Town of Needham must be a corporation duly organized and existing under Chapter 180 of the General Laws of the Commonwealth of Massachusetts and has maintained club facilities for not less than three (3) years prior to the filing of an application. The within provisions may be waived by the Licensing Board.
- 7.2 Every Veterans organization to be eligible to be licensed to sell any and all alcoholic beverages within the Town of Needham must be duly chartered or authorized by the Laws of the United States or the Commonwealth of Massachusetts.
- 7.3 Each applicant shall furnish the Licensing Board with a copy of its Charter or other legal evidence of its eligibility as herein specified when requested by the Licensing Board.
- 7.4 Each eligible club and veteran's organization must have the exclusive legal right to the possession and enjoyment of indoor facilities of not less than 2,000 square feet of floor space on one or more floors and which may consist of one or more rooms.
- 7.5 Each licensee hereunder acting by and through its Board of Directors or other governing body shall appoint a manager or bartender who is of good moral character and a responsible person. The manager or bartender will be in charge during open hours acting for and on behalf of the Board of Directors or other governing Board. Acting for and on behalf of the Board of Directors the manager or bartender shall be responsible for the conduct of the members and guests, accountable for keeping order and the prevention of undue noise and disturbances on the licensed premises and the neighborhood.

**VIII. RULES AND REGULATIONS APPLICABLE TO ONE-DAY SPECIAL EVENT LICENSES**

The Board will review requests for One-Day Special Event Licenses in accordance with section 14 of Chapter 138 of the General Laws after receipt of the following documentation. A public hearing is not required for the issuance of a One-Day Special Event License.

- 8.1 Request for the sale of alcohol under a Special License is limited to between the hours of 11:00 a.m. and 12:00 a.m. on secular days and 12:00 p.m. and 12:00 a.m. on Sundays.
- 8.2 One-Day licenses are exempt from the legal notice and publication requirements.
- 8.3 No special event license will be granted to a licensed premise of any person whose application for a license is pending before the licensing authorities.
- 8.4 No person shall be granted a special license for more than 30 days in a calendar year.
- 8.5 Forms and documentation required for One-Day Special License:
- a) ABCC Notice of Approval of Special License (completed by the Town)
  - b) Town of Needham Board of Selectmen Event Information Sheet
  - c) Descriptive information about the event (invitation, flyer, letter of explanation, etc.)
  - d) Written indication of the manner by which service, sale, delivery, and/or dispensing of alcoholic beverages are to be controlled.
  - e) Written evidence of the owner's permission to use the proposed licensed premises.
  - f) Proof of Non-profit Status (if request is for all alcoholic beverages).
  - g) Sketch/floorplan of the proposed licensed premises detailing where alcohol will be served, sold, delivered, and/or dispensed.
  - h) Designation and identification in writing of all individuals who will serve, sell, deliver, and/or dispense alcoholic beverages and evidence of whether or not said individuals have completed in the past three years an appropriate Massachusetts alcoholic beverages server training program.
  - i) Acknowledgement that the person holding the special license has purchased the alcoholic beverages from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder. A person holding a section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04)
- 8.6 The One-Day Special Event Manager shall provide for the orderly and safe conduct of the event, shall be responsible for the proper sale, service, delivery, dispensing and consumption of alcoholic beverages, shall be physically present during the duration of the entire event and shall sign the Event Information Sheet. The One-Day Special Event Manager shall display such special One-Day License where sale of alcoholic beverages is taking place.

**IX. RULES AND REGULATIONS APPLICABLE TO PACKAGE STORES  
(M.G.L. CH 138, SEC. 15)**

## 9.1 General Provisions

- 9.1.1 Employees at the licensed premises on which a Section 15 license is exercised, must be 21 years of age except that such licensees may employ a person under the age of 21 who does not directly handle, sell, store, or prepare for display any alcoholic beverages. Notwithstanding the foregoing, food store employees 18 years of age or older may handle, store, or prepare any alcoholic beverages for display and may sell alcohol provided that the onsite designated manager, aged 21 or over, approves and authorizes the transaction for sale.
- 9.1.2 No seating, chairs, stools, or tables for use by customers or patrons shall be placed or permitted by a retail package store licensee upon or within the licensed premises, or upon any area under the direction and control of the licensee.
- 9.1.3 Where the liquor licenses are granted to serve the public, licensees shall be open to the public and, except in exigent circumstances, operate on all days and hours in accordance with the terms of the issued liquor license. The closing of the licensed premises to the public, for a period of five (5) consecutive days or more, or for any period totaling ten (10) days during the calendar year without the prior approval of the Board of Selectmen may be deemed to be an abandonment of the Liquor License and sufficient grounds for revocation of the Liquor License.
- 9.1.4 All licensed liquor establishments must maintain an updated employee roster that shall be available upon request to the Town. It is the obligation of the licensee to inform all employees about the rules and regulations of the Needham Board of Selectmen, the Alcoholic Beverages Control Commission, and any and all applicable Massachusetts laws.
- 9.1.5 Any employees engaged in the sale and handling of alcoholic beverages must complete Board approved courses in alcohol safety training and have on file with the licensee and available for inspection by the Town a copy of current certification and proof of age. Licensee will provide an approved training program certificate of completion for the manager to the Town with the application.
- 9.1.6 All employees shall be required to be recertified once every three years by a Town- approved program. Newly hired employees shall complete a Town-approved training program within 30 days of their employment, or provide proof of training certification at a Town-approved course within the last three years. In addition, all employees that are engaged with the direct handling, selling, storing or the preparation for the display of any alcoholic beverages are required to watch annually a Town-approved training video as part of the license renewal process.

- 9.1.7 A designated manager will be onsite at all times the establishment is open. The onsite manager shall be responsible for compliance with all applicable laws of the Commonwealth of Massachusetts concerning the sale of alcoholic beverages and the Town's rules and regulations for the provision and consumption of alcoholic beverages. The designated manager shall have full authority to make decisions concerning the operation of the establishment.
- 9.1.8 No consumption of alcoholic beverages shall be permitted on the premises outside of the licensed hours of operation.
- 9.1.9 Licensees shall make all reasonable and diligent efforts to ensure that loitering, disorder, disturbances or illegality of any kind does not occur at the licensed premises. The licensee shall ensure that business in the licensed premises is conducted in a responsible manner so that no activity shall detract from the quality of life in the Town generally, or in the neighborhood in which the licensed premises are located. The licensee may be held responsible for such activity, whether present or not.
- 9.1.10 Licensees shall at all times maintain the immediate and surrounding area outside the licensed premises in a state of cleanliness and upkeep.
- 9.1.11 The licensing of liquor establishments, and what constitutes the public convenience in Needham, will be subject to the informed discretion of the Board of Selectmen. In determining suitability for licenses, the Board of Selectmen will consider the proximity of the proposed premises to neighborhoods, especially residential neighborhoods, and other sensitive areas as determined by the Board.
- 9.1.12 Section 15 licenses may be granted to food stores as defined in these regulations, but will not be granted to convenience stores.
- 9.1.13 Alcohol-related signage displayed so that it is visible to the public will be limited. As a condition of the license, the licensee will comply with the Town of Needham Sign By-law, as from time to time amended.
- 9.1.14 Advertisement at local sporting events or school events and sponsorships of sporting teams where participant's uniforms carry the name, logo or advertisement for any business which derives more than 25% of its gross revenues from the sale of alcoholic beverages is prohibited.
- 9.1.15 "Nips" or bottles of spirits containing fewer than eight (8) fluid ounces shall not be located in an area directly accessible by customers, and shall be offered for sale upon the request of a customer from a location within the premises to which customers do not have direct access, such as behind a counter.

## 9.2 Hours Of Operation

- 9.2.1 Subject to further conditions or limitations fixed or from time to time modified by the Board with respect to a particular liquor license, these regulations and the laws of the Commonwealth of Massachusetts, including but not limited to M.G.L. c.138, the hours during which sales of alcoholic beverages may be made by any approved licensee shall be from no earlier than 9:00 a.m. to no later than 10:00 p.m. Monday through Saturday, including legal holidays recognized by the Commonwealth of Massachusetts, and from no earlier than 12:00 noon to no later than 6:00 p.m. on Sundays. The hours which sales may be made will be established by the Board of Selectmen with each individual application.
- 9.2.2 No sales are permitted on Memorial Day, Thanksgiving Day or Christmas.
- 9.2.3 For all deliveries conducted off the licensed premises, the licensee shall keep written records including the date of sale, quantities and sizes of items purchased, method of payment transaction, and name and address of purchaser. In addition to the preceding requirements, the amount of the beverages that were delivered, the date and time of delivery, the signature of the person receiving the delivery and the type of identification card used to confirm age. Such written records shall be maintained by the licensee within or upon the license premises for a period of not less than one year and must be readily available for inspection by the Town.
- a. Deliveries must be made during the operating hours of the store.
  - b. Deliveries shall be made by persons no less than 21 years of age.
  - c. A copy of Off-Premises Transportation Permit, license to deliver issued by the ABCC, shall accompany application at time of submittal.
- 9.2.7 All transactions for the sale of alcoholic beverages must be completed on or before the closing hour set out in this section.
- 9.2.8 Hours for product deliveries to establishment and/or pick-up of bottle returns should be arranged so that activity does not interfere with the quiet enjoyment of the neighborhood.

## 9.3 Consumption On Premises Prohibited Except Sample Tastings

- 9.3.1 Consumption of alcoholic beverages within or upon the retail package store licensed premises, or upon any area under the direction and control of the licensee, by any person is strictly prohibited except for sample tasting.

#### 9.4 Limitations On Transferability Of Off-Premises Section 15 Licenses

- 9.4.1 An application for a transfer of ownership at the same location or transfer of location may be granted by the Board after a public hearing in compliance with these regulations and state law.

#### 9.5 Food Store Alcohol License Requirements

- 9.5.1 A food store is defined as a grocery store or supermarket, which sells at retail, food for consumption on or off the gross premises, whether alone, or in combination with grocery items or other non-durable items typically found in a grocery store and sold to individuals for personal, family or household use. Such food store shall carry fresh and processed meats, poultry, dairy products, eggs, fresh fruits and produce, baked goods and baking ingredients, canned goods and dessert items. Notwithstanding the foregoing, a food store for the purposes of these regulations shall not be a convenience store, any business that sells gasoline, or a business which derives more than 25% of its gross revenues from the sale of alcoholic beverages. The retail space used to display alcoholic beverages shall not exceed twenty-five percent (25%) of the total retail space on the premises. The Board of Selectmen shall determine whether an applicant is a food store as set out herein and in compliance with any and all requirements.
- 9.5.2 A convenience store is defined as an establishment that sells at retail food and other non-durable items to individuals more on a daily basis, such as but not limited to small quantities of food, candy, newspapers, and tobacco products. Convenience stores are frequently open with only one staff member on duty at a time, are usually open later than 10:00 p.m. and may or may not sell gasoline. The Board of Selectmen reserves the right to consider each of these factors when determining if an applicant will be considered a convenience store.
- 9.5.3 Any applicant for a Section 15 License (whether for an original application, change of ownership or change of location) must provide with the application materials, a floor plan evidencing the gross floor area of the premises and those portions of the premises proposed to be dedicated to the sale, storage or display of alcoholic beverages. The licensee may not materially change the portions of its premises dedicated to sale, storage or display of alcoholic beverages without the approval of the Board of Selectmen. The licensee may not be open for business except during its licensed hours for sale of alcoholic beverages unless it has applied for and received approval by the Board of Selectmen of plan to properly secure all alcoholic beverages on the premises from public access during that time.
- 9.5.4 Regular sales and operation of the food store must continue during all times when the sales of wine and malt beverages are permitted.

