SELECT BOARD AGENDA
Regular Meeting
6:00 p.m. September 24, 2024

Town Hall
Select Board Chambers
1471 Highland Avenue
Needham, MA 02492
&
Zoom

Pursuant to Chapter 2 of the Acts of 2023, meetings of public bodies may be conducted virtually provided that adequate access is provided to the public.

To listen and view this virtual meeting on a phone, computer, laptop, or tablet, download the "Zoom Cloud Meeting" app in any app store or at www.zoom.us. At the above date and time, click on "Join a Meeting" and enter the meeting or click the link below to join the webinar:

Link:
https://us02web.zoom.us/j/82601013229?pwd=OE82V1MxQnJUZHVXZjFNbWJXRFJoQT09
Webinar ID: 826 0101 3229
Passcode: 652800
One tap mobile: +16469313860,,82601013229#,,,,*652800#

This is a public meeting of the Needham Select Board. The meeting is open to the public both in person and via Zoom. Residents are invited to provide comment during the public comment period (as set forth below) and for any item explicitly listed as a public hearing. Public comment is not available during other agenda items.

	6:00	Public Comment Period Residents are encouraged to inform the Office of the Town Manager in advance via email (OTM@needhamma.gov), telephone (781) 455-7500 extension 204, or in person by the end of the business day prior to the meeting of their intent to participate in the public comment period. The Chair will first recognize those who have communicated in advance their desire to speak for up to three minutes. If time allows, others wishing to speak will be recognized in an order determined by the Chair for up to three minutes. The Board's policy on public participation in meetings can be found here.

1.	**6:00**	Public Hearing: Grant of Location – South Street • Joanne Callendar, Eversource Representative • Danuel Velonis, Keystone Development
2.	**6:10**	Community Preservation Committee (CPC) Consultation • Dave Herer, Chair of CPC • Maureen Callahan, Vice Chair of CPC • Lauren Spinney, CPC Administrative Coordinator • Cecilia Simchak, Assistant Director of Finance
3.	**6:30**	Set Recycling and Transfer Station User Charges and Fees • David Davison, Deputy Town Manager/Finance
4.	**6:40**	Town Engineer • Sign Notice of Traffic Regulation – Norwich Road • Sign Notice of Traffic Regulation – Intervale Road • Sign Notice of Traffic Regulation– Peacedale Road
5.	**6:50**	Town Manager • Positions on Warrant Articles • Town Manager Report
6.	**7:10**	Board Discussion • Committee Reports

APPOINTMENT CALENDAR

1.	Betsy Millane	Community Preservation Committee Term Exp: 6/30/2027
2.	Stephen Frail	Mobility Planning and Coordination Committee Term Exp: 6/30/2027
3.	Paul Good	Needham Center Project Working Group Term Exp: 6/30/2027
4.	Tim Bulger	Needham Center Project Working Group Term Exp: 6/30/2027
5.	Michael Greis	Needham Center Project Working Group Term Exp: 6/30/2027
6.	Carys Lustig	Needham Center Project Working Group Term Exp: 6/30/2027
7.	Kevin Keane	Stormwater By-Law Working Group Term Exp: 6/30/2025
8.	Joshua Levy	Stormwater By-Law Working Group Term Exp: 6/30/2025
9.	Sue Barber	Stormwater By-Law Working Group Term Exp: 6/30/2025
10.	Tripp Pace	Stormwater By-Law Working Group Term Exp: 6/30/2025
11.	John Salo	Stormwater By-Law Working Group Term Exp: 6/30/2025

12.	Preston Hall	Stormwater By-Law Working Group Term Exp: 6/30/2025
13	Janine Helwig	Stormwater By-Law Working Group Term Exp: 6/30/2025
14.	Tom Ryder	Stormwater By-Law Working Group Term Exp: 6/30/2025
15.	Deb Anderson	Stormwater By-Law Working Group Term Exp: 6/30/2025
16.	Joe Prondak	Stormwater By-Law Working Group Term Exp: 6/30/2025

CONSENT AGENDA *Supporting Documents in Agenda Packet

1.*	Approve Open Session Minutes of August 13, 2024 and Executive Session Minutes of September 10, 2024
2.	Accept the following donation to the Needham Free Public Library: • From Sarah Fuhro, $37.50 after art show sales
3.	Accept the following donation made to the Needham Community Revitalization Trust Fund: • $100 from the Charles River Center
4.*	Request the assignment of Police Officers to General Election polling places and to Town Hall at the close of polls, and to delegate selection of Police Officers to the Chief of Police.
5.	Designate the Needham Town Hall as the Early Voting location for the 2024 General Election and approve the Early Voting Hours as listed: • October 19 and October 20: 9:00 am to 1:00 pm • October 21-24: 10:00 am to 2:00 pm • October 25: 10:00 am to 12:30 pm • October 26: 9:00 am to 5:00 pm • October 27: 9:00 am to 1:00 pm • October 28-November 1: Regular business hours
6.*	Sign the Warrant for the 2024 General Elections to be held on Tuesday, November 5, 2024.
7.*	Approve partial road closure of Pickering Street (from Great Plain Ave to just before the entrance of the Walgreens Parking Lot) from 8:30 a.m. to 4:00 p.m. during the Needham Harvest Fair on Sunday, September 29, 2024.
8.*	Authorize the placement of lawn signs promoting the Needham Harvest Fair in the following locations from September 25, 2024 through September 30, 2024: • Town Common • Needham Heights Common • Recycling and Transfer Station • Public Services Administration Building • Berms Adjacent to the Needham Free Public Library • Harris Avenue Median

NOTICE OF APPROVED BLOCK PARTIES

Name	Address	Party Location	Date	Time	Rain Date
Beth Champagne	37 Ware Road	Ware Road	10/05/24	4pm-8pm	10/19/24
Lois Bacon	29 Harding Road	29 Harding Road	10/06/24	1pm-7pm	N/A
Kevin Keane	88 Lexington Avenue	Burnside Road	10/26/24	5:30pm-9pm	N/A
Yakov Shapiro	208 Valley Road	Between 208 & 222 Valley Road	10/26/24	2pm-5pm	10/27/24
Monique Harrington	36 Dell Avenue	36 Dell Avenue	10/31/24	3:30pm-6pm	10/30/24

NOTICE OF APPROVED ONE-DAY SPECIAL ALCOHOL LICENSES

Hosting Organization	Event Title	Location	Event Date
Charles River Center	Charles River Center 5k Run/1Mile Walk	Charles River Center	9/29/24

Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET

MEETING DATE: 9/24/2024

Agenda Item	Public Hearing: Eversource Grant of Location – South Street
Presenter(s)	Joanne Callender, Eversource Representative Danuel Velonis, Keystone Development

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

Eversource Energy requests permission to install approximately ten feet of conduit in South Street. The reason for this work is to provide service to 957, 969, and 997 South Street.

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

The requested installation has already taken place, ahead of Board approval. The developer will be present for this hearing.

2.	**VOTE REQUIRED BY SELECT BOARD**

Suggested Motion: That the Select Board approve and sign a petition from Eversource Energy to install approximately ten feet of conduit in South Street.

3.	**BACK UP INFORMATION ATTACHED**

a. DPW Review Sheet
b. Letter of Application
c. Petition
d. Order
e. Petition Plan
f. Notice Sent to Abutters
g. List of Abutters

TOWN OF NEEDHAM
PUBLIC WORKS DEPARTMENT

NEEDHAM, MA 02492 Telephone: (781) 455-7550
www.needhamma.gov/dpw

TO: Myles Tucker, Select Board Office
FROM: DPW Office
DATE:
RE:

For Select Board Meeting of

Abutters list & labels at Assessors Office.

Please email confirmation date & time of hearing

GRANT OF LOCATION PETITION REVIEW

DATE OF FIELD REVIEW: 9-12-24 REVIEWER: RaWaW.

