

# BOARD OF SELECTMEN

## February 13, 2018

### 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 3: Collective Bargaining and Health Insurance – all unions, and Eversource Litigation; Exception 6: Purchase, Exchange, Lease or Value of Real Property
	<b>6:45</b>	Informal Meeting with Citizens <i>One or more members of the Board of Selectmen will be available between 6:45 and 7:00 p.m. for informal discussion with citizens. While not required, citizens are encouraged to call the Selectmen’s Office at (781) 455-7500 extension 204 in advance to arrange for an appointment. This enables the Board to better assure opportunities for participation and respond to citizen concerns.</i>
<b>1.</b>	<b>7:00</b>	Public Hearing- Underground Propane Fuel License: 21 Aly Raisman Way
<b>2.</b>	<b>7:00</b>	Attend Planning Board Meeting
<b>3.</b>	<b>8:00</b>	Emergency Management Update <ul style="list-style-type: none"> <li>• Tim McDonald, Director of Health &amp; Human Services</li> <li>• Dennis Condon, Fire Chief</li> <li>• Rebecca Ping, Emergency Management Program Coordinator</li> </ul>
<b>4.</b>	<b>8:20</b>	Director of Public Works <ul style="list-style-type: none"> <li>• Proposed Stormwater By-law</li> </ul>
<b>5.</b>	<b>8:40</b>	Town Manager <ul style="list-style-type: none"> <li>• Accept and Refer Zoning – Permitted Uses in the Neighborhood Business District</li> <li>• Close Annual Town Meeting Warrant</li> </ul>
<b>6.</b>	<b>8:50</b>	Board Discussion <ul style="list-style-type: none"> <li>• Committee Reports</li> </ul>

### APPOINTMENTS

1.	Human Rights Committee	Albert “Bud” Schram (term expire 6/30/2020 – reappointment)
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### CONSENT AGENDA      \*=Backup attached

1.*	Approve two Special One Day Wines and Malt Beverages licenses for Steve Volante, of Volante Farms, to host a Grand Wine Tasting and Grand Beer Tasting event on February 11, 2018 and March 3, 2018 from 12:00 p.m. to 4:00 p.m. The events will be held at Volante Farms, 292 Forest Street, Needham.
2.*	Approve two Special One Day Wines and Malt Beverages licenses for Steve Volante,

	of Volante Farms, to host cooking classes on February 10, 2018 and March 10, 2018 from 1:30 p.m. to 3:30 p.m. The events will be held at Volante Farms, 292 Forest Street, Needham.
3.*	Ratify a Special One Day All Alcoholic Beverages license from Gloria Greis of the Needham History Center and Museum who held its Sock Hop event on February 3, 2018 from 6:30 p.m. to 11:30 p.m. The event was held at the Center at the Heights, 300 Hillside Avenue, Needham.
4.	Accept the following donation made to the Needham Community Revitalization Trust Fund: \$8000 from Needham Women’s Club.
5.*	Approve a request from the Eliot Elementary School PTC to hold its Leprechaun 5K/1mile event on Saturday, March 17, 2018. The race starts at 8:00 a.m. and will end around 11:00 a.m. 200 participants are expected. This event has been approved by the following departments: Police, Fire, Park & Recreation, and DPW.
6.	Approve a request from the Exchange Club of Needham to sponsor 4 <sup>th</sup> of July fireworks on Tuesday, July 3, 2018 and activities on Tuesday, July 3, 2018, and Wednesday, July 4, 2018. Activities on the 4 <sup>th</sup> will include a Flag Raising on the Town Common, the Grand Parade, a 5K road race, the Crafts Fair/Flea Market, and athletic competitions for younger children. Coordination of all additional activities will be made with appropriate Town Departments.
7.*	Approve a request from the Needham Track Club to hold “The Great Bear Run” road race on Sunday, May 20, 2018 from 10:30 a.m. to 2:45 p.m. on the grounds of the Pollard Middle School. The route has been approved by the following departments, DPW, Police, Fire and Park and Recreation.
8.*	Approve road race event form from Hilary Ryan of The Charles River Center, to hold its 5K race and 1 mile walk in Needham on September 23, 2018 from 9:00 a.m. to 12:00 p.m. The route of the race has been approved by the following departments: DPW, Police, Fire and Park and Recreation.
9.	Ratify a request from Village Club to extend operational hours on February 4, 2018 (Super Bowl Sunday) for the Club (lower) portion only: Last call – 11:00 pm; Members off premises – 11:30 pm; and everyone (bartender) off premises – 12:00 am.
10.	Accept a \$1,000 donation made to the Needham Public Health Department’s Traveling Meals Program from Darshana and Sandeep Thakore, Needham residents.
11.	Accept the following donations made to the Needham Public Health Department’s Gift of Warmth Program: \$1,000 from St. Joseph Parish, Needham, and \$558 from First Parish in Needham- Unitarian Universalist.
12.	Accept a donation of a NU Step TRS 4000 exercise machine made to the Needham Council on Aging from the Friends at the Center at the Heights. The estimated value of the machine is \$3,795.
13.*	Approve minutes from January 9, 2018, January 23, 2018, and January 24, 2018 open session meetings; and December 5, 2017, January 9, 2018, and January 23, 2018 executive session meetings.
14.*	Water & Sewer Abatement Order #1251
15.	Accept a \$14.50 donation made to the Needham Health Department’s Domestic Violence Action Committee from an anonymous donor.



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

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**MEETING DATE: 2/13/2018**

<b>Agenda Item</b>	Public Hearing: Application for a License to Store Propane Fuel Underground at 21 Aly Raisman Way, Needham
<b>Presenter(s)</b>	Tom Carmody, Eastern Propane Gas

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
	Mr. Carmody of Eastern Propane Gas is requesting a license to install a tank that will store 1,000 gallons of propane fuel underground at 21 Aly Raisman Way, Needham. Section 4.3 of the Town of Needham General By-laws states that any amount of liquid petroleum gas in excess of 500 gallons on a property requires a license issued by the Board of Selectmen.
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
	<b>Suggested Motion:</b> That the Board of Selectmen vote to approve and authorize the Chairman to sign a license to install a tank that will store 1,000 gallons of propane fuel underground at 21 Aly Raisman Way, Needham.
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
	<ol style="list-style-type: none"><li>1. Application / License Form / Map</li><li>2. Legal Notice</li><li>3. Certified Abutters List</li><li>4. General By-Law 4.3</li></ol>

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



# Commonwealth of Massachusetts

Department of Fire Services — Office of the State Fire Marshal



City or Town \_\_\_\_\_ Date \_\_\_\_\_

## APPLICATION FOR LICENSE

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

Location of land 21 Aly Raisman Way Nearest cross street \_\_\_\_\_  
(Street & Number)

Owner of land \_\_\_\_\_ Address \_\_\_\_\_

Number of buildings or other structures to which this application applies \_\_\_\_\_

Occupancy or use of such buildings \_\_\_\_\_

Total capacity of containers in gallons: — Aboveground \_\_\_\_\_ Underground 1 - 1000 Gallon Propane Tank

Kind of fluid to be stored in containers : — Propane

Approved  Disapproved

Chief Dennis Condon  
(Head of Fire Dept.)

[Signature]  
(Signature of Applicant)

January 23, 2018  
(Date)

\_\_\_\_\_  
(Address)



# Commonwealth of Massachusetts

Department of Fire Services — Office of the State Fire Marshal



City or Town \_\_\_\_\_ Date \_\_\_\_\_

## LICENSE

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

Location of land \_\_\_\_\_ Nearest cross street \_\_\_\_\_  
(Street & Number)

Owner of land \_\_\_\_\_ Address \_\_\_\_\_

Number of buildings or other structures to which this application applies \_\_\_\_\_

Occupancy or use of such buildings \_\_\_\_\_

Total capacity of containers in gallons: — Aboveground \_\_\_\_\_ Underground \_\_\_\_\_

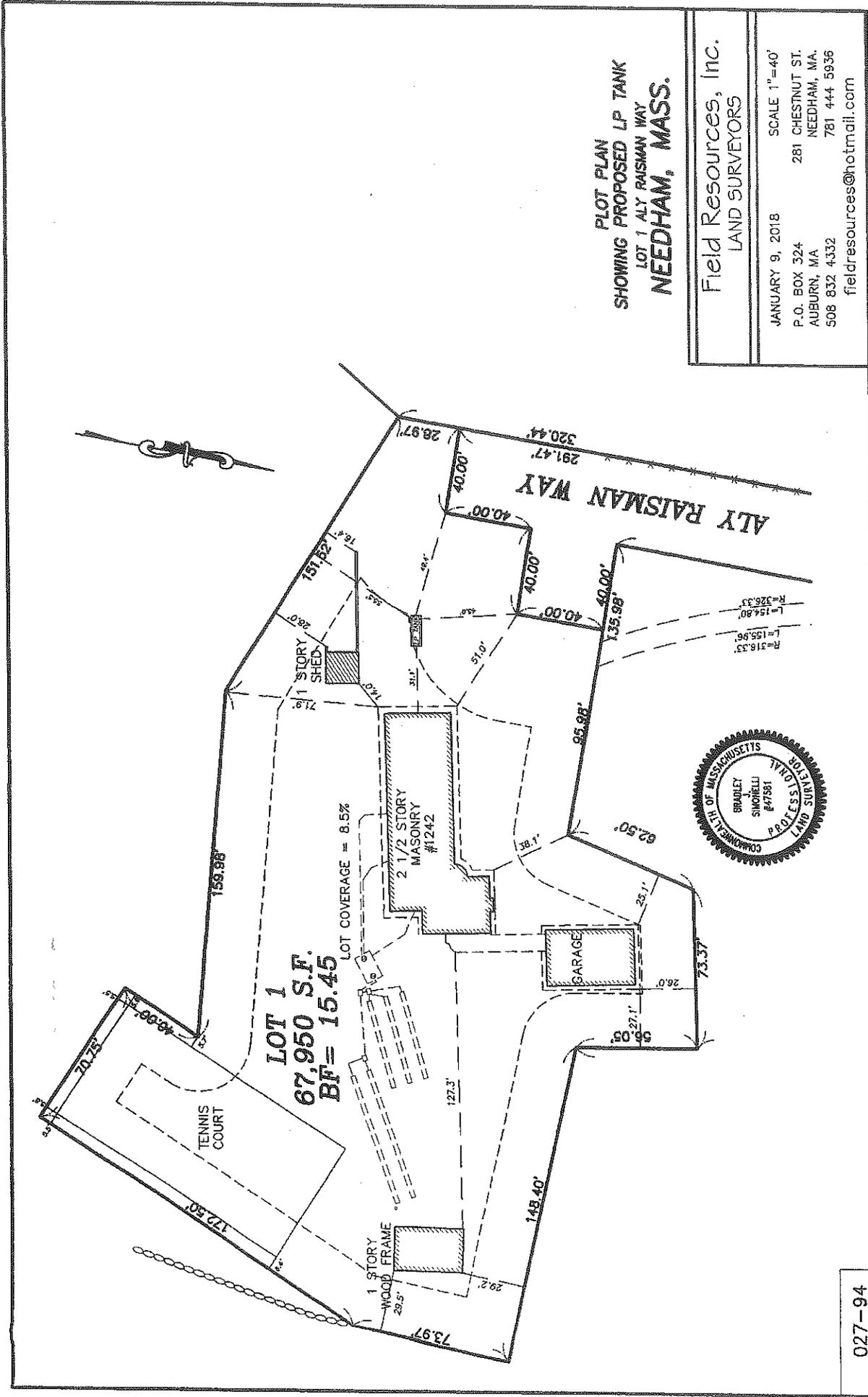
Kind of fluid to be stored in containers: — \_\_\_\_\_

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

\_\_\_\_\_  
Signature of Issuing authority

\_\_\_\_\_  
Title

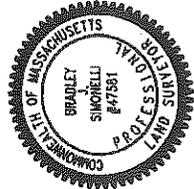
THIS LICENSE OR A PHOTOSTATIC OR CERTIFIED COPY THEREOF MUST BE CONSPICUOUSLY POSTED IN A PROTECTED PLACE ON THE LAND FOR WHICH IT IS GRANTED



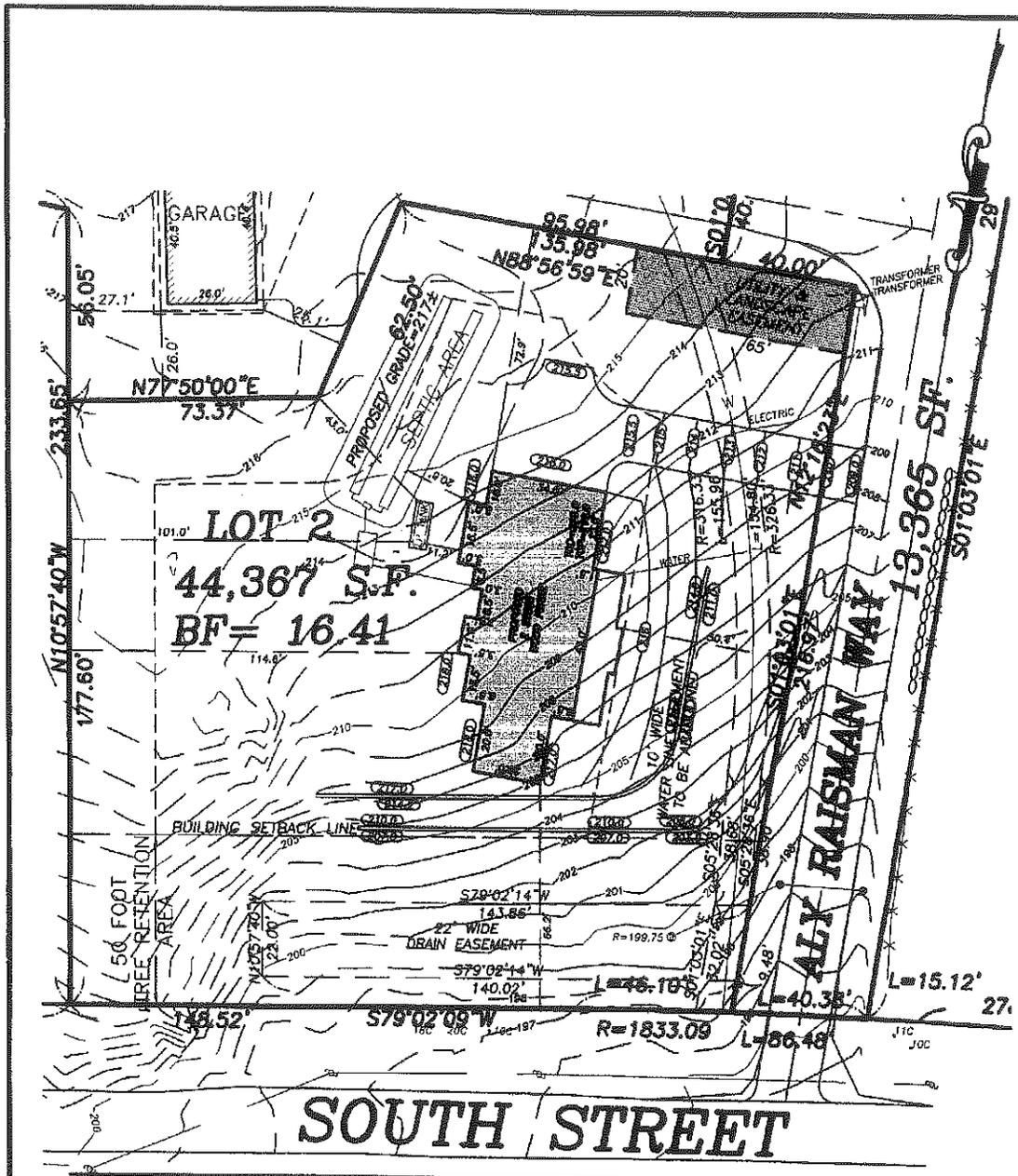
**PLOT PLAN  
SHOWING PROPOSED LP TANK  
LOT 1 ALY RAISMAN WAY  
NEEDHAM, MASS.**

Field Resources, Inc.  
LAND SURVEYORS

JANUARY 9, 2018 SCALE 1"=40'  
P.O. BOX 324 281 CHESTNUT ST.  
AUBURN, MA NEEDHAM, MA.  
508 832 4332 781 444 5936  
fieldresources@hotmail.com



027-94



**PLOT PLAN FOR  
LP GAS TANK  
7 ALY RAISMAN WAY  
NEEDHAM, MASS.**

Field Resources, Inc.  
LAND SURVEYORS

JANUARY 9, 2017

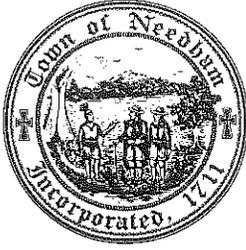
SCALE 1"=40'

P.O. BOX 324  
AUBURN, MA  
508 832 4332

281 CHESTNUT ST.  
NEEDHAM, MA.  
781 444 5936

fieldresources@hotmail.com

113-17



**LEGAL NOTICE  
Town of Needham  
Board of Selectmen  
Public Hearing**

Public Notice is hereby given that Eastern Propane Gas has made an application in accordance with the provisions of Chapter 148 of the Massachusetts General Laws, for a license to install (1) 1,000 gallon propane fuel tank underground at 21 Aly Raisman Way, Needham, MA 02494.

Upon said application it is hereby ORDERED: That a Public Hearing be held at the office of the Board of Selectmen, Town Hall, 1471 Highland Avenue, Needham, MA, Tuesday, February 13, 2018 at 7:00 pm, at which time all persons interested may appear and be heard.

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

BOARD OF SELECTMEN

Dated: Needham Times, February 1, 2018

7-21 ALY RAISMAN WAY

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP	PARCEL ID	PROPERTY ADDRESS
SKARIN, ARTHUR T. & ROSLYN W. TRS	SKARIN REAL ESTATE TRUST	61 CRESTVIEW RD	NEEDHAM	MA	02492	1992090001300000	61 CRESTVIEW RD
RAISMAN, RICHARD S. & LYNN H.	C/O 1242 SOUTH STREET LLC	18 NORTH RD	BEDFORD	MA	01730	1992090002300000	1242 SOUTH ST
CARROLL, LINDA		82 CRESTVIEW RD	NEEDHAM	MA	02492	1992090002200000	82 CRESTVIEW RD
TORMEY, TIMOTHY B. &	TORMEY, DIANE R.	160 STRATFORD ROAD	NEEDHAM	MA	02492	1992110004000000	160 STRATFORD RD
ZAVAL, EDWARD R. +	ZAVAL, JANET K.	120 WINDSOR RD	NEEDHAM	MA	02492	1992110003600000	120 WINDSOR RD
LOWELL, JAMES H. III &	LOWELL, TERRI ZIEGLER	100 WILSON LANE	NEEDHAM	MA	02492	1992090002500000	0 WILSON LN
1220 SOUTH STREET LLC		1184 SOUTH ST	NEEDHAM	MA	02492	1992080000100000	1220 SOUTH ST
TREACY, MICHAEL, TR	77 CRESTVIEW DRIVE NOMINEE TRUST	1184 SOUTH ST	NEEDHAM	MA	02492	1992090001200000	77 CRESTVIEW RD
FRIED, MEREDITH &	FRIED, GABRIEL	136 STRATFORD RD	NEEDHAM	MA	02492	1992110004200000	136 STRATFORD RD
SHTEIN, TATYANA		1245 SOUTH ST	NEEDHAM	MA	02492	1992110003000000	1245 SOUTH ST
CALLAHAN, ROBERT W & MINARY JANE	C/O CALLAHAN, MARY JANE	1169 SOUTH ST	NEEDHAM	MA	02492	1992110000100020	1169 SOUTH ST
DRUMMOND, IAN D. &	DRUMMOND, NINA M.	43 CRESTVIEW RD	NEEDHAM	MA	02492	1992090001400000	43 CRESTVIEW RD
WEINTRAUB, RICHARD J.		60 CRESTVIEW RD	NEEDHAM	MA	02492	1992090002100000	60 CRESTVIEW RD
MISHRA, RAJESH &	MISHRA, JYOTTI	40 CRESTVIEW RD	NEEDHAM	MA	02492	1992090002000000	40 CRESTVIEW RD
KORZON, ALEXANDER & ALFRED, TRS.	C/O KORZON, ALFRED	125 TUDOR RD	NEEDHAM	MA	02492	1992090002400000	1230 SOUTH ST
KORZON, ALEXANDER & ALFRED, TRS.	C/O KORZON, ALFRED	125 TUDOR ROAD	NEEDHAM	MA	02492	1992090001500000	31 CRESTVIEW RD
MASS BAY TRANSPORTATION AUTHORITY		10 PARK PLAZA	BOSTON	MA	02116	1990010999999980	0 RAILROAD
PAYNE, DOUGLAS D +	PAYNE, GERALDINE R	P.O. BOX 920107	NEEDHAM	MA	02492	1992080000600000	1150 SOUTH ST
CARTER, CRYSTAL		1227 SOUTH ST	NEEDHAM	MA	02492	1992110000200000	1227 SOUTH ST
ARBOGAST, CARROLL M. JR. &	ARBOGAST, LAURA J.	1307 SOUTH ST	NEEDHAM	MA	02492	1992110000600000	1307 SOUTH ST
HILLBACK, ELLIOTT D. JR. &	HILLBACK, MARIORIE S.	34 WILSON LN	NEEDHAM	MA	02492	1992090000800000	34 WILSON LN
HASKELL, GEORGE F. TR. &	HASKELL, ELEANOR B. TR	173 STRATFORD RD	NEEDHAM	MA	02492	1992110002600000	173 STRATFORD RD
FITZGERALD, ROBERT &	FITZGERALD, KERRY	145 STRATFORD RD	NEEDHAM	MA	02492	1992110002400000	145 STRATFORD RD
BRUNO, JOSEPH D. &	BRUNO, DENISE A.	1254 SOUTH ST	NEEDHAM	MA	02492	1992090001900000	1254 SOUTH ST
PETERSON-EACOTT, ERIK D. &	PETERSON-EACOTT, JENNIFER L.	157 STRATFORD RD	NEEDHAM	MA	02492	1992110002500000	157 STRATFORD RD
ASEN, STEVEN M. &	ASEN, ABBE	133 STRATFORD RD	NEEDHAM	MA	02492	1992110002300000	133 STRATFORD RD
KORZON, ALEXANDER & ALFRED, TRS.	C/O KORZON, ALFRED	125 TUDOR ROAD	NEEDHAM	MA	02492	1992090001600000	17 CRESTVIEW RD
PERCHENOK, ARKADIY &	PERCHENOK, YELENA	1187 SOUTH ST	NEEDHAM	MA	02492	1992110000300010	1187 SOUTH ST
CHARLES RIVER ASSOC FOR RETARDED		59 EAST MILITIA HEIGHTS	NEEDHAM	MA	02492	1992110000500000	1285 SOUTH ST
ROTMAN, MICHAEL J &	ROTMAN, NANCY E.	1265 SOUTH ST	NEEDHAM	MA	02492	1992110000400000	1265 SOUTH ST
VERGADOS, PETER J. &	VERGADOS, ANGELICA D.	5 CRESTVIEW RD	NEEDHAM	MA	02492	1992090001700000	5 CRESTVIEW RD
GOFFI, ELIO A., TR.	ELIO A. GOFFI FAMILY LIVING TRUST	211 STRATFORD RD	NEEDHAM	MA	02492	1992110002800000	211 STRATFORD RD
GILLESPIE, MICHAEL &	GILLESPIE, SHARON	210 STRATFORD RD	NEEDHAM	MA	02492	1992110003500000	210 STRATFORD RD
ALDRICH, WILLIAM E. TR. &	ALDRICH, MARIE L. TR	111 WINDSOR RD	NEEDHAM	MA	02492	1992110003900000	111 WINDSOR RD
SCHNEIDER, SCOTT C. &	SCHNEIDER, MARY E.	191 STRATFORD RD	NEEDHAM	MA	02492	1992110002700000	191 STRATFORD RD
JORDAN, EVERETTE T. &	JORDAN, SANDRA M.L.	219 STRATFORD ROAD	NEEDHAM	MA	02492	1992110002900000	219 STRATFORD RD
THOMPSON, BRADFORD B.		125 STRATFORD RD	NEEDHAM	MA	02492	1992110002200000	125 STRATFORD RD
TREACY, MICHAEL E.F. &	TREACY, EVELYN LIU	1184 SOUTH ST	NEEDHAM	MA	02492	1992080000200000	1184 SOUTH ST
CARNAN, ELSPETH		1302 SOUTH ST	NEEDHAM	MA	02492	1992090000700000	1302 SOUTH ST
KORZON, ALEXANDER &	KORZON, ALFRED, TRUSTEES	125 TUDOR RD	NEEDHAM	MA	02492	1992090001800000	1266 SOUTH 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.....

4.1.2 **Application.** When applying for a license, the applicant must show proof that the dog has received a veterinarian certificate for rabies vaccination within the last three years, if the dog is six months of age or over, as required by M.G.L. Chapter 140, Section 145B. No fee shall be charged for a license for a dog specifically trained to lead or serve a blind person or a deaf person, provided that the Division of the Blind or Deaf certifies that such dog is so trained and actually in the service of a blind or deaf person.