9.5.5 Package store licenses issued to food stores shall be limited to wine and malt beverages only.

APPROVED:	6/14/77
Amended and revised:	11/18/97
Amended and revised:	2/9/99
Revised fee schedule:	12/7/99
Revised fee schedule:	12/5/00
Revised and approved:	8/20/02
Fee changes	12/21/04
Addition of Liquor	
Liability Insurance:	1/25/05
Addition of One-Day License:	1/25/05
Amended and revised:	11/14/06
Amended and revised:	6/22/10
Amended and revised:	12/18/12
Amended and revised:	5/13/14
Amended and revised:	9/10/2014

**BOARD OF SELECTMEN  
ACTING AS  
NEEDHAM LICENSING BOARD**



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

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**MEETING DATE: 10/18/2016**

<b>Agenda Item</b>	MPO Annual Election October 26, 2016
<b>Presenter(s)</b>	Board Discussion

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
Board members may wish to discuss items related to the Boston MPO Municipal Elections.	
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
<i>Suggested Motion:</i> that the Board vote to authorize Moe Handel to cast ballots for Cheryl Tully Stoll, Chair, Framingham Board of Selectmen, Michael Rosenberg, Chair, Bedford Board of Selectmen, Joseph A. Curtatone, Mayor of Somerville, and Joseph C. Sullivan, Mayor of Braintree at the MPO election on October 26, 2016.	
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
<b>(Describe backup below)</b>	
a. Letter dated October 4, 2016 from the MAPC b. 2016 MPO Absentee Ballot	



RECEIVED  
TOWN OF NEEDHAM  
BOARD OF SELECTMEN

**MBTA Advisory Board** 2016 OCT -5 P 2:13

177 Tremont Street, Boston, MA 02111

Tel: (617) 426-6054 Fax: (617) 451-2054

October 4, 2016

TO: Chief Elected Officials

FR: Paul Regan, Executive Director, MBTA Advisory Board  
Marc Draisen, Executive Director, Metropolitan Area Planning Council

**RE: Municipal Elections to the Boston Region Metropolitan Planning Organization**

We are pleased to forward the 2016 MPO Ballot for the elected municipal seats on the Boston Region Metropolitan Planning Organization (MPO).

This year there are four municipal seats on the MPO up for election. The Town of Framingham is running unopposed for the Metro West Regional Collaborative (MetroWest) seat, The Town of Bedford is running unopposed for the Minuteman Advisory Group on Interlocal Coordination (MAGIC) seat. The City of Somerville is running unopposed for the Inner Core seat. The Town of Braintree is running unopposed for the South Shore Coalition (SSC) seat.

**Key Dates and Locations:**

October 25, 2016	Absentee Ballots Due 5:00 PM delivered by mail or in person ( <u>No Fax or Email</u> ) to: BOSTON REGION MPO ELECTIONS Metropolitan Area Planning Council <i>60 Temple Place, 6<sup>th</sup> Floor</i> <i>Boston, MA 02111</i>
October 26, 2016	MPO Municipal Election At MAPC Fall Council Meeting, 9:00AM Quincy Marriott, 1000 Marriott Drive, Quincy, MA 02169

### **Voting Rules:**

One vote may be cast by each of the Chief Elected Officials of the 101 municipalities in the Boston region, for each open seat (there are 4 open seats). Ballots may be cast by one of the following ways:

1. By the CEO, in-person, on October 26, 2016 at MAPC Fall Council Meeting.
2. By Absentee Ballot, delivered by mail or in-person to MAPC by 5:00 PM the day before the election, October 25, 2016.
3. By a designee, in-person, on October 26, 2016 at MAPC Fall Council Meeting.

Each Chief Elected Official or their designee, regardless of which sub-region they are in, or whether they represent a city or a town, may cast one vote for each of the four open MPO seats (for a total of 4 votes cast).

### **Appointing Designees:**

Designees shall present a signed letter or signed MPO Ballot by the CEO of the municipality they are representing, to MAPC staff prior to the election or by 9:00 AM on the day of the election. Designees may represent only one municipality in the election.

### **Certification of Results:**

The results of the election shall be certified by the Chairman of the MPO by 12 noon on Friday October 28, 2016.

We appreciate the interest shown by the candidates in choosing to serve in these seats on the MPO and for your interest in this important matter. We look forward to your participation. Please contact Eric Bourassa at MAPC (617-933-0740) or Paul Regan, Executive Director of the MBTA Advisory Board (617-426-6054), if you have any questions concerning this election.

# 2016 MPO Absentee Ballot

The MPO Election will be held on Wednesday, October 26, 2016  
At MAPC Fall Council Meeting, 9:00 AM  
Quincy Marriott, 1000 Marriott Drive, Quincy, MA 02169

**Absentee ballots must be delivered by October 25, 2016  
via mail or in person (No Fax or Email) by 5 PM to:**  
**BOSTON REGION MPO ELECTIONS**  
*Metropolitan Area Planning Council*  
*60 Temple Place, 6<sup>th</sup> Floor*  
*Boston, MA 02111*

Each Chief Elected Official, regardless of which sub-region they are in, or whether they represent a city or a town, may cast one vote for each of the four open MPO seats.

## Chief Elected Official may:

### Vote for only one from the Metro West Regional Collaborative

Framingham Cheryl Tully Stoll, Chair Board of Selectmen

### Vote for only one from the Minuteman Advisory Group on Interlocal Coordination

Bedford Michael Rosenberg, Chair Board of Selectmen

### Vote for only one from the Inner Core

Somerville Joseph A. Curtatone, Mayor

### Vote for only one from the South Shore Coalition

Braintree Joseph C. Sullivan, Mayor

Municipality \_\_\_\_\_ Chief Elected Official See over  
(Signature)

\_\_\_\_\_  
(Print or type name)

(see back for more information)

Fill this box out only if you (Mayor or Chair Board of Selectman) are appointing someone to vote in your place in person on October 26<sup>th</sup> at the MAPC Fall Council Meeting.

Designation of alternate (by Mayor or Chair Board of Selectman):	
I hereby authorize <u>Moe Handel</u> (name)	to cast the ballot for <u>Needham</u> (municipality)
<u>X</u> Chief Elected Official (signature)	_____ Date



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

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**MEETING DATE: 10/18/2016**

<b>Agenda Item</b>	Committee Reports
<b>Presenter(s)</b>	Board Discussion

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
	<i>Board members will report on the progress and / or activities of their Committee assignments.</i>
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
	<b>(Describe backup below)</b>  None

**TOWN OF NEEDHAM**  
**SEWER SYSTEM IMPACT PROGRAM REGULATIONS**

Approved: October 18, 2016

**I. SCOPE OF SEWER SYSTEM IMPACT PROGRAM**

- A. All activities, not exempted, requiring connection to, or a major increase in the use of the sanitary sewer system shall be subject to the requirements of these regulations.

**II. ACTIVITIES SUBJECT TO THE SEWER SYSTEM IMPACT PROGRAM**

- A. All activities, not exempted, requiring an extension of the sewer system are subject to these regulations.
- B. All activities, not exempted, requiring connection to, or a major increase in the use of the sewer system are subject to these regulations, including:
  - i. the development of a subdivision, where approval under the Subdivision Control Law, MGL, Ch. 41 is required;
  - ii. the development of a “Flexible Development,” as defined in Section 4.2.4 of the Town of Needham Zoning By-Law, consistent with subdivision control law;
  - iii. the development of a “Planned Residential Development,” as defined in Section 4.2.5 of the Town of Needham Zoning By-Law;
  - iv. the development of a “Residential Compound,” as defined in Section 4.2.6 of the Town of Needham Zoning By-Law; and
  - v. the development of a “Major Project,” as defined in Section 7.4 of the Town of Needham Zoning By-Law, including projects of 20,000 S.F. or more of gross floor area, or an increase of 10,000 S.F. or more of gross floor area, or the creation of 50 or more off street parking spaces, or the creation of a restaurant with 101 or more seats.
- C. All activities, not exempted, requiring a connection to, or an increase in the use of the sewer system whose total discharge:
  - i. will add 750 gallons per day (GPD), or more; and/or
  - ii. will increase by 750 GPD or greater above the “designated calculation of sewage flow” for the category of use existing prior to the proposed discharge increase (as set forth in 310 CMR 15:02, as amended);

are subject to these regulations,

- D. Certain activities may also require that a DEP "Sewer Extension Permit" and/or "Sewer Connection Permit" be obtained.

### III. ACTIVITIES EXEMPT FROM SEWER IMPACT PROGRAM REGULATIONS

- A. Construction of a single family home on an existing lot is exempt from these regulations.
- B. Development activities on property not currently benefiting from a common sewer are exempt in their entirety. Any such property later requiring connection to a common sewer, by whatever means available, shall become subject to the usual assessment for betterments under M.G.L. Ch. 83 and may also be subject to the requirements of these regulations, as applicable.
- C. Development activities on property benefiting from a common sewer and having been assessed for a betterment under M.G.L. Ch. 83 but not yet connected to the sewer system are exempted as follows: initial connection to the system shall be exempt up to the limit total of 750 G.P.D. for each separate parcel of property as originally described in the Assessment Order when levied.
- D. Major Project Site Plan projects of less than 20,000 S.F. or more of gross floor area, or an increase of less than 10,000 S.F. or more of gross floor area, or the creation of less than 50 or more off street parking spaces, or the creation of a restaurant with fewer than 101 seats.

### IV. REQUIREMENTS OF SEWER IMPACT PROGRAM REGULATIONS

- A. A property owner or developer, whose activity is not exempted, requiring connection to, or an increase in use of, the sewer system shall be required to:
  - i. Perform work upon the sewer system, as designated by the Director of Public Works, to relieve flow restrictions or eliminate a volume of excessive flow by a volume equal to two hundred percent (200%) of the proposed volume of discharge if the proposed discharge is less than 15,000 GPD, or four hundred percent (400%) of the proposed volume of discharge if the proposed discharge is 15,000 GPD or more;
  - ii. Pay a determined sewer impact charge. The rate to be used to determine the charge will be Eight Dollars (\$8.00) per gallon. This rate is intended to equal the sum of the per gallon cost of
    - 1. identifying and documenting the amount of infiltration to be removed;

2. designing plans and creating bid packages for the physical removal of the infiltration;
3. removing the required amount of infiltration; and
4. verifying and documenting the amount of infiltration removed.

V. ACCEPTANCE AND EXPENDITURE OF CHARGE AND CONTRIBUTIONS AND THE ESTABLISHMENT OF THE IMPROVEMENT FUND

- A. Payments offered in lieu of actual inflow and infiltration removal work must be accepted by the Board of Selectmen and upon acceptance, shall be deposited with the Treasurer and credited to the Sewer Enterprise Fund, held in a separate account reserved for future appropriation for the sole purposes intended.
- B. Authorization to expend said funds shall be by a majority vote of Town Meeting for a project submitted by the Board of Selectmen upon the recommendation of the Town Manager.

VI. AMMENDMENTS TO SEWER IMPACT PROGRAM REGULATIONS

- A. The Board of Selectman reserves the right to add, delete, rescind, modify or otherwise amend the requirements of these regulations.

**WARRANT FOR THE  
STATE ELECTION**  
The Commonwealth of Massachusetts  
**TUESDAY, NOVEMBER 8, 2016**

Norfolk, ss.