SITE LOCATION: #969 SOUTH ST. UTILITY REQUESTING: EVERSOURCE

Conduit Work Area Description

(A) Sidewalk/Grass Strip Crossing Only Peer Review tar-9/18/24

B Work Within Paved Road Perpendicular Crossing Peer Review _____

C Work Within a Plaza Area/Landscaped Island/Parallel Along Roadway

Peer Review _____ Div. Head Review _____

D Other Peer Review _____ Div. Head Review _____

- [x] Petition Plan Consistent with Field Review
- [x] Diameter of Conduit
- [x] Depth of Conduit
- [x] Utility Conflicts
- [x] Crossing Perpendicular to Road
- [x] Public Road
- [x] Double Pole N/A
- [x] Old Pole Removed N/A
- [x] Cables Transferred to New Pole NO
- [x] New Riser on Pole YES
- [x] Visible Trench Patch across Road/Sidewalk
- [x] Abutters List Complete
- [x] Photos Included

Department Head _____

COMMENTS:

THIS IS A NON-SIDEWALK CROSSING. RISER(S) ON POLE NO OVERHEAD CONNECTION AS OF NOW.

Work in Road has been completed prior to approval. Owner contacted to attend Select Board hearing. Application is complete pending a Public Hearing

EVERSOURCE ENERGY

180 Calvary Street
Waltham, Ma 02453

September 10, 2024

Select Board
Town Hall
1471 Highland Avenue
Needham, MA 02192

RE: South Street
Needham, MA
W.O.# 17196200

Dear Members of the Board:

The enclosed petition and plan are being presented by the NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install approximately 10 feet of conduit in South Street.

The reason for this work is to provide service to #957, 969, and 997 South Street.

If you have any further questions, contact Joanne Callender at (781) 314-5054. Your prompt attention to this matter would be greatly appreciated.

Very truly yours,

Richard M. Schifone

Richard M. Schifone
Rights and Permits, Supervisor

RMS/HC
Attachments

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES
Town of NEEDHAM

WHEREAS, **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** has petitioned for permission to construct a line for the tranmission of electricity for lighting, heating or power under the public way or ways of the Town thereinafter specified, and notice has been given and a hearing held on said petition as provided by law.
It is ORDERED that **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** be and hereby is granted permission to construct and a location for, such a line of conduits and manholes with the necessary wires and cables therein under the following public way or ways of said Town:

South Street - **Northwesterly from pole 12/110, approximately 130 feet west of Marant Drive, install approximately 10 feet of conduit.**

W.O.# 17196200

All construction work under this Order shall be in accordance with the following conditions:
1. Conduits and manholes shall be located as shown on the plan made by **K. Rice, dated July 25, 2024** on the file with said petition.
2. Said company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. All work shall be done to the satisfaction of the Select Board or such officer or officers as it may appoint to supervise the work.

1 _____
2 _____
3 _____
4 _____
5 _____

Select Board
the Town of
NEEDHAM

CERTIFICATE

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, to wit:-after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Selectmen to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the _____ day of _____ 2024 at _____ in said Town.

1 _____
2 _____
3 _____
4 _____
5 _____

Select Board
the Town of
NEEDHAM

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the **Select Board** of the Town of **NEEDHAM,** Masssachusetts, duly adopted on the _____ day of _____, 2024 and recorded with the records of location Orders of said Town, Book _____, Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.) and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of the Town of **NEEDHAM,** Massachusetts

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

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

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

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by **K. Rice, dated July 25, 2024,** and filed herewith, under the following public way or ways of said Town:

South Street - **Northwesterly from pole 12/110, approximately 130 feet west of Marant Drive, install approximately 10 feet of conduit.**

W.O.# 17196200

NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY

By: *Richard M. Schifone*
Richard M. Schifone, Supervisor
Rights & Permits

Dated this 10th day of September 2024

Town of **NEEDHAM** Massachusetts

Received and filed _____2024

_____

SURVEY TRAVERSE DATA

PRECISION: 1:52,403
LINEAR ERROR OF CLOSURE: 0.04'
DIRECTIONAL ERROR OF CLOSURE: N 88°38'17" W
ALL SURVEY DISTANCES WERE MEASURED BY ELECTRONIC DISTANCE MEASURING EQUIPMENT (ACCURACY = ±(3 MM + 3 PPM -D)

Traverse Line Table		
Line #	Length	Direction
L1	33.46'	S53°00'19"W
L2	45.86'	N27°55'17"E
L3	43.58'	N04°11'11"W
L4	87.40'	N40°39'27"E
L5	102.83'	N45°44'28"E
L6	37.57'	S04°43'04"E
L7	102.08'	S38°40'08"W
L8	38.92'	S67°22'19"W

LOT BUILD FACTOR (SEC. 4.2.5)

LBF = LOT PERIMETER SQUARED/LOT AREA
MAX LBF = 30

LOT 31 = 28.0
LOT 32 = 29.9
LOT 33 = 23.9
LOT 34 = 26.7

APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED.

NEEDHAM PLANNING BOARD

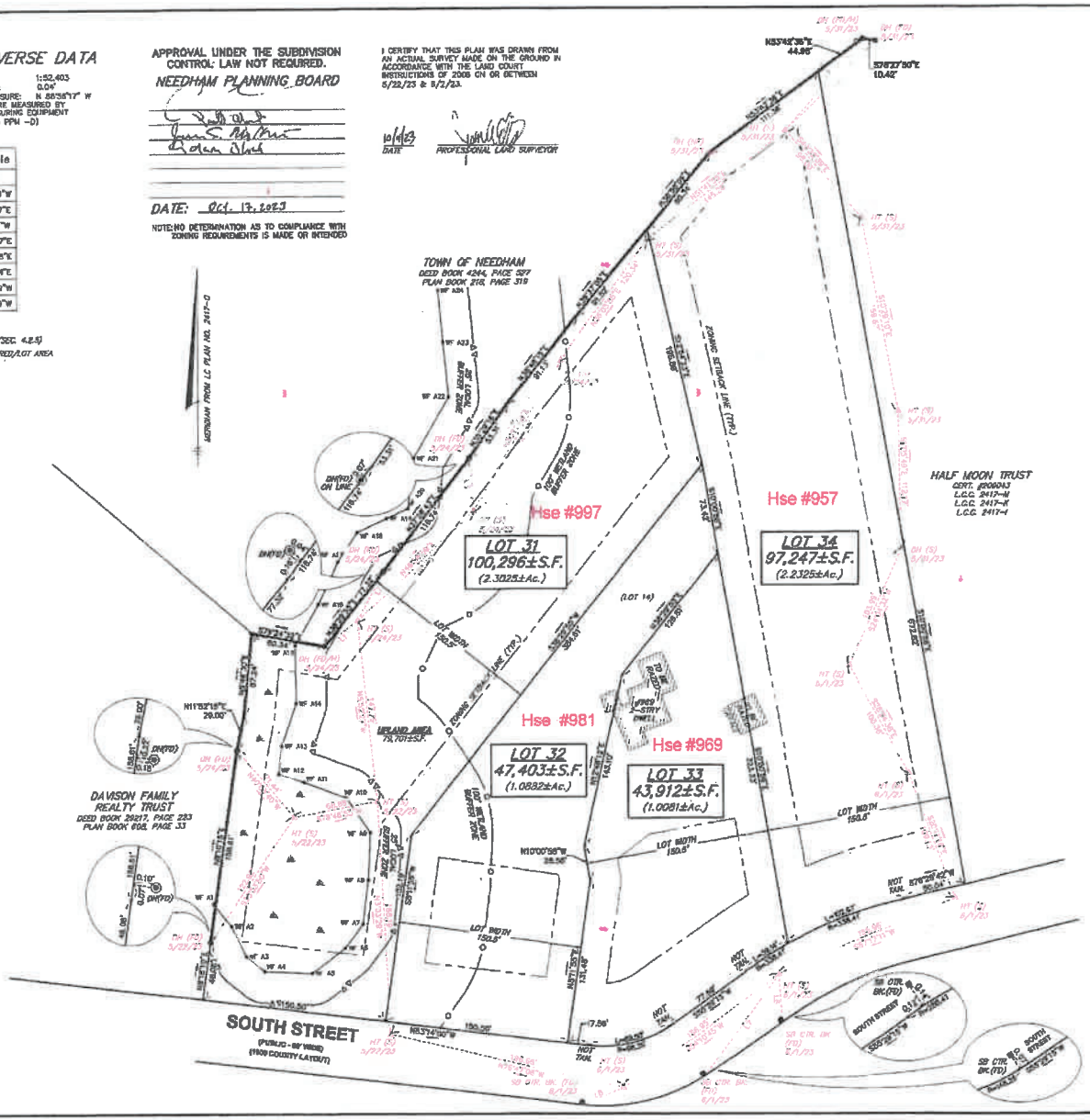
DATE: Oct. 17, 2023

NOTE: NO DETERMINATION AS TO COMPLIANCE WITH ZONING REQUIREMENTS IS MADE OR INTENDED

I CERTIFY THAT THIS PLAN WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND IN ACCORDANCE WITH THE LAND COURT INSTRUCTIONS OF 2005 CN OR BETWEEN 5/22/23 & 8/2/23.