4.1.3 **Refund.** No license fee or part thereof shall be refunded because of subsequent death, loss, spaying, neutering or removal from the Town of Needham or the Commonwealth or any other disposal of said dog.

4.1.4 **Failure to License.** In addition to the requirement that a dog shall be duly licensed as required by law, the owner of a dog not licensed on or before April 30th in any year shall be subject to a fine of fifty dollars (\$50.00), in addition to the license fee, upon the complaint of the dog officer. The owner of any unspayed and unleashed female dog found by the dog officer roaming in season (heat) off the premises of the owner or keeper shall be subject to a fine of fifty dollars (\$50.00). Each such occasion shall constitute separate violations.

4.1.5 **Fees.** The fees for registering and licensing dogs of all types in the Town shall be established from time to time by vote of the Selectmen.

## **SECTION 4.2 PUBLIC CARRIAGES AND TAXIS**

4.2.1 **Licenses.** The Board of Selectmen may license hackney carriages or motor vehicles for the conveyance of persons for hire from place to place within the Town and may revoke such licenses at their discretion. A record of all licenses so granted or revoked shall be kept by the Selectmen.

4.2.2 **Penalties.** No person shall set up, use or drive in the Town any unlicensed hackney carriage or motor vehicle for the conveyance of passengers for hire from place to place within the Town. Any person violating Section 4.2 shall be subject to a penalty not exceeding twenty dollars (\$20) for each offense.

4.2.3 **Expiration and Fees.** Licenses shall expire on the thirtieth day of April following the date of issuance, and shall not be transferred without the written consent of the Board of Selectmen. For each license the sum of ten dollars (\$10.00) shall be paid to the Town Treasurer for use by the Town. A license so granted shall become void if the applicant neglects or refuses to take out and pay for his license within ten days after notice that it has been granted.

4.2.4 **Taxi Stands.** The Selectmen may grant to the holder of a license under Section 4.2 a license to use a certain portion of a public way as a taxi stand for the solicitation of passengers for hire and no person shall use any portion of any public way for such purpose without such license. Any person who violates any of the provisions of Sub-section 4.2.4 shall be punished by a fine of not more than twenty dollars (\$20.00) for each offense.

## **SECTION 4.3 FEES, REGISTRATION APPLICABLE TO FLAMMABLES**

4.3.1 **Statutory Authority.** Pursuant to the authority of M.G.L. Chapter 148, Sections 10A, 13, 38A and 39A, and the Needham Fire Code, there is hereby established a fee schedule for licenses granted by the Board of Selectmen, Annual Certificate of Registration filed with the Town Clerk and Permits granted by the Chief of the Fire Department as follows:

### **4.3.2 Licenses for the Storage of Flammables issued by the Board of Selectmen**

Class A: (all types)

166	-	40,000 gallons	.	.	.	\$50.00
40,001	-	80,000 gallons	.	.	.	200.00
80,001	-	100,000 gallons	.	.	.	300.00
100,001	-	500,000 gallons	.	.	.	400.00
500,001	-	1,000,000 gallons.	.	.	.	500.00
over 1,000,000 gallons	.	.	.	.	.	800.00

Class B Fuel: (all types)

501	-	20,000 gallons	50.00
20,001	-	40,000 gallons	100.00
40,001	-	80,000 gallons	200.00
80,001	-	100,000 gallons	300.00
100,001	-	500,000 gallons	400.00
500,001	-	1,000,000 gallons	500.00
over 1,000,000 gallons			800.00

**Class C Fluids (all types)**

1,001	-	20,000 gallons	50.00
20,001	-	40,000 gallons	100.00
40,001	-	80,000 gallons	200.00
80,001	-	100,000 gallons	300.00
100,001	-	500,000 gallons	400.00
500,001	-	1,000,000 gallons	500.00
over 1,000,000 gallons			800.00

Flammable Solids 101 lbs and up . . . . . 50.00

Flammable Gases (within a building)  
3,001 cubic ft. and up . . . . . 50.00

Flammable Gases (outside a building)  
10,001 cubic ft. and up . . . . . 50.00

Liquid Petroleum Gases  
500 - 1,000 gallons . . . . . 50.00  
over - 1,001 gallons . . . . . 100.00

**Automobiles**

The parking of four or more vehicles in a structure - two dollars (\$2.00) per vehicle, and not less than fifty dollars (\$50.00).

Advertising costs for a hearing by the Board of Selectmen for the issuance of a license for the storage of flammables shall be paid by the applicant.

The annual fees shall include the cost of the initial registration with the Town Clerk. The fee for each annual renewal registration with the Town Clerk shall be the amount herein specified for the original license as set forth above.

**4.3.3 Permit Fees**

Underground Storage Tank Removal	\$100.00
Underground Storage Tank Installation	100.00
Underground Gasoline Tank Removal	100.00
Underground Gasoline Tank Installation	100.00

**SECTION 4.4 GENERAL**

**4.4.1 Denial, Revocation or Suspension for Failure to Pay Municipal Taxes.**

4.4.1.1 The tax collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.



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

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**MEETING DATE: 2/13/2018**

<b>Agenda Item</b>	Emergency Management Update
<b>Presenter(s)</b>	Tim McDonald, Director of Health & Human Services Dennis Condon, Fire Chief Rebecca Ping, Emergency Management Program Coordinator

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
	Staff will provide the Board with an update on the Emergency Management program, including recent accomplishments and future plans.
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
	<i>Discussion Only.</i>
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
	a. Emergency Management PowerPoint Presentation

# EMERGENCY MANAGEMENT PLAN

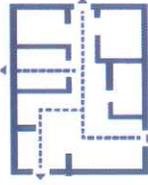
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Town of Needham

GET A KIT



MAKE A PLAN



BE INFORMED



Emergency Management

# Accomplishments

Summer  
2017

Sep 2017

Oct / Nov  
2017

Dec / Jan  
2017



- Community Outreach:
- +Personal Preparedness Tri-fold
- +Distributed to all Residents
- +Distributed to all Staff
- +Displayed in Library

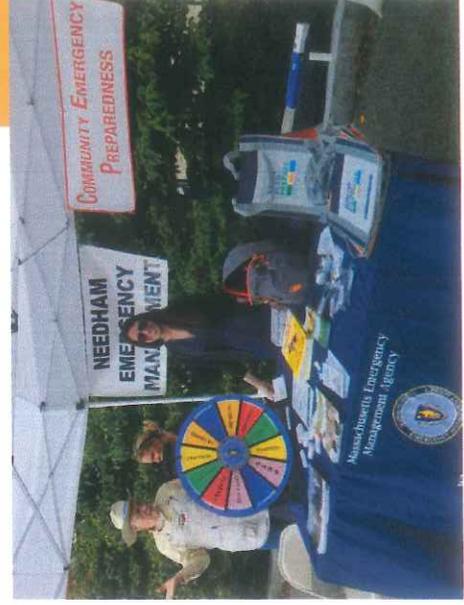
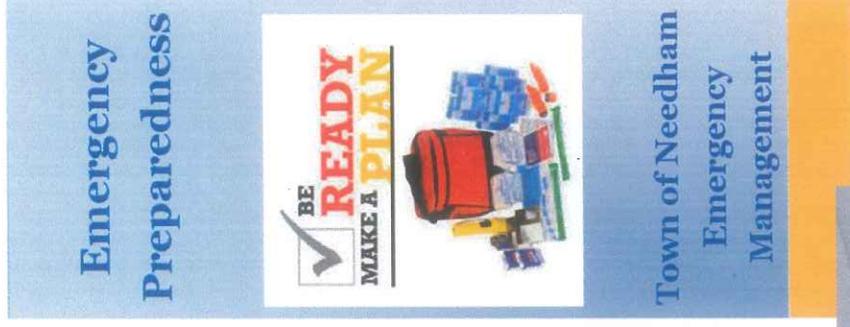
- Grants
- Continued Community Outreach:
- +Farmer's Market Outreach Booth
- +Presentation at CATH
- +Media Tapings

- Emergency Procedure Flipbook & Phone Application Project
- LEPC certification
- Updated Critical Infrastructure (GIS)

- Town Training
- Plan and Policy Updates
- TTX planning

# Community Outreach

- Needham Specific Brochure
  - Distributed to residents through water bill
  - Distributed to staff through paycheck stubs and town-wide training
- Emergency Preparedness Booth at Farmers Market
- Emergency Preparedness Media Video – Needham Channel
- Snow & Cold Weather Preparedness Media Video – Needham Channel
- Go-Bag Video– Fire YouTube
- Senior Center Emergency Preparedness Presentation



# Grants

- Emergency Management Performance Grant (EMPG)
  - Needham = \$8,460
  - Dover, Millis, Ayer = \$8,020
  - Total = \$16,480 (doubled)

- Hazardous Materials Emergency Preparedness (HMEP)

- Needham = \$4,150

- Result:
  - EP Flipbooks & Phone Application
  - Table Top Exercise



# Training Plan

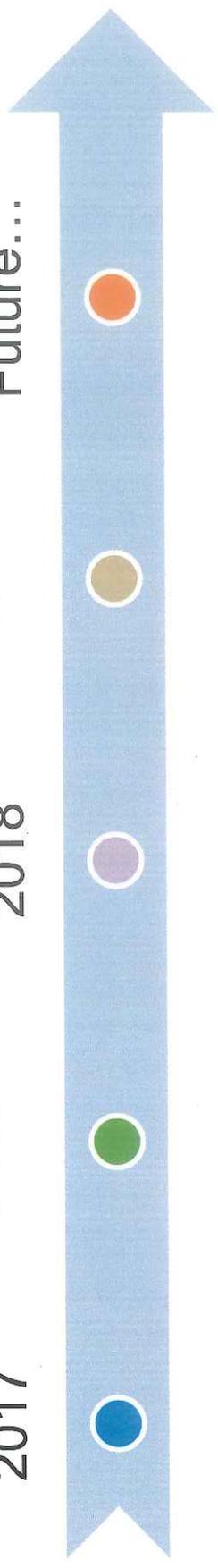
Dec  
2017

Jan  
2018

Spring  
2018

Fall  
2018

Future...



**Town Wide Training:**

- Personal Emergency Preparedness
- Emergency Go Bag

**Field Based Training:**

- Until Help Arrives
- First Aid

**Town Wide Training (1.5-2 hours requested):**

- Emergency Procedure Flipbook and Phone App (general procedure training)
- Active Threat
- TTX

**Building Specific Training:**

- Rally Points
- AED & Fire Extinguisher Locations
- Shelter In Place Locations

**Yearly:**

- Drills (ex. evacuations, shelter in place, etc.)
- Drill again (annually)
- Work up to exercises
- More training (work place safety, cyber security, etc.)



# Proposed Future Projects

- Create Town Policies to help with Emergencies
  1. Emergency communication protocol (2018) – Internal
    - Recall list and response expectations
  2. Emergency notification protocol (2018) – External
    - Message templates
    - Municipal telephone protocol
  3. Emergency financial protocol (2019)
    - What needs to be tracked during an emergency to apply for federal aid re-imbursement
  4. Social media plan (2020+)



# Proposed Future Projects

- Review, Update, & Create Town Plans
  1. Warming/Cooling Center (2018)
  2. Pet Plan (2018)
  3. Shelter Plan (2019)
  4. Multi- Hazard Mitigation Plan (2020)
    - Pre-Disaster Mitigation Grant (PDM)
  5. Continuity of Operations Plan (COOP) (2021+)



# Proposed Future Projects

- LEPC Full Certification (2019)
  1. Update Comprehensive Emergency Management Plan (CEMP)
    - Functional Annexes: EOC operations, crisis communications, etc.
  2. Yearly town exercises with HAZMAT component



# Proposed Future Projects

- Build Community Partnerships
- 1. Climate Resiliency Vulnerability Assessment and Action Plan
  - Grant available in **spring 2018**
  - Work with Green Needham Steering Committee
- 2. Access and Functional Needs Planning
  - Applied for Disability Technical Assistance Program run by National Association of County & City Health Officials
  - Work with Commission on Disabilities (consider AFN when updating CEMP)
- 3. Medical Reserve Corps

# Proposed Future Projects

2018

2019

2020

2021+

- Emergency Communication Protocol (internal)
- Emergency Communication Protocol (external)
- Warming/ Cooling Center
- Pet Plan

- CEMP Full Certification
- Climate Resiliency Vulnerability Assessment and Action Plan
- Shelter Plan
- Emergency Financial Protocol

- Multi-Hazard Mitigation Plan
- Social Media Plan

- Continuity of Operations Plan (COOP)



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

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**MEETING DATE: 2 /13 /2018**

<b>Agenda Item</b>	Proposed Stormwater By-law
<b>Presenter(s)</b>	Richard P Merson, Director of Public Works Anthony L Del Gaizo, Town Engineer

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
	The 2016 NPDES Regulations require that a local bylaw be created to provide the Town with the authority to prevent and prohibit sanitary sewer connections and sanitary sewer overflows into the stormwater drainage system; to address sediment and erosion control at construction sites; to reduce the discharge of pollutants found in stormwater through the retention, recharge and/or treatment of stormwater after construction of new or redeveloped sites; and to require compliance with the Massachusetts Stormwater Handbook requirements, analyses of low impact development opportunities, protection of Zone II areas surrounding Public Well Fields, long term maintenance practices of stormwater facilities, and reduction of phosphorus, suspended solids and pathogens in stormwater discharges.
<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>
	<ol style="list-style-type: none"><li>1. Proposed Stormwater Bylaw</li><li>2. Stormwater Bylaw Summary</li><li>3. 2016 NPDES Update to the Board of Selectmen</li></ol>

## ARTICLE 7

### STORMWATER

#### SECTION 7.1 PURPOSE

The purpose of this By-Law is:

- (a) To prevent pollutants from entering the Town of Needham's Municipal Separate Storm Sewer System (MS4);
- (b) To prohibit illicit connections and unauthorized discharges to the (MS4) and to require the removal of all such illicit connections;
- (c) To comply with state and federal statutes and regulations relating to stormwater discharges, including the NPDES MS4 Permit issued by the U.S. Environmental Protection Agency (EPA), the Massachusetts Stormwater Management Policy regardless of the location of the subject property relative to wetlands or other resource areas, and the Memorandum of Understanding (MOU) issued to the Town of Needham by the EPA in 1996;
- (d) To establish the legal authority to ensure compliance with the provisions of this By-Law through permitting, inspection, monitoring, and enforcement;
- (e) To control runoff and prevent soil erosion and sedimentation resulting from construction site stormwater runoff;
- (f) To promote infiltration and the recharge of groundwater;
- (g) To protect, maintain and enhance the public safety, environment, health, and general welfare by establishing minimum requirements and procedures to manage stormwater runoff, and;
- (h) To ensure that soil erosion and sedimentation control measures and stormwater runoff control practices are incorporated into the site planning and design process and are implemented and maintained.

#### SECTION 7.2 DEFINITIONS

For the purposes of this By-Law, the following definitions shall apply:

Alteration: Any activity that will change the ability of a ground surface area to absorb water or will change existing surface drainage patterns. Examples include, but are not limited to, construction of new structures, earthmoving, paving, and modification of existing vegetation.

Best Management Practices (BMPs): Structural, non-structural, and managerial techniques that are recognized to be the most effective and practical means to prevent or minimize increases in stormwater volumes and flows, reduce point-source and nonpoint-source pollution, and promote stormwater quality and protection of the environment.

Clean Water Act: The Federal *Water Pollution Control Act* (33 U.S.C. §§ 1251 *et seq.*) as it may hereafter be amended.

Construction Site: Any site where activity is proposed or occurs that involves the alteration of land and involves a permit required by the Town.

Development: The alteration of land to accommodate a new use or an expansion or modification of an existing use.

Illicit Connection: A surface or subsurface drain or conveyance that allows a discharge into the MS4 that is not entirely composed of stormwater or clean groundwater, including any connection from an indoor drain, sinks, toilet, or laundry facility, regardless of whether the connection was previously allowed, permitted, or approved before the effective date of this By-Law.

Illicit Discharge: Any direct or indirect discharge to the MS4 or the Waters of the Commonwealth that is not composed entirely of stormwater or clean groundwater, including, without limitation, any discharge of a pollutant, sewage, process wastewater, or wash water, except as exempted. The term does not include a discharge in compliance with a NPDES Stormwater Discharge Permit or a Surface Water Discharge Permit.

Impervious Surface: Any material or structure on, above or below the ground that prevents water from infiltrating through to the underlying soil. Impervious surfaces may include, without limitation: paved surfaces, parking lots, sidewalks, driveways, roof tops and swimming pools.

MOU: Memorandum of Understanding issued to the Town of Needham by the EPA in June 1996.

MS4 (Municipal Separate Storm Sewer System): The system of conveyances, owned or operated by the Town of Needham, that are designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, swale, culvert, channel, catch basin, outfall, outlet, reservoir, or other drainage structure.

National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit: A permit issued by the United States Environmental Protection Agency or jointly with the state that authorizes the discharge of stormwater containing pollutants into waters of the United States.

Non-point Source Pollution: Rainfall or snowmelt that picks up pollutants as it moves across the ground.

Non-stormwater Discharge: A discharge that is not composed entirely of stormwater, such as sanitary waste or process water.

Operation and Maintenance (O&M) Plan: A plan setting the functional, financial and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system to ensure that it continues to function as designed.

Person: An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth of Massachusetts or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

Point Source: Any discernible, confined and discrete conveyance, including, without limitation, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. The term does not include agricultural stormwater discharges and return flows from irrigated agriculture.

Pollutant: Any element or characteristic of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter whether originating at a point or nonpoint source, that is or

may be introduced into Needham's MS4 or waters of the Commonwealth. Pollutants shall include, but are not limited to:

- (a) Paints, varnishes, and solvents;
- (b) Oil and other automotive fluids;
- (c) Non-hazardous liquid and solid wastes and yard wastes;
- (d) Refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, accumulations and floatables;
- (e) Excess Pesticides, herbicides, and fertilizers;
- (f) Hazardous materials and wastes;
- (g) Sewage, fecal coliform and pathogens;
- (h) Dissolved and particulate metals or nonmetals, including phosphorus;
- (i) Animal wastes;
- (j) Rock, sand, salt, silt, soils;
- (k) Construction wastes and residues; and
- (l) Noxious or offensive matter of any kind.

Recharge: The process by which groundwater and the underlying aquifer is replenished by the absorption of water.

Runoff: The water from rain, snowmelt or irrigation that flows over the land surface and is not absorbed into the ground, instead flowing into the MS4 or streams or other surface waters or land depressions.

Sanitary Sewer System: A separate underground conveyance system specifically for transporting sanitary waste operated separately and independently from the MS4, to which storm, surface, and ground waters are not lawfully admitted.

Small Diameter Drain Program: A Town of Needham Program allowing the extension of the Town's drainage system (MS4) by a series of 6 inch, 8 inch and 10 inch drain pipes used to collect roof drains and clean sump pump discharges.

Stormwater: Water originating from rainfall, snowmelt/ice melt runoff, and surface water runoff.

Stormwater Management: The use of structural or non-structural practices that are designed to reduce and control stormwater runoff pollutant loads, discharge volumes or peak flow discharge rates. Stormwater Management includes the use of Low-Impact Development (LID) management practices.

Watershed Management Plan: The plan developed for the Town of Needham subdividing watershed areas within the Town and depicting drainable soil areas appropriate for infiltration/recharge.

Waters of the Commonwealth: All waters within the jurisdiction of the Commonwealth of Massachusetts, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, groundwaters, and vernal pools.

## **SECTION 7.3 ADMINISTRATION**

7.3.1 The Board of Selectmen shall adopt, and may periodically amend, Rules and Regulations to effectuate the purposes of this Bylaw, after conducting a public hearing to receive Public comment.

7.3.2 The Department of Public Works shall be responsible for the day-to-day administration of this By-Law and its Regulations.

7.2.3 The Department of Public Works shall have the authority to investigate suspected illicit discharges and to require the elimination of illicit discharges.

#### **SECTION 7.4 APPLICABILITY**

7.4.1 All persons required to obtain a Building Permit for new construction, additions greater than 25% of the existing building footprint, in-ground pool, or out building (such as a separate Garage) shall be subject to the requirements of this Bylaw. All persons required to obtain a Planning Board Decision and/or a Board of Appeals Decision are also subject to the requirements of this Bylaw.

7.4.2 All applications requiring Planning Board, Zoning Board of Appeals, and/or Conservation Commission approval whether the issuance of a Building Permit is required or not shall include the Stormwater Management and Erosion Control provisions in the applications to the respective boards for their review and approval prior to the issuance of a Building Permit, or any development activity. The Department of Public Works shall participate in the review process and make recommendations to the Planning Board, Zoning Board of Appeals, and/or Conservation Commission as needed.

7.4.3 The applicant, or an agent thereof, shall obtain the approval of the Department of Public Works prior to any change or modification of an activity associated with the Stormwater Management and Erosion Control provisions of the Building Permit. In circumstances where Planning Board, Zoning Board of Appeals, and/or Conservation Commission approval is required prior to the issuance of a Building Permit or development activity, the respective Board or Commission's approval shall be obtained prior to any change or modification. The Department of Public Works, Planning Board, Zoning Board of Appeals, and/or Conservation Commission shall amend their original approvals and require additional stormwater runoff and erosion control measures prior to approval of the change or modification.

#### **SECTION 7.5 ILLICIT DISCHARGE, DETECTION & ELIMINATION (IDDE)**

##### **7.5.1 Prohibited Activities**

**7.5.1.1 Illicit Discharges** No person shall cause or allow an illicit discharge into the MS4 or into the Waters of the Commonwealth. This Bylaw shall not exempt stormwater discharges from regulations under the National Pollutant Discharge Elimination System (NPDES) stormwater program where applicable.

**7.5.1.2 Illicit Connections** No person shall construct, use, allow, maintain or continue any Illicit Connection, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.

**7.5.1.3 Obstruction of Municipal Storm Drain System** No person shall obstruct or interfere with the normal flow of stormwater into or out of the MS4 without prior written approval from the Department of Public Works.

## **7.5.2 Regulated Activities**

7.5.2.1 No person shall connect a pipe or other appurtenance to the Town of Needham Sanitary Sewer System or the MS4, or otherwise perform any modification, repair, rehabilitation, or replacement work on either system, without receiving an approved Sewer Connection Permit or Drainage Connection Permit from the Department of Public Works.

7.5.2.2 No person shall allow a pipe, swale or other point source to discharge onto a Public Way.

**7.5.3 Exemptions** The following Non-Stormwater Discharges are exempt from the requirements of this By-Law:

- (a) Water line flushing;
- (b) Landscape irrigation;
- (c) Diverted stream flows;
- (d) Rising ground waters,
- (e) Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005[20]);
- (f) Discharges from potable water sources;
- (g) Air conditioning condensation;
- (h) Lawn watering;
- (i) Flows from wetland resource areas;
- (j) Discharges or flows from firefighting activities; and
- (k) Discharges necessary to protect public health, safety, welfare or the environment.

## **SECTION 7.6 EMERGENCY SUSPENSION OF STORM DRAIN SYSTEM ACCESS**

The Department of Public Works may suspend MS4 access to any person or property without prior written notice when such suspension is determined to be necessary to prevent or terminate a threatened or actual discharge of pollutants that presents imminent risk of harm to the public health, safety, welfare or the environment. In the event that any person fails to comply with an emergency suspension order issued pursuant to this section, the Department of Public Works may take all reasonable steps to prevent or minimize harm to the public health, safety, welfare or the environment.

## **SECTION 7.7 STORMWATER MANAGEMENT AND EROSION CONTROL**

### **7.7.1 Regulated Activities**

**7.7.1.1** Any activity requiring a Building Permit for new construction, addition greater than 25% of the existing building footprint, in-ground pool, or out building shall be subject to the requirements of this Bylaw. Any Permit or Decision issued by the Planning Board, Zoning Board of Appeals, and/or Conservation Commission shall include the requirements of this Bylaw.

**7.7.1.2** A Stormwater Management and Erosion Control plan shall be required prior to undertaking any alteration of land that involves a Building Permit, Planning Board Decision, Zoning Board of Appeals Decision, and/or Conservation Commission Permit or Order.

**7.7.2 Exempt Activities** The following activities shall be exempt from this Bylaw:

- (a) Any work or projects for which all necessary approvals and permits have been issued before the effective date of this By-Law;
- (b) Use of land for the primary purpose of agriculture, horticulture, floriculture, or viticulture, or the use, expansion, or reconstruction of existing structures for the primary purpose of agriculture, horticulture, floriculture, or viticulture, to the extent protected under the *Zoning Act, M.G.L. c. 40A, § 3*;
- (c) Customary cemetery management;
- (d) Normal maintenance of Town-owned public land, ways, public utilities and appurtenances; and
- (e) Emergency activities necessary to protect public health or safety

**7.7.3 General Requirements**

7.7.3.1 A Stormwater Management and Erosion Control plan shall be submitted as part of a Building Plot Plan or independently with an application for a Building Permit, Planning Board application, Zoning Board of Appeals application, Conservation Commission application, and/or prior to any development activity.