To either of the Constables of the Town of Needham

**GREETING:**

In the name of the Commonwealth you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in the State Election to vote at their respective voting places in said Town, namely:

PRECINCT A – Center at the Heights - 300 Hillside  
PRECINCT B – Center at the Heights - 300 Hillside  
PRECINCT C – Newman School - Gymnasium  
PRECINCT D – Newman School - Gymnasium  
PRECINCT E – Broadmeadow School - Perform. Ctr

PRECINCT F – Needham High School - Gymnasium  
PRECINCT G – Needham High School - Gymnasium  
PRECINCT H – Broadmeadow School - Perform. Ctr  
PRECINCT I Wm. Mitchell School – Gymnasium  
PRECINCT J – Wm. Mitchell School - Gymnasium

**ON TUESDAY, THE EIGHTH DAY  
OF NOVEMBER, 2016**

From 7:00 A.M. to 8:00 P.M. for the following purposes:

To cast their votes in the State Election for the candidates for the following offices and questions:

<b>ELECTORS OF PRESIDENT AND VICE PRESIDENT</b> .....	For the Commonwealth
<b>REPRESENTATIVE IN CONGRESS</b> .....	For Fourth (4 <sup>th</sup> ) Congressional District
<b>COUNCILLOR</b> .....	For Second (2 <sup>nd</sup> ) Councillor District
<b>SENATOR IN GENERAL COURT (Precincts A,B,C,I,J)</b> ...	For Norfolk, Bristol, and Middlesex Senatorial District
<b>SENATOR IN GENERAL COURT. (Precincts D,E,F,G,H)</b> .....	For Norfolk and Suffolk Senatorial District
<b>REPRESENTATIVE IN GENERAL COURT</b> .....	For Thirteenth (13 <sup>th</sup> ) Norfolk Representative District
<b>SHERIFF</b> .....	For Norfolk County
<b>COUNTY COMMISSIONERS</b> .....	For Norfolk County

**QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION**

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2016?

**SUMMARY**

This proposed law would allow the state Gaming Commission to issue one additional category 2 license, which would permit operation of a gaming establishment with no table games and not more than 1,250 slot machines.

The proposed law would authorize the Commission to request applications for the additional license to be granted to a gaming establishment located on property that is (i) at least four acres in size; (ii) adjacent to and within 1,500 feet of a race track, including the track's additional facilities, such as the track, grounds, paddocks, barns, auditorium, amphitheatre, and bleachers; (iii) where a horse racing meeting may physically be held; (iv) where a horse racing meeting shall have been hosted; and (v) not separated from the race track by a highway or railway.

A YES VOTE would permit the state Gaming Commission to license one additional slot-machine gaming establishment at a location that meets certain conditions specified in the law.

A NO VOTE would make no change in current laws regarding gaming.

YES \_\_\_  
NO \_\_\_

**QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION**

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2016?

**SUMMARY**

This proposed law would allow the state Board of Elementary and Secondary Education to approve up to 12 new charter schools or enrollment expansions in existing charter schools each year. Approvals under this law could expand statewide charter school

enrollment by up to 1% of the total statewide public school enrollment each year. New charters and enrollment expansions approved under this law would be exempt from existing limits on the number of charter schools, the number of students enrolled in them, and the amount of local school districts' spending allocated to them.

If the Board received more than 12 applications in a single year from qualified applicants, then the proposed law would require it to give priority to proposed charter schools or enrollment expansions in districts where student performance on statewide assessments is in the bottom 25% of all districts in the previous two years and where demonstrated parent demand for additional public school options is greatest.

New charter schools and enrollment expansions approved under this proposed law would be subject to the same approval standards as other charter schools, and to recruitment, retention, and multilingual outreach requirements that currently apply to some charter schools. Schools authorized under this law would be subject to annual performance reviews according to standards established by the Board.

The proposed law would take effect on January 1, 2017.

A **YES VOTE** would allow for up to 12 approvals each year of either new charter schools or expanded enrollments in existing charter schools, but not to exceed 1% of the statewide public school enrollment.

A **NO VOTE** would make no change in current laws relative to charter schools.

YES \_\_\_\_  
NO \_\_\_\_

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#### QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2016?

##### SUMMARY

This proposed law would prohibit any farm owner or operator from knowingly confining any breeding pig, calf raised for veal, or egg-laying hen in a way that prevents the animal from lying down, standing up, fully extending its limbs, or turning around freely. The proposed law would also prohibit any business owner or operator in Massachusetts from selling whole eggs intended for human consumption or any uncooked cut of veal or pork if the business owner or operator knows or should know that the hen, breeding pig, or veal calf that produced these products was confined in a manner prohibited by the proposed law. The proposed law would exempt sales of food products that combine veal or pork with other products, including soups, sandwiches, pizzas, hotdogs, or similar processed or prepared food items.

The proposed law's confinement prohibitions would not apply during transportation; state and county fair exhibitions; 4-H programs; slaughter in compliance with applicable laws and regulations; medical research; veterinary exams, testing, treatment and operation if performed under the direct supervision of a licensed veterinarian; five days prior to a pregnant pig's expected date of giving birth; any day that pig is nursing piglets; and for temporary periods for animal husbandry purposes not to exceed six hours in any twenty-four hour period.

The proposed law would create a civil penalty of up to \$1,000 for each violation and would give the Attorney General the exclusive authority to enforce the law, and to issue regulations to implement it. As a defense to enforcement proceedings, the proposed law would allow a business owner or operator to rely in good faith upon a written certification or guarantee of compliance by a supplier.

The proposed law would be in addition to any other animal welfare laws and would not prohibit stricter local laws.

The proposed law would take effect on January 1, 2022. The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

A **YES VOTE** would prohibit any confinement of pigs, calves, and hens that prevents them from lying down, standing up, fully extending their limbs, or turning around freely.

A **NO VOTE** would make no change in current laws relative to the keeping of farm animals.

YES \_\_\_\_  
NO \_\_\_\_

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#### QUESTION 4: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2016?

##### SUMMARY

The proposed law would permit the possession, use, distribution, and cultivation of marijuana in limited amounts by persons age 21 and older and would remove criminal penalties for such activities. It would provide for the regulation of commerce in marijuana, marijuana accessories, and marijuana products and for the taxation of proceeds from sales of these items.

The proposed law would authorize persons at least 21 years old to possess up to one ounce of marijuana outside of their residences; possess up to ten ounces of marijuana inside their residences; grow up to six marijuana plants in their residences; give one ounce or less of marijuana to a person at least 21 years old without payment; possess, produce or transfer hemp; or make or transfer items related to marijuana use, storage, cultivation, or processing.

The measure would create a Cannabis Control Commission of three members appointed by the state Treasurer which would generally administer the law governing marijuana use and distribution, promulgate regulations, and be responsible for the licensing of marijuana commercial establishments. The proposed law would also create a Cannabis Advisory Board of fifteen members appointed by the Governor. The Cannabis Control Commission would adopt regulations governing licensing qualifications; security; record keeping; health and safety standards; packaging and labeling; testing; advertising and displays; required inspections; and such other matters as the Commission considers appropriate. The records of the Commission would be public records. The proposed law would authorize cities and towns to adopt reasonable restrictions on the time, place, and manner of operating marijuana businesses and to limit the number of marijuana establishments in their communities. A city or town could hold a local vote to determine whether to permit the selling of marijuana and marijuana products for consumption on the premises at commercial establishments.

The proceeds of retail sales of marijuana and marijuana products would be subject to the state sales tax and an additional excise tax of 3.75%. A city or town could impose a separate tax of up to 2%. Revenue received from the additional state excise tax or from license application fees and civil penalties for violations of this law would be deposited in a Marijuana Regulation Fund and would be used subject to appropriation for administration of the proposed law.

Marijuana-related activities authorized under this proposed law could not be a basis for adverse orders in child welfare cases absent clear and convincing evidence that such activities had created an unreasonable danger to the safety of a minor child.

The proposed law would not affect existing law regarding medical marijuana treatment centers or the operation of motor vehicles while

under the influence. It would permit property owners to prohibit the use, sale, or production of marijuana on their premises (with an exception that landlords cannot prohibit consumption by tenants of marijuana by means other than by smoking); and would permit employers to prohibit the consumption of marijuana by employees in the workplace. State and local governments could continue to restrict uses in public buildings or at or near schools. Supplying marijuana to persons under age 21 would be unlawful.

The proposed law would take effect on December 15, 2016.

A YES VOTE would allow persons 21 and older to possess, use, and transfer marijuana and products containing marijuana concentrate (including edible products) and to cultivate marijuana, all in limited amounts, and would provide for the regulation and taxation of commercial sale of marijuana and marijuana products.

A NO VOTE would make no change in current laws relative to marijuana.

YES \_\_\_\_\_  
NO \_\_\_\_\_

**QUESTION 5: NON BINDING QUESTION**

Shall the Town of Needham be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to provide architectural design, engineering, construction, site work and site acquisition for the Hillside School on Central Avenue?

YES: \_\_\_\_\_  
NO: \_\_\_\_\_

**The Polls Will Be Open From  
7:00 A.M. to 8:00 P.M.**

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.  
Given under our hands this 18<sup>th</sup> day of October, A.D. 2016.

\_\_\_\_\_  
*Matthew D. Borrelli, Chairman*  
\_\_\_\_\_  
*Marianne B. Cooley, Vice Chairman*  
\_\_\_\_\_  
*Daniel P. Matthews, Clerk*  
\_\_\_\_\_  
*John A. Bulian*  
\_\_\_\_\_  
*Maurice P. Handel*  
*Selectmen of Needham*

A true copy,  
ATTEST \_\_\_\_\_ 2016  
Constable (month) (day)