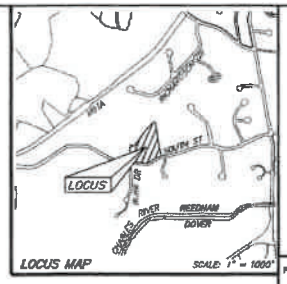
10/4/23 DATE

PROFESSIONAL LAND SURVEYOR



LEGEND

SB	⊠	STONE BOUND
I.ROD	⊙	IRON ROD
DH	●	DRILL HOLE
MAG		MAGNETIC NAIL
HT		HUB & TACK
CTR. BK.		CENTER BACK
(R)		RECORD
(S)		SET
(C)		CALCULATED
(H)		HELD
(FD)		FOUND
(nf)		NOT FOUND



ASSESSORS:

PARCEL ID: 169-206-25

REFERENCES:

LC CERT.# 119671
L.C.C. 2417-G

RECORD OWNER:

ROGER B. & JANICE G. HUNT, TRUSTEES
969 TRUST
969 SOUTH STREET
NEEDHAM, MA 02492

ZONING:

RURAL RESIDENCE - CONSERVATION

MIN. LOT AREA	43,560 S.F.
MIN. FRONTAGE	150 FEET
MIN. FRONT YARD	50 FEET
MIN. SIDE YARD	25 FEET
MIN. REAR YARD	25 FEET

NOTES:

1) THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE LOT 14 SHOWN ON LAND COURT PLAN 2417-G INTO LOTS 31, 32, 33 & 34.

2) LIMITS OF BORDERING VEGETATED WETLANDS SHOWN HEREON WERE DELINEATED BY OTHERS AND LOCATED BY FIELD SURVEY.

3) IT IS HEREBY NOTED AND DISCLOSED THAT IN THE EVENT THE EXISTING 2-STORY DWELLING STRUCTURE ON LOT 33 IS NOT RAZED, AS SHOWN AND EITHER LOT 32 OR LOT 33 ARE TRANSFERRED OR CONVEYED AS A SINGLE LOT, THEN ZONING VIOLATIONS WILL ARISE CONCERNING SAID STRUCTURE BEING OVER THE LOT LINE INTO LOT 32.

4) IT IS HEREBY NOTED AND DISCLOSED THAT IN THE EVENT THE EXISTING GARAGE STRUCTURE ON LOT 33 IS NOT RAZED, AS SHOWN AND EITHER LOT 33 OR LOT 34 ARE TRANSFERRED OR CONVEYED AS A SINGLE LOT, THEN ZONING VIOLATIONS WILL ARISE CONCERNING SAID STRUCTURE BEING OVER THE LOT LINE INTO LOT 34.

PLAINTIFF: KEYSTONE DEVELOPMENT CORPORATION

L.C.C. 2417-W

SCALE: 1" = 40'

0 40 80 160

#969 SOUTH STREET

Needham, Massachusetts 02492

PREPARED FOR:

KEYSTONE DEVELOPMENT CORP.

910 Boston Post Road, Suite 310
Marlborough, Massachusetts 01752

HANCOCK ASSOCIATES

Civil Engineers

Land Surveyors

Wetland Scientists

621 EAST BERKELEY STREET, BOSTON, MA 02118
VOICE (617) 357-8148, FAX (617) 357-9485
WWW.HANCOCKASSOCIATES.COM

NO.	BY	APP	DATE	ISSUE/REVISION DESCRIPTION

DATE: 8/28/2023 DRAWN BY: JJL
SCALE: 1" = 40' CHECK BY: JJL

PLAN OF LAND IN NEEDHAM, MA

BEING A SUBDIVISION OF LOT 14 SHOWN ON LAND COURT PLAN #2417-G, CREATING 4 LOTS.

DWG: 26995srv.dwg
LAYOUT: ANR
SHEET: 1 OF 1
PROJECT NO.: 26995

N:\SHARED-mmas-vf02\CIMAGE\BASELINS\NEE\NEE-SOUTHSAN.dwg

#969 SOUTH STREET

APPROX. PT. OF PICKUP

NAD 1983

APPROX. RIGHT OF WAY(R.O.W)

12/110

APPROX. 130'± TO MARANT DR.

12/109

R.O.W.

EOP

10'±

CUSTOMER TO INSTALL
2 - 4" PVC PIPE
SCHEDULE 40, IN CONCRETE
SECTION - 2, FIGURE - 1

SOUTH ST

APPROX. EDGE OF PAVEMENT(EOP)

EOP

R.O.W.

R.O.W.

#20 MARANT STREET

SECTION - 2
STREET SURFACE

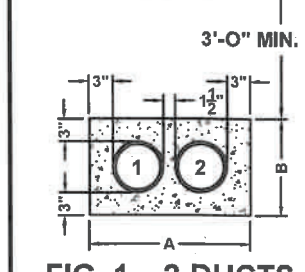


FIG. 1 2-DUCTS

0 20 40

SCALE IN FEET

BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC COMPANY, NSTAR GAS COMPANY NOR ITS PARENTS, AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS (COLLECTIVELY THE "NSTAR ENTITIES") SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION OR IN RELIANCE UPON IT. TO THE MAXIMUM EXTENT ALLOWED BY LAW, YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE NSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.

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MASS. LAW

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

C#	
Ward #	
Work Order # 17196200	
Surveyed by: N/A	
Research by: GR	
Plotted by: SJ	
Proposed Structures: SJ	
Approved: K. RICE	
P#	