7.7.3.2 The Stormwater Management and Erosion Control plan shall include provisions for a siltation/sedimentation barrier, stormwater recharge, stormwater runoff quality controls, and other structural and non-structural Best Management Practices to increase groundwater recharge and remove pollutants from stormwater.

7.7.3.3 For single family home development, drywells shall be installed at the corners of the main dwelling and shall collect the roof runoff from the structure. The drywells shall have a minimum combined volumetric capacity of one (1) inch of rainfall depth over the total impervious area of the property (buildings and impervious surfaces).

7.7.3.4 If drywells cannot be installed due to unsuitable soil type as identified on the town's Watershed Management Plan or due to shallow depth to groundwater, a small diameter drain shall be extended from the Town's stormwater drainage system (MS4) to the property to collect the roof runoff from the main dwelling. If there is no portion of a drainage system within 100 feet of the property, the property owner shall contribute to a fund for the Town to construct a communal infiltration system on Town property in the same sub-watershed area in which the property is located. The amount of contribution shall be equal to \$12 per cubic foot of stormwater required to be recharged as described above.

7.7.3.5 An Operation and Maintenance Plan (O&M Plan) shall be submitted to the Department of Public Works for approval prior to the issuance of an Occupancy Permit. The Operation and Maintenance Plan shall be designed to ensure compliance with this By-Law in all seasons and throughout the life of the system.

7.7.3.6 As-built drawings showing all stormwater management systems shall accompany the O&M Plan at the completion of a project.

**7.7.4 Design Criteria** All Development shall satisfy the following design criteria:

- (a) Compliance with all applicable provisions of the Stormwater Management Policy, regardless of the proximity of the development to resource areas or their buffer zones, as defined by the *Wetlands Protection Act, M.G.L. c. 131, § 40* and its implementing regulations.

- (b) Compliance with the NPDES MS4 Permit.
- (c) Compliance with the MOU issued to the Town by the EPA
- (d) Erosion and sediment controls must be implemented to prevent adverse impacts to municipal and/or abutting properties during and after land disturbance and construction activities.
- (e) There shall be no change to the existing conditions of abutting properties from any increase in volume or peak rate of stormwater runoff or from erosion, silting, flooding, sedimentation or impacts to wetlands and other resource areas as defined in the Massachusetts Wetlands Protection Act and/or Needham Wetlands Protection Bylaw.
- (f) When any proposed discharge may have an impact upon streams, wetlands and/or storm sewers, the Department of Public Works may require minimization or elimination of this impact based on site conditions and existing stormwater system capacity.

#### **SECTION 7.8 MAINTENANCE OF STORMWATER FACILITIES**

[Reserved]

#### **SECTION 7.9 SEVERABILITY**

If any provision of this Article shall be found invalid for any reason in a court of competent jurisdiction, such invalidity shall be construed as narrowly as possible, and the balance of the Article shall be deemed to be amended to the minimum extent necessary, so as to secure the purposes thereof.

#### **SECTION 7.10 ENFORCEMENT**

The Department of Public Works shall enforce this By-Law, and any regulations, orders, violation notices, and enforcement orders made pursuant to this By-Law as follows:

7.10.1 The Department of Public Works may issue a written order to enforce the provisions of this By-Law or the regulations thereunder, which may include (but are not limited to) an order to:

- (a) eliminate illicit connections or discharges to the MS4;
- (b) perform monitoring, analyses, and reporting;
- (c) cease and desist unlawful discharges, practices, or operations; and
- (d) remediate contamination in connection therewith.

7.10.2 If the Department of Public Works determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Department of Public Works may, at its option, authorize such work.

7.10.3 If a person violates the provisions of this By-Law, or any regulation, permit, notice, or order issued thereunder, the Department of Public Works, with the approval of the Board of Selectmen, may seek injunctive relief in a court of competent jurisdiction to restrain such person from activities that would create further violations or to compel the person to perform abatement or remediation of the violation.

7.10.4 The remedies set forth in this Section are not intended to be exclusive of any other remedies available under applicable federal, state, or local law.

## Stormwater Bylaw Summary

- The proposed Stormwater General Bylaw would provide the Town with the authority to satisfy the NPDES requirement for a Phosphorus Control Plan.
- The Bylaw would address the requirement to reduce pathogens in stormwater discharges and address water quality issues related to low dissolved oxygen, removal of petroleum contaminants, reduction of sediment and suspended solids, and removal of other water quality impairments.
- All applicants required to obtain a Planning Board or Board of Appeals Decision for their developments would be required to comply with the new 2016 NPDES regulations.
- All applicants required to obtain a Conservation Commission Order for their developments would be required to comply with the Stormwater Management and Erosion Control provisions of the new 2016 NPDES regulations.
- The proposed Stormwater General Bylaw requires applicants who are seeking Building Permits to 1) build a new dwelling; 2) add an addition greater than 25% of the existing building footprint; 3) construct an in-ground swimming pool, or; 4) construct an out building, such as a garage to install drywells on their property.
- The proposed Stormwater General Bylaw makes provisions for properties that are located in poorly draining soils as indicated on the Watershed Management Plan to allow for small diameter drain connections and/or contribution to a stormwater infiltration fund in lieu of installing drywells.
- The Bylaw appends the existing Building Permit review process. No new permit process is created. The Planning Board and Board of Appeals review processes remain the same.
- The Bylaw would allow the Town to improve its five impaired water bodies and/or waterways.
- The Bylaw would reduce the amount of stormwater directed to the Town's drainage system and help decrease flooding on local streets.
- The Bylaw would allow the Town to act on complaints related to large house construction and the redirection of stormwater to adjacent properties.
- The Bylaw prohibits sanitary sewage connections to the Town's stormwater drainage system.
- The Bylaw provides for enforcement authority as required by the 2016 NPDES regulations.

## 2016 NPDES UPDATE to the BOARD OF SELECTMEN

### I. Introduction

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

### II. 2016 NPDES Permit Requirements

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

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

1. Public Education and Outreach

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

2. Public Participation and Involvement

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

3. Illicit Discharge Detection and Elimination (IDDE)

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

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

#### 4. Construction Site Stormwater Runoff Control

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

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

#### 5. Post Construction Stormwater Management

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

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

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

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

## 6. Good Housekeeping and Pollution Prevention

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

### i. Parks and Open Space

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

### ii. Buildings and Facilities Where Pollutants are Exposed to Stormwater

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

### iii. Vehicles and Equipment

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

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

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

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

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

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

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

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

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

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



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

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**MEETING DATE: 2/13/2018**

<b>Agenda Item</b>	Accept and Refer Zoning – Permitted Uses in the Neighborhood Business District
<b>Presenter(s)</b>	Kate Fitzpatrick, Town Manager

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
<p>At its meeting on February 13, 2018, the Planning Board is scheduled to vote to place the following articles on the warrant for the 2018 Annual Town Meeting: “Amend Zoning By-Law – Permitted Uses in the Neighborhood Business District” and “Amend Zoning By-law – Map Change to Neighborhood Business District.”</p> <p>Under State law, the Board of Selectmen has 14 days to accept the proposed amendment and refer the amendment to the Planning Board for its review, hearing, and report. The Board’s action in this matter is not discretionary.</p> <p>The Planning Board intends to schedule the public hearing on this zoning for Thursday, March 8, 2018.</p>	
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
<p><i>Suggested Motion:</i> That the Board vote to accept the proposed zoning amendments: “Amend Zoning By-Law – Permitted Uses in the Neighborhood Business District” and “Amend Zoning By-law – Map Change to Neighborhood Business District” for referral to the Planning Board for its review, hearing, and report.</p>	
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
<p>a. Letter from Lee Newman, Director of Planning &amp; Community Development dated February 13, 2018. b. Proposed Warrant articles c. M.G.L. c. 40A Section 5</p>	



# TOWN OF NEEDHAM, MA

PLANNING AND COMMUNITY  
DEVELOPMENT DEPARTMENT

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

## PLANNING

February 13, 2018

Ms. Kate Fitzpatrick  
Town Manager  
Town Hall  
Needham, MA 02492

Re: Zoning Articles for 2018 Annual Town Meeting

Dear Kate:

The Planning Board at its meeting of February 13, 2018 voted to place the following articles on the warrant for the May 2018 Annual Town Meeting: (1) Amend Zoning By-Law – Permitted Uses in the Neighborhood Business District and (2) Amend Zoning By-Law – Map Change to Neighborhood Business District. Accordingly, please find the above-named articles as approved by the Planning Board for inclusion in the warrant of the 2018 Annual Town Meeting.

As you know, the Board of Selectmen will need to accept the articles and to then forward them to the Planning Board for review, public hearing and report. Please have the Selectmen act on the enclosed articles at their next meeting of Tuesday, February 13, 2018, so that the Planning Board can meet its statutory obligations. The Planning Board plans to schedule the public hearing on the articles for Thursday, March 8, 2018.

Should you have any questions regarding this matter, please feel free to contact me directly.

Very truly yours,

NEEDHAM PLANNING BOARD

Lee Newman  
Director of Planning and Community Development

cc: Planning Board

Enclosure

**ARTICLE 2: AMEND ZONING BY-LAW – PERMITTED USES IN THE NEIGHBORHOOD BUSINESS DISTRICT**

To see if the Town will vote to amend the Needham Zoning By-Law, as follows:

- (1) Amend Section 3.2.3 Uses in the Neighborhood Business District, Subsection 3.2.3.2, Uses Permitted by Special Permit, by inserting a new paragraph (p) to read as follows:

“(p) Apartment or multi-family dwelling use above the first floor provided the first floor is used for a nonresidential use allowed in Section 3.2.3.1 or Section 3.2.3.2 and further provided that the proposed apartment or multi-family dwelling complies with the lot area per unit requirements for apartments in the A-1 district as detailed in Section 4.3. This provision applies only to Neighborhood Business Districts any portion of which is located within 150 feet of the Route 128 boundary.”

- (2) Amend Section 4.4 Dimensional Requirements for Commercial Districts, by adding the following new Subsection at the end thereof:

**“4.4.12 Dimensional Relief by Special Permit**

“Notwithstanding the foregoing to the contrary and subject to all other requirements of the district, the Planning Board acting as a special permit granting authority may issue a special permit for mixed use buildings allowed by special permit under Subsection 3.2.3.2 (p) in the Neighborhood Business District to:

- (a) increase the maximum floor area ratio to 0.7 and the building height to three (3) stories and forty (40) feet; and
- (b) reduce the minimum side and/or rear setback adjoining a residential district to twenty (20) feet provided said strip is suitably landscaped in accordance with the specifications in Section 4.4.8.5.”

- (3) Amend Section 6 Special Regulations, by adding the following new Subsection at the end thereof:

**“6.11 Affordable Housing**

“Any mixed-use building in the Neighborhood Business (NB) District with six or more dwelling units shall include affordable housing units as defined in Section 1.3 of this By-Law. The following requirements shall apply to a development that includes affordable units:

- (a) At least twelve and one-half percent (12.5%) shall be affordable units. For purposes of calculating the number of affordable units required in a proposed development, any fractional unit of  $\frac{1}{2}$  or greater shall be deemed to constitute a whole unit.
- (b) To facilitate the objectives of this Section 6.11 the minimum lot area per dwelling unit normally required in the A-1 zoning district (as applicable to the Neighborhood Business District), shall be reduced by that amount necessary to permit up to two additional units (one affordable unit and one market unit) on the lot for each one Affordable Unit over the number required in section 6.11(a) above. The additional floor area permitted herein shall be counted toward the maximum floor area ratio allowed by special permit in the NB district.

- (c) In a home-ownership project the affordable unit(s) shall be sold to households with incomes at or below eighty (80) percent of area median income. In a rental project the affordable rental units must be provided to households with incomes at or below 80% of area median income. However, if the applicant provides at least one-half of the affordable units for households with incomes at or below fifty (50) percent of area median income, the remaining affordable units may be rented to households with incomes up to 100 percent of area median income even if the latter units are not eligible for the Subsidized Housing Inventory, regardless of any requirements to the contrary set forth in Section 1.3.
- (d) Affordable units shall be dispersed within the building and not concentrated in one area or on one floor. They shall generally be comparable in size and energy efficiency to the development's market-rate units.
- (e) The affordable units shall be constructed in proportion to the number of market-rate units in the development. Proportionality shall be determined by the number of building permits or certificates of occupancy issued for the affordable units and market-rate units, as applicable, or otherwise in accordance with a schedule set by the Planning Board in conditions imposed on the Special Permit.
- (f) The selection of eligible homebuyers or renters for the affordable units shall be in accordance with a marketing plan approved by the Needham Planning Board prior to the issuance of any building permits for the development.
- (g) The affordable units shall be subject to an affordable housing restriction as defined in Section 1.3 of this By-Law with limitations on use, occupancy, resale prices or rents, as applicable, and which provides for periodic monitoring for compliance with the requirements of said restriction.
- (h) For affordable units with not more than one bedroom, the minimum number of parking spaces under Section 5.1 shall be reduced to one space per unit.
- (i) The SPGA may authorize that an alternative method of compliance be used, in accordance with the following:
  - (1) Cash Payment: The SPGA may grant a special permit to provide affordable housing through a cash payment to the Needham Affordable Housing Trust Fund, in lieu of providing one or more of the affordable units required under this Section. The cash payment shall be equal to the most current Total Development Costs set forth in the MA Department of Housing & Community Development's Qualified Allocation Plan in its Low Income Housing Tax Credit Program, for the areas described as within Metro Boston/Suburban Area, adjusted for the type of project and number of units. The cash payments shall also be in accordance with a schedule of affordable housing payments as outlined hereafter in §6.11(i)(2) and guidelines adopted and amended from time to time by the SPGA, following a public hearing, in consultation with the Needham Department of Planning and Community Development (DPCP);
  - (2) For a covered development having 10 units or less that provides affordable housing through a cash payment in lieu of affordable units, the cash payment shall be made as a pro-rated percentage (%) of the Total Development Cost referenced in §6.11(i)(1), based on the total number units in the project and the following percentages: 10 units - 100%; 9 units- 90%; 8 units - 80%; 7 units - 70% and 6 units - 60%. The DPCD shall not sign off on

Certificate(s) of Occupancy until the Petitioner pays 100% of the required cash in lieu payment.

or take any other action relative thereto.

**ARTICLE 3: AMEND ZONING BY-LAW – MAP CHANGE TO NEIGHBORHOOD BUSINESS DISTRICT**

To see if the Town will vote to amend the Needham Zoning By-Law by amending the Zoning Map as follows:

Place in the Neighborhood Business District a portion of land now zoned Industrial and lying between the Charles River, Reservoir Street, and 100-Foot offset from the Central Avenue Layout.

Said land is bounded and described as follows:

Beginning at a point 100-foot offset from the Central Avenue Right of Way southerly layout line and at the intersection now or formally of the Single Residence B District, Industrial District, and Neighborhood District on the property line identified as Parcel II recorded at the Norfolk Registry of Deed Book 11216 page 659. Thence running along the northern property line of said Parcel II in the southeasterly direction for a distance of 56-feet more or less to a point of intersection with the rear lot corner of said parcel. Thence turning and running in a southwesterly direction along said rear property line of Parcel II, and of Parcel I described in said deed for a total of 262-feet more or less to a point of intersection of the Reservoir Street Right of Way easterly layout line. Thence turning and running in a northwesterly direction along the easterly Reservoir Street Right of Way line to a point of intersection of the now or formally zoned Neighborhood Business District and Industrial District and located 100-foot offset from the Central Avenue southerly layout line. Thence turning and running in a northeasterly direction along the now or formally intersecting line of the Industrial District and Neighborhood Business District and parallel to the Central Avenue southern layout line to the point of beginning.

Or take any other action relative thereto.

**Part I** ADMINISTRATION OF THE GOVERNMENT

**Title VII** CITIES, TOWNS AND DISTRICTS

**Chapter** ZONING

**40A**

**Section 5** ADOPTION OR CHANGE OF ZONING ORDINANCES OR  
BY-LAWS; PROCEDURE

Section 5. Zoning ordinances or by-laws may be adopted and from time to time changed by amendment, addition or repeal, but only in the manner hereinafter provided. Adoption or change of zoning ordinances or by-laws may be initiated by the submission to the city council or board of selectmen of a proposed zoning ordinance or by-law by a city council, a board of selectmen, a board of appeals, by an individual owning land to be affected by change or adoption, by request of registered voters of a town pursuant to section ten of chapter thirty-nine, by ten registered voters in a city, by a planning board, by a regional planning agency or by other methods provided by municipal charter. The board of selectmen or city council shall within fourteen days of receipt of such zoning ordinance or by-law submit it to the planning board for review.

No zoning ordinance or by-law or amendment thereto shall be adopted until after the planning board in a city or town, and the city council or a committee designated or appointed for the purpose by said council has each held a public hearing thereon, together or separately, at which interested persons shall be given an opportunity to be heard. Said public hearing shall be held within sixty-five days after the proposed zoning ordinance or by-law is submitted to the planning board by the city council or selectmen or if there is none, within sixty-five days after the proposed zoning ordinance or by-law is submitted to the city council or selectmen. Notice of the time and place of such public hearing, of the subject matter, sufficient for identification, and of the place where texts and maps thereof may be inspected shall be published in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication to be not less than fourteen days before the day of said hearing, and by posting such notice in a conspicuous place in the city or town hall for a period of not less than fourteen days before the day of said hearing. Notice of said hearing shall also be sent by mail, postage prepaid to the department of housing and community development, the regional planning agency, if any, and to the planning board of each abutting city and town. The department of housing and community development, the regional planning agency, the planning boards of all abutting cities and towns and nonresident property owners who may not have received notice by mail as specified in this section may grant a waiver of notice or

submit an affidavit of actual notice to the city or town clerk prior to town meeting or city council action on a proposed zoning ordinance, by-law or change thereto. Zoning ordinances or by-laws may provide that a separate, conspicuous statement shall be included with property tax bills sent to nonresident property owners, stating that notice of such hearings under this chapter shall be sent by mail, postage prepaid, to any such owner who files an annual request for such notice with the city or town clerk no later than January first, and pays a reasonable fee established by such ordinance or by-law. In cases involving boundary, density or use changes within a district, notice shall be sent to any such nonresident property owner who has filed such a request with the city or town clerk and whose property lies in the district where the change is sought. No defect in the form of any notice under this chapter shall invalidate any zoning ordinances or by-laws unless such defect is found to be misleading.

Prior to the adoption of any zoning ordinance or by-law or amendment thereto which seeks to further regulate matters established by section forty of chapter one hundred and thirty-one or regulations authorized thereunder relative to agricultural and aquacultural practices, the city or town clerk shall, no later than seven days prior to the city council's or town meeting's public hearing relative to the adoption of said new or amended zoning ordinances or by-laws, give notice of the said proposed zoning ordinances or by-laws to the farmland advisory board established pursuant to section forty of chapter one hundred and thirty-one.

No vote to adopt any such proposed ordinance or by-law or amendment thereto shall be taken until a report with recommendations by a planning board has been submitted to the town meeting or city council, or twenty-one days after said hearing has elapsed without submission of such report. After such notice, hearing and report, or after twenty-one days shall have elapsed after such hearing without submission of such report, a city council or town meeting may adopt, reject, or amend and adopt any such proposed ordinance or by-law. If a city council fails to vote to adopt any proposed ordinance within ninety days after the city council hearing or if a town meeting fails to vote to adopt any proposed by-law within six months after the planning board hearing, no action shall be taken thereon until after a subsequent public hearing is held with notice and report as provided.

No zoning ordinance or by-law or amendment thereto shall be adopted or changed except by a two-thirds vote of all the members of the town council, or of the city council where there is a commission form of government or a single branch, or of each branch where there are two branches, or by a two-thirds vote of a town meeting; provided, however, that if in a city or town with a council of fewer than twenty-five members there is filed with the clerk prior to final action by the council a written protest against such change, stating the reasons duly signed by owners of twenty per cent or more of the area of the land proposed to be included in such change or of the area of the land immediately adjacent

extending three hundred feet therefrom, no such change of any such ordinance shall be adopted except by a three-fourths vote of all members.

No proposed zoning ordinance or by-law which has been unfavorably acted upon by a city council or town meeting shall be considered by the city council or town meeting within two years after the date of such unfavorable action unless the adoption of such proposed ordinance or by-law is recommended in the final report of the planning board.

When zoning by-laws or amendments thereto are submitted to the attorney general for approval as required by section thirty-two of chapter forty, he shall also be furnished with a statement which may be prepared by the planning board explaining the by-laws or amendments proposed, which statement may be accompanied by explanatory maps or plans.

The effective date of the adoption or amendment of any zoning ordinance or by-law shall be the date on which such adoption or amendment was voted upon by a city council or town meeting; if in towns, publication in a town bulletin or pamphlet and posting is subsequently made or publication in a newspaper pursuant to section thirty-two of chapter forty. If, in a town, said by-law is subsequently disapproved, in whole or in part, by the attorney general, the previous zoning by-law, to the extent that such previous zoning by-law was changed by the disapproved by-law or portion thereof, shall be deemed to have been in effect from the

date of such vote. In a municipality which is not required to submit zoning ordinances to the attorney general for approval pursuant to section thirty-two of chapter forty, the effective date of such ordinance or amendment shall be the date passed by the city council and signed by the mayor or, as otherwise provided by ordinance or charter; provided, however, that such ordinance or amendment shall subsequently be forwarded by the city clerk to the office of the attorney general.

A true copy of the zoning ordinance or by-law with any amendments thereto shall be kept on file available for inspection in the office of the clerk of such city or town.

No claim of invalidity of any zoning ordinance or by-law arising out of any possible defect in the procedure of adoption or amendment shall be made in any legal proceedings and no state, regional, county or municipal officer shall refuse, deny or revoke any permit, approval or certificate because of any such claim of invalidity unless legal action is commenced within the time period specified in sections thirty-two and thirty-two A of chapter forty and notice specifying the court, parties, invalidity claimed, and date of filing is filed together with a copy of the petition with the town or city clerk within seven days after commencement of the action.



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

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**MEETING DATE: 2/13/2018**

<b>Agenda Item</b>	Close Annual Town Meeting Warrant
<b>Presenter(s)</b>	Kate Fitzpatrick, Town Manager

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
	The Town Manager will recommend that the Board vote to close the warrant for the 2018 Annual Town Meeting.
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
	<i>Suggested Motion:</i> That the Board vote to close the warrant for the 2018 Annual Town Meeting, subject to minor technical corrections to be made by the Town Manager, Town Counsel and Bond Counsel.
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
	a. Draft Warrant dated February 9, 2018

# TOWN OF NEEDHAM



## 2018 ANNUAL TOWN MEETING WARRANT

Election: Tuesday, April 10, 2018

Business meeting: Monday, May 7, 2018

7:30 P.M.

JAMES HUGH POWERS HALL, NEEDHAM TOWN HALL

1471 HIGHLAND AVENUE

DRAFT 2.9.2018

Additional information on particular warrant articles will be made available from time to time at [www.needhamma.gov/townmeeting](http://www.needhamma.gov/townmeeting) during the weeks leading up to Annual Town Meeting.

**WARRANT FOR THE ANNUAL TOWN MEETING  
TUESDAY, APRIL 10, 2018  
TOWN OF NEEDHAM  
COMMONWEALTH OF MASSACHUSETTS**

Norfolk, ss.

To either of the constables in the Town of Needham in said County. Greetings:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the Inhabitants of the Town of Needham qualified to vote in elections and in Town Affairs to meet in their respective voting places in said Town namely:

Precinct A	-	The Center at the Heights
Precinct B	-	The Center at the Heights
Precinct C	-	Newman School - Gymnasium
Precinct D	-	Newman School - Gymnasium
Precinct E	-	Broadmeadow School - Performance Center
Precinct F	-	Needham High School – Gymnasium
Precinct G	-	Needham High School – Gymnasium
Precinct H	-	Broadmeadow School - Performance Center
Precinct I	-	William Mitchell School - Gymnasium
Precinct J	-	William Mitchell School - Gymnasium

on TUESDAY, THE TENTH DAY OF APRIL, 2018

from seven o'clock in the forenoon, until eight o'clock in the afternoon, then and there to act upon the following articles, viz:

**ARTICLE 1: ANNUAL TOWN ELECTION**

and you are also required to notify the qualified Town Meeting Members of the Town of Needham to meet in the Needham Town Hall On Monday May 7, 2018 at 7:30 p.m. in the afternoon, then and there to act upon the following articles:

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**Warrant for the Annual Town Meeting**

**Monday, May 7, 2018 at 7:30 p.m. at Needham Town Hall**

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**ARTICLE 2: COMMITTEE AND OFFICER REPORTS**

To hear and act on the reports of Town Officers and Committees.