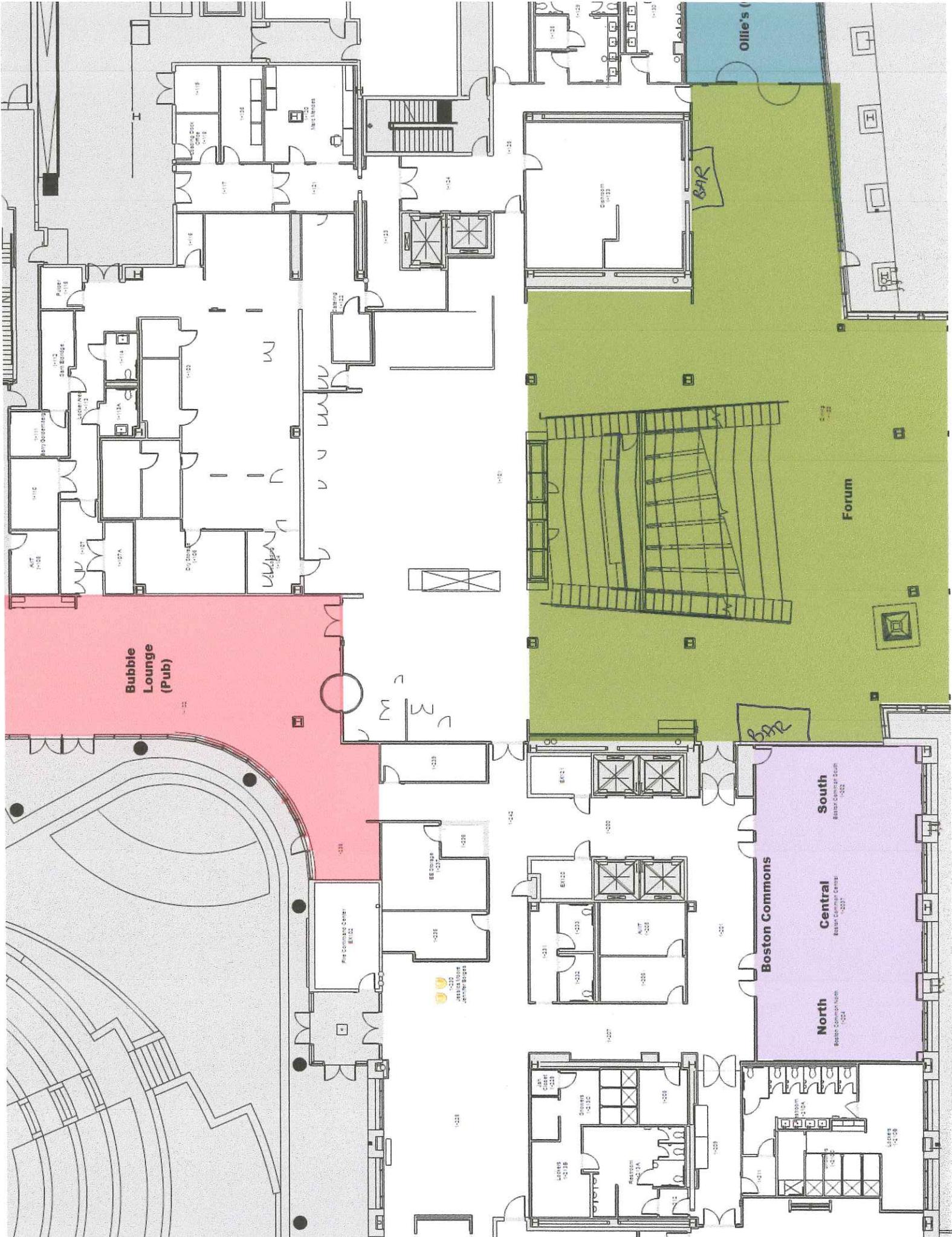
(Warrant must be posted by November 1, 2016, (at least seven days prior to the November 8, 2016, State Election).

pd. check 10/7/16  
e-marked 10/7/16

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

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

Event Manager Name (Name that will appear on license)	Amy Sinclair		
Event Manager Address	400 1st Avenue Needham, MA 02494		
Event Manager Phone Number	978 494 3013 <i>asinclair@tripadvisor.com</i>		
Organization Representing (if applicable)	Trip Advisor		
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	<input type="checkbox"/> Non-profit	<input checked="" type="checkbox"/> For profit	
	<input type="checkbox"/> Proof of non-profit status is attached Form of Proof: _____		
Name of Event	Needham Steps Up		
Date of Event	11/2/16		
License is for Sale of:	<input checked="" type="checkbox"/> Wines & Malt Beverages Only <input type="checkbox"/> All Alcoholic Beverages (for non-profit groups only)		
Requested Time for Liquor License	FROM: 4	TO: 9	
Are tickets being sold in advance for this event?	<input checked="" type="checkbox"/> YES	\$ 85 /per ticket	<input type="checkbox"/> NO
Is there an admission fee for this event?	<input type="checkbox"/> YES	\$ /per ticket	<input checked="" type="checkbox"/> NO
Are you using dues collected to purchase alcohol for this event?	<input type="checkbox"/> YES		<input checked="" type="checkbox"/> NO
How many people are you expecting at this event?	150		
Name & address of event location. Please attach proof of permission to use this facility.	Trip Advisor NeedhamMA 400 1st Ave		
Who will be serving the alcohol to your guests?	Amy Sinclair		
Bartenders and/or servers of alcohol, beer and/or wine must have completed in the past three years an appropriate Massachusetts alcoholic beverages server-training program. Please state below who will be serving alcohol, beer and/or wine and attach proof of their training (certificate).	Amy Sinclair		
Please use the space below to describe the manner in which alcohol will be served to your guests. (For example, will guests be served alcohol or will they need to purchase it from the bar?) Please attach floorplan (can be hand drawn) of the event facility with liquor delivery plan.	quest served alcohol		
<input checked="" type="checkbox"/> I understand that the alcohol purchased for this event must be purchased from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and that I have received a current list of wholesalers. (A person holding a Section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04))			
Event Manager Signature:	<i>Amy Sinclair</i>		Date: 9/28/16

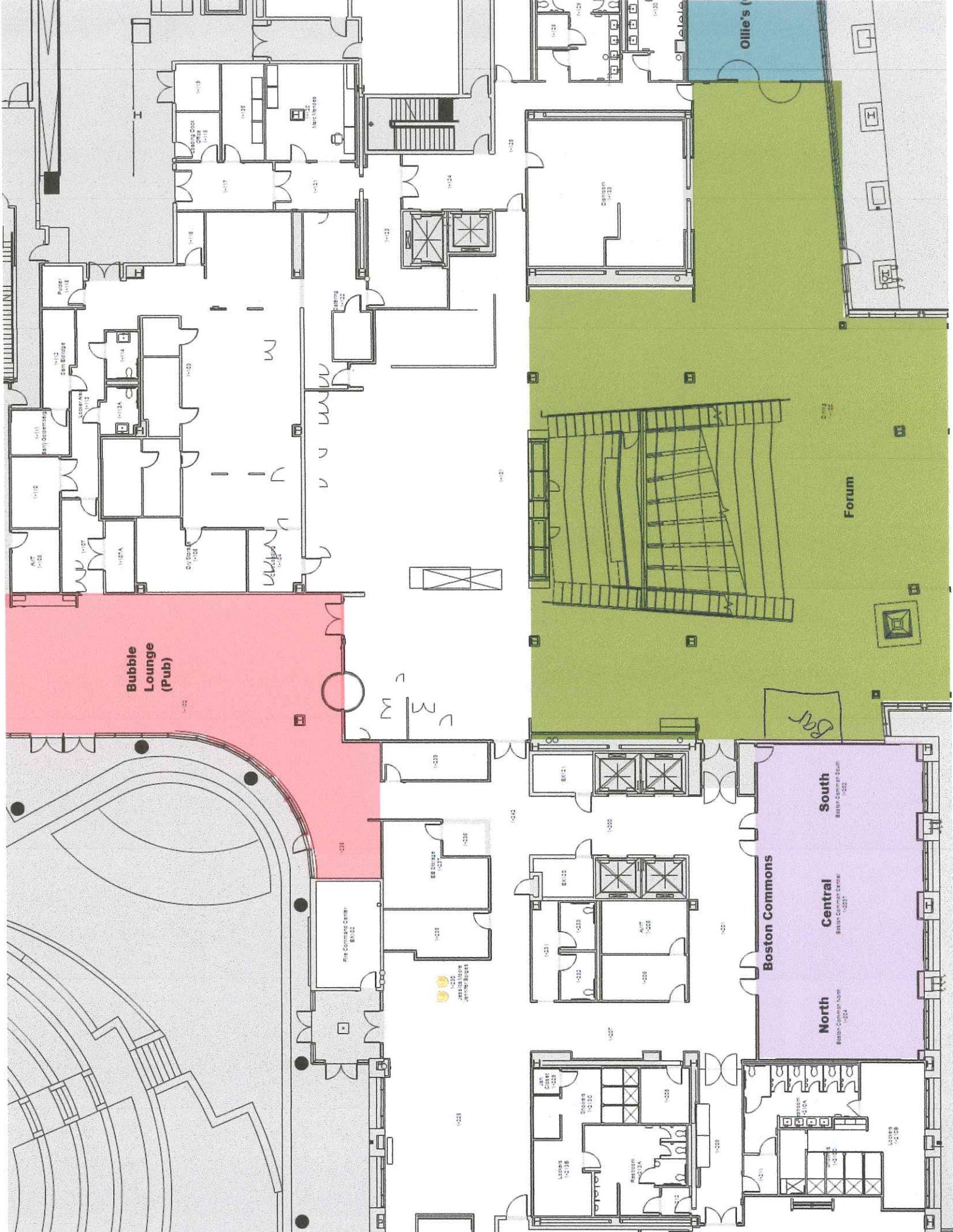


pd. check id #116  
e-mailed 10/11/16

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

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

Event Manager Name (Name that will appear on license)	Amy Sinclair		
Event Manager Address	400 1st Avenue Needham MA 02494		
Event Manager Phone Number	978 -494 -3013		
Organization Representing (if applicable)	World Education		
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	<input type="checkbox"/> Non-profit	<input type="checkbox"/> For profit	
	<input type="checkbox"/> Proof of non-profit status is attached Form of Proof: _____		
Name of Event	World Ed Annual Dinner		
Date of Event	October 28, 2016		
License is for Sale of:	<input checked="" type="checkbox"/> Wines & Malt Beverages Only <input type="checkbox"/> All Alcoholic Beverages (for non-profit groups only)		
Requested Time for Liquor License	FROM:	4:00PM	TO: 9:00PM
Are tickets being sold in advance for this event?	<input type="checkbox"/> YES \$	/per ticket	<input checked="" type="checkbox"/> NO
Is there an admission fee for this event?	<input type="checkbox"/> YES \$	/per ticket	<input checked="" type="checkbox"/> NO
Are you using dues collected to purchase alcohol for this event?	<input type="checkbox"/> YES		<input checked="" type="checkbox"/> NO
How many people are you expecting at this event?	200		
Name & address of event location. Please attach proof of permission to use this facility.	Trip Advisor 400 1st ave Needham MA, 02494		
Who will be serving the alcohol to your guests?	Amy Sinclair		
Bartenders and/or servers of alcohol, beer and/or wine must have completed in the past three years an appropriate Massachusetts alcoholic beverages server-training program. Please state below who will be serving alcohol, beer and/or wine and attach proof of their training (certificate).			
Amy Sinclair			
Please use the space below to describe the manner in which alcohol will be served to your guests. (For example, will guests be served alcohol or will they need to purchase it from the bar?) Please attach floorplan (can be hand drawn) of the event facility with liquor delivery plan.			
served from the bartender no cash exchange			
<input checked="" type="checkbox"/> I understand that the alcohol purchased for this event must be purchased from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and that I have received a current list of wholesalers. (A person holding a Section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04))			
Event Manager Signature:	Amy Sinclair		Date: 9/28/16



Bubble Lounge (Pub)

Ollie's (

Forum

Bar

South  
Boston Commons South  
1-202

Central  
Boston Commons Central  
1-207

North  
Boston Commons North  
1-204

Boston Commons

Fire Command Center  
B1-102

1-220  
1-221  
1-222  
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B1-101

B1-102

B1-103

ART COFFEE  
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**TOWN OF NEEDHAM**

**For Calendar Year:** 2016

**APPLICATION/ RENEWAL FOR A COMMON VICTUALLER LICENSE**

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

Name of Corporation: BoonyBunz Inc

Name of Establishment (d/b/a): BoonyBunz Bakery + cafe

If business is a Corporation / Corporate Name and Officers: \_\_\_\_\_

Mike Scoppettulo President

Christine Baker Treasurer Director Secretary

If business is not a Corporation, Name of Owner: \_\_\_\_\_

Email Address: Mike.Scop@comcast.net

Address of Establishment: 1056 Great Plain Ave Needham Ma 02492

Contact Person (name who will receive notices under this license): Mike Scoppettulo

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

Establishment's Days of Operation: mon-sat

Establishment's Hours of Operation: 7:00am-4:00pm

Manager: Christine Baker # of Staff: 3 # of Seats: 15

Telephone Number: (781) 449-1926 Fax Number: \_\_\_\_\_

Signature of Owner: Michael Scoppettulo Date: 9/30/16

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

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

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

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

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

Michael Scoppettulo  
Signature of Applicant (Mandatory)