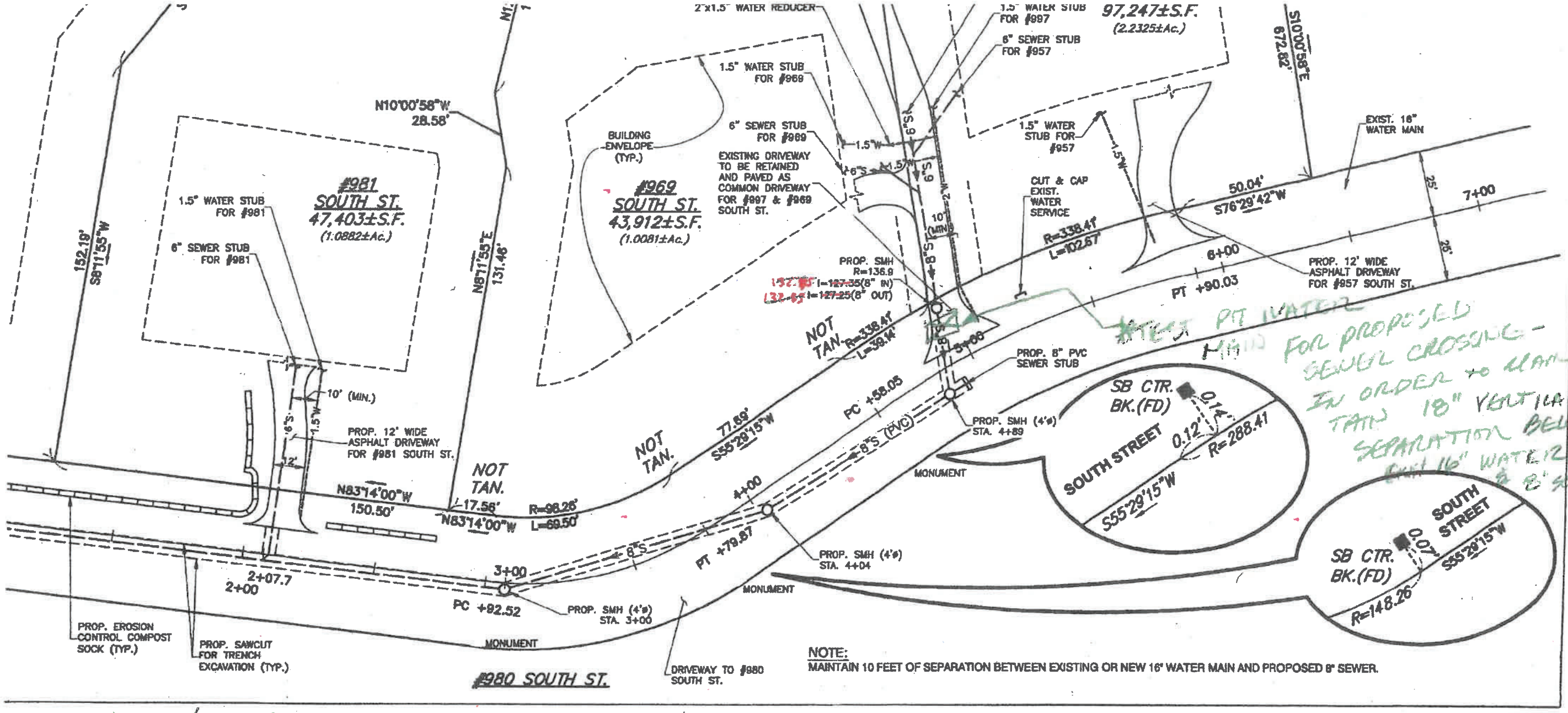
NSTAR ELECTRIC d/b/a EVERSOURCE
1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of SOUTH STREET
NEEDHAM

Showing PROPOSED CONDUIT LOCATION

Scale 1"=20' Date JULY 25, 2024

SHEET 1 of 1

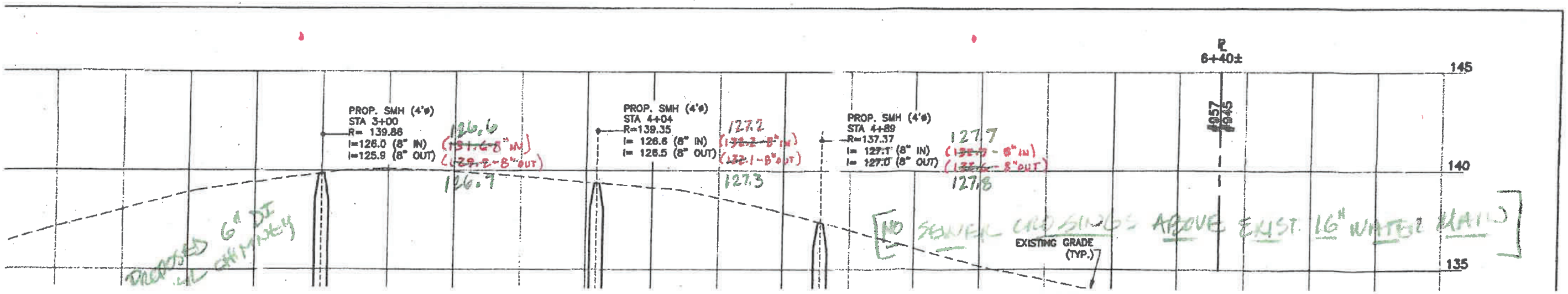


NOTE:
MAINTAIN 10 FEET OF SEPARATION BETWEEN EXISTING OR NEW 16" WATER MAIN AND PROPOSED 8" SEWER.

ATTN DEPT/COMMISSION -

PROPOSED SEWER PLAN

SCALE: 1" = 30'



ELEVATIONS PRIOR TO SEWE

3. SAFETY MEASURES, INCLUDIN SEWER CONSTRUCTION METH SHALL BE RESPONSIBILITY O

4. CONTRACTOR SHALL BE RES AND/OR REPLACEMENT OF A DAMAGED DURING CONSTRUC DESIGNATED FOR DEMOLITION DAMAGED IMPROVEMENTS SH SATISFACTION OF THEIR RESP NEEDHAM.

5. ANY INTENDED REVISION OF VERTICAL LOCATION OF IMPRO CONSTRUCTED AS SHOWN HE AND APPROVED BY ENGINEER IMPLEMENTATION.

6. WHERE EXISTING UTILITY LINE CUT/BROKEN DOWN/ABANDON SHALL BE PLUGGED/CAPPED/ TOWN OF NEEDHAM REQUIREM

7. SEWERS CONVEYING SANITARY AND STORMWATER FLOW OR A SEPARATED FROM WATER MAI LEAST 10 FEET HORIZONTALLY SEPARATION IS NOT POSSIBLE SEPARATE TRENCHES WITH TH INCHES BELOW THE BOTTOM O THAT OTHER SEPARATION AS GOVERNMENT AGENCY WITH JU

8. WHERE APPROPRIATE SEPARAT IS NOT POSSIBLE, THE SEWER CONCRETE, OR CONSTRUCTED USING MECHANICAL OR SLIP-J AT LEAST 10 FEET ON EITHER ADDITION, ONE FULL LENGTH O LOCATED SO BOTH JOINTS WI WATER LINE AS POSSIBLE. WHE CROSSES UNDER A SEWER, AD SUPPORT FOR THE SEWER MUS

9. THE CONTRACTOR SHALL VERIF RELATIVE ELEVATION OF BENCH COMMENCEMENT OF CONSTRUC SHALL BE REPORTED TO THE E

10. UNDERGROUND UTILITIES SHOWN FROM FIELD LOCATIONS OF STA AVAILABLE RECORD INFORMATI ENGINEERING OFFICES, TOWN D COMPANIES. OTHER UNDERGROU IT SHALL BE THE RESPONSIBILI TO VERIFY THE LOCATION, SIZE UTILITIES WITHIN THE AREA OF CONTACT "DIG-SAFE" AT 811 A OF PUBLIC WORKS AT 781-455 HOURS PRIOR TO ANY EXCAVAT CONSTRUCTION.