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**HUMAN RESOURCE ARTICLES**

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**ARTICLE X: ESTABLISH ELECTED OFFICIALS' SALARIES**

To see if the Town will vote to fix the compensation of the following elected officers of the Town as of July 1, 2018, as required by Massachusetts General Law, Chapter 41, Section 108:

Town Clerk	
Town Clerk with 6 years of service in that position	\$
Selectmen, Chairman	\$1,800
Selectman, Others	\$1,500

- (1) In addition, such compensation shall also include
- (2)

INSERTED BY: Personnel Board

FINANCE COMMITTEE RECOMMENDS THAT:

PERSONNEL BOARD RECOMMENDS THAT:

*Article Information:* In accordance with Massachusetts General Law Chapter 41, Section 108, the Town must annually vote to set the salary and compensation for any elected Town officials who receive compensation. The Town Clerk salary has been separated into two categories, newly elected Town Clerk, and Town Clerk with at least six years of service. This is done because Town elections are held in April and Town Meeting would not have a chance to vote on the salary of a newly elected Clerk until after the incumbent had been receiving a higher rate of pay for several months. It has been the practice of the Personnel Board to provide the Town Clerk, the only full-time elected official, with benefits close to that of other full-time employees. Payment for longevity, as well as buy-back of sick leave and vacation no later than the time of separation from Town service, is included in the recommended salary and compensation article. This article also includes provision for a one-time distribution of accumulated and unused vacation leave as of June 30, 2000; such payment to be made no later than the time of separation from Town service.

The annual stipends for the members of the Board of Selectmen have remained unchanged since 1977.

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**ARTICLE X: FUND COLLECTIVE BARGAINING AGREEMENT – NEEDHAM INDEPENDENT PUBLIC EMPLOYEE ASSOCIATION/DPW**

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Needham Independent Public Employee Association, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2019; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT:

PERSONNEL BOARD RECOMMENDS THAT:

*Article Information:* At the time of the printing of the warrant, the parties had not reached agreement on this contract.

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**ARTICLE X: FUND COLLECTIVE BARGAINING AGREEMENT – INDEPENDENT TOWN WORKERS’ ASSOCIATION**

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Independent Town Workers’ Association, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2019; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:  
PERSONNEL BOARD RECOMMENDS THAT:

*Article Information:* At the time of the printing of the warrant, the parties had not reached agreement on this contract.

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**ARTICLE X: FUND COLLECTIVE BARGAINING AGREEMENT – BUILDING CUSTODIAN/TRADES INDEPENDENT ASSOCIATION**

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Independent Town Workers’ Association, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2019; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:  
PERSONNEL BOARD RECOMMENDS THAT:

*Article Information:* At the time of the printing of the warrant, the parties had not reached agreement on this contract.

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**FINANCE ARTICLES**

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**ARTICLE X: ACCEPT CHAPTER 73, SECTION 4 OF THE ACTS OF 1986**

To see if the Town will vote to accept, for fiscal year 2019, the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, which amends Massachusetts General Law Chapter 59 relative to real estate property tax exemptions, and approve an increase in the amount of 100% for each eligible exemption; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:* Acceptance of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, permits the Town to grant an additional exemption to certain taxpayers who are surviving spouses, surviving minors of deceased parents, persons over the age of 70, certain veterans and disabled veterans and their surviving spouses, parents of veterans who died in wartime service and blind individuals, and who qualify for an exemption under any one of the following clauses of Massachusetts

*General Law Chapter 59, Section 5: Clauses 17, 17C, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B, 41C, 42 or 43. The additional exemption shall be uniform for all exemptions but shall not exceed one hundred percent of a taxpayer's original exemption. No taxpayer may pay less tax than paid in the preceding year, except through the application of Massachusetts General Law, Chapter 58, Section 8A or Massachusetts General Law Chapter 59, Section 5, clause 18. The taxable valuation of the taxpayer's property shall not be less than ten percent of its fair cash value. Town Meeting must approve the additional exemption on an annual basis. In fiscal year 2018, the cumulative increase above the statutory limit was 100%.*

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**ARTICLE X:      APPROPRIATE FOR NEEDHAM PROPERTY TAX ASSISTANCE PROGRAM**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$25,000 for the purpose of funding the Needham Property Tax Assistance Program, to be spent under the direction of the Town Manager, said sum to be transferred from Overlay Surplus; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:* The 2009 Annual Town Meeting voted to establish a Property Tax Assistance Program. The goal of the Board of Selectmen is to set a target annual appropriation for the fund equal to the amount of private contributions to the Town's statutory voluntary tax relief program during the preceding fiscal year, up to a maximum appropriation of \$25,000 (2008 dollars). The Board of Selectmen voted to recommend a higher amount for fiscal year 2019. The voluntary fund received \$14,044 in fiscal year 2017.

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**ARTICLE X:      APPROPRIATE FOR SENIOR CORPS**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$15,000 for the purpose of funding the Senior Corps program, to be spent under the direction of the Town Manager, said sum to be transferred from Overlay Surplus; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:* The Senior Corps is a program whereby qualified elderly and disabled property owners may work up to 100 hours for the Town. In turn, the individuals are paid up to \$1,100 per year, which is applied to their property tax bills.

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**ARTICLE X:      APPROPRIATE FOR TOWN-OWNED LAND SURVEYS**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$100,000 for the survey of Town-owned lands, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:* The Town has acquired land over the years that has never been surveyed. In recent years, when the Town has begun the design process for construction on such parcels, survey data has been unavailable or incorrect, resulting in delays and added cost to projects. This funding would allow the Town to conduct land surveys, including title research, field work, analysis, installation of bounds or markers, drafting work, and recording of the completed plan. The Town-owned survey project will be a multi-year program.

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**ARTICLE X: APPROPRIATE FOR PUBLIC FACILITIES MAINTENANCE PROGRAM**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$625,000 for the purpose of funding the Public Facilities Maintenance Program, said sum to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Overlay Surplus; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:*

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**ARTICLE X: APPROPRIATE FOR URBAN COMMUNITY CHALLENGE GRANT/TREE INVENTORY**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$15,000 for the purpose of funding the matching grant for the Urban Community Challenge Grant, said sum to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:*

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**ARTICLE X: APPROPRIATE FOR TIME CLOCK SYSTEM**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$81,000 for the purpose of funding a time clock system, said sum to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:*

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**ARTICLE X:      APPROPRIATE FOR LONG RANGE PLAN**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$50,000 for the purpose of funding consulting assistance for a long range plan, said sum to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE X:      APPROPRIATE FOR RTS EFFICIENCY STUDY**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$100,000 for the purpose of funding an RTS efficiency study, said sum to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from RTS Retained Earnings; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE X:      APPROPRIATE FOR WATER METER DATA COLLECTION**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$220,000 for the purpose of funding a water meter data collection system, said sum to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Water Retained Earnings; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE X:      APPROPRIATE THE FY2019 OPERATING BUDGET**

To see what sums of money the Town will vote to raise, appropriate, and/or transfer for the necessary Town expenses and charges, and further that the operating budget be partially funded by a transfer from Free Cash in the amount of \$2,506,298, from the overlay surplus in the amount of \$335,000, from amounts reserved for debt exclusion offsets in the amount of \$115,147, and \$441,494 to be raised from CPA receipts; and further that the Town Manager is authorized to make transfers from line item 8 to the appropriate line items in order to fund the classification and compensation plan approved in accordance with the provisions of Section 20B(5) of the Town Charter, and to fund collective bargaining agreements approved by vote of Town Meeting; and further that the Town Manager is authorized to expend from line

item 5 in order to meet expenses for post-employment health and life insurance benefits for eligible retirees from the fund established for that purpose; or take any other action relative thereto.

INSERTED BY: Finance Committee  
FINANCE COMMITTEE RECOMMENDS THAT:

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**ARTICLE X: APPROPRIATE THE FY2019 RTS ENTERPRISE FUND BUDGET**

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Solid Waste and Recycling Division of the Department of Public Works during fiscal year 2019, under the provisions of M.G.L. Chapter 44, Section 53F ½:

And to meet this appropriation that a sum be raised from enterprise fund receipts, that \$1,520,000 be raised from the tax levy and transferred to the Enterprise Fund, and that \$105,393 be transferred from RTS Enterprise Fund Retained Earnings; or take any other action relative thereto.

INSERTED BY: Board of Selectmen & Finance Committee  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE X: APPROPRIATE THE FY2019 SEWER ENTERPRISE FUND BUDGET**

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Sewer Division of the Department of Public Works during fiscal year 2019, under the provisions of M.G.L. Chapter 44, Section 53F ½:

And to meet this appropriation that a sum be raised from enterprise fund receipts, that \$504,750 be raised from the tax levy and transferred to the Sewer Enterprise Fund, and that \$250,000 be transferred from Sewer Enterprise Fund Retained Earnings; or take any other action relative thereto.

INSERTED BY: Board of Selectmen & Finance Committee  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE X: APPROPRIATE THE FY2019 WATER ENTERPRISE FUND BUDGET**

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Water Division of the Department of Public Works during fiscal year 2019, under the provisions of M.G.L. Chapter 44, Section 53F ½:

And to meet this appropriation that said sum be raised from enterprise fund receipts; or take any other action relative thereto.

INSERTED BY: Board of Selectmen & Finance Committee  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:*

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**ARTICLE X:      AUTHORIZE DEPARTMENTAL REVOLVING FUNDS**

To see if the Town will vote to authorize new revolving funds and to continue existing revolving funds for certain Town departments pursuant to the provisions of Massachusetts General Law Chapter 44, Section 53E½ for the fiscal year beginning July 1, 2018:

or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:*

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**ARTICLE X:      AUTHORIZATION TO EXPEND STATE FUNDS FOR PUBLIC WAYS**

To see if the Town will vote to authorize the Town Manager to permanently construct, reconstruct, resurface, alter or make specific repairs upon all or portions of various Town ways and authorize the expenditure of funds received, provided or to be provided by the Commonwealth of Massachusetts through the Massachusetts Department of Transportation; or take any other action relative thereto.

INSERTED BY: Planning Board  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:*    *The Town receives funding from the Commonwealth of Massachusetts for road construction projects. Approval of Town Meeting is required in order for the Town to receive and expend the funds.    The Massachusetts Department of Transportation (MassDOT) will distribute Chapter 90 funding only after it has been authorized by the Legislature and the Governor. At the time of the printing of the warrant, the FY2019 awards amounts had not been released.*

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**ZONING / LAND USE ARTICLES**

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**ARTICLE X:      AMEND ZONING BY-LAW – MARIJUANA ESTABLISHMENTS**

To see if the Town will vote to amend the Needham Zoning By-Law as follows:

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE X: AMEND ZONING BY-LAW – NEIGHBORHOOD BUSINESS DISTRICT**

To see if the Town will vote to amend the Needham Zoning By-Law as follows:

INSERTED BY: Planning Board  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE X: AMEND ZONING BY-LAW – MAP CHANGE TO NEIGHBORHOOD BUSINESS DISTRICT**

To see if the Town will vote to amend the Needham Zoning By-Law as follows:

INSERTED BY: Planning Board  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**COMMUNITY PRESERVATION ACT ARTICLES**

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**ARTICLE X: APPROPRIATE FOR ROSEMARY LAKE SEDIMENT REMOVAL**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$2,400,000 for Rosemary Lake Sediment Removal, to be spent under the direction of the Town Manager, and to meet this appropriation that \$1,550,000 be transferred from CPA Free Cash, \$340,000 be transferred from the FY2018 CPA General Reserve, and that \$510,000 be transferred from the Open Space Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE X:      APPROPRIATE FOR ROSEMARY CAMP PROPERTY**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$50,000 for Rosemary Camp Property improvements, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from CPA Free Cash; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:*

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**ARTICLE X:      APPROPRIATE FOR EMERY GROVER FEASIBILITY**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$70,000 sum for a feasibility study of the Emery Grover Building, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that said sum be transferred from CPA Free Cash; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:*

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**ARTICLE X:      APPROPRIATE FOR MEMORIAL PARK BUILDING CONSTRUCTION**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$5,900,000 for construction of the Memorial Park Fieldhouse, including any costs incidental or related thereto, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that a sum be transferred from CPA Free Cash, \$1,032,000 be transferred from Free Cash, \$1,800,000, be transferred from the Athletic Facility Improvement Fund, and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$3,068,000 under Massachusetts General Law Chapter 44, Section 7; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Law Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:*

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**ARTICLE X:      APPROPRIATE FOR HISTORIC DATABASE PROJECT**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$25,000 for the complete of the historic database project, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from CPA Free Cash; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE X:      APPROPRIATE TO COMMUNITY PRESERVATION FUND**

To see if the Town will vote to hear and act on the report of the Community Preservation Committee; and to see if the Town will vote to appropriate a sum pursuant to Massachusetts General Law Chapter 44B from the estimated FY2019 Community Preservation Fund revenues, or to set aside certain amounts for future appropriation, to be spent under the direction of the Town Manager, as follows:

**Appropriations:**

A. Administrative and Operating Expenses of the Community Preservation Committee      \$82,000

**Reserves:**

B. Community Preservation Fund Annual Reserve      \$1,525,153  
C. Community Housing Reserve      \$289,000  
D. Historic Resources Reserve      \$0  
E. Open Space Reserve      \$289,000

or take any other action relative thereto.

INSERTED BY: Community Preservation Committee  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: *Town Meeting and voters approved the Community Preservation Act in 2004. The Fund receives monies through a 2.0% surcharge on local real estate property tax bills with certain exemptions. Adoption of the Act makes the Town eligible to receive additional monies on an annual basis from the Massachusetts Community Preservation Fund. Any expenditure from the Community Preservation Fund must be both recommended by the Community Preservation Committee (CPC) and approved by Town Meeting. The law requires that at least 10% of the revenue be appropriated or reserved for future appropriation for each of the following purposes: community housing, historic preservation and open space. The Town traditionally sets aside 11% to account for any changes to the revenue estimate or State match that may occur during the year. Up to 5% of the annual revenue estimate may be utilized for the administrative and operational expenses of the Community Preservation Committee. At the end of the fiscal year, unspent administrative funds return to the CPA Annual Reserve.*

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**CAPITAL ARTICLES**

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**ARTICLE X:     **APPROPRIATE FOR GENERAL FUND CASH CAPITAL****

To see if the Town will vote to raise and/or transfer and appropriate a sum for General Fund Cash Capital, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:*

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**ARTICLE X:     **APPROPRIATE FOR ATHLETIC FACILITY IMPROVEMENTS DESIGN****

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$55,000 for athletic facility improvements design for turf field replacement, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from the Athletic Facility Improvement Fund; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:*

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**ARTICLE X:     **APPROPRIATE FOR PUBLIC WORKS INFRASTRUCTURE PROGRAM****

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,773,500 for improvements and repairs to the Town's infrastructure including but not limited to roads, bridges, sidewalks, intersections, drains, brooks and culverts, including costs incidental or related thereto, to be spent under the direction of the Town Manager, and to meet this appropriation that \$1,523,000 be transferred from Free Cash and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$250,000 under Massachusetts General Law Chapter 44, Section 7; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Law Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:*

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**ARTICLE X:     **APPROPRIATE FOR PUBLIC WORKS STORAGE FACILITY****

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$7,900,000 for construction of the Public Works Storage Facility, including costs incidental or related thereto, to be spent

under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that \$1,382,000 be transferred from Free Cash, that \$944,000 be transferred from Sewer Enterprise Fund Retained Earnings, and that \$1,786,000 be transferred from Water Enterprise Fund Retained Earnings, and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$3,788,000 under Massachusetts General Law Chapter 44, Section 7; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Law Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE X: APPROPRIATE FOR RTS ENTERPRISE FUND CASH CAPITAL**

To see if the Town will vote to raise and/or transfer and appropriate the a sum for RTS Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from RTS Enterprise Fund Retained Earnings; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE X: APPROPRIATE FOR RTS PROPERTY IMPROVEMENTS**

To see if the Town will vote to raise and/or transfer and appropriate the a sum for RTS Property Improvements, to be spent under the direction of the Town Manager, and to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$645,000 under Massachusetts General Law Chapter 44, Section 7; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Law Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE X9: APPROPRIATE FOR WATER ENTERPRISE FUND CASH CAPITAL**

To see if the Town will vote to raise and/or transfer and appropriate a sum for Water Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Water Enterprise Fund Retained Earnings; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:*

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**TOWN RESERVE ARTICLES**

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**ARTICLE X: APPROPRIATE TO ATHLETIC FACILITY IMPROVEMENT FUND**

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$63,378 to the Athletic Facility Improvement Fund, as provided under the provisions of Massachusetts General Law Chapter 40, Section 5B, as further amended by Section 22 of Chapter 218 of the Acts of 2016, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:*

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**ARTICLE X: APPROPRIATE TO CAPITAL IMPROVEMENT FUND**

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$141,413 to the Capital Improvement Fund, as provided under the provisions of Massachusetts General Law Chapter 40, Section 5B, as further amended by Section 22 of Chapter 218 of the Acts of 2016, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Explanation:*

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**ARTICLE X: APPROPRIATE TO CAPITAL FACILITY FUND**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,817,000 to the Capital Facility Fund, as provided under the provisions of Massachusetts General Law Chapter 40, Section 5B, as further amended by Section 22 of Chapter 218 of the Acts of 2016, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE X:     **APPROPRIATE TO DEBT SERVICE STABILIZATION FUND****

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,981,874 to the Debt Service Stabilization Fund as provided under the provisions of Massachusetts General Law Chapter 40, Section 5B, as further amended by Section 22 of Chapter 218 of the Acts of 2016, and to meet this appropriation that said sum be transferred from Free Cash and that \$ be raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen & Finance Committee  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**GENERAL ARTICLES**

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**ARTICLE X:     **NON-BETTERMENT STREET ACCEPTANCE – PANDOLF LANE****

To see if the Town will vote to

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE X: AMEND GENERAL BY-LAW/MARIJUANA ESTABLISHMENTS**

To see if the Town will vote to amend the Town’s General Bylaws by adding a new Section 3.10, Marijuana Establishments, as follows:

**“Section 3.10 Marijuana Establishments** All types of “marijuana establishments” as defined in G.L. c.94G, §1, including marijuana cultivators, independent testing laboratory, marijuana product manufacturers, marijuana retailers or any other types of licensed marijuana-related businesses, shall be prohibited within the Town of Needham. Exempt from the provisions of this prohibition are medical marijuana treatment centers operated under a medical use marijuana license in accordance with the provisions of G.L. c. 94I.” or take any action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE X: AMEND GENERAL BY-LAW /PUBLIC CONSTRUCTION**

To see if the Town will vote to amend the General By-Laws by deleting section 2.6.1 and inserting in place thereof the following:

**“2.6.1 Building Design and Construction Department** There is hereby established a Department of Building Design and Construction under the authority of the Town Manager. The Department shall be responsible for managing the design (including feasibility studies), construction, reconstruction, alteration or enlargement of all buildings owned by the Town or constructed on land owned, leased, licensed or operated by the Town. These projects will be under the jurisdiction of the Permanent Public Building Committee as provided by below, for which the Building Design and Construction Department will provide support.”

And by deleting Section 2.6.2.2 and inserting in place thereof the following:

**“2.6.2 Permanent Public Building Committee** There shall be a Permanent Public Building Committee (hereinafter “Committee”) responsible for overseeing the design (including feasibility studies), construction, reconstruction, alteration or enlargement of all buildings owned by the Town or constructed on land owned, leased, licensed or operated by the Town.”

And by deleting Section 2.6.2.18 and inserting in place thereof the following:

**“2.6.2.18** Except as the laws of the Commonwealth may otherwise require, the Chairperson of the Committee, or his or her designated representative, shall, upon the termination of the Project Committee: (1) provide the User Agency and the Department of Public Works – Building Maintenance Division (hereinafter “BMD”) with a complete and final set of drawings and specifications of the finished structure, as-built drawings, Operations and Maintenance Manuals, all other contract documents, and shall provide to the User Agency and BMD all papers guaranteeing the building or any feature thereof (hereinafter “warrantees”), attic stock materials used therein, or work done thereon, and (2) post a digital copy of remaining records and reports on the Town server for the purpose of maintaining detailed records, including any inventory indicating what papers, materials and records were deposited with the User Agency and BMD. Subject to the approval of the Town Clerk and the requirements of M.G.L. Chapter 66, the user Agency and BMD may destroy that portion of the material provided to the User Agency and BMD determined to have no substantial value.”

And by deleting Section 2.6.19, or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

*Article Information:*

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**ARTICLE X: AMEND GENERAL BY-LAW /CONTRACT PROCEDURES**

To see if the Town will vote to amend the General By-Laws by deleting in Section 2.1.3 the sum \$25,000 and inserting in place thereof the sum “\$50,000,” and by deleting the words “for Curriculum” after the words “Online Subscription Services,” and by inserting at end of the Section the phrase “Appraisal Services for Revaluation 5,” and by alphabetizing the list of contract types, or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE X: AMEND GENERAL BY-LAW /VACCINATION REQUIREMENT**

To see if the Town will vote to amend the General By-Laws by inserting a new Section 3.7.9, Vaccination Requirement, as follows:

**“3.7.9 Vaccination Requirement** Whoever is the owner of a dog (and/or cat or ferret) six months of age or older shall cause such dog (or cat or ferret) to be vaccinated against rabies by a licensed veterinarian using a vaccine approved by the Department of Public Health. Such owner shall produce a veterinarian’s certificate that such dog (cat or ferret) has been so vaccinated setting forth the date of such vaccination and the duration of immunity, or a notarized letter from a veterinarian that a certification was issued. An exemption from such vaccine may be granted by the Board of Health only upon presentation of a licensed Massachusetts veterinarian’s certificate stating that because of an infirmity, other physical condition or regimen of therapy, such inoculation is considered inadvisable for a specified period of time for such reasons as provided in M.G.L. Chapter 140 s.145B.

- 3.7.9.1 Unvaccinated dogs (cats or ferrets) acquired or brought into the Town shall be vaccinated within thirty days after acquisition or entry into the Town or upon reaching the age of six months, whichever comes later.
- 3.7.9.2 Unvaccinated dogs (cats or ferrets) shall be re-vaccinated in accordance with rules and regulations adopted and promulgated by the Department of Public Health.
- 3.7.9.3 Whoever violates this section shall be punished by a fine of not more than one hundred dollars per animal, or by a non-criminal penalty of fifty dollars per animal.

INSERTED BY: Town Clerk  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE X: REVOKE M.G.L. C. 44 SECTION 53F ½ - RTS ENTERPRISE FUND**

To see if the Town of Needham will revoke the provisions of Chapter 44 Section 53F1/2 of the Massachusetts General Laws, ceasing the Solid Waste and Recycling services as an enterprise fund effective fiscal year 2020 ; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE X: HOME RULE PETITION/TOWN MEETING MEMBERS AT LARGE**

To see if the Town vote to authorize the Board of Selectmen to petition the General Court, in compliance with Clause (1), Section 8 of Article LXXXIX of the Amendments of the Constitution, to the end that legislation be adopted precisely as follows;

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by authority of same, as follows:

Section 1. The Charter of the Town of Needham as most recently amended by Chapter 114 of the Acts of 2015 is amended in Part 2 REPRESENTATIVE TOWN MEETING, Section 7 Town Meeting Members at Large, by deleting the word “chairmen” and inserting in place thereof the word “chair” and is further amended by inserting at the end of the second paragraph of said section the following sentence: “The designation as a town meeting member at large under clause (e) of the first paragraph of this section shall apply to the chair of the elected board as of the tenth day following the annual town election.”

Section 2. This act shall become effective upon passage.

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE X: HOME RULE PETITION/AMEND TOWN OF NEEDHAM CHARTER PART 3, TOWN OFFICERS, SECTION 19. OTHER TOWN OFFICERS, BOARD OF HEALTH**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court, in compliance with Clause (1), Section 8 of Article LXXXIX of the Amendments of the Constitution, to the end that legislation be adopted precisely as follows;

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by authority of same, as follows:

“Section 1. That the Charter of the Town of Needham, as most recently amended by Chapter 114 of the Acts of 2015 is further amended in Part 3, TOWN OFFICERS, Section 19. Other Elected Officers by deleting the words ‘Three members of the Board of Health for a term of three years’; and inserting in place thereof the words ‘Five members of the Board of Health for a term of three years.’

Section 2. At the annual town election in 2019 the two additional positions shall be placed on the ballot. The candidate receiving the most votes shall be elected for a term of three years. The candidate receiving

the second most votes will be elected for a term of two years. Thereafter each position shall be for a term of three years.

Section 3. This act shall become effective upon passage.”

Or take any other action relative thereto.

INSERTED BY: Board of Health  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE X: HOME RULE PETITION/AMEND TOWN OF NEEDHAM CHARTER**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court, in compliance with Clause (1), Section 8 of Article LXXXIX of the Amendments of the Constitution, to the end that legislation be adopted precisely as follows;

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by authority of same, as follows:

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

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**ARTICLE X: AMEND GENERAL BY-LAW /STORMWATER**

To see if the Town will vote to amend the General By-Laws by inserting a new Article 7 as follows:

“ARTICLE 7

**STORMWATER**

**SECTION 7.1 PURPOSE**

The purpose of this By-Law is:

- (a) To prevent pollutants from entering the Town of Needham’s Municipal Separate Storm Sewer System (MS4);
- (b) To prohibit illicit connections and unauthorized discharges to the (MS4) and to require the removal of all such illicit connections;
- (c) To comply with state and federal statutes and regulations relating to stormwater discharges, including the NPDES MS4 Permit issued by the U.S. Environmental Protection Agency (EPA), the Massachusetts Stormwater Management Policy regardless of the location of the subject

- property relative to wetlands or other resource areas, and the Memorandum of Understanding (MOU) issued to the Town of Needham by the EPA in 1996;
- (d) To establish the legal authority to ensure compliance with the provisions of this By-Law through permitting, inspection, monitoring, and enforcement;
  - € To control runoff and prevent soil erosion and sedimentation resulting from construction site stormwater runoff;
  - (f) To promote infiltration and the recharge of groundwater;
  - (g) To protect, maintain and enhance the public safety, environment, health, and general welfare by establishing minimum requirements and procedures to manage stormwater runoff, and;
  - (h) To ensure that soil erosion and sedimentation control measures and stormwater runoff control practices are incorporated into the site planning and design process and are implemented and maintained.