By Corporate Officer (if applicable)

Either a Social Security Number

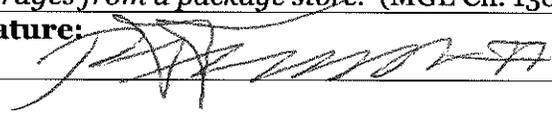
9/30/16  
Date (required)

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

emailed 10/12/16

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

Event Manager Name (Name that will appear on license)	Robert T. Timmerman II
Event Manager Address	1211 Highland Avenue Needham MA 02492
Event Manager Phone Number	781-449-1492 or 781-589-4227
Organization Representing (if applicable)	Needham Knights of Columbus
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	<input checked="" type="checkbox"/> Non-profit <input type="checkbox"/> For profit <input type="checkbox"/> Proof of non-profit status is attached Form of Proof: _____
Name of Event	Trivia Night Benefit for Fisher House-Boston
Date of Event	Thursday, November 10, 2016
License is for Sale of:	<input checked="" type="checkbox"/> Wines & Malt Beverages Only <input type="checkbox"/> All Alcoholic Beverages (for non-profit groups only)
Requested Time for Liquor License	FROM: 6:30 PM      TO: 11:00 PM
Are tickets being sold in advance for this event?	<input type="checkbox"/> YES \$ /per ticket <input checked="" type="checkbox"/> NO
Is there an admission fee for this event?	<input checked="" type="checkbox"/> YES \$ 25.00 /per ticket <input type="checkbox"/> NO
Are you using dues collected to purchase alcohol for this event?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
How many people are you expecting at this event?	75
Name & address of event location. Please attach proof of permission to use this facility.	Needham Knights of Columbus 1211 Highland Avenue Needham MA
Who will be serving the alcohol to your guests?	Paid Bartender Jessica Freeland      TIPS trained bartender
Bartenders and/or servers of alcohol, beer and/or wine must have completed in the past three years an appropriate Massachusetts alcoholic beverages server-training program. Please state below who will be serving alcohol, beer and/or wine and attach proof of their training (certificate).	Jessica Freeland      TIPS Certificate on file at selectmans office
Please use the space below to describe the manner in which alcohol will be served to your guests. (For example, will guests be served alcohol or will they need to purchase it from the bar?) Please attach floorplan (can be hand drawn) of the event facility with liquor delivery plan.	
<input checked="" type="checkbox"/> I understand that the alcohol purchased for this event must be purchased from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and that I have received a current list of wholesalers. (A person holding a Section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04))	
Event Manager Signature:	Date: 10/12/16



# TRIVIA NIGHT



Father Daniel J. Kennedy Needham Knights of Columbus

**PRESENTS**

## **A TRIVIA NIGHT BENEFIT**

**FOR**

**THE FISHER HOUSE - BOSTON**



Helping Military Families  
[www.fisherhouseboston.org](http://www.fisherhouseboston.org)

*\*\*To ease the burden of our Veterans and their families during difficult times.  
To serve those who have served.\*\**

Fisher House Boston's mission is to be responsive to the needs of our guests and go above and beyond what the VA can provide. We strive to meet the basic comfort needs of our guests, as well as enhance the healing and supportive environment of the house, during some of the most difficult times in our guest's lives.

**WHEN: THURSDAY NOVEMBER 10, 2016**

**LOCATION: K OF C HALL - 1211 HIGHLAND AVE., NEEDHAM**

**DOORS OPEN AT 6:30 PM**

**HOSTED BY BOSTON RADIO PERSONALITY MIKE "SARGE" RILEY**

**ADMISSION \$25.00 - ADMISSION FOR VETERANS \$10.00**

**INCLUDES A LIGHT DINNER BUFFET & PRIZE FOR WINNING TEAMS**

**CASH BAR (BEER AND WINE ONLY)**

For more information contact Bob Timmerman at [rtimmerman1021@yahoo.com](mailto:rtimmerman1021@yahoo.com)

Town of Needham  
Water Sewer Billing System  
Adjustment Form

DEPARTMENT OF PUBLIC WORKS

TO: TOWN TREASURER AND COLLECTOR  
cc: TOWN ACCOUNTANT, WATER AND SEWER SUPERINTENDENT

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

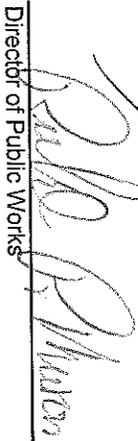
WHEREAS certain inadvertent error(s) were made in said commitment(s), it is hereby requested that you abate these particular account(s) in the amount(s) stated below.

Water Sales:	-205.80
Water Irrigation:	-315.80
Water Admin Fees	\$0.00
Sewer Sales:	-561.30
Transfer Station Charges:	\$0.00
Total Abatement:	-\$1,082.90

Order #: 1224

Read and Approved:

  
Assistant Director of Public Works

  
Director of Public Works

For the Board of Selectmen

Date: 10/18/16

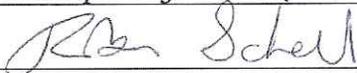
**Town of Needham  
Water Sewer Billing System  
Adjustment Form**

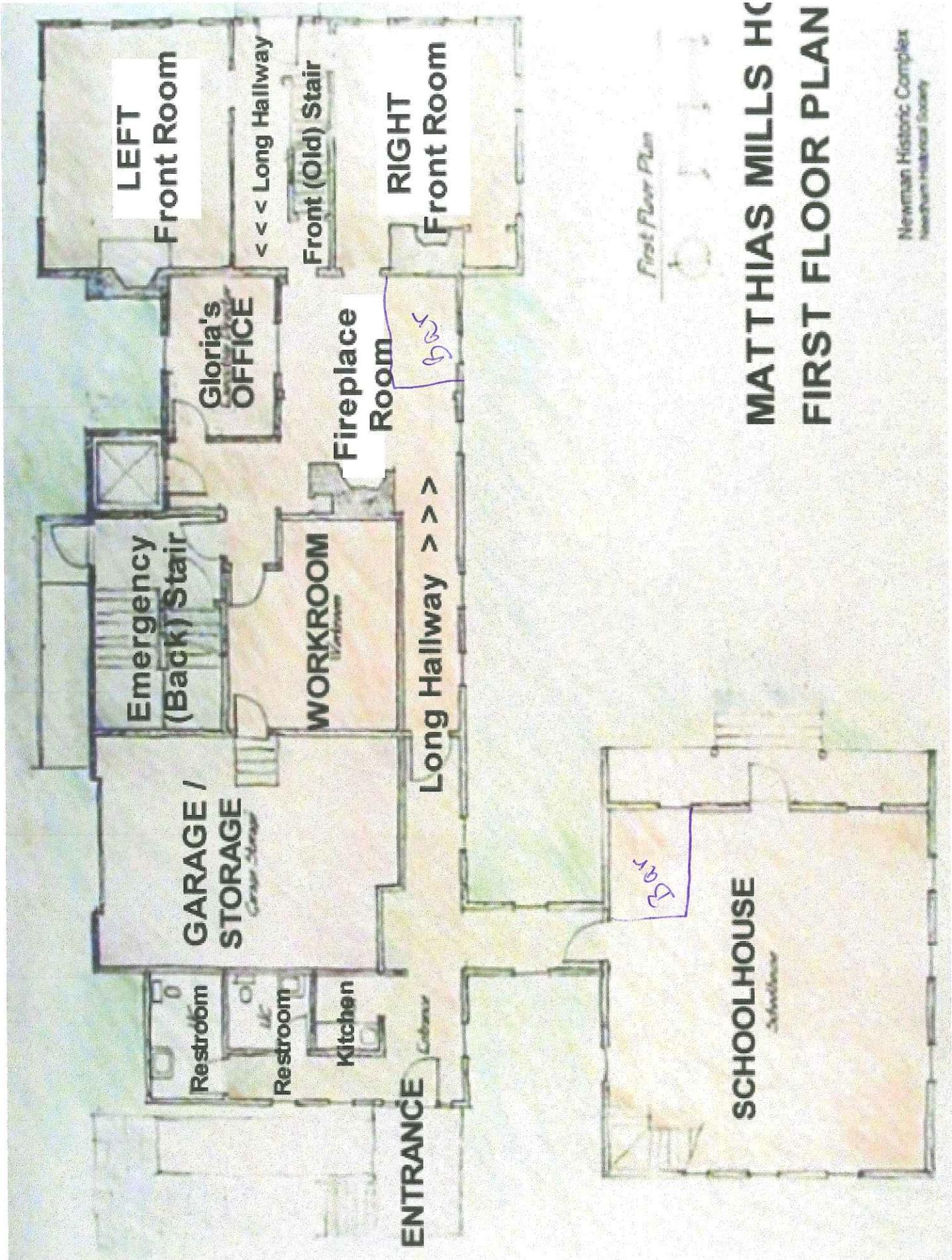
Prepared By:	Last Name	First Name	Customer ID#	Location ID#	Street Number	Street Name	Irrigation Water	Domestic Water	Sewer	Total	Reason	Corrected Last Read
DB	GAL	AFIK	41149	10108	24	Gary Road	-\$315.80	\$0.00	\$0.00	-\$315.80	ACC	N
JO	Council on Aging (2)						\$0.00	-\$205.80	-\$561.30	-\$767.10	COA	N
<b>Total:</b>											-\$1,082.90	

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.  
 TWNN = Town Project caused damage to private property  
 EC = Extenuating Circumstances  
 Equip = Equipment Malfunction  
 UEW = Unexplained water loss  
 ACC = Accidental Water Loss  
 BP = Billing Period beyond 100 days  
 COA - Council on Aging

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

Event Manager Name (Name that will appear on license)	Robin Peters Schell
Event Manager Address	5 Ashley Dr Amesbury, MA 01913
Event Manager Phone Number	603/770-3607
Organization Representing (if applicable)	Needham High Class of 1980
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	<input type="checkbox"/> Non-profit <input type="checkbox"/> For profit <input type="checkbox"/> Proof of non-profit status is attached Form of Proof: Raising \$ for Class Scholarship/nonprofit
Name of Event	Wine & Beer Tasting Reunion
Date of Event	Sat. Nov. 26, 2016
License is for Sale of:	<input checked="" type="checkbox"/> Wines & Malt Beverages Only <input type="checkbox"/> All Alcoholic Beverages (for non-profit groups only)
Requested Time for Liquor License	FROM: 5 pm TO: 11 pm
Are tickets being sold in advance for this event?	<input checked="" type="checkbox"/> YES \$ 35 /per ticket <input type="checkbox"/> NO
Is there an admission fee for this event?	<input type="checkbox"/> YES \$ /per ticket <input checked="" type="checkbox"/> NO
Are you using dues collected to purchase alcohol for this event?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO donated product
How many people are you expecting at this event?	75 - 100
Name & address of event location. Please attach proof of permission to use this facility.	Needham Historical Society 1147 Central Ave. Needham, MA
Who will be serving the alcohol to your guests?	Leo LeFarge Bartending 617/935-1169
Bartenders and/or servers of alcohol, beer and/or wine must have completed in the past three years an appropriate Massachusetts alcoholic beverages server-training program. Please state below who will be serving alcohol, beer and/or wine and attach proof of their training (certificate).	Emailing to nw:tham@needhamma.gov
Please use the space below to describe the manner in which alcohol will be served to your guests. (For example, will guests be served alcohol or will they need to purchase it from the bar?) Please attach floorplan (can be hand drawn) of the event facility with liquor delivery plan.	Floor plan submitted. 4 tasting stations
<input checked="" type="checkbox"/> I understand that the alcohol purchased for this event must be purchased from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and that I have received a current list of wholesalers. (A person holding a Section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04))	
Event Manager Signature:	 Date: 10-13-2016