11. SEWER PIPE SHALL BE PVC SDR

12. SEWER CONSTRUCTION SHALL C APPLICABLE TOWN OF NEEDHAM

13. OWNER AND OWNER'S CONTRACT SEWER CONSTRUCTION WORK AN WITH THE TOWN OF NEEDHAM'S REPLACEMENT PROJECT SCHEDU

14. CONTRACTOR TO COORDINATE AL WITH THE NEEDHAM DPW AND E

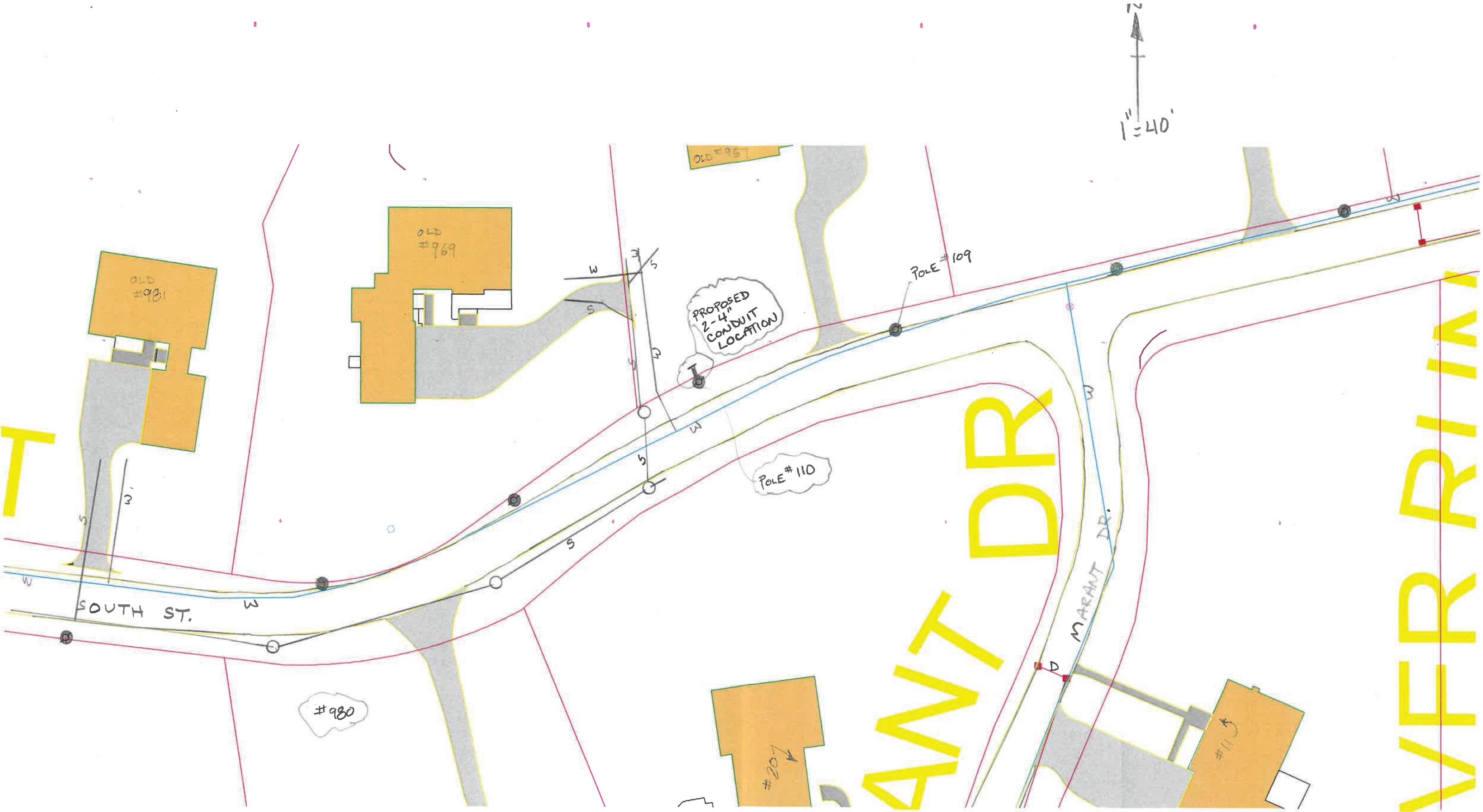
REGULATORY NOT

1. CONTRACTOR SHALL CONTACT DIG UNDERGROUND UTILITY MARKING 72 HOURS PRIOR TO COMMENCEM

2. CONTRACTOR SHALL MAKE HIMSEL CONSTRUCTION REQUIREMENTS, C LIMITATIONS IMPOSED BY PERMITS ISSUED BY REGULATORY AUTHORI COMMENCEMENT OF ANY WORK. C COORDINATE AND OBTAIN ALL CO REQUIRED BY REGULATORY AUTHO

3. ALL CONSTRUCTION SHALL CONFO NEEDHAM DPW STANDARDS.

DRAWN BY: CMK	DESI
CHECKED BY: DTW	APP
REVISIONS	


N
1" = 40'
OLD #981
OLD #969
OLD #95
PROPOSED 2-4" CONDUIT LOCATION
POLE #109
POLE #110
SOUTH ST.
MARANT DR.
#980
#207
#115
W
S
D

KEYSTONE
DEVELOPMENT
508-229-7827
www.KeystoneDevelopmentCorp.com

NOTICE

To the Record

You are hereby notified that a public hearing will be held **at 6:00 p.m. on Tuesday, September 24, 2024 in person at Town Hall, 1471 Highland Avenue, Needham, MA 02492 and via Zoom** upon petition of Eversource Energy dated September 10, 2024 to install approximately ten feet of conduit in South Street. The reason for this work is to provide service to 957, 969, and 997 South Street.

A public hearing is required and abutters are hereby notified.

If you have any questions regarding this petition, please contact Joanne Callender, Eversource Energy representative at (781) 314-5054.

Kevin Keane
Heidi Frail
Catherine Dowd
Marianne Cooley
Joshua Levy

SELECT BOARD

You are invited to a Zoom webinar:
https://us02web.zoom.us/j/82601013229?pwd=OE82V1MxQnJUZHVXZjFNbWJXRFJoQT09
Passcode: 652800
Webinar ID: 826 0101 3229

Dated: September 11, 2024

parcelid	own1	own2
199/207.0-0019-0000.0	FUNG, FRANCIS C. K. &	FUNG, CATHY
199/205.0-0011-0000.0	BERNSTEIN, LYDIA A. TR	SIMMAT NOMINEE TRUST
199/206.0-0020-0000.0	KING, FRANKLIN III &	PANTRIDGE, MARGARET L
199/206.0-0026-0000.0	TOWN OF NEEDHAM	
199/205.0-0008-0000.0	SILVEIRA, PHILIP &	SILVEIRA, KAREN B
199/206.0-0023-0000.0	HUNT, ROGER B. &	HUNT, JANICE G
199/207.0-0008-0000.0	DAVISON, TIMOTHY K &	DAVISON, CLAIRE, TRS
199/207.0-0009-0000.0	RAY, ANDREW T. & ERIN E.	
199/207.0-0011-0000.0	BIELAWSKI, FRANCIS M. &	BIELAWSKI, CHARLENE R

careof	addr1	addr2	cityname	statecode	zip
	8 BURR DR		NEEDHAM	MA	02492-
	20 MARANT DR		NEEDHAM	MA	02492-
	945 SOUTH ST		NEEDHAM	MA	02492-
	1471 HIGHLAND AVE		NEEDHAM	MA	02492-
	11 MARANT DR		NEEDHAM	MA	02492-
	969 SOUTH ST		NEEDHAM	MA	02492-
	1011 SOUTH ST		NEEDHAM	MA	02492-
	980 SOUTH ST		NEEDHAM	MA	02492-
	11 BURR DR		NEEDHAM	MA	02492-

Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET

MEETING DATE: 9/24/2024

Agenda Item	Community Preservation Committee (CPC) Consultation
Presenter(s)	Dave Herer, Chair of CPC Maureen Callahan, Vice Chair of CPC Lauren Spinney, CPC Administrative Coordinator Cecilia Simchak, Assistant Director of Finance

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

The CPC will have its annual consultation with the Select Board on the pending project application for FY2025.

FY2025-02: Needham High School Tennis Court Improvements:

- Amount from CPA: $1,440,000
- CPA Category: Recreation
- Brief Summary: The construction of eight new tennis courts at Needham High School

The CPC Public Hearing was held on September 11, 2024 at 7:00 pm, at the Charles River Room, 500 Dedham Avenue, Needham (PSAB) and via Zoom.

2.	**VOTE REQUIRED BY SELECT BOARD**

N/A – Discussion Only

3.	**BACK UP INFORMATION ATTACHED**

a. Memorandum from CPC to Select Board

MEMORANDUM

To: Select Board
Community Preservation Committee Members

From: Dave Herer and Maureen Callahan, Community Preservation Committee Chair and Vice Chair, Cecilia Simchak, Assistant Director of Finance, Lauren Spinney, CPC Administrative Coordinator

Re: FY2025 Community Preservation Committee Grant Application (Summer)

Date: September 18, 2024

In connection with the Community Preservation Committee's consultation with the Select Board scheduled for September 24, 2024, below is a summary of the Park & Recreation Department's grant application for the Needham High School Tennis Court Project currently under review by the CPC, including a preliminary "sense of the Committee".