## **SECTION 7.2 DEFINITIONS**

For the purposes of this By-Law, the following definitions shall apply:

Alteration: Any activity that will change the ability of a ground surface area to absorb water or will change existing surface drainage patterns. Examples include, but are not limited to, construction of new structures, earthmoving, paving, and modification of existing vegetation.

Best Management Practices (BMPs): Structural, non-structural, and managerial techniques that are recognized to be the most effective and practical means to prevent or minimize increases in stormwater volumes and flows, reduce point-source and nonpoint-source pollution, and promote stormwater quality and protection of the environment.

Clean Water Act: The Federal *Water Pollution Control Act* (33 U.S.C. §§ 1251 *et seq.*) as it may hereafter be amended.

Construction Site: Any site where activity is proposed or occurs that involves the alteration of land and involves a permit required by the Town.

Development: The alteration of land to accommodate a new use or an expansion or modification of an existing use.

Illicit Connection: A surface or subsurface drain or conveyance that allows a discharge into the MS4 that is not entirely composed of stormwater or clean groundwater, including any connection from an indoor drain, sinks, toilet, or laundry facility, regardless of whether the connection was previously allowed, permitted, or approved before the effective date of this By-Law.

Illicit Discharge: Any direct or indirect discharge to the MS4 or the Waters of the Commonwealth that is not composed entirely of stormwater or clean groundwater, including, without limitation, any discharge of a pollutant, sewage, process wastewater, or wash water, except as exempted. The term does not include a discharge in compliance with a NPDES Stormwater Discharge Permit or a Surface Water Discharge Permit.

Impervious Surface: Any material or structure on, above or below the ground that prevents water from infiltrating through to the underlying soil. Impervious surfaces may include, without limitation: paved surfaces, parking lots, sidewalks, driveways, roof tops and swimming pools.

MOU: Memorandum of Understanding issued to the Town of Needham by the EPA in June 1996.

MS4 (Municipal Separate Storm Sewer System): The system of conveyances, owned or operated by the Town of Needham, that are designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, swale, culvert, channel, catch basin, outfall, outlet, reservoir, or other drainage structure.

National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit: A permit issued by the United States Environmental Protection Agency or jointly with the state that authorizes the discharge of stormwater containing pollutants into waters of the United States.

Non-point Source Pollution: Rainfall or snowmelt that picks up pollutants as it moves across the ground.

Non-stormwater Discharge: A discharge that is not composed entirely of stormwater, such as sanitary waste or process water.

Operation and Maintenance (O&M) Plan: A plan setting the functional, financial and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system to ensure that it continues to function as designed.

Person: An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth of Massachusetts or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

Point Source: Any discernible, confined and discrete conveyance, including, without limitation, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. The term does not include agricultural stormwater discharges and return flows from irrigated agriculture.

Pollutant: Any element or characteristic of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter whether originating at a point or nonpoint source, that is or may be introduced into Needham's MS4 or waters of the Commonwealth. Pollutants shall include, but are not limited to:

- (a) Paints, varnishes, and solvents;
- (b) Oil and other automotive fluids;
- (c) Non-hazardous liquid and solid wastes and yard wastes;
- (d) Refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, accumulations and floatables;
- (e) Excess Pesticides, herbicides, and fertilizers;
- (f) Hazardous materials and wastes;
- (g) Sewage, fecal coliform and pathogens;
- (h) Dissolved and particulate metals or nonmetals, including phosphorus;
- (i) Animal wastes;
- (j) Rock, sand, salt, silt, soils;
- (k) Construction wastes and residues; and
- (l) Noxious or offensive matter of any kind.

Recharge: The process by which groundwater and the underlying aquifer is replenished by the absorption of water.

Runoff: The water from rain, snowmelt or irrigation that flows over the land surface and is not absorbed into the ground, instead flowing into the MS4 or streams or other surface waters or land depressions.

Sanitary Sewer System: A separate underground conveyance system specifically for transporting sanitary waste operated separately and independently from the MS4, to which storm, surface, and ground waters are not lawfully admitted.

Small Diameter Drain Program: A Town of Needham Program allowing the extension of the Town's drainage system (MS4) by a series of 6 inch, 8 inch and 10 inch drain pipes used to collect roof drains and clean sump pump discharges.

Stormwater: Water originating from rainfall, snowmelt/ice melt runoff, and surface water runoff.

Stormwater Management: The use of structural or non-structural practices that are designed to reduce and control stormwater runoff pollutant loads, discharge volumes or peak flow discharge rates. Stormwater Management includes the use of Low-Impact Development (LID) management practices.

Watershed Management Plan: The plan developed for the Town of Needham subdividing watershed areas within the Town and depicting drainable soil areas appropriate for infiltration/recharge.

Waters of the Commonwealth: All waters within the jurisdiction of the Commonwealth of Massachusetts, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, groundwaters, and vernal pools.

### **SECTION 7.3 ADMINISTRATION**

7.3.1 The Board of Selectmen shall adopt, and may periodically amend, Rules and Regulations to effectuate the purposes of this Bylaw, after conducting a public hearing to receive Public comment.

7.3.2 The Department of Public Works shall be responsible for the day-to-day administration of this By-Law and its Regulations.

7.2.3 The Department of Public Works shall have the authority to investigate suspected illicit discharges and to require the elimination of illicit discharges.

### **SECTION 7.4 APPLICABILITY**

7.4.1 All persons required to obtain a Building Permit for new construction, additions greater than 25% of the existing building footprint, in-ground pool, or out building (such as a separate Garage) shall be subject to the requirements of this Bylaw. All persons required to obtain a Planning Board Decision and/or a Board of Appeals Decision are also subject to the requirements of this Bylaw.

7.4.2 All applications requiring Planning Board, Zoning Board of Appeals, and/or Conservation Commission approval whether the issuance of a Building Permit is required or not shall include the Stormwater Management and Erosion Control provisions in the applications to the respective boards for their review and approval prior to the issuance of a Building Permit, or any development activity. The Department of Public Works shall participate in the review process and make recommendations to the Planning Board, Zoning Board of Appeals, and/or Conservation Commission as needed.

7.4.3 The applicant, or an agent thereof, shall obtain the approval of the Department of Public Works prior to any change or modification of an activity associated with the Stormwater Management and

Erosion Control provisions of the Building Permit. In circumstances where Planning Board, Zoning Board of Appeals, and/or Conservation Commission approval is required prior to the issuance of a Building Permit or development activity, the respective Board or Commission's approval shall be obtained prior to any change or modification. The Department of Public Works, Planning Board, Zoning Board of Appeals, and/or Conservation Commission shall amend their original approvals and require additional stormwater runoff and erosion control measures prior to approval of the change or modification.

## **SECTION 7.5 ILLICIT DISCHARGE, DETECTION & ELIMINATION (IDDE)**

### **7.5.1 Prohibited Activities**

**7.5.1.1 Illicit Discharges** No person shall cause or allow an illicit discharge into the MS4 or into the Waters of the Commonwealth. This Bylaw shall not exempt stormwater discharges from regulations under the National Pollutant Discharge Elimination System (NPDES) stormwater program where applicable.

**7.5.1.2 Illicit Connections** No person shall construct, use, allow, maintain or continue any Illicit Connection, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.

**7.5.1.3 Obstruction of Municipal Storm Drain System** No person shall obstruct or interfere with the normal flow of stormwater into or out of the MS4 without prior written approval from the Department of Public Works.

### **7.5.2 Regulated Activities**

7.5.2.1 No person shall connect a pipe or other appurtenance to the Town of Needham Sanitary Sewer System or the MS4, or otherwise perform any modification, repair, rehabilitation, or replacement work on either system, without receiving an approved Sewer Connection Permit or Drainage Connection Permit from the Department of Public Works.

7.5.2.2 No person shall allow a pipe, swale or other point source to discharge onto a Public Way.

**7.5.3 Exemptions** The following Non-Stormwater Discharges are exempt from the requirements of this By-Law:

- (a) Water line flushing;
- (b) Landscape irrigation;
- (c) Diverted stream flows;
- (d) Rising ground waters,
- (e) Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005[20]);
- (f) Discharges from potable water sources;
- (g) Air conditioning condensation;
- (h) Lawn watering;
- (i) Flows from wetland resource areas;
- (j) Discharges or flows from firefighting activities; and
- (k) Discharges necessary to protect public health, safety, welfare or the environment.

## **SECTION 7.6 EMERGENCY SUSPENSION OF STORM DRAIN SYSTEM ACCESS**

The Department of Public Works may suspend MS4 access to any person or property without prior written notice when such suspension is determined to be necessary to prevent or terminate a threatened or actual discharge of pollutants that presents imminent risk of harm to the public health, safety, welfare or the environment. In the event that any person fails to comply with an emergency suspension order issued pursuant to this section, the Department of Public Works may take all reasonable steps to prevent or minimize harm to the public health, safety, welfare or the environment.

## **SECTION 7.7 STORMWATER MANAGEMENT AND EROSION CONTROL**

### **7.7.1 Regulated Activities**

**7.7.1.1** Any activity requiring a Building Permit for new construction, addition greater than 25% of the existing building footprint, in-ground pool, or out building shall be subject to the requirements of this Bylaw. Any Permit or Decision issued by the Planning Board, Zoning Board of Appeals, and/or Conservation Commission shall include the requirements of this Bylaw.

**7.7.1.2** A Stormwater Management and Erosion Control plan shall be required prior to undertaking any alteration of land that involves a Building Permit, Planning Board Decision, Zoning Board of Appeals Decision, and/or Conservation Commission Permit or Order.

**7.7.2 Exempt Activities** The following activities shall be exempt from this Bylaw:

- (a) Any work or projects for which all necessary approvals and permits have been issued before the effective date of this By-Law;
- (b) Use of land for the primary purpose of agriculture, horticulture, floriculture, or viticulture, or the use, expansion, or reconstruction of existing structures for the primary purpose of agriculture, horticulture, floriculture, or viticulture, to the extent protected under the *Zoning Act, M.G.L. c. 40A, § 3*;
- (c) Customary cemetery management;
- (d) Normal maintenance of Town-owned public land, ways, public utilities and appurtenances; and
- (e) Emergency activities necessary to protect public health or safety

### **7.7.3 General Requirements**

**7.7.3.1** A Stormwater Management and Erosion Control plan shall be submitted as part of a Building Plot Plan or independently with an application for a Building Permit, Planning Board application, Zoning Board of Appeals application, Conservation Commission application, and/or prior to any development activity.

**7.7.3.2** The Stormwater Management and Erosion Control plan shall include provisions for a siltation/sedimentation barrier, stormwater recharge, stormwater runoff quality controls, and other structural and non-structural Best Management Practices to increase groundwater recharge and remove pollutants from stormwater.

**7.7.3.3** For single family home development, drywells shall be installed at the corners of the main dwelling and shall collect the roof runoff from the structure. The drywells shall have a minimum combined volumetric capacity of one (1) inch of rainfall depth over the total impervious area of the property (buildings and impervious surfaces).

**7.7.3.4** If drywells cannot be installed due to unsuitable soil type as identified on the town's Watershed Management Plan or due to shallow depth to groundwater, a small diameter drain shall be extended from the Town's stormwater drainage system (MS4) to the property to collect the roof runoff from the main

dwelling. If there is no portion of a drainage system within 100 feet of the property, the property owner shall contribute to a fund for the Town to construct a communal infiltration system on Town property in the same sub-watershed area in which the property is located. The amount of contribution shall be equal to \$12 per cubic foot of stormwater required to be recharged as described above.

7.7.3.5 An Operation and Maintenance Plan (O&M Plan) shall be submitted to the Department of Public Works for approval prior to the issuance of an Occupancy Permit. The Operation and Maintenance Plan shall be designed to ensure compliance with this By-Law in all seasons and throughout the life of the system.

7.7.3.6 As-built drawings showing all stormwater management systems shall accompany the O&M Plan at the completion of a project.

**7.7.4 Design Criteria** All Development shall satisfy the following design criteria:

- (a) Compliance with all applicable provisions of the Stormwater Management Policy, regardless of the proximity of the development to resource areas or their buffer zones, as defined by the *Wetlands Protection Act, M.G.L. c. 131, § 40* and its implementing regulations.
- (b) Compliance with the NPDES MS4 Permit.
- (c) Compliance with the MOU issued to the Town by the EPA
- (d) Erosion and sediment controls must be implemented to prevent adverse impacts to municipal and/or abutting properties during and after land disturbance and construction activities.
- (e) There shall be no change to the existing conditions of abutting properties from any increase in volume or peak rate of stormwater runoff or from erosion, silting, flooding, sedimentation or impacts to wetlands and other resource areas as defined in the Massachusetts Wetlands Protection Act and/or Needham Wetlands Protection Bylaw.
- (f) When any proposed discharge may have an impact upon streams, wetlands and/or storm sewers, the Department of Public Works may require minimization or elimination of this impact based on site conditions and existing stormwater system capacity.

## **SECTION 7.8 MAINTENANCE OF STORMWATER FACILITIES**

[Reserved]

## **SECTION 7.9 SEVERABILITY**

If any provision of this Article shall be found invalid for any reason in a court of competent jurisdiction, such invalidity shall be construed as narrowly as possible, and the balance of the Article shall be deemed to be amended to the minimum extent necessary, so as to secure the purposes thereof.

## **SECTION 7.10 ENFORCEMENT**

The Department of Public Works shall enforce this By-Law, and any regulations, orders, violation notices, and enforcement orders made pursuant to this By-Law as follows:

7.10.1 The Department of Public Works may issue a written order to enforce the provisions of this By-Law or the regulations thereunder, which may include (but are not limited to) an order to:

- (a) eliminate illicit connections or discharges to the MS4;
- (b) perform monitoring, analyses, and reporting;
- (c) cease and desist unlawful discharges, practices, or operations; and

(d) remediate contamination in connection therewith.

7.10.2 If the Department of Public Works determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Department of Public Works may, at its option, authorize such work.

7.10.3 If a person violates the provisions of this By-Law, or any regulation, permit, notice, or order issued thereunder, the Department of Public Works, with the approval of the Board of Selectmen, may seek injunctive relief in a court of competent jurisdiction to restrain such person from activities that would create further violations or to compel the person to perform abatement or remediation of the violation.

7.10.4 The remedies set forth in this Section are not intended to be exclusive of any other remedies available under applicable federal, state, or local law.”

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

---

**ARTICLE :            AMEND GENERAL BY-LAW / NON-CRIMINAL DISPOSITION**

To see if the Town will vote to amend the General By-Laws by:

1. Inserting in Section 8.2.2.4 a new subsection “U” as follows:

“U.     Dog Vaccination Requirements (Section 3.7.9)  
          Enforcement Agent: Animal Control Officer  
          Fine Schedule: \$50 per offense.”

2. inserting a new Section 8.2.2.9 Storm Water Regulation (Article 7) as follows:

**“ 8.2.2.9 Stormwater Regulation (Article 7)**

Enforcement Agent: Director of Public Works, Town Engineer

Fine Schedule

First Offense - \$0

Second Offense – failure to cure offense within 15 days’ of notice of first offense - \$50 - each day being a separate offense.

Subsequent Offences – failure to cure within 15 days’ notice of second offense - \$100 - each day being a separate offense.”

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:

**ARTICLE X:      OMNIBUS**

To see if the Town will vote to raise by taxation, transfer from available funds, by borrowing or otherwise, such sums as may be necessary for all or any of the purposes mentioned in the foregoing articles, especially to act upon all appropriations asked for or proposed by the Selectmen, or any Town officer or committee, to appoint such committees as may be decided upon and to take action upon matters which may properly come before the meeting; or take any other action relative thereto.

INSERTED BY:    Board of Selectmen

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And you are hereby directed to serve this Warrant by posting copies thereof in not less than twenty public places in said Town at least 7 days before said meeting.

Hereof fail not and make due return of this Warrant with your doings thereon unto our Town Clerk on or after said day and hour.

Given under our hands at Needham aforesaid this 13<sup>th</sup> day of February 2018.

**MARIANNE B. COOLEY, *Chair***  
**DANIEL P. MATTHEWS, *Vice Chair***  
**JOHN A. BULIAN, Clerk**  
**MAURICE P. HANDEL**  
**MATTHEW D. BORRELLI**

*Selectmen of Needham*

A true copy,  
ATTEST \_\_\_\_\_ 2018  
                  Constable            (month) (day)



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

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**MEETING DATE: 2/13/2018**

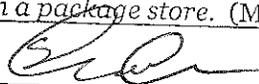
<b>Agenda Item</b>	Committee Reports
<b>Presenter(s)</b>	Board Discussion

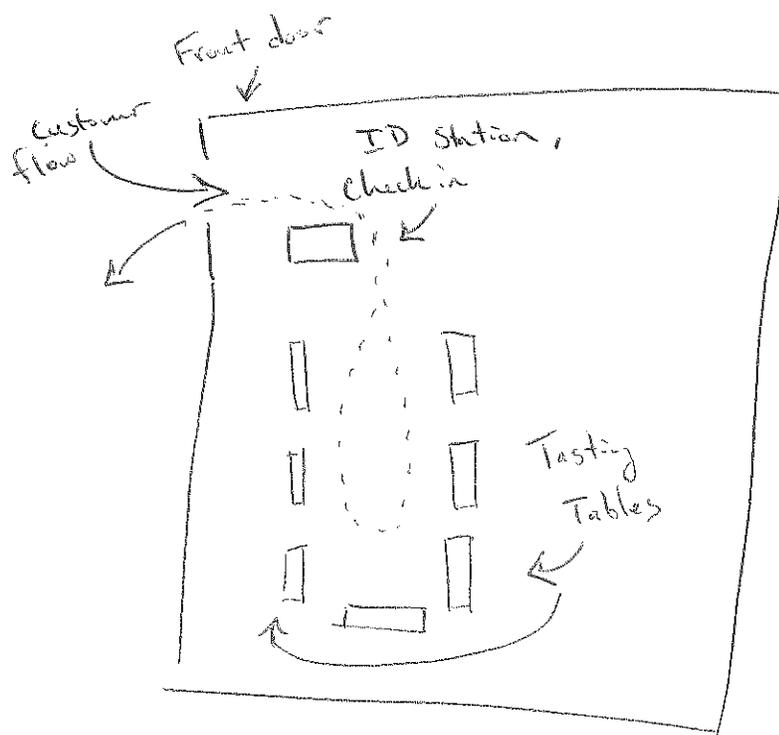
<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
	<i>Board members will report on the progress and / or activities of their Committee assignments.</i>
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
	<b>(Describe backup below)</b>
	None

e-mailed 1/22/2018

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)	Steve Volante		
Event Manager Address	292 Forest St. Needham, MA 02492		
Event Manager Phone Number	781-964-1821		
Organization Representing (if applicable)	Volante Farms		
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	Grand Wine Tasting, Grand Beer Tasting		
Date of Event	3/3/18, 2/11/18		
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: 12 noon	TO: 4 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 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?	≈ 100		
Name & address of event location. Please attach proof of permission to use this facility.	Volante Farms (Greenhouse) 292 Forest St.		
Who will be serving the alcohol to your guests?	Various Sales Reps and Vintners		
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).	All IDs will be checked by our Bev. Manager L. Sc Pearce, at the door prior to granting guests access.		
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.	See back		
<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: 1/22/18



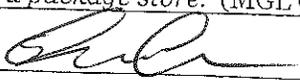
Greenhouse

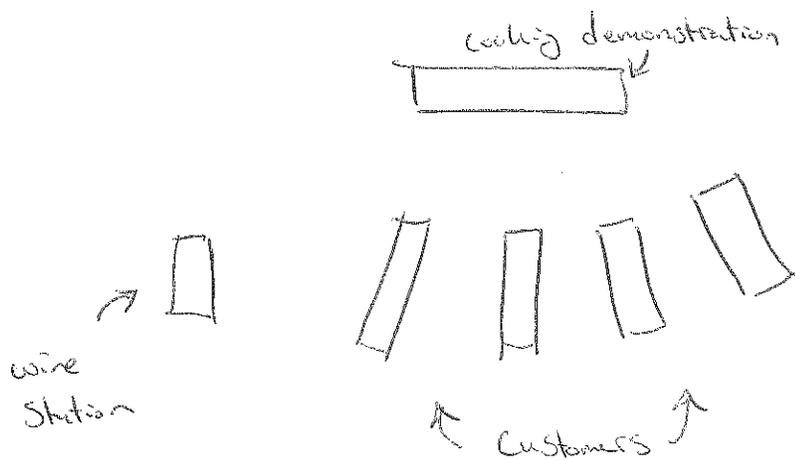
\* Customers will be given a "Passport" after IDs are checked and verified by our Beverage Manager at the front door. Passport lists vendors at the event and will be checked off by vendors to ensure no one is double dipping.

A police detail will be present at the check in area to verify any questionable IDs and keep an eye on the crowd.

**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)	Stacie Volante		
Event Manager Address	292 Forest St. Needham, MA 02492		
Event Manager Phone Number	781-964-1821		
Organization Representing (if applicable)	Volante Farms		
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	Cooking class		
Date of Event	3/10, 2/10/18		
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: 1:30 pm	TO: 3:30 pm	
Are tickets being sold in advance for this event?	<input checked="" type="checkbox"/> YES	\$ 60 /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?	30-40		
Name & address of event location. Please attach proof of permission to use this facility.	Volante Farms 292 Forest St.		
Who will be serving the alcohol to your guests?	Lisa Pearce, Bev. Manager		
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).			
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.			
See Back			
<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: 1/22/18



\* Wine will be served in portioned 3oz pours with 3 courses throughout the event. All wine will be poured by VF staff only. Location on site is in the greenhouse.