First Floor Plan

# MATTHIAS MILLS HC FIRST FLOOR PLAN

## BOARD OF SELECTMEN

\* MINUTES \*

September 12, 2016

- 5:00 p.m.** A special meeting of the Board of Selectmen was convened by Chairman Matthew Borrelli at the Needham Town Hall. Present were Ms. Marianne Cooley, Mr. Daniel Matthews, Mr. John Bulian, Mr. Maurice Handel, Town Manager Kate Fitzpatrick, Assistant Town Manager David Davison, Fire Chief Dennis Condon, Police Chief John Schlittler, Director of Design and Construction Steve Popper, and Project Manager Mike Retsky.
- 5:00 p.m.** **Police/Fire Station Feasibility Study** – Ms. Fitzpatrick provided background information about the study. The Police Chief and Fire Chief outlined the programming proposed for the new stations, changes in their respective fields since the stations were built, and the need for the various options. Mr. Handel asked if the project could achieve the desired functionality while moving the building closer to the street edge. Mr. Borrelli asked that clear information be provided to explain the cost drivers. Mr. Popper noted that the project team will present concepts to the Design Review Board and the Planning Board shortly, and would take all feedback under advisement as the next iteration of the design is developed.
- 6:10 p.m.** **Motion: Mr. Handel moved that the meeting be adjourned. Mr. Bulian seconded the motion. Unanimous: 5-0.**

**Town of Needham  
Board of Selectmen  
Minutes for September 29, 2016  
Selectmen's Chamber  
Needham Town Hall**

7:00 p.m.

Call to Order:

An emergency meeting of the Board of Selectmen was convened by Chairman Matthew D. Borrelli. Those present were Maurice P. Handel, John A. Bulian, and recording Secretary Sandy Cincotta.

The emergency meeting was called to discuss the need for calling an emergency outdoor water ban. The Board was joined by David Davison, Acting Town Manager, Robert Lewis, Assistant Director of Public Works and Chris Seariac, Superintendent of Water and Sewer. Also in attendance, who provided input to the issue were Richard Merson, Director of Public Works, Timothy McDonald, Director of Public Health, and Fire Chief Dennis Condon, Police Chief John Schlittler and Lieutenant Belinda Carroll.

Mr. Davison explained to the Board that the Town had been notified by the MWRA that there was a leak in the service line to Needham and Wellesley and that it would be necessary for the MWRA to shut down service to the two towns while repairs were made.

Assistant Director Lewis explained that the Town has 3 wells, one of which, well #3 is out of service for repairs. Of the two other wells, one was within 3 feet of the bottom screen and would need to draw more water and the other well was 10 to 12 feet above the screen.

Superintendent Seariac reported that a typical Thursday water demand in the Town calls for 4.5 million gallons of water for the day. The Town's wells would be able to only supply 2.5 million gallons of water, without drawing from the MWRA supply.

Assistant Director Lewis reported that the Town had been in contact with the Town of Dedham who can supply water through the interconnection and flushing had been done on both ends in anticipation of this need. However, even with Dedham's assistance, the typical demand of 4.5 million gallons cannot be met.

Chairman Borrelli asked how long is the MWRA line shutdown anticipated and Assistant Director Lewis responded approximately 24-36 hours, however, given the potential severity of the repair needs, it could be as long as 48 hours.

Chairman Borrelli asked how much water could be saved with an emergency ban of outdoor water use? Assistant Director Lewis stated that the MWRA supply source

is usually shut down in the winter months, where there is little outside water usage, and the water demand is typically 1.4 – 2.0 million gallons.

The Board discussed the most effective way to notify residents and it was determined that the Reverse 911 system would reach all of the homes with landlines. Augmenting this with the School Department's listserv process would reach more families.

Chief Dennis Condon reported the plan for the Fire Department, if their services would be called for during this emergency. He stated there was access to a large water truck and if necessary, lakes/streams could be utilized as water sources.

Public Health Director McDonald reported that he had mobilized staff to contact hospitals, nursing homes and other businesses, if needed.

Superintendent Seariac reported that multiple crews would be out canvassing the Town during this outdoor water ban.

**Motion by Mr. Handel to move that all outdoor watering is banned until further notice and further that the Board requests that residents and businesses refrain from other non-essential water use until the water emergency is over.**

**Motion to amend by Mr. Handel that to add that the Director of Public Works be authorized to declare when the emergency is over.**

**Second: Mr. Bulian. Unanimously approved 3-0.**

7:30 p.m.

Adjourn:

**Motion by Mr. Handel that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of September 29, 2016.**

**Second: Mr. Bulian. Unanimously approved 3-0.**

**Town of Needham  
Board of Selectmen  
Minutes for October 4, 2016  
Selectmen's Chamber  
Needham Town Hall**

6:00 p.m. Call to Order:  
A meeting of the Board of Selectmen was convened by Chairman Matthew D. Borrelli. Those present were Maurice P. Handel, Daniel P. Matthews, John A. Bulian, and Town Manager Kate Fitzpatrick. Ms. Cooley joined the meeting at 6:05 and Recording Secretary Mary Hunt joined the meeting at 6:45 p.m.

**Motion by Mr. Handel that the Board of Selectmen vote to enter into Executive Session.**

**Exception 3 - To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.**

**Exception 6 - To consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.**

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

6:45 p.m. The Board returned to open session.

6:45 p.m. Informal Meeting with Citizens:  
Christopher Thomas updated the Board on his research in an effort to ban use of plastic bags within Needham. He commented on the negative environmental impact of using plastic shopping bags, cited the actions of surrounding towns Wellesley and Newton, and suggested a change in the Town by-law banning use. The Board invited Mr. Thomas to send details of his research to the Town Manager, and told him it will consider moving the issue ahead in the Town process.

7:00 p.m. The public portion of the Board of Selectmen meeting of October 4, 2016 was convened by Chairman Matthew D. Borrelli.

7:00 p.m. Public Hearing for the Removal of One (1) Public Shade Tree at 165 Meadowbrook Road:  
Edward Olsen, Tree Warden/Parks & Forestry Superintendent appeared before the Board with Matt Hughes, Pinewood Custom Homes, Inc. who has petitioned for the removal of one Red Maple located on Town property. Mr. Olsen said that while the new home and driveway have been constructed, the roots of the Red Maple were compromised during construction and that the tree will eventually suffer and fail.

He recommended removal of the tree at the owners expense, a donation of \$200 be paid to the Town of Needham, and two additional trees be planted on the property.

Mr. Borrelli invited public comment. He said one email was received concerning removal of the tree.

Mr. Borrelli asked for Board comment.

Mr. Matthews said he is not opposed to removal of the tree, but that it would have been better to discuss removal prior to the home being built.

Mr. Olsen agreed. He said the property is unique as the layout of the lot changed from Newell Avenue to Meadowbrook Road.

Jennifer Sexton, 62 Newell Avenue asked for clarification as to when the root system of the tree was compromised. She also asked money be set aside for future tree planting.

Mr. Olsen said, unfortunately, a root was cut during construction of the driveway. He said the Town's practice is to plant two new trees for every tree removed in the same location or thereabouts.

Charlotte Culgin, 158 Meadowbrook Road said care should be taken when planting new trees, as she is concerned with safety of children in the neighborhood. She suggested having a discussion with abutters prior to planting.

**Motion by Mr. Matthews that the Board vote to approve and sign the Public Shade Tree Hearing form for the removal of one 20-inch Red Maple tree in front of 165 Meadowbrook Road and that the Board vote to approve the sum of \$200.00 be paid to the Town of Needham for future tree planting and that the Board vote to approve the Tree Warden's request that the owner is required to replace this tree with two trees on their property of at least 4" caliber or greater, DBH.**

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

7:10 p.m. Public Hearing for the Removal of Eleven (11) Public Shade Trees on Greendale Avenue:

Edward Olsen, Tree Warden/Parks & Forestry Superintendent, Chris Regnier, Director, Goulston and Storrs, and Lars Unhjem, VP Development, Millcreek Residential appeared before the Board on behalf of Chris Dunphy of Mill Creek Residential who is requesting permission to have eleven Public Shade Trees removed.

Mr. Olsen said tree hearings are difficult and this one is unlike any he has had previously. He gave a brief history of the 136 unit townhouse and apartment community Mill Creek Development is proposing to construct at 700 Greendale

Avenue. Mr. Olsen said construction of sewer utilities and needed grading would impact 11 Public Shade trees on town property at the front side of the lot. However, he commented the original request for the removal of 11 trees has been revised after further discussion with representatives from Mill Creek. Mr. Olsen said the revised plan is to remove four Public Shade trees, saving 7 trees. He also suggested removal, at the owners expense, of one Norway Maple tree in addition to the four Public Shade trees.

Site and landscape plans were viewed.

Chris Regnier, Goulston and Storrs said, in working with the Town Engineer, it was determined to place the sewer line closer to the edge of the property which lead to the incidental impact to four Public Shade trees. He commented the landscape plan, approved by the Zoning Board of Appeals, has a variety of lush trees and shrubs. He noted that while some street trees will be removed, a well-designed landscape strip will be installed.

Mr. Borrelli invited public comment.

Lois Sockol, 611 Greendale Avenue said she came "ready for battle," but now appreciates the stand taken by both Mr. Olsen and Mr. Regnier. She noted their expertise and extensive knowledge of trees is far more extensive than hers, which is only to protect people from pollution coming off of Route 128. She asked whether the lush new landscape will include more new trees so that the total number of trees is not diminished. Ms. Sockol noted there is no better way to protect people from pollution than trees.

Mr. Borrelli noted the current motion does not mention more new trees, but said the Board of Selectmen will consider the suggestion.

Mr. Regnier confirmed 48 trees will be planted per the landscape plan.

Terence Noonan, 125 Broad Meadow Road asked what changed in order to save seven trees?

Mr. Regnier said while it is preferable and beneficial to remove the other seven trees, comments from residents indicate a desire to maintain as many trees as possible.

Mr. Borrelli noted the tumultuous nature of the project. He said the comprehensive permit does not include removal of 11 trees, and agrees with Mr. Olsen. He said the issue is not something ever seen by the Board of Selectmen, and said the request is in a different category. He asked the estimated cost of replacing five large trees?

Mr. Olsen said the estimated cost could be \$2,000 per tree.

Mr. Bulian said neighbors are starting to call the Board of Selectmen concerning the clear cutting of the parcel. He said the Board of Selectmen is compelled to approve removal of as few trees as absolutely necessary, as there must be a sensitivity for residents concerned with the hole and view clear down to Route 128. Mr. Bulian asked if there is intent to preserve some of the trees on the site?

Lars Unhjem said the area will be completely cleared because of installation of all sub-surface utilities. He said an attempt will be made to preserve as many trees as possible on the north portion of the property in response to concerns from Board of Health, Park and Recreation, Board of Selectmen, and the Tree Warden.

Ms. Cooley asked the size of the 48 replacement trees?

Mr. Regnier listed trees ranging in size from 3 1/2"-4" caliper Oak, 5 1/2"-6" caliper Red Maple, 12"-14" caliper River Birch, and up to 8ft-9-ft tall White Spruce.