It should be noted that information provided in this memorandum is not intended to be in lieu of Committee member discussions and applicant presentations which occurred during CPC meetings and were subsequently memorialized in the CPC minutes. Furthermore, the preliminary sense of the Committee is not a vote and is not intended to abrogate the full review process by the CPC of this FY2025 Summer Application. The Committee will formally vote on the Application on September 18, 2024.

ARTICLE 12: APPROPRIATE FOR NEEDHAM HIGH SCHOOL TENNIS COURTS

CPC Grant Request FY2025-04 is an application by the Needham Park and Recreation Department (Park & Rec) for CPA funds in the amount of $1,400,000 for the construction of eight tennis courts at Needham High School under the CPA category of Recreation. Park & Rec previously applied for CPA funding for this project during the Fall 2023 application cycle, but withdrew the application prior to the May Town Meeting. The project was revised to meet conditions imposed by the Planning Board following a Major Site Plan Special Permit review process, and Park & Rec submitted a new CPC project application in August 2024.

As stated in Park & Rec's Initial Project Eligibility Application and responses to the CPC's follow-up questions, attached hereto, the existing NHS tennis courts are in significant disrepair and unsafe for play. As a result, the NHS tennis teams have been practicing and playing matches at the Mills and Newman Courts, putting additional wear and tear on those courts and decreasing residents' access. This project will allow the NHS teams to move back to the high school and allow full access of the neighborhood courts to the public.

Park & Rec proposes replacing the existing four asphalt courts with eight new post-tension concrete courts. "Post-tension concrete carries a 25-year warranty and is quickly becoming the industry norm. In addition, post tension concrete will significantly decrease the maintenance and

staff hours for the upkeep of these courts." The project also includes improved stormwater management, landscape improvements, taller perimeter fencing, handicap accessible walkways, and new signage. The total estimated cost for this project is $2,711,091.18. It is on the Town's Capital Plan at a total project cost of $3,000,000, contingent upon CPC funding of $1,400,000.

In FY2022 Park & Rec received a CPA grant in the amount of $50,000 for design costs associated with this project.

The CPC conducted a detailed due diligence process and received information from Park & Rec concerning, among other things, its updated budget and timeline, and changes to the project that resulted from the Planning Board's Major Site Plan Review process. The CPC conducted a site visit, received a presentation by Park & Rec, and held a Public Hearing regarding this application on September 11, 2024.

The sense of the Committee is in support of funding CPC Grant Request FY2025-04.

CPC USE ONLY:
Application #: FY2025-04
Eligible: Y N

TOWN OF NEEDHAM COMMUNITY PRESERVATION COMMITTEE

www.needham.gov/CPC

INITIAL ELIGIBILITY PROJECT APPLICATION FORM DUE BY NOVEMBER 1, 2023

Email completed applications to Cecilia Simchak at csimchak@needhamma.gov and Lauren Spinney at lspinney@needhamma.gov

1. **Applicant:** **Submission Date:** 07/19/2024

   Town of Needham - Park & Recreation Dept.

2. **Applicant's Address, Phone Number, and Email:**

   178 Rosemary Street, Needham, MA
   smulroy@needhamma.gov
   jsavignano@needhamma.gov

   Contact Name:

   Stacey Mulroy & Justin Savignano

3. **Purpose**
   (Please select all the apply)
   - ☐ **Open Space**
   - ☐ **Community Housing**
   - ☐ **Historic Preservation**
   - ☑ **Recreation**

4. **Project Name:** NHS Tennis Court Improvements - Construction

5. **Project Location/Address:**

   Needham High School
   609 Webster Street

6. **Property Ownership** *(Control)*:

   Park and Recreation Commission

7. **Amount Requested:** $ 1,400,000.00

8. **Estimated Total Project Cost:** *(If Different)* $

9. **Critical Dates:** *(If Applicable)*

   Pending approval of this project at Fall 2024 town meeting, construction will begin as soon as possible with the intent of opening the courts before the Spring 2026 tennis season. Opening these courts will not only benefit the high school program but also alleviate the

- **continued** -

CPC USE ONLY:
Application #: FY2025-04

Project Name: NHS Tennis Court Improvements - Construction

10. Project Summary: *(In 100 words or less provide a brief summer of the project)*

This project will increase the number of courts at the high school from 4-8. Part of the construction includes a base court made of post-tension concrete. Post-tension concrete carries a 25 year warranty and is quickly becoming the industry norm. In addition, post tension concrete will significantly decrease the maintenance and staff hours for the upkeep of these courts.

11. Community Need: *(In 100 words or less describe how the project meets the goals of the Needham Community Preservation Plan)*

The High School Tennis Courts are no longer safe for play. The NHS Tennis Teams have to practice and play their matches at the Mills and Newman Courts. Not only does this put additional wear and tear on these two courts, it dramatically affects the residents access to use the Town courts. This project will allow the high school tennis teams to move back to the high school and allow full access of the other courts to the public. Having more courts at the high school will allow them to host playoff and championship matches. Currently, we are unable to host any post season games. Also, during after school hours and on weekends, the public would have access to the high school courts.

CPC USE ONLY:
Application #: FY2025-04

Project Name: NHS Tennis Court Improvements - Construction

11. Eligibility for Funding: *(In 100 words or less, state the legal basis for why this project is eligible for Community Preservation Act funding).*

This will provide a much improved surface and playing environment for tennis players. These courts are where the Town's high school teams play the majority of their games. As the Town has made many improvements to it's fields, this would address the tennis community.

Note: This application enables the Community Preservation Committee to review the request to assess eligibility. You shall be notified by December 1, 2023 of your eligibility. Additional information may be required.

NEEDHAM COMMUNITY PRESERVATION COMMITTEE
APPLICATION FOR FUNDING

RECREATION FOLLOW-UP QUESTIONS

Submit to: Cecilia Simchak csimchak@needhamma.gov
Lauren Spinney lspinney@needhamma.gov

Due Date: July 24, 2024

Application No: FY2025-04

Project Title: Needham High School Tennis Courts (Construction)

CPC Liaison(s): Keith LaFace
Paul Dawson

APPLICANT INFORMATION:

Organization: Town of Needham – Park & Recreation

Contact Name(s): Stacey Mulroy

Address: 178 Rosemary Street, Needham, MA, 02494

Telephone No: 781-455-7930 x230

Email(s): smulroy@needhamma.gov

Please insert at least a brief narrative answer on all applicable subjects.(if a question is not relevant to the project, please list N/A.) If more space is needed, feel free to attach appendices and/or cross-reference other documents provided to the Community Preservation Committee.

PROJECT DETAILS

1. SUMMARIZE THE SCOPE AND/OR CONCEPT OF THE PROJECT:

a. Provide all design specifications and/or architectural plans applicable to the project.
   i. Attached

b. List the names and addresses of project architects, contractors, and consultants.
   i. Activitas, Inc. – Dedham, MA

c. Provide a projected task plan and timeline. *(Should you be awarded CPA funding, these tasks will be the basis of your Project Status Reports that will be due periodically until the project is complete).*
   i. Fall 2024/Winter 2025 to early Spring 2026

d. Describe any maintenance requirements and estimated yearly costs of maintenance for the completed project.
    i. The post-tension concrete surface has a warranty of 25 years. The life of post-tension is inching towards 50 years. In the 25 years, there will be limited maintenance outside of repainting lines as they inevitably fade.
    ii. We will also construct an in-depth and itemized maintenance plan for each year.