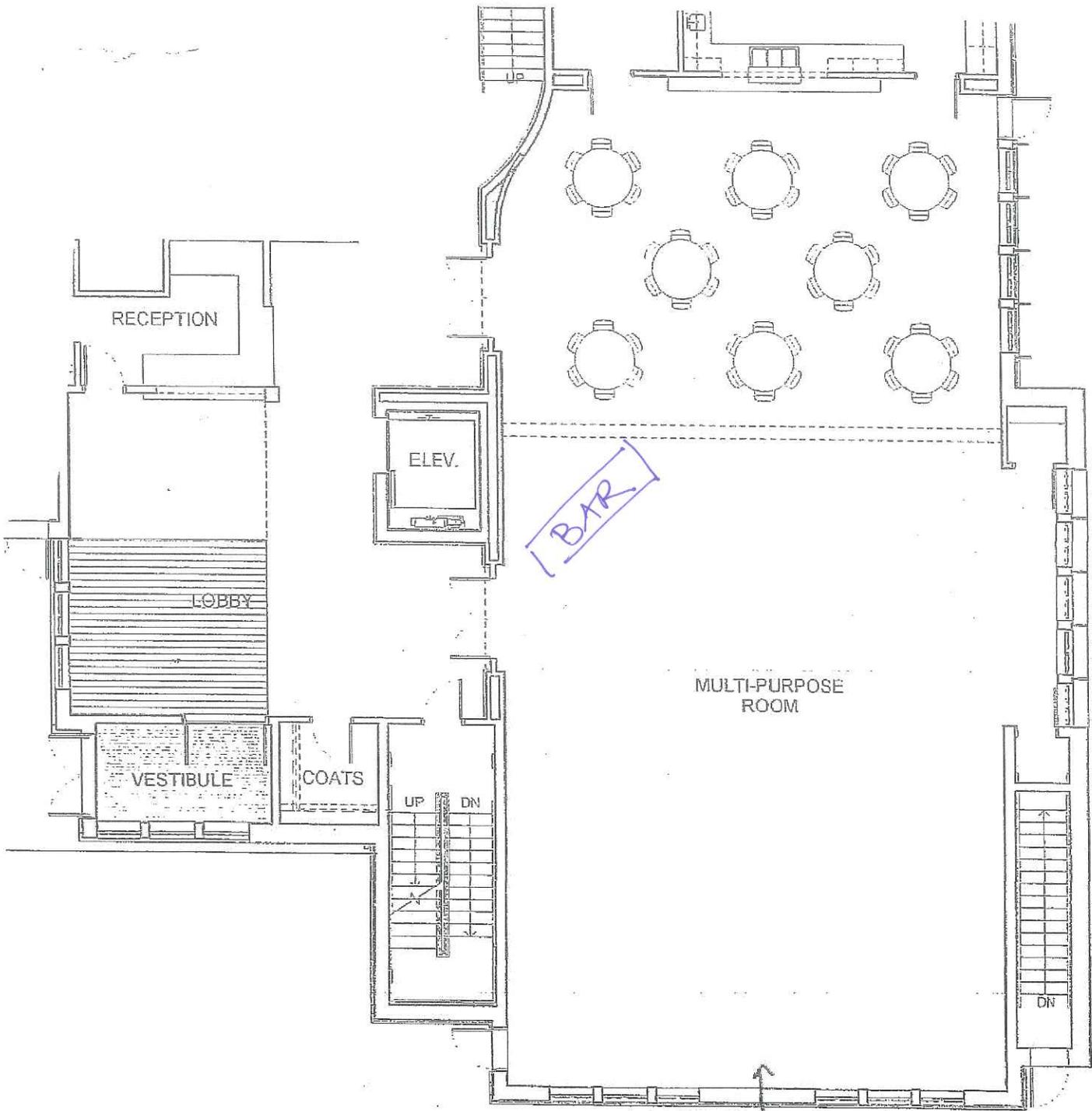
**ONE DAY SPECIAL LICENSE  
TOWN OF NEEDHAM BOARD OF SELECTMEN  
EVENT INFORMATION SHEET**  
*(Please complete and attach event flyer or other information.)*

Event Manager Name (Name that will appear on license)	GLORIA GREIS
Event Manager Address	Needham History Center + Museum, 1147 CENTRAL AVE, NEEDHAM 781-455-8860
Event Manager Phone Number	
Organization Representing (if applicable)	
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 checked="" type="checkbox"/> Proof of non-profit status is attached Form of Proof: _____
Name of Event	SOCK HOP!
Date of Event	3 FEB 2018
License is for Sale of: <input type="checkbox"/> Wines & Malt Beverages Only <input checked="" type="checkbox"/> All Alcoholic Beverages (for non-profit groups only)	
Requested Time for Liquor License	FROM: 630 pm TO: 1130 pm.
Are tickets being sold in advance for this event?	<input checked="" type="checkbox"/> YES \$ 60 /per ticket <input type="checkbox"/> NO
Is there an admission fee for this event?	<input checked="" type="checkbox"/> YES \$ 60 /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?	150
Name & address of event location. Please attach proof of permission to use this facility. CENTER at the HEIGHTS, 300 Hillside Ave.	
Who will be serving the alcohol to your guests? Bartenders only - JANA MOE + SUZANNE BAKER	
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). attached	
Please use the space below to describe the manner in which alcohol will be served to your guests. (For example, will guests be served alcohol or will they need to purchase it from the bar?) Please attach floorplan (can be hand drawn) of the event facility with liquor delivery plan. purchased from the bar. Bartenders only to pour.	
<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: 22 Jan 2018

AVAILABLE FURNITURE

- 180 Chairs (100 are padded/folding)
- 10 48" round tables
- 9 36" x 60" tables
- 12 36" x 72" tables

The Center at the Heights  
300 Hillside Avenue, Needham  
1st floor Multi-purpose Room, Cafe & Lobby



In-ceiling projector screen





# Town of Needham, Massachusetts Road Event Form

### INTERNAL USE ONLY

- DPW
- Fire
- Park & Rec
- PFD
- Police
- OTM
- Paid

**TYPE OF EVENT:** (check all that apply)

RUN     WALK     BICYCLE     MOTORCYCLE

<b>Name of Event:</b> Le prechaun 5K/1Mile	<b>Name of Organization:</b> Eliot Elementary School - PTC
---	---

<b>Has this event been conducted in other Towns in the past?</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<b>If yes, name of Town and date:</b>
--	---------------------------------------

<b>Has this event been held in Needham in the past?</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<b>If yes, are you repeating the same route as in prior year(s)?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO
---	---

<b>Organization Mailing Address:</b> 135 Wellesley Ave, Needham, MA 02494	<b>Organization is Not-for-Profit</b> <input checked="" type="checkbox"/>
--	--

**Organization Billing Address (if Police Detail is required):**  
John Eliot PTC  
010 Eliot Elementary School  
135 Wellesley Ave Needham MA 02494

<b>Primary Contact:</b> meredith Lopez	<b>Contact Title:</b> PTC Co-President
--	--

**Contact Address:** 76 Ardmore  
Needham, MA 02494

<b>Contact Phone (Day):</b> 617-634-2480	<b>Contact Phone (Cell):</b>
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**Contact Email:**  
Meredith.lopez@fmr.com

<b>Event Date(s):</b> 03/17/2018	<b>Date Expected to be in Needham:</b> 03/17/2018
-------------------------------------	--

<b>Earliest Time Expected in Needham:</b> 6:00-6:30 Begin setup Race start: 8AM	<b>Latest Time Expected in Needham:</b> 11 AM
---	--

<b>Number of Expected Participants:</b> 200	<b>Number of Expected Spectators at Peak Time:</b> 100
--	--

**Are participants charged a fee?**  YES  NO

<b>Estimated Number of Vehicles:</b> 75	<b>What type of Parking is required:</b> Along cricket field & neighboring streets. Elementary parking lot
--	---

**Describe Parking Plan, include where participants and spectators will park and length of time expected to be parked:**  
Parking to start by 7:00. Most gone by 10:00am. Volunteers to remain behind until 11. See what type of parking is required.

<b>Are event organizers available to meet with members of the Town to plan event?</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<b>Do event organizers foresee the need for any road closures (subject to police review)?</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
--	---

**What will be done in case of inclement weather?**  
We will cancel

**Will neighborhoods be impacted by parking and traffic?** Yes. Between 7-10 am.

**What activities are planned for the start of the race (if in Needham)?**  
MUSIC, Registration table.

**What activities are planned for the end of the race (if in Needham)?**  
Awards ceremony, offer post-race ~~to~~ water & bananas. Maybe bagels.

What facilities are needed for the start of the race (if in Needham)?	Use of Cricket Field. <del>Parade Ground</del>
What facilities are needed for the end of the race (if in Needham)?	Use of Cricket Field
Once the event begins, how long will it take to complete the event?	2 hrs (8-10) 6-7:00 setup 10-11:00 breakdown
Are signs requested to post at the start of the race? At the end of the race? Are signs requested for along the route?	NO. We will make these.
Will volunteers be placed along the route?	Yes
Will you be using a sound system? (includes music) If yes, please describe where and when it will be used.	Yes - <del>near</del> cricket field
Will there be any food served? (contact Needham Health Dept: 781-455-7500 x262)	yes
Will portable toilets be used? List locations.	Yes
Will hydration stops be set up along route? If yes, please include these on route plan.	yes @ about the 1.5 mile marker.
If the event takes place after dark, what is the plan to meet lighting needs?	n/a
What safety measures are being made for participants and spectators? What are plans for handling first aid and medical emergencies?	<del>opted</del> police detail, volunteers, Dr. on site
Does the event take place during commuter times?	NO
Is school in session during the event? Will school drop off or pick up be impacted by the event?	NO
Are businesses open during the time of the event?	yes
Does the route pass any business that might be impacted by the event? (e.g. funeral homes, markets, restaurants)	NO

<p><i>Are there any churches/houses of worship located along the event route? Will church/house of worship services take place during the event?</i></p>	<p>NO &amp; NO</p>
<p><i>What is the plan to handle trash?</i></p>	<p>if no town services are available, we will bring it to the dump or get a service</p>

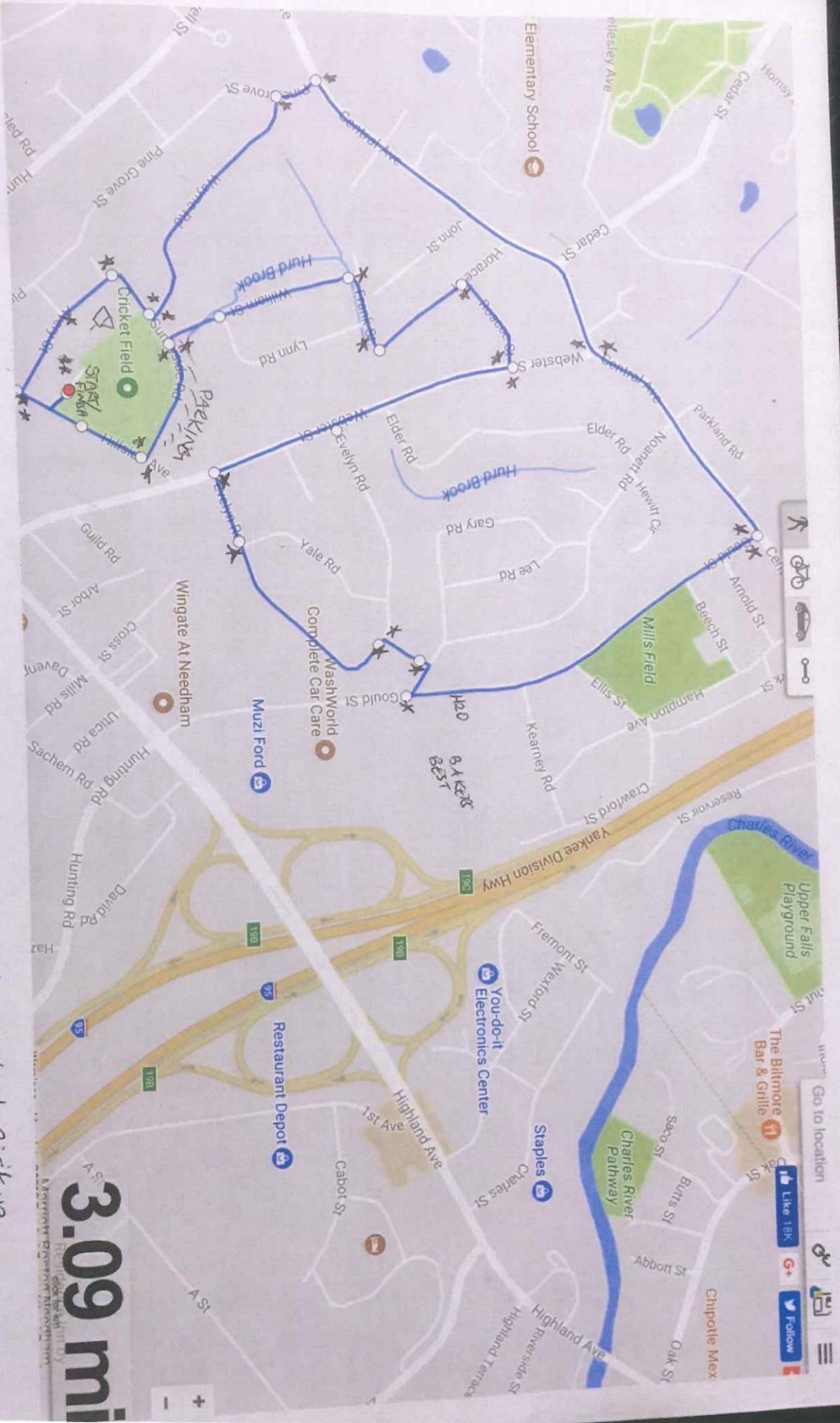
**Please return the completed application and attachments to the Office of the Town Manager, Needham Town Hall, 1471 Highland Avenue, Needham, MA 02492:**

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

**PLEASE NOTE:**

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

Key  
 Δ → Park rec property - use 2nd level Terrace for registration, bib + T shirt pickup,  
 \* = volunteers to monitor course (30)  
 H2O = water station







# Town of Needham, Massachusetts Road Event Form

RECEIVED  
TOWN OF NEEDHAM  
BOARD OF SELECTMEN

**INTERNAL USE ONLY**

DPW  
 Fire  
 Park & Rec  
 PFD

Police  
 OTM  
 Paid

OCT 5 AM 11 42

**TYPE OF EVENT:** (check all that apply)

RUN     WALK     BICYCLE     MOTORCYCLE

---

**Name of Event:** Great Bear Run      **Name of Organization:** Needham Track Club

---

**Has this event been conducted in other Towns in the past?**  YES     NO      **If yes, name of Town and date:**

---

**Has this event been held in Needham in the past?**  YES     NO      **If yes, are you repeating the same route as in prior year(s)?**  YES     NO

---

**Organization Mailing Address:** Needham Track Club       **Organization is Not-for-Profit**

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**Organization Billing Address (if Police Detail is required):**  
53 Coulton Park  
Needham MA 02492

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**Primary Contact:** John Hroues      **Contact Title:** Director

---

**Contact Address:**  
53 Coulton Park  
Needham MA 02492

---

**Contact Phone (Day):** 781-449-4954      **Contact Phone (Cell):** 781-856-4088

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**Contact Email:** needhamtrackclub@gmail.com

<b>Event Date(s):</b> Sunday, May 20, 2018	<b>Date Expected to be in Needham:</b> Sunday, May 20, 2018
<b>Earliest Time Expected in Needham:</b> 10:30 AM	<b>Latest Time Expected in Needham:</b> 2:45 PM
<b>Number of Expected Participants:</b> 900	<b>Number of Expected Spectators at Peak Time:</b> 250
<b>Are participants charged a fee?</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
<b>Estimated Number of Vehicles:</b> 200	<b>What type of Parking is required:</b> Street, Parking lots at Pollard
<b>Describe Parking Plan, include where participants and spectators will park and length of time expected to be parked:</b> Average parking time 1 1/2 - 2 hours. Parking in Pollard school back + front lots. Parking on 1-side only of streets between Harris Ave and Great Plain Ave.	
<b>Are event organizers available to meet with members of the Town to plan event?</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<b>Do event organizers foresee the need for any road closures (subject to police review)?</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
<b>What will be done in case of inclement weather?</b> Will be held in all but extreme weather conditions	
<b>Will neighborhoods be impacted by parking and traffic?</b> near Pollard Schools	
<b>What activities are planned for the start of the race (if in Needham)?</b> —	
<b>What activities are planned for the end of the race (if in Needham)?</b> Short award ceremony	

<p><b>What facilities are needed for the start of the race (if in Needham)?</b></p> <p>Pollard Middle School (front hall, bathrooms) (courtyard, parking lots)</p>	
<p><b>What facilities are needed for the end of the race (if in Needham)?</b></p> <p>- Same -</p>	
<p><b>Once the event begins, how long will it take to complete the event?</b></p> <p>10<sup>30</sup>-2<sup>45</sup></p>	
<p><b>Are signs requested to post at the start of the race? At the end of the race? Are signs requested for along the route?</b></p>	<p>yes</p>
<p><b>Will volunteers be placed along the route?</b></p>	<p>yes</p>
<p><b>Will you be using a sound system? (includes music) If yes, please describe where and when it will be used.</b></p>	<p>yes - in Pollard front courtyard sparingly from 10<sup>30</sup>-2<sup>45</sup></p>
<p><b>Will there be any food served? (contact Needham Health Dept: 781-455-7500 x262)</b></p>	<p>yes</p>
<p><b>Will portable toilets be used? List locations.</b></p>	<p>yes (in front of Pollard auditorium)</p>
<p><b>Will hydration stops be set up along route? If yes, please include these on route plan.</b></p>	<p>yes (Livingston Circle)</p>
<p><b>If the event takes place after dark, what is the plan to meet lighting needs?</b></p>	<p>—</p>
<p><b>What safety measures are being made for participants and spectators? What are plans for handling first aid and medical emergencies?</b></p>	
<p><b>Does the event take place during commuter times?</b></p>	<p>NO</p>
<p><b>Is school in session during the event? Will school drop off or pick up be impacted by the event?</b></p>	<p>NO</p>
<p><b>Are businesses open during the time of the event?</b></p>	<p>(those who open on Sunday)</p>
<p><b>Does the route pass any business that might be impacted by the event? (e.g. funeral homes, markets, restaurants)</b></p>	<p>will go by businesses at Hersey RR station but should not be impacted</p>

<p><b>Are there any churches/houses of worship located along the event route? Will church/house of worship services take place during the event?</b></p>	<p>No</p>
<p><b>What is the plan to handle trash?</b></p>	<p>Hire trash service (Timberman)</p>

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

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

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

- Event Route Map - see 2017 booklet
- Insurance - under application - will deliver when obtained

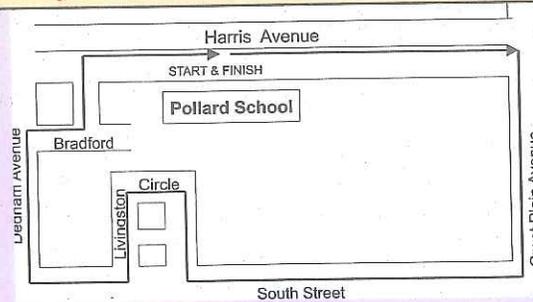
# 5K Run

## Brown Bear 5K Run Age Group Records

Records set in 2016 are in **Bold**. *Five-year Age Group Records are in Italics.*

Age	Boys / Men	Time	Age	Girls / Women	Time
4	James Castle, Wellesley '12	43:19	6	Courtney Kiernan, Milton '92	31:45
6	Steven Stants, Needham '12	31:44	7	Katie Burns, Needham '15	27:09
7	Jack Carroll, Needham '11	25:11	8	Michelle Schaeffer, Newton '01	24:29
8	Lucas Davis, Needham '02	23:25	9	<i>Mia Burrus, Cranston RI '15</i>	23:06
9	<i>Peter Crapsey, Jr., Haverhill '13</i>	21:14	10	Carmel Fitzgibbon, Weston '14	21:41
10	Sam Toolin, N Kingston RI '12	19:32	11	Caroline Phelps, Natick '11	21:42
11	Ryan Young, Londonderry NH '14	19:11	12	<i>Caroline Phelps, Natick '12</i>	20:18
12	Eric Turolski, Dorchester '99	19:36	13	Margaret Cullen, Needham '11	20:23
13	<i>Michael Durkin, Cohasset '11</i>	18:41	14	Heather Kuil, Concord NH '95	22:12
14	<i>Billy Godfrey, Merrimack NH '04</i>	18:47	15	Lauren Astracher, Newton '10	22:02
15	Tom Capo, Falmouth '91	17:39	16	Kate Ellinger, Wellesley '10	21:11
16	Andy Nelson, Needham '99	18:00	17	<i>Kathryn Masselam, Needham '94</i>	20:09
17	Barry Roy, Fitzwilliam NH '93	17:26	18	Kate Murphy, Needham '95	21:19
18	<i>Charles Beard, Needham '06</i>	16:31	19	<i>Amy Hall Newton '96</i>	22:20
19	Brian Kates, Sharon '91	16:39	20	Meredith Sheehan, Norwood '06	21:02
20	<i>Amos Sang, Springfield '14</i>	14:45	21	Lauree Cameron, Newton '93	21:21
21	Philip Galesbach, Medford '12	15:51	22	<b>Kate Ellinger, Wellesley '16</b>	19:28
22	Mike Capparella, Walpole '91	16:06	23	<i>Rebecca Carazza, Hopkinton '94</i>	18:50
23	Paul Dunton, Fitzwilliam NH	17:10	24	Debra Pace, Brookline '99	19:47
24	Paul Kelly, Jamaica Plain '92	15:40	25	Christine Doherty, Needham '09	20:16
25	David Kelly, Jamaica Plain '98	17:40	26	<b>Biliana Mihaylova, Ayer '16</b>	19:35
26	Michael Brouillette, S. Hadley '05	16:23	27	<i>Judith Spolidoro, Duxbury '08</i>	17:44
27	<i>Mel Gonsalves, Falmouth '91</i>	15:16	28	Susan McNatt, Needham '94	18:57
28	<b>Kevin Quadrozzi, Wayland</b>	15:33	29	Barbara Remmers, Chestnut Hill	17:57
29	<i>Matt Carter, Saugus '08</i>	15:28	30	Amanda Kourtz, Needham '14	18:23
30	Mel Gonsalves, Canton '94	15:27	31	<i>Alayne Adams, Cambridge '93</i>	17:39
31	<b>Dan Vassal, Peabody '16</b>	15:21	32	Katherine Latten, Clinton '93	18:21
32	Matthew Carter, Saugus '11	15:48	33	Sue LaChance, Lunenburg '93	18:17
33	<i>Patrick Moreton, Camb. '93</i>	15:12	34	<i>Nanci Sirois, Windham NH '93</i>	18:23
34	<i>John LaChance, Lunenburg '93</i>	15:30	35	Monica Staley, Needham '92	19:20
35	<i>Jon Waldron, West Newton '93</i>	15:16	36	<i>Jessica Rice, Needham '13</i>	18:10
36	Art Blodgett, Wellesley '96	16:45	37	Katy Hatch, Lexington '14	19:08
37	Terry McNatt, Needham '02	16:03	38	Jessica Rice, Needham '14	18:00
38	Harry Stants, Needham	15:55	39	Lynn Burns, Needham '13	19:52
39	Terry McNatt, Needham '04	16:12			

(continued on next page)



5K Run Race Course

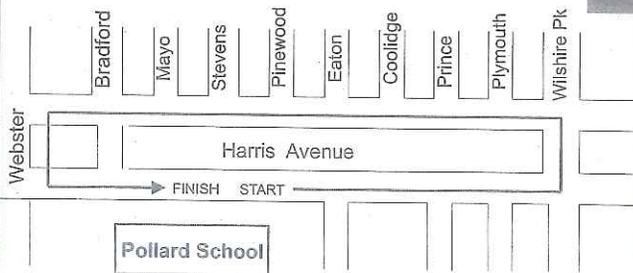


# 1 Mile Run

## Koala Bear 1 Mile Run -- 2016 Age Group Winners

Age	Boys and Men	Time	Girls and Women	Time
0-6	Kyle Dolaher, Needham	8:15	Ayla Thompson, Needham	9:23
7-8	Adrian Narvaez, Wayland	6:36	Hadley Gibbons, Needham	7:45
9-10	Daniel Narvaez, Wayland	6:24	ZZ Sayeed, Newton	7:09
11-12	Jake Meio, Needham	6:50	Bella Antonelli, Worcester	7:34
13-14	Marcus Aluia, Arlington	8:49	Allison Sibold, Wellesley	6:08
15-19	Jack Lucey, Needham	7:03	Minnie Aluia, Arlington	8:51
20-29			Katrina Vassallo, Peabody	6:00
30-39	Dan Vassallo, Peabody	5:00	Kristy Muccini, Needham	8:04
40-49	Bruce Hardy, Wellesley	5:51	Emily McCann, Needham	6:52
50-59	Neal Heffron, Brookline	6:05	Karen Lein, Newton	8:57
60-69	Tom Hansen, West Roxbury	7:16		
70-79	Tom Abbott, Natick	9:03		

The 1 Mile is run as a memorial to Bob Ayoub, an NTC coach who left us tragically a few years ago. This year, jazz trumpeter Josh Shpak and his band will perform his original composition "Requiem". Don't miss it!



Race Course for 1 Mile Run, 1 Mile Fun Walk / Run and 1 Mile Prostate Cancer Walk

e-mailed 11/29/18



# Town of Needham, Massachusetts Road Event Form

RECEIVED  
TOWN OF NEEDHAM  
BOARD OF SELECTMEN  
2017 SEP 18 P 1:46

### INTERNAL USE ONLY

<input checked="" type="checkbox"/> DPW	<input checked="" type="checkbox"/> Police
<input checked="" type="checkbox"/> Fire	<input type="checkbox"/> OTM
<input checked="" type="checkbox"/> Park & Rec	<input type="checkbox"/> Paid
<input type="checkbox"/> PFD	

**TYPE OF EVENT:** (check all that apply)

RUN    WALK    BICYCLE    MOTORCYCLE

**Name of Event:**

Charles River Center 5K Run/1 Mile

**Name of Organization:**

Charles River Center

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

**If yes, name of Town and date:**

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

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

**Organization Mailing Address:**

59 E. Militia Heights Drive Needham, MA 02492

Organization is Not-for-Profit

**Organization Billing Address (if Police Detail is required):**

59 E. Militia Heights Drive Needham, MA 02492

**Primary Contact:**

Hilary Ryan

**Contact Title:**

VP-Development

**Contact Address:**

Charles River Center  
59 E. Militia Heights Drive Needham, MA 02492

**Contact Phone (Day):**

781-972-1030

**Contact Phone (Cell):**

617-835-6130

**Contact Email:**

hryan@charlesrivercenter.org

<b>Event Date(s):</b> 9/23/2018	<b>Date Expected to be in Needham:</b> 9/23/2018
------------------------------------	---

<b>Earliest Time Expected in Needham:</b> 9:00 AM	<b>Latest Time Expected in Needham:</b> 12:00 pm
--	---

<b>Number of Expected Participants:</b> 600	<b>Number of Expected Spectators at Peak Time:</b> 11:00 AM
--	---

<b>Are participants charged a fee?</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
--

<b>Estimated Number of Vehicles:</b> 300	<b>What type of Parking is required:</b> vehicle parking
---	---

**Describe Parking Plan, include where participants and spectators will park and length of time expected to be parked:**  
requesting public facilities to approve Newman School parking lot between 8:00 AM - 2:00 pm

<b>Are event organizers available to meet with members of the Town to plan event?</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<b>Do event organizers foresee the need for any road closures (subject to police review)?</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
--	---

**What will be done in case of inclement weather?**  
The event will be canceled

**Will neighborhoods be impacted by parking and traffic?** YES  
neighborhood adjacent to the Charles River Center

**What activities are planned for the start of the race (if in Needham)?**  
Race day registration and packet pick up at the Charles River Center.

**What activities are planned for the end of the race (if in Needham)?**  
Post-race party activities, including food, drink and kids activities at the Charles River Center.