Lois Sockol, 611 Greendale Avenue commented she is now hearing something entirely different that the taking down of trees along Greendale Avenue. She asked if the public will have an opportunity to speak about the clear cutting?

Mr. Borrelli said no, as the hearing tonight is a Public Shade Tree hearing limited to the trees along Greendale Avenue. He said the Zoning Board of Appeals has issued a Comprehensive Permit as to the layout of the site, noting those trees must be removed. He said the Town has jurisdiction over the trees on Greendale Avenue. Mr. Borrelli said the project calls for a large scale removal of trees, with the thought of replanting trees for a lush vibrant landscape. He acknowledged the plan is upsetting.

Ms. Sockol said it is more than upsetting and that she is not just looking for lush vibrant beauty. She said she is more concerned with death by pollution. Ms. Sockol is upset at the removal of the single natural object, "nature's answer," to preventing carbon pollution. Ms. Sockol told the Board of a quote she never forgot, "Have you no shame?"

Mr. Borrelli said Ms. Sockol's frustration is understandable, but the Board of Selectmen and Zoning Board of Appeals worked very hard to preserve the buffer. He said the Town does not have jurisdiction over how the development will proceed, and that he agrees with her.

Jeff Heller, 1092 Central Avenue said he walked the trail today and the shame is not in losing five trees, but rather in losing the beautiful specimen trees. He asked for some of the larger specimen trees to remain, and assurance some of the trees will remain as a buffer along Route 128.

Mr. Borrelli commented on jurisdiction under the Comprehensive Permit, but noted there can be discussion about substitute trees along Greendale Avenue. He said there is no mention of replacing trees in Mill Creek's application. He asked for a better proposal from Mill Creek.

**Motion by Mr. Bulian that the Board of Selectmen vote to continue the Public Hearing for the Removal of Eleven (11) Public Shade Trees on Greendale Avenue to October 18, 2016 pending further discussion with the Tree Warden and Mill Creek Development representatives with updated paperwork to reflect tonight's discussion, and to hold the record open for additional public comment.**

**Second: Mr. Handel.**

The Board did not vote on the Motion.

Mr. Borrelli thanked Mr. Olsen for his effort. He commented he believes more money should be paid by Mill Creek to the Town for each tree, with a replication plan for removal of the trees before granting permission.

Mr. Handel pointed out trees being planted as part of the site plan do not reflect additional trees as a result of removed trees, and said clarification is needed. Mr. Borrelli agreed.

Terence Noonan, 125 Broad Meadow Road asked if the Town has jurisdiction over trees in the buffer zone abutting Route 128. He asked if any portion of the buffer zone had been disturbed and whether clear cutting had been done as understood by the Town.

Mr. Borrelli said the Comprehensive Permit outlines a buffer zone not to be disturbed.

Mr. Unhjem said tree clearing has been limited to the work associated with the realignment of the sewer and the Ancient Way, connecting down to the manhole cover on the shoulder of Route 128.

Mr. Handel asked about planting near the sewer line.

Mr. Merson said typically a 20 ft. wide easement is taken, which allowing for excavation, installation, and future repairs.

Mr. Regnier acknowledged the competing feelings expressed tonight towards the project. He commented on the significance of Mill Creek to withdraw its request for removal of seven of 11 trees (one additional tree removal at the Town's request), saying removal is important to start sewer work. Mr. Regnier said Mill Creek would gladly return before the Board of Selectmen in two weeks to discuss replacement trees. He commented in light of the settlement agreement and

Comprehensive Permit that granted a waiver from the requirement to seek approval for removal of street trees, he requested the Board of Selectmen move and allow removal of four street trees in the area of the sewer line.

Mr. Matthews said the project is not something the Town agreed to, but rather constructed under a state law that supercedes the Town's preferred planning. He said the goal should be for the project to be built according to plan, to benefit people who will live there, and that the rights of the neighbors be respected. He asked whether the Town has all the information to let the matter move forward in the way the parties agreed. He said the Board of Selectmen is amenable to allowing removal of the 5 trees (4 Oak, 1 Norway Maple), and that everyone has agreed the other trees should remain. He clarified the Tree Warden has said there probably are some trees that may have trouble in the future. He said it makes sense to see what happens. He acknowledged the concern of some members of the Board of Selectmen, and that it is not specifying additional plantings, probably because the landscaping plan is already in place and under the Zoning Board of Appeals decision. He said he not sure it makes sense to return to talk about planting more trees, but rather the best way of solving the issue is by an appropriate cash payment to the Town of Needham, which the Town would then make decisions as to what to do. Mr. Matthews concurred it is not the usual kind of \$200 assessment because there are no compensating trees to be planted that are tied to the removals. He said if the Town is charging more, it makes sense to have further discussion between the Tree Warden, Town Manager, and the proponents. Mr. Matthews asked "What is the right amount?," and suggested moving forward by allowing the removal of the five trees, and to defer the issue of a cash payment for further discussion in a hearing before the Board of Selectmen, if necessary, if there isn't a settlement and if there is a settlement, then it can come back for a public vote. Mr. Matthews noted the end of the construction season and work still to be done on the project, commenting more issues may arise before the project is complete. He said in fairness to all parties, each piece must be done right.

Mr. Handel thought about Mr. Matthews suggestion and asked 'what is the "teeth" on the Town's side?'

Mr. Matthews commented the developer will be dealing with the Town for quite a while, and it is expected everyone will act in "good faith" and when they don't they will be held to it.

Mr. Borrelli said a lot of time has been spent negotiating the project, and the trees along Greendale Avenue were never in the Comprehensive Permit. He said he lacks the sympathy to now say "let's move this along, because we didn't have it in the original Comprehensive Permit." Mr. Borrelli commented on leverage, saying he does not want to negotiate at another time and that the responsibility is on the Board. He said he wants an end point, and the only way to accomplish that is by discussion with the Tree Warden and Town Manager to figure out a sum in one

package. Mr. Borrelli said bits and pieces raise more issues, suggesting further discussion at the next Board of Selectmen meeting.

Larz Unhjem acknowledged concern for timing. He clarified the “late hour” is because the location of the sewer line has moved as a result of the recommendation of the Town’s Engineering Department. He said Mill Creek responded to information from the Engineering Department of where they wanted the sewer line to be located and re-engineering the plan, while incurring significant expense. He said Mill Creek is not making the request at the last moment, but had misunderstood that because the Town had asked them to do sewer realignment to the location it was, that it was sort of understood that the trees would necessarily need to be cleared. He implored everyone to understand Mill Creek did not “drop the ball,” but responded to feedback from the Town.

Mr. Borrelli asked if the original plan had no shade trees coming down?

Mr. Unhjem said “yes, that is correct,” as the original plan had the sewer line replacement occurring right down the middle of Greendale Avenue, which he said is a risk as utilities are in the middle of the road.

Mr. Borrelli asked “None of the 11 trees would have been impacted in the original plan? He also asked when Mill Creek learned of the change in the sewer line?”

Larz Unhjem said “yes, that is correct.” He said Mill Creek learned of the sewer line last spring, after receiving the Comprehensive Permit decision and when working on a building permit plan.

Mr. Borrelli commented on the cost to Parks & Forestry in its time and effort to preserve the trees. He asked if Mill Creek thought about what amount of money should be paid Needham?

Mr. Unhjem said Mill Creek has not had the discussion, but would be happy to have the discussion with the Tree Warden tonight or come back at another time.

Mr. Borrelli asked, and the Board agreed, to continue discussion until later in the evening.

Mr. Matthews asked if it were better for the Town Manager and Tree Warden to discuss the situation and make a recommendation at a later time? He said the Board of Selectmen could then vote on the trees tonight, noting the significant amount of money involved requiring deliberation for the benefit of both sides.

Ms. Fitzpatrick commented a Board of Selectmen meeting is posted for tomorrow night and suggested continuing the hearing on October 5, 2016 at 6:45 p.m. The Board concurred.

**Motion by Mr. Handel that the Board of Selectmen vote to continue the Public Hearing for the Removal of Eleven (11) Public Shade Trees on Greendale Avenue until Wednesday, October 5, 2016 at 6:45 p.m.**

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

7:50 p.m.

Eaton Square Outdoor Public Art Galerie:

Paul Good, Chair, Needham Community Revitalization Trust Fund appeared before the Board requesting permission from the Town for a new project titled "Eaton Square Outdoor Public Art Galerie." Mr. Good presented the details of the project, including utilization of the wall of the building located at 1037 Great Plain Avenue (outside wall of the Rice Barn restaurant) for a rotation of art mediums for public display throughout the year.

Ms. Fitzpatrick said a policy would be in place to prioritize order, subject matter, and limitations for the display. She noted the project falls in line with the Board's goal of having art in Needham Center.

**Motion by Mr. Bulian that the Board vote to approve the concept and details of the new NCRTF project entitled "Eaton Square Outdoor Public Art Galerie" as presented.**

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

8:05 p.m.

Eversource West Roxbury to Needham Reliability Project:

Jack Lopes, Community Relations, Eversource Energy, Dominic Nicotera, Project Manager, Eversource Energy, Mike Howard, Epsilon Associates (Eversource Consultant), and John McLaughlin, Eversource Transmission Group appeared before the Board to discuss the grant of easement and answer any questions the Board may have about the project.

Mr. Borrelli said a public hearing held last week raised many questions that need to be answered. He asked Mr. Lopes to give a brief overview as to why the Town needs the project, mitigation, similar projects, timing, alternative routes, and potential health effects.

John McLaughlin said Eversource Energy is required to abide by federal and local planning criteria, and to consider emergency operating scenarios. He said the Greater Boston Study indicated the current system does not meet planning criteria in the greater Boston area and is required to address reliability needs.

Mike Howard reviewed the handout titled West Roxbury to Needham Reliability Project, dated October 4, 2016. A map was viewed of overhead and underground transmission lines and it was stated a loss of the Needham to Baker Street double circuit tower would affect as many as 24,000 customers in the immediate area.

Mr. Handel asked what kind of event would cause a simultaneous loss of transmission?

Mr. McLaughlin said many circumstances could affect transmission citing a strong wind event, heavy ice event, aircraft, structural issue, sabotage, or train derailment. He discussed various project alternatives and cost.

Mr. Lopes said Eversource worked with the Town, including the Park & Recreation Department requesting an easement for the preferred option across the “gravel pit.” He commented the warrant article for consideration by Town Meeting on October 5, 2016 was crafted jointly by Eversource, the Town of Needham, and counsels for each party to develop the existing wording. He asked the Board of Selectmen consider moving forward with the request at Town Meeting. He emphasized the warrant article does not grant Eversource an easement across the “gravel pit,” but rather allows the Town to continue discussions with Eversource Energy to craft a proper easement only after the Town is fully satisfied that their wants and needs have been met regarding restoration, mitigation, traffic, noise, etc.

Mr. Matthews clarified either route requires the transmission line to go underground to a public way, and the only way to do that is with an easement across the “gravel pit.” He confirmed the Board of Selectmen is asking Town Meeting to grant the authority to grant the easement. He said it is logical and reasonable to ask Town Meeting to grant contingent authority, because if the project is approved various details including mitigation could be worked out. He commented if the project is not approved or a different route is chosen, the easement will never be granted. He asked about timing, noting many questions still to be answered. He suggested moving the item to May 2017 Annual Town Meeting. He clarified if it is necessary for the Town to move forward tomorrow it will, however, if it is not necessary for the Town to move forward tomorrow the Board of Selectmen could defer action.

Discussion ensued on timing, permitting, route, and granting of an easement.

Mr. Handel asked does Eversource need the easement granted?