2. LIST THE ANTICIPATED PROJECT COST:

a. Provide a detailed budget with line itemization, including any funding requested previously, as well as any possible future funding requests.
    i. Attached

b. Does this project leverage additional or multiple sources of public and/or private funding or assist in planning and development activities to facilitate such leverage? Please provide details.
    i. N/A

c. Indicate expenditures & funding (by municipal fiscal year):

Fiscal Year	Total Project Estimated Expenditures	CPC Funds Requested	Other Funding Sources (Amount & Source)
FY '25	$2,600,000.00	$1,400,000.00	$0
FY '26			
FY '27			
FY '28			
FY '29			
TOTAL:	$2,600,000.00	$1,400,000.00	$0

d. How will the applicant meet the funding needs of this project if the CPC does not provide the total amount requested?
    i. We will look for other sources of funding within the town.

3. SUPPLY DETAILED PROJECT INFORMATION:

a. Provide the deed and recorded plans, and maps or renderings of the subject property.
    i. Attached

b. Provide inspection reports, existing conditions reports, 21E reports, and other environmental assessment reports.
    i. Attached

c. Provide details of any natural resource limitations (wetlands, flood plain, etc.) to which the property is subject.
    i. N/A

d. Provide details of any zoning restrictions (i.e. district, dimensional, and use regulations as applicable to the property) to which the property is subject.
    i. See attached plan and 25'set back

e. Is the proposed project on the Select Board's capital priority list?
    i. Yes, under Goal 1, 4, and 5

f. Is the proposed project on the capital priority list of the applicant?
    i. Yes

g. Is there an urgency related to the timing of the project (including scheduling factors not controlled by the applicant)? Provide details.
    i. The courts are not usable in their current state. The NHS Tennis teams must use the public courts located at Newman and Mills for their practices and their matches. This excludes the public from using any courts during these hours.
    ii. While we can work around this issue, it does significantly impact the public use.

h. How will increasing the number of courts from 4 to 8 impact parking on the high school property? Have neighbors been contacted? Will there be a spillover if land and or parking is impacted?
    i. This project with have no impact on the parking at the high school.
    ii. Since we are currently in the design phase of this project, we have not yet contacted the neighbors. However, they will be contacted and invited to share their comments with us within the month.
    iii. No spillover.

4. ADDRESS CPA APPLICATION EVALUATION CRITERIA:

a. Summarize how the proposed project utilizes, preserves, protects, increases, and/or enhances recreational activities and access to Needham's natural and recreational resources.
    i. The high school tennis courts are used by many user groups: the NHS Varsity, JV and 9th grade tennis teams, the NHS wellness department and their numerous classes, Park and Recreation tennis lessons for all ages and the residents of Needham. This project with preserve and improve these assets as well as making them more accessible.

b. Explain how this project meets the following **General Factors for Consideration** of the Needham Community Preservation Plan. Provide details:

- The project is consistent with the goals of the Town of Needham Community Preservation Plan.
    - Yes
- The urgency of the project with particular consideration to those requests whose successful implementation is constrained by scheduling factors not controlled by the applicant.
    - Some parts of this project are dependent on weather conditions.
- The project is economically or otherwise reasonably feasible to implement and operate on a long-term basis.
    - Yes
- The project satisfies federal, state and local laws to the extent applicable.
    - Yes
- The project leverages additional or multiple sources of public and/or private funding or assists in planning and development activities to facilitate such leverage may possibly be preferred.
    - No
- The project utilizes, preserves, protects, increases or enhances Town-owned open space, recreation, historic and/or housing assets.
    - Yes, this funding request supports recreational assets in Needham.
- A project that benefits privately owned resources shall include permanent restrictions to ensure a public benefit.
    - N/A
- Awarding funds for the project is consistent with prudent long-term management of CPA funds.
    - Yes
- The project proponent has demonstrated to the reasonable satisfaction of The Committee the ability and competency to implement the project as proposed either by its record of successfully implementing similar projects or otherwise.
    - Yes
- The applicant has site control, or the written consent by the property owner (or relevant Town agency or board) to submit an application.
    - Yes
- The Committee prefers to bring projects to the Annual Town Meeting in May, though under special extraordinary circumstances that affect the project negatively, a project

may be considered to be presented at a Special Town Meeting.

- Yes

- CPA funding will enable the project.
  - Yes

c. Explain how this project addresses the following **Recreation Factors for Consideration** in the Needham CPA Plan (if any):

- Provides additional athletic fields to meet the needs of the Town's growing demand.
  - N/A
- Encourages and develops more recreational access/use of open spaces (where appropriate) and natural resources.
  - Yes
- Encourages regional bike trails throughout Needham.
  - N/A
- Enhances resources for walking, hiking, cross-country skiing, bicycling, boating and fishing.
  - N/A
- Increases recreational uses of the Charles River.
  - N/A
- Acquires land to fulfill identified current and future recreational needs.
  - N/A
- Develops active recreational resources including playing fields, improved/new playgrounds, and improved handicapped access; also addresses adult senior and toddler recreational needs.
  - Yes, this project with develop and improve the quality of our tennis courts, add and improve accessibility to the courts, and create the ability to offer tennis lessons, tournaments and more to residents of all ages.

5. Upon completion of this project, do you plan to acknowledge the financial support provided by CPC? Please explain.
   a. Yes

6. **SUPPORTING DOCUMENTS:** Please attach letters, references, studies, maps, statistics or any other documents which support the merits of the application.

SUPPLEMENTAL PROJECT SPECIFIC QUESTIONS

1. If construction bids have been received, please provide the winning bid. – The project has been fully designed. If this request is awarded, we will move forward with bidding for construction of the courts.

   Otherwise, please provide the design specification for the project and/or the draft RFP that will be issued. - See attached for the design proposal. We have not yet submitted a RFP.

2. Are there any other town and/or third party funding sources that could support this project, at least in part? - Not at this time

   CIP Funds were mentioned in the application. Has that option been explored, and where is cost-sharing coming from or matching funds? - We will work with the Town Manager's office if we do not get funding from the CPA for this project.

   Has the construction of replacement tennis courts (whether 4 or 8) been in the Town's 5-year capital projects plan? If so, for how long? -Yes, the tennis courts have been on the Town's CIP since 2021 and on the Park & Recreation Commission's plan for over 5 years.

3. The pre-application mentions the advantages of a concrete surface design as opposed to one based on an asphalt:

   a. What is the estimated construction cost of each option? – See itemized quote attached.

   b. What is the estimated annual and 20-year maintenance cost of each option, including staff hours and materials? Calculate the net present value of each option to illustrate which is most financially beneficial for the town. – See attached quote.

   c. Regardless of which option, is it Town policy to include to fully fund these annual maintenance costs in future annual budgets? – Yes.

      i. The post-tension concrete has a 25-year warranty on the surface. There will be limited maintenance during this time, aside from repainting the tennis lines as they fade. Additionally, post-tension courts are quickly becoming the industry norm and are lasting more than 50 years before needing a complete reconstruction project.

   d. If either court option is maintained properly over time, would the courts last an indefinite time or require replacement?

      i. Post-tension concrete has a 25-year warranty and are currently lasting 50 years or more. (Post-tension has not been around as long as asphalt tennis courts and we have not seen the actual lifetime of these courts.)

4. Please provide more detail on:

   a. When the public would have access to the new courts, i.e. times of day and days per week?

i. The public would have access to the courts afternoons and weekends during the school year. During the Spring Tennis season, access during the week would be after the NHS teams get off the courts – typically early evening.

ii. During the summer, the public would have full access to the courts, outside of the Tennis Camp operations.

iii. Exceptions: public access would be restricted during Town Events and Park & Recreations run lessons and programs.

b. Would the new courts be used for Summer Programs?

i. Yes, we run a robust Tennis Camp at the NHS tennis courts. This would allow us to bring in more kids and staff to offer even more options.

c. Will members of the public be charged fees for court time, and if so, how much?

i. Needham residents are required to purchase Court Badges to use any of our public courts.

ii. Information on our badges can be found on page 8 of our Winter/Spring brochure https://needhamma.gov/DocumentCenter/View/44978/WS-2024-Brochure-v16?bidId=

iii. Purchasing court badges can be done on our registration website https://needhamprograms.myrec.com/info/activities/program_details.aspx?ProgramID=30322#20716_146000

5. Regarding Tennis as a sports elective at NPS:

a. How many courts at Mills Field and Newman have the High School teams been using for each season?

i. All of the courts at both locations are used Monday – Friday afterschool until about 7pm during the Spring Tennis season

b. How many kids have participated in the High School as a Fall Sports elective? As a Spring Sports elective?

i. NHS has a full roster of Varsity, JV and 9th grade teams for both boys and girls.

c. Have there been cuts, or have all kids selecting tennis as their sport been able to play?

i. No

d. If 8 new courts are built, would NPS be expecting to expand the number of kids involved with the tennis program?

i. Yes, as much as they can under MIIA regulations, but they will also have the ability to expand their Wellness program offerings.