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

None

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

None

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

up to 2 hours

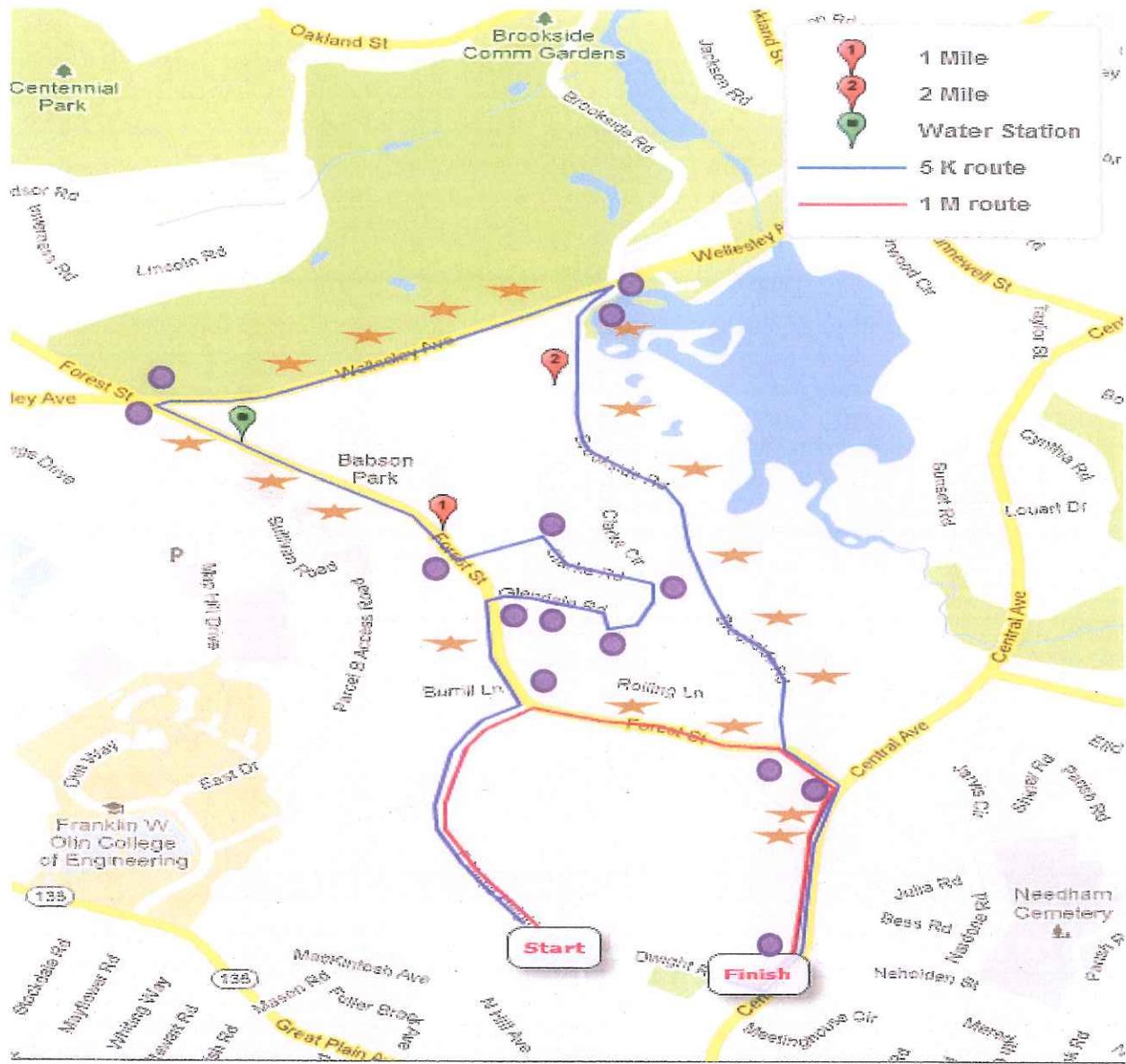
Are signs requested to post at the start of the race? At the end of the race? Are signs requested for along the route?	Signs will be located at both the start and finish lines, as well as along the race route. (see route map)
Will volunteers be placed along the route?	Yes
Will you be using a sound system? (includes music) If yes, please describe where and when it will be used.	Yes at 59 E. Milina Heights Drive
Will there be any food served? (contact Needham Health Dept: 781-455-7500 x262)	Yes
Will portable toilets be used? List locations.	Yes at 59 E. Milina Heights Drive
Will hydration stops be set up along route? If yes, please include these on route plan.	Yes
If the event takes place after dark, what is the plan to meet lighting needs?	No
What safety measures are being made for participants and spectators? What are plans for handling first aid and medical emergencies?	First aid station located at the finish line staffed by nursing personnel at CRC
Does the event take place during commuter times?	No
Is school in session during the event? Will school drop off or pick up be impacted by the event?	No
Are businesses open during the time of the event?	Yes
Does the route pass any business that might be impacted by the event? (e.g. funeral homes, markets, restaurants)	Yes

<p><i>Are there any churches/houses of worship located along the event route? Will church/house of worship services take place during the event?</i></p>	<p>No</p>
<p><i>What is the plan to handle trash?</i></p>	<p>Charles River Center will remove all trash along the route.</p>

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

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

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



POWERED BY Google + SCRIBBLE MAPS

★ Caution Runners in the Road signs

● Race course directional signs

**Town of Needham  
Board of Selectmen  
Minutes for January 9, 2018  
Needham Town Hall  
Powers Hall**

6:00 p.m. Executive Session: (Exceptions 3 and 6)  
A meeting of the Board of Selectmen was convened by Chair Marianne B. Cooley. Those present were Daniel P. Matthews, John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, and Town Manager Kate Fitzpatrick. Recording Secretary Mary Hunt joined the meeting at 6:45 p.m.

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

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

**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. Not to return to open session prior to adjournment.**

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

6:45 p.m. Informal Meeting with Citizens: Bill Becher, Needham resident spoke with the Board concerning the post office requiring all walkways be cleared of snow and ice down to the pavement or mail will not be delivered. He said he has not received mail in a few days.

7:00 p.m. The public portion of the Board of Selectmen meeting of January 9, 2018 was convened by Chair Marianne B. Cooley.

7:00 p.m. Hearing: Change of Manager - Needham Cabot Concessions, LLC.  
Jerold Winston, proposed manager appeared before the Board to discuss an application for a change in manager. A review indicates Mr. Winston meets the statutory requirements to serve as a manager of a facility licensed to dispense alcohol.

Kate Fitzpatrick, Town Manager indicated all paperwork is in order.

**Motion by Mr. Handel that the Board of Selectmen approve and sign an application for a Change in Manager to Jerold Winston for Needham Cabot**

**Concessions LLC., operating in the Sheraton Needham Hotel, 100 Cabot Street, Needham and to forward this application to the ABCC for approval.  
Second: Mr. Bulian. Unanimously approved 5-0.**

7:02 p.m. Public Hearing: Change of Beneficial Interest - Needham Cabot Concessions  
Andrew Upton, attorney appeared before the Board representing Needham Cabot Concessions LLC., to discuss an amendment application for a Change in Beneficiary of its liquor license.

Ms. Fitzpatrick indicated all paperwork is in order and the transaction was advertised in the December 14, 2017 Needham Times.

**Motion by Mr. Handel that the Board of Selectmen approve and sign an amendment application for a Change in Beneficiary for Needham Cabot Concessions, LLC., 100 Cabot Street, Needham and to forward this application to the ABCC for approval.  
Second: Mr. Bulian. Unanimously approved 5-0.**

7:03 p.m. Public Hearing: Change of Beneficial Interest - Great Plain Hospitality  
Ms. Cooley explained tonight's hearing is to ratify the vote taken by the Board of Selectmen on September 26, 2017, as Great Plain Hospitality was seeking approval for a Change in Beneficial Interest in its liquor license. The Board voted unanimously in its approval and the amendment application was forwarded to the ABCC for its approval. It was discovered that a public advertisement of this transaction had not been placed before the 9/26/17 hearing. The ABCC requires proof of this advertisement before it will approve the amendment application. The transaction was noticed in the December 18, 2017 edition of the Boston Globe.

Ms. Cooley said all paperwork is in order.

Ms. Cooley invited public comment. No comments were heard.

**Motion by Mr. Handel that the Board ratify its vote of the September 26, 2017: That the Board vote to approve the application submitted for Change in Beneficial Interest by Great Plain Hospitality, LLC, LLC d/b/a L & K and forward the application to the Alcoholic Beverages Control Corporation for its approval.**

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

7:05 p.m. Appointments and Consent Agenda:  
**Motion by Mr. Handel that the Board vote to approve the Appointments and Consent Agenda as presented.**

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

## CONSENT AGENDA

1. Accept the following donation made to the Needham Community Revitalization Trust Fund: \$150 from Timothy Kickham.
2. Upon the recommendation of the Assistant Town Manager/Director of Finance, change the mileage reimbursement rate from 53.5 cents to 54.5 cents per mile consistent with the rate determined by the IRS.
3. Approve Minutes of December 8, 2017 (Open Session) and December 19, 2017 (Open Session); and November 14, 2017 (Executive Session).
4. Approve a 2018 Sunday Entertainment License for SAI Restaurant, Inc. d/b/a Masala Art located at 990 Great Plain Avenue, Needham.
5. Accept the following donations made to the Needham Public Health Department's Gift of Warmth Program: \$500 from MP & JS Cruickshank of Needham; \$6,000 from the Needham Community Council; \$1,000 from the Congregational Church of Needham; \$900 from Christ Episcopal Church Needham; and \$200 from Mary Clare McEnerny Siegel of Needham.
6. Water & Sewer Abatement, Order #1249

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

7:05 p.m. Introduction of Director of Building Maintenance:  
Rick Merson, Director of DPW appeared before the Board to introduce the Town's new Director of Building Maintenance, Barry Dulong. Mr. Merson said Mr. Dulong comes to Needham having a wealth of experience with large regulated facilities. He welcomed Mr. Dulong to Needham.

Ms. Cooley said the position is critical for Needham and that Mr. Delong is an important partner to many people, making sure facilities remain current and up to date.

The Board welcomed Mr. Dulong and wished him well in his new position.

7:08 p.m. Town Manager:  
Kate Fitzpatrick, Town Manager appeared before the Board with six items to discuss:

1. Board Goal Update  
Ms. Fitzpatrick referred to "Board of Selectmen/Town Manager, FY2018-FY2019 Board of Selectmen Goals," dated January 9, 2018, discussing progress made by the Board. She highlighted the status of key goals in several categories including "Maximize Use of Town Assets and ensuring that Town and School services are housed in buildings that provide suitable and effective environments," "Ensuring appropriate Regulation and Assessment of, and Investment in Infrastructure," "Maintaining and improving the vitality and economic success of the Town," "Expanding energy efficient and environmentally sound operations for the Town and its residents and businesses," "Maintain and develop amenities that contribute to the desirability of Needham as a place to live and work," "Maintain and

Enhance Town's Financial Sustainability," and "Evaluate Town Operations and Administration."

The Board thanked Ms. Fitzpatrick for the update.

2. MMA Annual Meeting Resolutions

Ms. Fitzpatrick and Mr. Davison reviewed three resolutions proposed for adoption at the MMA Annual Meeting and asked the Board to vote whether or not to support them.

Ms. Cooley said she will be attending the annual meeting on Saturday, January 13, 2018.

**Motion by Mr. Matthews that the Board vote to support the following resolutions proposed for action at the MMA Annual Meeting: Resolution Ensuring a Strong and Enduring Fiscal Partnership Between Cities and Towns and State Government in Fiscal 2019 and Beyond, Resolution in Opposition to the Ballot Question that Would Reduce the Sales and Use Tax Rate, and Resolution Supporting a Local-State-Federal Partnership to Combat the Impact of Climate Change; and, to authorize the Chair or voting representative to participate in the discussion at the Annual Meeting and use her best judgement on any amendments or other matters that may arise.**

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

Discussion ensued on the Resolution Supporting a Local-State-Federal Partnership to Combat the Impact of Climate Change, the Resolution in Opposition to the Ballot Question that would reduce the Sales and Use Tax Rate, and the Resolution Ensuring a Strong and Enduring Fiscal Partnership between Cities and Town and State Government in Fiscal 2019 and Beyond.

7:30 p.m. Ms. Cooley announced the Board would now discuss agenda item Industrial/Highway Commercial Public Hearing, as the hearing was posted for 7:30 p.m.

7:30 p.m. Industrial/Highway Commercial Public Hearing:  
Ms. Cooley welcomed residents. She said the public hearing is to hear from residents so the Board of Selectmen can make a determination about whether it would like to refer the proposed zoning to the Planning Board for further consideration.

Jack Cogswell, Chair, Council of Economic Advisors and Devra Bailin, Director of Economic Development appeared before the Board outlining the CEA's recommendation for zoning changes in Industrial Districts along the Route 128 Right of Way. Mr. Cogswell made a brief statement as to the role of the CEA. He said the CEA began studying the Industrial 1 Zoning District in 2012 covering Gould Street from Highland Avenue to Ellis and Crawford Streets. The CEA

recommends updating the zoning to make the district more economically competitive, while respecting the concerns of adjacent residential neighborhoods and existing businesses. He said after meetings with businesses, residents, and land owners in the area, the CEA agreed to revise some proposals in response to concerns, and to provide a detailed analysis, traffic impact report, and elevation drawings to better understand visual impacts. Mr. Cogswell said the study area was divided into two zones due to topography and abutting properties: the Highland Avenue side of the railroad tracks and the Ellis and Crawford Street side of the railroad tracks. He explained the zoning proposal for each side, saying it is expected to take many years to develop the properties.

Ms. Cooley asked for comments from the Board.

Mr. Handel, as a member of the Board of Selectmen and the Council of Economic Advisors, said the study and proposal reflect advice to the Board of Selectmen for improving the value of the area in a way that is sensitive to the interests of the surrounding residential community. Mr. Handel said he believes the results can be very positive in the area.

Mr. Borrelli asked whether intense development would be "as of right" or by a special permit process. Ms. Bailin explained some of the provisions are "as of right" and some are by special permit, based on FAR (floor area ratio).

Mr. Matthews said zoning in Needham is primarily under the jurisdiction of the Planning Board, requiring approval by two thirds of Town Meeting. He commented the proposal from the CEA involves a change of direction people need to understand. He said since the 1950's and construction of Route 128, the Town has used the highway as a barrier to intense commercial development from residential neighborhoods. He said the question in the Muzi and Crawford Street areas is whether the Town would be better off to allow greater levels of density. He said the Board, while discussing the specific CEA proposal, is also considering the entire concept about what the Town might do. He commented all issues would be worked out by the Planning Board, should they decide to develop a formal proposal. He said the basic question is whether the Town wants to allow for greater height and density, with a goal of increasing employment, adding to the local economy, and getting more value out of the land, while recognizing development means more traffic and other changes on nearby neighborhoods. He encouraged residents to continue participating in discussions. Mr. Matthews said he is very interested in understanding public opinion, both pro and con.

Ms. Cooley invited public comment.

Lois Sockol, 611 Greendale Avenue commented the change would affect all residents, suggesting the question be put on a ballot. She asked for an explanation of the term "neutralized," when referring to Route 128. She commented

Needham is not an urbanized town, rather a beautiful "Norman Rockwell" town. Mr. Handel explained "neutralized" gives no land use to the highway.

Louise Miller, 5 North Hill Avenue asked all Boards reviewing the proposal to "slow down." She asked what the Town wants to achieve. She commented many zoning changes have been enacted over the last few years, allowing for development, and the impact has not yet been felt. Ms. Miller commented unnecessary increased economic value from the zoning changes may occur, noting the Town is fiscally well positioned to meet and/or exceed the service requirements of the Town.

Jim King, 46 Hampton Avenue asked the Board to consider the impact from units currently under construction east of Route 128, suggesting traffic and schools will be affected. He said building should be on Wexford Street, which is already commercially zoned. Mr. King said there will be too much traffic. He commented noise from construction on Route 128 has been ongoing for two years. He asked if anyone has shown interest in constructing a seven story building on Crawford Street. Ms. Cooley said she not aware of any interest in constructing a building.

Elizabeth Kaponya, 27 Highland Terrace, Town Meeting member said she has been contacted by several neighbors and has attended CEA meetings. She said roads currently under construction should be finished to see if traffic is alleviated, before further development. Ms. Kaponya agreed with comments to wait until the heavy density apartments are built and occupied. She also suggested a local shuttle bus to help alleviate traffic.

David Mindland, 74 Hampton Avenue (at the intersection of Ellis, Crawford, Hampton, and River Park Streets) said he is directly affected. He commented the neighborhood is small and lovely, and relatively quiet except for some morning commercial traffic. Mr. Mindland said he is frightened by the proposal and the Town should protect the neighborhood. Mr. Mindland said stricter regulations for buffers and mechanicals on rooftops must be in place.

Ben Daniels, 5 Sachus Road asked what type of business will be allowed in the area. He commented he heard rumors of the Muzi Ford property being sold, and that two land owners (Muzi Ford and TV station) will benefit. He asked whether a Legacy type mall or more 40B housing will be built. He is concerned with additional traffic, saying the no U-turn sign currently in place at the intersection of Highland Avenue, Gould Street, and Hunting Road causes cars to turn around on Sachus Road. Mr. Daniels said it is premature to start adding more development. He agreed with a previous speaker to let voters decide by referendum.

Pat Heck, 141 Noanett Road, suggested the Board reconsider the "neutralized" zone. He said the sewer system must be considered and whether it can handle

increased capacity. He noted the Gould Street and Central Avenue intersection is dangerous and a traffic light should be installed.

Larry Pelletier, 107 Gould Street said traffic will only increase with development, suggesting road configuration must be thought out. He asked that buffer and setbacks be considered, saying he is not against economic development but wants the neighborhood to be a safe and pleasant place to live.

Deb Whitney, 36 Hunting Road said cars turn around in her driveway, as noted by a previous speaker. She is concerned about traffic impact from development, noting her neighborhood has already lost land due to the new entrance and exit ramps off of Route 128. She commented on development across the highway, saying the neighborhood has been impacted by light coming from taller, new buildings (TripAdvisor and others). Ms. Whitney said she hoped the new ramps would alleviate some cars in the area, and is concerned with additional traffic. She said her children are not able to play outside without an adult present, due to the danger of many cars turning around in her driveway. She suggested a slow approach. Ms. Whitney said Sachem Road is a private road, maintained by its residents, however there is a financial cost to residents due to cars turning around on the street by people who do not live there.

Jim King, 46 Hampton Road noted the number of units currently being built in Needham Crossing and on Greendale Avenue. He said drainage is an issue.

Lois Sockol, 611 Greendale Avenue said she is concerned about all of Needham, not just a particular area. She commented her neighborhood has already taken a big hit from construction of the Mill Creek development. She referred to Mr. Matthews comment about Route 128, when built, as the divide between urban and suburban. She asked that Route 128 be kept as a "big wall" to protect the Town from industry.

Greg Reibman, Newton Needham Chamber of Commerce said it is obvious more discussion is needed. He said the Muzi family have been good citizens and supportive to Needham, deserving respect when it comes to what they want to do with their property.

Ford Peckham, 26 Lawton Road is concerned about the size of buildings, light pollution, and shadows during the day across from residences on Gould Street. He said once zoning is changed, how can the Town control what businesses move in, and can new businesses build "as a matter of right?" Mr. Peckham said more traffic will not work. He commented residents must attend meetings to make their voices heard. He suggested a straw vote be taken tonight.

Michelle Saipe, 5 Sachem Road suggested Wexford Street needs revitalization. Ms. Cooley told Ms. Saipe Wexford Street has been rezoned for mixed use

development, and that the proposal for Gould Street does not include zoning for housing.

Marsha Sherman, 166 Noanett Road said she is concerned about the type of businesses, acknowledging the area must be reconstructed and more aesthetically pleasing, recommending a playground and restaurants. She is concerned about traffic on Gould Street, suggesting a new exit from Route 128 to the area.

Terence Noonan, 125 Broadmeadow Road asked whether a traffic study has been done since the TripAdvisor building was completed? Ms. Cooley said traffic has been studied since building TripAdvisor, noting should proposed zoning occur additional traffic studies will be required. Ms. Fitzpatrick commented further studies will be done as more work is scheduled for Kendrick Street, Third Avenue, and Fourth Avenue.

Patrick Heck, 141 Noanett Road said he is not entirely against the proposal, as the area needs enhancement. He reiterated there is a problem with sewers in the neighborhood, requiring attention before any further construction.

Jack Cogswell, CEA Chair explained the process, should the proposal move forward. Ms. Cooley commented on the process, noting potential uses would be defined as part of the planning.

Larry Pelletier, 107 Gould Street echoed the need for the railroad tracks to be the dividing line, and to slow down development on the residential side of the tracks. He said the impact from current development has not been studied.

Marsha Sherman, 166 Noanett Road asked how can residents stay updated on progress. Ms. Cooley said the Town's website will be updated and is the best place for information.

Ms. Cooley closed the public hearing and asked for Board comment.

Mr. Bulian thanked residents for participating, agreeing a slower approach is best. He said the Board needs more information on the impact of more people living and working in Needham. He said there is a desire for better transportation in the region, as roads in Needham will not be able to accommodate more cars. Mr. Bulian acknowledged the Kendrick Street exit is wonderful, but is not convinced traffic will have been helped. Mr. Bulian said more industry and housing bring more cars and people to Needham, noting the Town is already feeling pressure from new and potential development. He said Needham enjoys the economic benefits of new business and is a town well positioned, but growth must be managed for the foreseeable future. He reiterated a slow approach is best and resident involvement is necessary and welcomed.

Mr. Handel said managing growth has been a long term policy in Needham, noting zoning is a long term proposition. He said he has a lot of confidence in the Planning Board's ability to conduct a public process to produce zoning reflecting concerns of residents. He said the area in question is not bucolic, but industrial and unattractive. Mr. Handel said the area can be greatly improved by effective zoning for future development. He said he believes the Planning Board should take up the matter as there is no harm in being proactive to improve the situation.

Mr. Borrelli thanked everyone for participating. He said he hears the concern of residents, agreeing to slow down the process. Mr. Borrelli said he is not sure there is a need for more development, and is not interested in moving the proposal forward at this time.

Mr. Matthews reflected on questions from residents, answering each one as he understands it. He said he does not know of any planned projects, rather the attempt by the Town at zoning for future development. He pointed out zoning changes gradually take effect depending on opportunities presented by private businesses, taking place over 15 years. He said the Town will have a lot of control over whatever is built, because almost anything will require a special permit. But, he said, when looking at projects you can see, over time, in terms of size of the buildings (massing, sq. ft., height), the tendency will be in an area with high real estate values to build out to the maximum allowed. He said the Town's website has information on zoning changes and theoretical renderings of what the area might look like over time. He commented on transportation and plans that have been in place over the last 20 years to widen Route 128 from Braintree through Needham. He said those plans will not change, and people should not expect any additional exits because of what the Town does with its zoning. He noted the railroad right-of-way connecting Needham to Newton and a potential express bus, but agreements by many stakeholders and capital investment would be necessary. He reiterated no one should assume any of that will happen as part of this project and that it is a long way away, if at all. Mr. Matthews commented he hears people saying they want improvement to the parcels, but scale and traffic are of concern. He said it has been helpful hearing from residents and thanked folks for participating.

Ms. Cooley thanked everyone for attending, noting mixed opinions by the Board of Selectmen as to the best course of action. She said zoning is a long term issue with many components the Board needs to understand. She said additional comments can be sent to [selectmen@needhamma.gov](mailto:selectmen@needhamma.gov).

8:45 p.m. The Board resumed discussion related to the Town Manager's report.

3. Open Annual Town Meeting Warrant

Ms. Fitzpatrick reviewed a preliminary list of warrant articles for the 2018 Annual Town Meeting. She asked the Board to vote to open the warrant.

**Motion by Mr. Handel that the Board vote to open the warrant for the 2018 Annual Town Meeting.**

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

4. DEP Water Management Act Permit

Ms. Fitzpatrick recommended the Board relinquish its Water Management Act Permit effective April 30, 2018. The Town will continue to exercise all of its grandfathered rights to withdraw water from the Charles River Basin in the annual average amount of 2.63 million gallons per day for an annual volume total of 959.95 million gallons, pursuant to its Registration Statement for Water Withdrawal, Registration No. 32019901, and all subsequent renewals thereof.

**Motion by Mr. Handel that the Board vote to give up the Town's Water Management Act Permit effective April 30, 2018 and to forward a letter to the Massachusetts Department of Environmental Protection regarding same.**

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

Ms. Cooley reminded folks that just because a water ban will not be in effect, they should continue to conserve water.

5. Eversource Reliability Project - Notice of Intent

Ms. Fitzpatrick told the Board Eversource Energy has filed a Notice of Intent with the Needham Conservation Commission seeking an Order of Conditions for construction of the transmission line in accordance with the Wetlands Protection Act and the Town's Wetlands By-law. The Siting board process is not complete, and the Energy Facilities Siting Board has not yet approved the project or the route. Ms. Fitzpatrick recommended that the Board submit a letter to the Conservation Commission requesting the Commission require approval by the Energy Facilities Siting Board a condition of any Order of Conditions that are granted.