Mr. Lopes said “within a few months time.”

Mr. Nicotera said the only way to advance the project is to have the easement in place.

Discussion ensued about timing and authority from Town Meeting for granting the easement.

Mr. Matthews focused on the project and whether the transmission lines should go overhead or underground. He said the public hearing created much consternation among residents and that time and transparency are important. He said Town Meeting members put a lot of trust in the leadership of the Town, and if approved the project will move forward. He said it seems the Board of Selectmen is questioning whether to do the underground portion of the project or by aerial. He

said the Board of Selectmen must resolve the issue, and suggested withdrawing the article from Town Meeting tomorrow night.

Mr. Borrelli said the question is whether it is right to move forward at Town Meeting tomorrow night. He said he is trying to understand the impact of a delay, while assuming the Board of Selectmen will have multiple public hearings on mitigation, safety, etc. He commented he believes it would be a disaster to have transmission lines overhead and that the route must go through the gravel pit. He said he is not convinced the issue must move forward at Town Meeting tomorrow and implored the presenters to convince the Board of Selectmen, otherwise the warrant article will be withdrawn.

Mr. Handel said it is not fair to the public, given the feelings heard at the public hearing last week.

Mr. Howard explained the Siting Board process.

Mr. Borrelli suggested an additional 30 days to allow residents to comment to the Siting Board before moving forward. He said public hearings will be held to discuss all of the issues and that he is confident there can be an agreement.

Counsel for Eversource Energy clarified the Siting Board process and intervention.

Discussion ensued on routing, health safety concerns, timing, and the Community Host Agreement.

Mr. Borrelli asked for Board comment on whether or not to move the issue forward to Town Meeting tomorrow.

Mr. Handel said he would be comfortable moving the issue forward as it will be made clear to Town Meeting that the authority does not predetermine an easement will be granted, but allows more time to gather additional information.

Mr. Matthews said the Board of Selectmen is committed to the project, but if the Town decides it does not want the overhead wires, the problems must be solved. He said if the Town is capable of doing that, there is no need to rush Town Meeting for a vote tomorrow. He summarized the Board of Selectmen does not give up authority by moving forward tomorrow, but that there will be members of Town Meeting that will say that they will be giving up their authority by voting yes. Mr. Matthews said he believes there is a benefit to withdrawing the article for tomorrow's Town Meeting, and addressing the issues in the coming months.

Mr. Bulian said tomorrow night will be rough, possibly ending in a loss. He agreed with Mr. Matthews stating he is reluctant to move forward.

Mr. Borrelli commented the sentiment of the Board indicates there is no reason to move forward with a vote. He suggested if there is a way to resolve the issues and possibly schedule an additional Town Meeting it won't "kill" the process.

Ms. Fitzpatrick suggested starting formulation of a Community Host Agreement. Mr. Borrelli and Mr. Matthews agreed.

Discussion ensued on the next steps, public hearings, and the procedural schedule of the Siting Board.

Ms. Cooley commented the warrant article will be better defined and more specific at the next Special Town Meeting. She commented the Board of Health must be aware of the above ground alternative.

9:25 p.m.

Solar Project Status Update:

Hank Haff, Senior Project Manager and David Davison, Assistant Town Manager/Director of Finance appeared before the Board with an update on the status of the solar array project.

A handout titled "Needham Solar Project Update" dated October 4, 2016 was reviewed.

Mr. Haff said the Solar Array System at the RTS was up and operational in early March. He commented on system details and annual system benefits. Photographs of the site were viewed. Mr. Haff discussed the components of the system, how the panels are interconnected, conversion AC to DC, and the distribution system to Central Avenue. He said a kiosk was constructed and dedicated to Sam "Solar Sam" Weihe on April 25, 2016. A First Responders Guide/Training & Emergency Access Protocols were briefly reviewed. Mr. Haff commented on the website and the educational packet shared with Needham High School, Pollard Middle School, and the elementary schools. He said the Massachusetts House of Representatives sent "Congratulations to the Town for Developing the Clean Energy Investment," and thanking the members of the Solar Energy Exploratory Committee.

Mr. Davison told the Board of the income stream to the Town to date. He said based upon the first three months, the system generated slightly over \$141,000 for the Town. He comment on future revenue projections based on changes in sunlight.

Ms. Fitzpatrick thanked Mr. Haff and Mr. Davison and his staff for their work and effort.

The Board thanked Mr. Haff and Mr. Davison.

9:40 p.m.

Appointments and Consent Agenda:

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

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

**CONSENT AGENDA:**

1. **Accept a \$300 donation made to the Park and Recreation Commission for its Nashoba Valley Program from the Norfolk Lodge AF&AM.**
2. **In accordance with Section 20B of the Town Charter, and upon the recommendation of the Town Manager and the Personnel Board, amend the classification and compensation plan for management employees for fiscal year 2017 by 3%.**
3. **Approve request from Park and Recreation Commission to host their annual “Spooky Walk” on Saturday, October 22, 2016 which commences on Town Common at 10:45 am, with a rain date of Saturday, October 29, 2016.**
4. **Accept a \$100 donation made to the Park and Recreation Commission for its Arts in the Parks Summer Concert Series from John and Patricia Connolly in honor of Nanie and Dave Johnson.**
5. **Approve a One Day Special Wines & Malt Beverages license for Ed Davis, of St. Sebastian’s School to host its Alumni Dinner event on October 27, 2016 from 6:00 p.m. to 10:00 p.m. The event will be held in Ward Hall, 1191 Greendale Avenue, Needham.**
6. **Approve a One Day Special All Alcoholic Beverages license for Paula Jacobson & Julie Richmond of the YMCA to host its Giving Gala event on Saturday, October 15, 2016 from 6:00 p.m. to 11:00 p.m. The event will be held in Powers Hall at Needham Town Hall, 1471 Highland Avenue, Needham.**
7. **Approve Open Session minutes from June 28, 2016, August 16, 2016, and September 20, 2016.**
8. **Accept the following donation made to the Needham Community Revitalization Trust fund: \$1500 from the Beth Israel Deaconess Hospital for the 2016 Banner cycle.**
9. **Accept a \$500 donation made to the Needham Health Department’s Substance Abuse Prevention & Education Program from the Friends of Denise Garlick.**
10. **Grant permission for the following residents to hold block parties:**

Name	Address	Party Location	Party Date	Party Rain Date	Party Time
<b>Ratify</b> – Elyse Slayton	24 Fairfax Road	24 Fairfax Road	9/25/16	N/A	4pm-6:30pm
<b>Ratify</b> - Liz Berkman	113 Melrose Ave	Melrose & Ellicott Park	10/1/16	10/2/16	3pm-6pm
<b>Ratify</b> – Sarah Hood	26 Glendoon Road	Glendoon Road	10/1/16	10/2/16	5pm-10pm
Michele McQuillen	9 Holland Terrace	Holland Street / Holland Terrace	10/23/16	10/22/16	2pm-8pm
Amy Rubin	160 Lexington Ave	Lexington Ave between Tower &	10/29/16	10/30/16	4pm-7pm

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

9:40 p.m.

Town Manager:

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

1. Acceptance of Access Easement, Declaration of Restrictive Covenants and Tree Retention Restriction

Ms. Fitzpatrick said the Planning Board has requested that the Board of Selectmen accept and execute an Access Easement, Declaration of Restrictive Covenant, and Tree Retention Restriction from 1242 South Street LLC to the Town of Needham. She commented the Access Easement allows for passage by foot or vehicle, consistent with the manner in which streets and ways are customarily used. The Declaration of Restrictive Covenants established the conditions placed on the lots under the subdivision approval, and the Tree Retention Restriction limits the property owners' ability to remove trees within a restricted area. She said Town Counsel has determined that Town Meeting approval of the access easement is also required, and this easement will be placed on a future Town Meeting warrant.

**Motion by Mr. Handel that at the request of the Planning Board, that the Board accept and authorize the Chairman to sign the Access Easement by 1242 South Street LLC to the Town of Needham, the Declaration of Restrictive Covenant by 1242 South Street LLC to the Town of Needham, and a Tree Retention Restriction by 1242 South Street LLC to the Town of Needham.**  
**Second: Mr. Bulian. Unanimously approved 5-0.**

2. Positions on STM Warrant Articles

**Motion by Mr. Bulian that the Board vote to support Article 1 - Collective Bargaining - Fire in the October 5, 2016 Special Town Meeting Warrant.**  
**Second: Mr. Handel. Unanimously approved 5-0.**

**Motion by Mr. Matthews that the Board vote to withdraw Article 11 - Grant of Easement - Greendale Avenue in the October 5, 2016 Special Town Meeting Warrant.**

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

Ms. Fitzpatrick commented the proponents of Article 13 - Citizen's Petition - Amend Zoning By-law voted to withdraw the Article. She said Town Meeting Moderator Mr. Fee is satisfied with the procedure.

3. Electronic Signboard Policy

Ms. Fitzpatrick recommended the adoption of a policy governing the use of electronic message boards. She said the policy would apply to fixed location

boards such as the one at the RTS, and not to mobile electronic boards, the use of which is governed under Policy BOS-DPW-007.

**Motion by Mr. Handel that the Board vote to approve and authorize the chairman to sign the Policy for the Use of Electronic Message Boards.  
Second: Mr. Bulian. Unanimously approved 5-0.**

Mr. Borrelli said the electronic message board at the DPW was very helpful informing the public about events including emergency water restrictions, History Walk, and Special Town Meeting.

Ms. Fitzpatrick commented on the positive reaction from the community concerning the emergency water restrictions. She said water restrictions are no longer necessary, but could happen again.

9:48 p.m. Board Discussion:

1. Committee Reports

**Motion by Mr. Bulian that the Board of Selectmen issue a letter drafted by the Town Manager, Chair and Vice Chair of the Hillside Override Committee to the Needham Times indicating its support for the Hillside School Override (Question 5) on the November 8, 2016 ballot.  
Second: Mr. Handel. Unanimously approved 5-0.**

9:50 p.m. Adjourn:

**Motion by Mr. Handel that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of October 4, 2016.  
Second: Mr. Bulian. Unanimously approved 5-0.**

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

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

## BOARD OF SELECTMEN

\* MINUTES \*

October 5, 2016

- 6:45 p.m.** A special meeting of the Board of Selectmen was convened by Chairman Matthew Borrelli at the Needham Town Hall. Present were Ms. Marianne Cooley, Mr. Daniel Matthews, Mr. Maurice Handel, Mr. John Bulian, and Town Manager Kate Fitzpatrick.
- 6:45 p.m.** **Continuation of Public Hearing – Removal of Eleven Public Shade Trees on Greendale Avenue.** Mr. Ed Olsen, Parks & Forestry Superintendent, appeared before the Board to ask the Board to support a new recommendation for the removal of four public shade trees and one invasive tree. The developer has agreed to provide a donation in the amount of \$5,000 for tree replacement.
- 6:55 p.m.** **Motion: Mr. Handel moved that the Board vote to approve and sign the Public Shade Tree Hearing form for the removal of five trees located along the Right of Way along 700 Greendale Avenue, and further that the Board vote to approve the sum of \$5,000 to be paid to the Town of Needham for future tree planting. Mr. Matthews seconded the motion. Unanimous: 5-0.**
- 6:55 p.m.** **Motion: Mr. Matthews moved that the Board adjourn its meeting concurrent with the adjournment of Town Meeting. Mr. Handel seconded the motion. Unanimous: 5-0.**

Note: The Special Town Meeting adjourned for the evening at 10:40 p.m.