**Motion by Mr. Handel that the Board vote to request that the Conservation Commission make Energy Facilities Siting Board approval a condition of any Order of Conditions that is granted to Eversource for the West Roxbury to Needham Reliability Project and forward a letter to the Commission regarding same.**

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

6. Town Manager's Report

Ms. Fitzpatrick thanked employees of the DPW for their work handling over a foot of snow last week. She asked residents for patience as the Town works to remove the snow from sidewalks and parking lots. She referred residents to the DPW's Snow and Ice information on the Town's website. Ms. Cooley reminded folks to continue clearing fire hydrants during snowstorms. Ms. Fitzpatrick added that catch basins should also be cleared to avoid flooding. Mr. Handel thanked the DPW for the great work they did to clear streets of snow.

Ms. Fitzpatrick reported on a conversation with the MBTA/Keolis on issues raised by the Transportation Committee during a meeting attended by State Representative Denise Garlick. She noted on-time performance, crowded trains, station maintenance, grade crossings, and the new Great Plain Avenue light as items to be worked on in the next few months.

9:00 p.m. Board Discussion:

1. Committee Reports

No Committee Reports were made.

**Motion by Mr. Handel that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of Tuesday, January 9, 2018.**

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

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

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

**Town of Needham  
Board of Selectmen  
Minutes for January 23, 2018  
Public Services Administration Building**

6:00 p.m. Executive Session: (Exceptions 3 and 6)  
A meeting of the Board of Selectmen was convened by Chair Marianne B. Cooley. Those present were Daniel P. Matthews, John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, and Town Manager Kate Fitzpatrick. Recording Secretary Mary Hunt joined the meeting at 6:45 p.m.

**Motion by Mr. 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. Not to return to open session prior to adjournment.**

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

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

6:50 p.m. Executive Session: (Exception 6)

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

**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. Not to return to open session prior to adjournment.**

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

7:00 p.m. The public portion of the Board of Selectmen meeting of January 23, 2018 was convened by Chair Marianne B. Cooley.

7:00 p.m. Introduction of Director of Conservation:  
Lee Newman, Director of Planning & Community Development appeared before the Board to introduce the Town's new Director of Conservation, Christopher Hayward.

Ms. Newman said Mr. Hayward comes to Needham with over 20 years experience as an environmental scientist, working in both public and private sectors. She said Mr. Hayward worked the previous 10 years as Director of Conservation for Watertown, MA.

The Board welcomed Mr. Hayward to Needham.

7:04 p.m. Appointments and Consent Agenda:  
**Motion by Mr. Bulian that the Board of Selectmen vote to approve the Appointments and Consent Agenda as presented.**

#### **APPOINTMENTS**

- 1. Traffic Management Advisory Committee Rhain Hoyland (replacing Richard Merson – Term Expiration: 6/30/2018)**
- 2. Cultural Council Yael Halpern (Term Expiration: 6/30/2021)**

#### **CONSENT AGENDA**

- 1. Accept a \$300 donation made to the Needham Health Department's Traveling Meal's Program from Amy Sherman, a Canton resident.**
- 2. Accept minutes of December 19, 2017 Executive Session (corrected date: previously accepted as November 14, 2017).**
- 3. Approve a Special One Day Wines & Malt Beverages License for Maxwell Sparr, of Restaurant Associates at Trip Advisor to host a Brandeis Alumni Networking event on January 25, 2018 from 6:30 p.m. to 8:30 p.m. The event will be held at Trip Advisor, 400 First Avenue, Needham.**
- 4. Approve a Special One Day Wine & Malt Beverages Only license for Robert Timmerman of the Needham Knights of Columbus to host its annual Superbowl Party on Sunday, February 4, 2018 from 4:00 p.m. to 11:00 p.m. The event will be held at Needham Knights of Columbus, 1211 Highland Avenue, Needham.**
- 5. Accept and sign Easement to Verizon New England Inc. This easement is necessary to allow Verizon to place a pole on the Town's property that will provide overhead power to the Rosemary Complex.**
- 6. Water and Sewer Abatement Order #1250.**

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

7:04 p.m. Joint Meeting with Park and Recreation Commission:  
Patty Carey, Director of Park and Recreation, and members of the Park and Recreation Commission including Matthew Toolan, Chairman, Christopher Gerstel, Vice-Chair, and Michelle Geddes met with the Board to discuss issues of

mutual interest including a possible Greene's Field ice skating rink, Rosemary Pool status/programming, use of Rosemary Lake and building, community campus/hockey rink, trail project, skate park, Highway Commercial zoning, Open Space and Recreation Plan goals, and other current items.

Mr. Toolan said proponents of a possible Greene's Field ice rink have been asked for a formal proposal. He commented on lighting, neighbor concerns, maintenance, public safety, and the potential for a rink next year at the Rosemary Recreation Complex.

Mr. Borrelli suggested a goal of having the rink in place for winter 2019.

Mr. Bulian said planning for use on weekends, holidays, vacations, early release days would be a good place to start. He suggested no lighting be considered in the early stage. Mr. Bulian said he always envisioned a skating opportunity at the Greene's Field basketball court.

Ms. Carey handed out a January 2018 flyer from the Park and Recreation Department outlining the pools, programming, and summer membership fees at Rosemary Pool Complex. Mr. Toolan recognized Mike Retsky for his commitment to the project. He said the building is up and work has begun inside, and pools are in place. He said the anticipated opening of the complex is on target for mid-June 2018, noting it has yet to be determined when employees will move in to the building. Mr. Toolan commented on pool fees encouraging people to sign up for membership. He said kayaking, standup paddle boards, and sailing is being considered at the lake. Ms. Carey said the Outdoor Living program will be moved from Ridge Hill to the Rosemary Recreation Complex.

Ms. Cooley commented on the Community Campus and study, currently underway for the Nike and Ridge Hill sites. Ms. Fitzpatrick said the study should be completed by the end of the fiscal year. Mr. Toolan said many ideas for the land have been heard, commenting the Park and Rec Commission is in favor of what makes the most sense for the Town and fills a need not currently being met.

Mr. Matthews said he believes Nike and Ridge Hill should be planned for as one parcel of land connecting the active use areas by driveway. He commented the options for reconfiguring active use jurisdictions are probably limited because the Nike site is ecologically different from the rest of the property. Mr. Matthews said establishing a roadway connection between the parcels, with good access on and off the property, is essential. He said the Town must be candid and people need to be realistic, understand the buildings might have to be demolished. Mr. Matthews said all options for the dog park, community farm, and mixed-use must be considered, maximizing the full potential of the property would be the best outcome. Mr. Toolan agreed, suggesting a community survey would help shape discussion. Ms. Cooley recognized the Conservation Commission is also a

stakeholder. Mr. Handel agreed with Mr. Matthews, that a connecting driveway is necessary and will define options.

Discussion ensued on goals for Needham's trails, including the Reservoir trail, Rosemary Lake trail, Eastman trail, Fuller trail (formerly the Swamp trail at Ridge Hill Reservation), Williams School trail, Mitchell Woods trail, Greendale Avenue trail, and the Sudbury Aqueduct trail.

Mr. Toolan commented on the temporary "pop up" skate park at Greene's Field and Mills Field. He said the plan is for the "pop up" to move to various locations throughout Town, April through the summer. He commented people are excited about having a skate park available for youth.

Ms. Cooley thanked Mr. Toolan for his letter concerning Highway Commercial zoning, noting the Board of Selectmen held public hearing on January 9, 2018. She told Mr. Toolan that his suggestion about Mills Field, and the need for adequate parking during any development, is absolutely worthy of consideration.

Mr. Toolan told the Board the Athletic Director informed him of a state requirement that defibrillators be available at all school fields. He said the issue affects parks, schools, safety, and requires urgent attention. He commented sport trainers take portable devices to the field, but not every field is covered by a trainer. Ms. Cooley thanked Mr. Toolan for bringing the issue forward.

7:38 p.m.

Diversion Program Update:

John Schlittler, Chief of Police, Katie Tierney, Police Officer, Ryan O'Leary, Police Officer, and Catherine Delano, Substance Use Prevention Program Manager appeared before the Board with an update on Youth Diversion Programs in the Commonwealth. As team members from a joint working group of Needham Police and Public Health, the concept of Youth Diversion, how it works, and how the plan and proposal have been customized for Needham was presented.

Youth Diversion has been very successful in other communities and implementing a thoughtfully designed and well researched program aligns with Chief Schlittler's Community Policing Initiatives. Youth Diversion improves outcomes for juvenile offenders, and fosters cooperation amongst Police, community partners, youth, and their parents. It represents an extra level of service and support for juvenile offenders and their families that Needham would provide.

A powerpoint presentation was viewed.

Ms. Cooley asked for comments and questions from the Board.

Mr. Handel said the program is great and shows a real commitment to youth of the Town to try to preserve their options later in life. He asked if any data measuring program success is available.

Officer Tierney indicated the police department would know immediately if the program is successful in Needham.

Mr. Borrelli thanked the team for presenting case studies, as it gives insight into the difficult job of the Police and Public Health departments. He commented he is "sold" and loves the proactive approach being taken. Mr. Borrelli asked if the program is modeled after other communities. Ms. Delano stated programs in Arlington, Brookline, and Cambridge were studied and modified to fit the Needham community. Chief Schlittler said support was also received from the District Attorney's Office of Norfolk County.

Mr. Matthews said the topic is difficult, but anything that can be done to get people on a better path with less recidivism is worth trying.

Ms. Cooley asked whether other communities with Diversion Programs have seen a reduction in recidivism? Officer Leary said measuring recidivism over a long period of time is difficult but stated Arlington has had great success, to the point of going to troubled households offering services to people before there is a criminal charge.

The Board thanked the presenters for the update.

8:00 p.m.

Substance Prevention Alliance of Needham Parent Survey:

Catherine Delano, Substance Use Prevention Program Manager appeared before the Board to discuss the Substance Prevention Alliance of Needham Parent Survey. Ms. Delano explained the MetroWest Adolescent Health Survey (MWAH) is funded by the MetroWest Health Foundation and administered biennially to Needham public school students in grades 7 through 12. It is a wealth of information about student behavior and activities on topics including substance misuse, mental health, exercise, nutrition, and dating.

As a companion to the MWAHA, the Substance Prevention Alliance of Needham (SPAN) administers a companion survey six months later to parents of Needham students in grades 6 through 12. Conducted online, it reaches about half of all Needham parents and gathers information about underage drinking and substance use/misuse specifically in the context of communication, attitudes and beliefs, perceptions, and behaviors.

Ms. Delano presented data from the Parent Survey administered in 2017, discussing how SPAN uses data to develop targeted programs and activities which reduce youth substance use and misuse. She noted a parent workshop will be held in 2 weeks, where the Parent Survey will be discussed. In addition, Ms.

Delano stated youth may have an opportunity to view a documentary titled "If They Had Known," bringing awareness to the danger of mixing alcohol and prescription drugs.

A powerpoint presentation was viewed.

Ms. Cooley asked for comments and questions from the Board.

Mr. Borrelli said the statistics of early use of drugs and alcohol in life, leading to dependency is staggering. He noted the discrepancy in figures regarding the use of tobacco to marijuana/alcohol. He thanked Ms. Delano for her important work.

Mr. Bulian said the Parent Survey is interesting, noting the importance of having family dinner as many times as possible during the week. He said conversation with schools is also necessary, as the many activities youth are involved in makes life hectic.

The Board thanked Ms. Delano for her presentation.

8:11 p.m.

One Mind Campaign:

John Schlittler, Chief of Police appeared before the Board with an update on the Town's participation in the One Mind Campaign. The Campaign was created by the International Association of Chiefs of Police to ensure successful interactions between police officers and persons affected by mental illness. Chief Schlittler said since its inception in March 2016, the One Mind Campaign has focused on four strategies to guide departments as they seek to improve their interactions with persons affected by mental illness. IACP encourages departments to:

- Establish a clearly defined and sustainable relationship with at least one community mental health organization;
- Develop and implement a written policy addressing law enforcement response to persons affected by mental illness;
- Demonstrate that 100 percent of sworn officers (and selected non-sworn staff, such as dispatchers) are trained and certified in Mental Health First Aid (MHFA); and
- Demonstrate that 20 percent of sworn officers (and selected non-sworn staff, such as dispatcher) are trained and certified on the Crisis Intervention Team (CIT) training.

Ms. Cooley said it is important for police to be well educated in all aspects of how they can work with folks in the community.

Mr. Matthews commented all kinds of very challenging social problems are handled by the law enforcement and school community. He said the better we can do locally will help the Town and elsewhere.

The Board thanked Chief Schlittler for the update.

8:17 p.m.

Sewer Rate Relief Application:

Dave Davison, Assistant Town Manager/Finance and Evelyn Poness, Town Treasurer/Collector appeared before the Board to discuss monies available for sewer rate relief for FY2018 which the Town can apply. Every year the program has been offered, the Town has filed an application. The application requires the signature of the Town Manager and Board of Selectmen in order to submit.

**Motion by Mr. Handel 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.**

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

8:24 p.m.

Sign Notice of Traffic Regulation - Wexford Street:

Richard P. Merson, DPW Director appeared before the Board stating the Traffic Management Advisory Committee (TMAC) received a request from a business along Wexford Street asking that a No Parking zone be established to prevent parking on the south side of Wexford Street from Franklin Street to Brook Road. The TMAC recommended that a No Parking zone be established on the south side of Wexford Street from Franklin Street to Brook Road.

**Motion by Mr. Handel that the Board vote to approve and sign the Notice of Traffic Regulation Permit #P18-01-23 for Wexford Street, Parking Prohibited, south side from Franklin Street to Brook Road.**

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

8:26 p.m.

Public Safety Project Update:

George Kent, Chair, PPBC, Steve Popper, Director of Design & Construction, and Michael McKeon, Kaestle Boos Associates appeared before the Board with an update on progress of the design of the public safety project.

Mr. Kent said the working group on the project has been meeting regularly. He noted both the Police Chief and Fire Chief have been participating actively in the project, along with other user groups. He also recognized the Design Review Board, who has also been actively engaged in the process.

A powerpoint presentation was presented by Michael McKeon of Kaestle Boos Associates. Floor plans and site plans were viewed for the new Needham Police and Fire Headquarters, Needham Fire Station #2, and Needham's Temporary Fire Station.

Ms. Cooley asked for questions and comments from the Board.

Mr. Matthews questioned the temporary path to get to the playground at Hillside School, as he is concerned people may try to cut across the parking lot to access

the area. Mr. Kent said the most effective way to get to the playground is to use the existing path, which will be well marked. Mr. Popper said the Police and Fire departments will be located on the site together for six months or more, noting it will be an active site with vehicle traffic and people will learn how to safely access the playground.

Discussion ensued on playground and field accessibility.

Mr. Borrelli commented on the flat roofs of the buildings, asking about maintenance. Mr. McKeon said the roofs are not flat, but low pitched with primary and secondary drainage systems. Mr. Borrelli commented on possible acquisition of 43 Lincoln Street. He asked for an explanation of the importance of perimeter safety and security. Mr. McKeon commented on traffic circulation, security, and parking design with/without the purchase of 43 Lincoln Street. Mr. Popper explained acquiring 43 Lincoln Street after the new headquarters is built is costly and "not a simple switch out," noting grading and drainage for the layout could cost more than \$500,000. Ms. Cooley asked for a cost analysis between both designs. She said costs need to be understood, noting there is an assumption there is no added cost either way, other than acquiring 43 Lincoln Street, which she said is not the case. Chief Condon commented great pains have been taken to protect the front of the building, and yet the living quarters at the rear has an unsecured property 12 feet away. He said he is concerned. Chief Schlittler commented if traffic is backed up on School Street, access out of the parking lot when responding to a call is limited and difficult. Chief Condon said he does not know of any other residential or multi family home that is so close to Town property.

Mr. Gluesing, Design Review Board said there was a lot of discussion about the size and style of the building. He said he is pleased, and that both buildings make a statement for the Town.

Mr. Kent said collaboration has been phenomenal.

Ms. Fitzpatrick said she is looking forward to Town Meeting in October and the vote in November.

Mr. Kent was pleased to tell the Board the use of Construction Manager at Risk has been approved by the Inspector General's Office, which is very positive news.

The Board thanked the presenters for the information.

8:45 p.m.

Town Manager:

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

1. Accept and Refer Zoning Amendment

Ms. Fitzpatrick reminded the Board that at its meeting on January 9, 2018, the Planning Board voted to place the following article on the warrant for the 2018 Annual Town Meeting: "Amend Zoning By-Law - Marijuana Establishments."

**Motion by Mr. Handel that the Board vote to accept the proposed zoning amendment: "Amend Zoning By-Law - Marijuana Establishments" for referral to the Planning Board for its review, hearing, and report.**

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

2. FY2019 Budget Presentation

Ms. Fitzpatrick presented the "Balanced Budget Proposal for Fiscal Year 2019, Staying on Course," dated January 23, 2018. She reviewed FY2019 Best Budget Practices and Budget Priorities, adopted by the Board in December 2017, saying these are the best practices that have kept the Town in good shape from year to year. She commented on the Financial Forecast/Revenue including aid from the Federal Government, State Aid, New Growth, Free Cash, and Reserves for Capital Planning. Ms. Fitzpatrick anticipates \$12.5 million will be certified as free cash, saying use of free cash within this budget plan complies with the Board of Selectmen's Budget Best Practices with respect to how much should be used for operations and capital one time/reserves. Ms. Fitzpatrick touched on Key Budget Drivers including School Enrollment, Average Change in Salary Lines (FY2012-FY2017), and Increase in Headcount (FY2013-FY2018); particularly noting school enrollment has increased by 652 students since the 2007 school year, a 13% increase. She commented the number of students is a serious and concerning number, as population growth affects all the Town's services. Ms. Fitzpatrick reviewed several items listed on the Performance Budget, as well as Changes to Submitted Budgets. Ms. Fitzpatrick said the Budget Proposal: Needham Schools recommendation is 4.0% over the appropriated FY2018 budget at \$71,105,943, reflecting the Superintendent's revised budget request. She noted the School Committee is scheduled to vote tonight on the budget. Ms. Fitzpatrick commented on the Enterprise Fund Budgets, noting the collective bargaining agreement for union employees is not yet settled. Ms. Fitzpatrick commented on many of the Financial Warrant Articles, as well as Reserves Funds including Capital Facility, Capital Improvement, Athletic Facility Improvement, and Debt Service Stabilization. Ms. Fitzpatrick concluded with the FY2019 Budget Recap stating Total General Fund Expenses are up 7.6% over last year, noting she is optimistic about the future. She asked the Board if they had any questions.

Ms. Cooley asked what is needed for full day kindergarten. Ms. Fitzpatrick said the Town has been planning for \$1.5 million and the recent opinion of the School Committee is \$2.0 million.

Mr. Borrelli inquired whether CPC funds could be used for Greene's Field and ball diamond maintenance. Ms. Fitzpatrick indicated the items would not qualify for CPC funding.

The Board thanked Ms. Fitzpatrick and Mr. Davison for their work on the budget.

9:37 p.m. Board Discussion:

1. Eversource West Roxbury to Needham Reliability Project

Ms. Cooley said Eversource Energy indicated the project has gone through 100% design. She said Eversource Energy has noted Needham's concerns with the design, and anticipates a remedy. She commented neighbors have been noticed on the preferred route down Valley Road, Peacedale Road, Great Plain Avenue to South Street. She said the Town continues to work on understanding the project and what will happen next. Further information will be forthcoming.

2. Highland Commercial Zoning

Ms. Cooley commented one additional email has been received since the public hearing on January 9, 2018. She said the comments were similar to those voiced at the public hearing, in that the Town move slowly on new development recognizing, however, neighbors have said the area needs improvement.

Ms. Cooley asked the Board for their comments regarding the public hearing.

Mr. Matthews said the public hearing was excellent and has helped him understand the issue. He noted people can see the current zoning has some problems and they would like to see improvement to the area, but not on the scale proposed. He said he believes it is time to pause and look at all opportunities.

Mr. Borrelli said it was a great hearing with strong opinions. He said he heard the desire to slow down, and he is not interested at this time in moving forward.

Mr. Handel thanked Ms. Cooley for a quality public hearing. He said the area requires sensitivity, as expressed at the hearing. He noted the general area does not reflect well on the surrounding residential area, and needs improvement. He suggested the Board of Selectmen ask the Planning Board to take a look at what can be done to improve the functionality and the general interests of the Town.

Mr. Bulian agreed with taking a slow approach. He said traffic must be minimized, as the area is already under siege with cars. He commented he cannot agree to move forward if people are going to feel overwhelmed with more traffic. He agreed the area needs improvement, but traffic must be the priority.

Mr. Handel said the Planning Board is very good dealing with the issues of traffic, infrastructure, and the burden on residents.

Ms. Cooley said the neighborhood reflects the challenges of traffic, as seen with the rebuilding of Route 128, new exits, and bridge closings. It is hoped the opening and new traffic light at 1st Avenue will be an improvement. She said the Planning Board will have a lengthy lead time to consider the issue.

3. Committee Reports

Ms. Cooley reported the Minuteman Regional High School project is on track and on budget. She said the next meeting regarding the project will be held on Monday, January 29, 2018.

9:50 p.m.

**Motion by Mr. Handel that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of Tuesday, January 23, 2018.**

**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=>

**Minutes**  
**Board of Selectmen Meeting**  
**January 24, 2018**

8:00 a.m. A joint meeting of the Board of Selectmen and the Planning Board was convened by Chair Marianne Cooley at the Needham Town Hall. Present were Mr. Daniel Matthews, Mr. Moe Handel, Mr. Matthew Borrelli, Assistant Town Manager Christopher Coleman, Town Manager Kate Fitzpatrick, and Planning & Community Development Director Lee Newman. Mr. John Bulian was not present. Members of the Planning Board present were Mr. Ted Owens, Mr. Paul Alpert, Mr. Marty Jacobs, Ms. Jeanne McKnight, and Ms. Liz Grimes.

**Industrial Zoning** – Ms. Cooley provided an update on the public hearing held on January 9<sup>th</sup>. She said the sentiment of many of those testifying is that the Town should evaluate the impact of existing construction before making more changes. Mr. Owens said that the key issue is how much development should occur on this side of Route 128. Zoning takes many years to fully implement, and the Board should not delay thinking about it. He said that the Planning Board will consider this issue. He also noted that what appeared to be a simple issue to rezone the highway itself turns out not to be so simple.

**Public Safety Communications** – Ms. Fitzpatrick outlined the reason for the project, and the consultant's recommendations. She noted that most advantageous approach would be to have a structure with microwave technology installed at the Public Safety Complex, the RTS, and the two water tanks. She said that the RTS is already included in the wireless communication overlay district. There is a section of the Zoning By-law that may allow for the construction of a structure at the Public Safety Building, but a zoning change would be required for the water tanks. Mr. Owens stressed the importance of communicating the need for the new system. He said that the Planning Board has not discussed the application of the Zoning By-law to the proposal. He asked for information about what the structures will look like, and what the alternatives are to the proposed installation. Mr. Borelli said that it is important for the Town to speak with one voice and to work in partnership. Mr. Matthews said that the project is complex, and the critical component is the vote in November. He said the Board is asking the Planning Board for its view of the best way to handle the installation of the structures. He said the Board of Selectmen will take the lead on communicating with the public the need for the structures. Mr. Handel agreed noting that the Planning Board

Cooley said that the work could leverage the work of the Future School Needs Committee. Mr. Owens said that the evaluation must be disciplined, focused, and have a regional view. Mr. Jacobs wondered whether it is too early to begin the evaluation since many of the housing units in development have not come on line. Ms. Cooley asked the Planning Board members to think about specific questions, and said that she will engage the School Committee too.

**Reservoir Neighborhood Business District** – Mr. Owens said that the Planning Board is reviewing changes to the zoning that would allow legal apartments on the second floor of businesses.

9:45 a.m. **Motion: Mr. Borrelli moved that the meeting be adjourned. Mr. Handel seconded the motion. Unanimous: 5-0.**

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

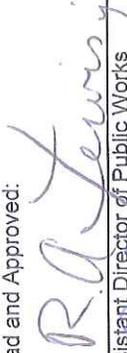
WHEREAS the appropriate divisions of the Department of Public Works have submitted to you the following commitment(s) on the dates listed below for the collection of water, sewer revenue and

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:	-\$397.00
Water Irrigation:	\$0.00
Water Admin Fees	\$0.00
Sewer Sales:	-\$1,571.60
Transfer Station Charges:	\$0.00
Total Abatement:	-\$1,968.60

Order #: 1251

Read and Approved:

  
Assistant Director of Public Works

  
Director of Public Works

For the Board of Selectmen

Date: 2/13/18

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

Prepared By:	Last Name	First Name	Customer ID#	Location ID#	Street Number	Street Name	Irrigation Water	Domestic Water	Sewer	Total	Reason	Corrected Last Read
												Y/N
DB	Hensley	Kevin	29443	2620	101	Wachusett Road	\$0.00	-\$88.30	-\$711.92	-\$800.22	EC	N
JO	Council on Aging (3)						\$0.00	-\$308.70	-\$859.68	-\$1,168.38	COA	N
<b>Total:</b>										<b>-\$1,968.60</b>		

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.
- TWN = 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