6. Regarding the tournaments mentioned in initial application:

a. Would all tournaments, matches or post-season play be NPS-related and/or sponsored?

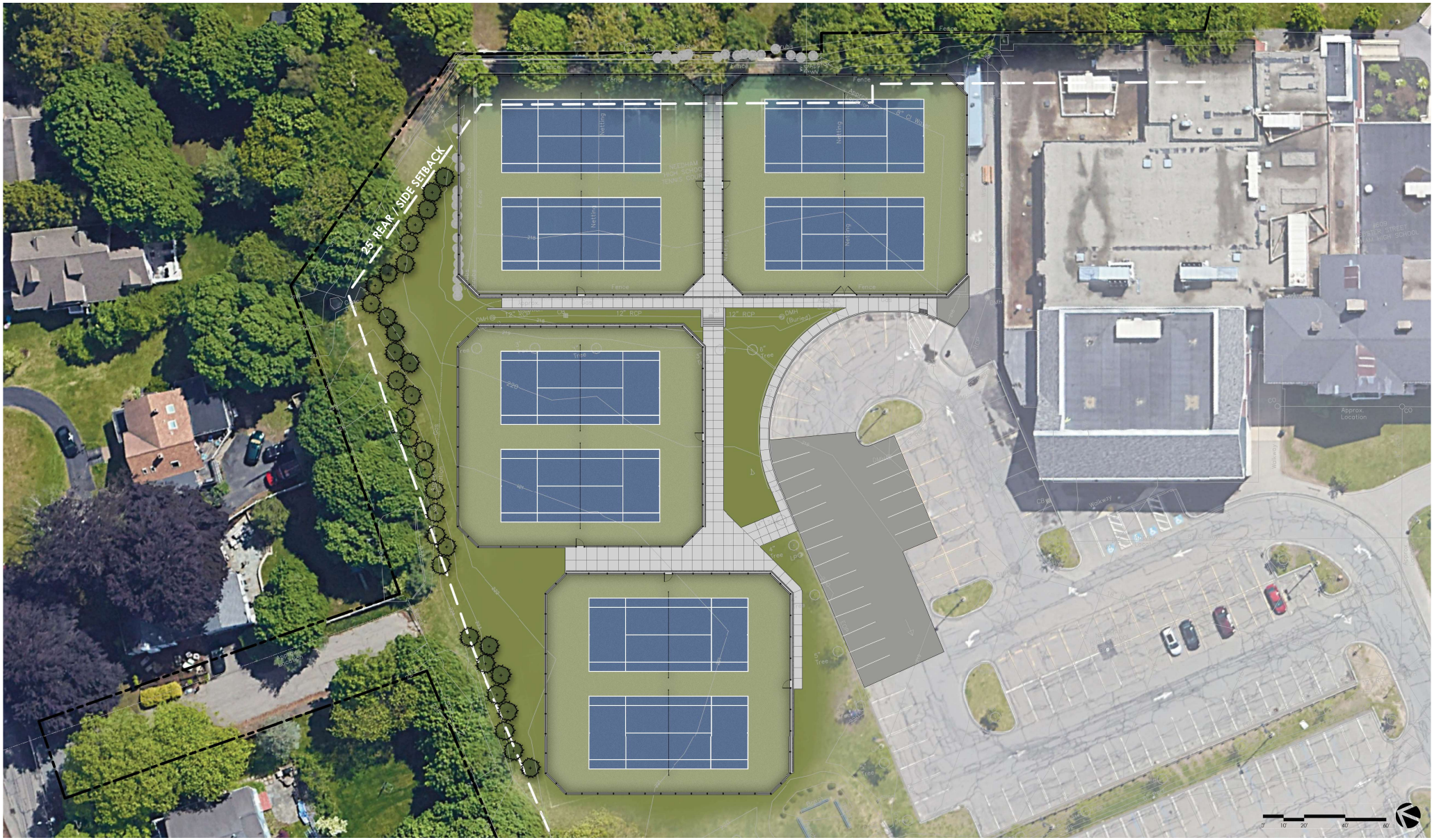
i. Most of them would be related to the NHS Tennis teams. However, the Park and Recreation department would also have the ability to host tournaments, lessons and other numerous offerings to the residents of Needham.

b. Is it envisioned that the new 8 courts would be used for tournaments unrelated to the Town of Needham?

i. Not at this time

7. With respect to the answer given in *Section 12 Eligibility for Funding* of the initial application, please detail further why tennis courts qualify as "recreational structures" that are eligible for funding under the CPA stature Chapter 44B.

i. The courts at the high school are no longer safe for competitive practice, lessons, or matches. This project will bring the ability to play back to the high school student body as well as the public at large. This project will also increase the accessibility of the old courts as well as the additional courts. Currently, there is limited access to these courts.



Proposed Tennis Court Site Plan

Needham High School | Needham, Massachusetts

ACTIVITAS
landscape architecture | civil engineering
70 Milton Street | Dedham, MA 02026-2915
(781) 326-2600 | activitas.com

JULY 30, 2024

ACTIVITAS
landscape architecture | civil engineering

ITEMIZED OPINION OF PROBABLE COSTS - 8 COURTS

Project: **Needham High School Tennis**
Project No. 23016.00

Phase: Design Study

Date: 30 July 2024

NOTE:
Due to the inflationary and unpredictable construction climate, this cost opinion may not represent the actual cost of construction.

This is an Opinion of Probable Construction Cost only and is based upon a preliminary design. Activitas has no control over the cost of labor, materials, equipment or services furnished. We also have no control over project schedules, contractor's means and methods of construction or their determination of prices, the competitive bidding market or negotiating conditions. Activitas cannot guarantee that this opinion will not vary from the actual bid and project costs.

There are no costs provided for client costs, financing of funding costs, legal fees, land acquisition or temporary/permanent easements, operations or any other costs associated with this project that are not specifically part of the preliminary scope.

ASSUMPTIONS:
Sales tax exempt, prevailing wage rate construction.
No rock or ledge excavation is required unless otherwise noted.
Unsuitable, contaminated or hazardous materials are not contemplated unless otherwise noted.

Item #	Item/Remarks	Notes	Total	Unit	Unit Cost	Cost	Subtotal
	ITEMIZED OPINION OF PROBABLE PROJECT COSTS						
00001	**MOBILIZATION AND SITE PREPARATION**						***$72,393.50***
1	Mobilization		1	ALLOW	10000.00	$10,000.00	
2	Construction Entrance		1	ALLOW	5000.00	$5,000.00	
3	Installation of Temporary Construction Fence		1,300	LF	8.00	$10,400.00	
4	Erosion Control - Install, Maintain, Remove		900	LF	8.00	$7,200.00	
5	Remove and Dispose of Existing Chain Link Fence		796	LF	10.00	$7,960.00	
6	Pulverize-In-Place Existing Bituminous Concrete Pavement for Reuse (3")		25,667	SF	0.50	$12,833.50	
7	Silt Sacks - Install, Maintain, Remove		6	EA	250.00	$1,500.00	
8	Remove and Dispose of Existing CBs and Drain Pipe		1	ALLOW	5000.00	$5,000.00	
9	Cap and Abandon Existing Water Line in Place		1	ALLOW	2500.00	$2,500.00	
10	Protect Existing Utilities to Remain		1	ALLOW	10000.00	$10,000.00	
	Item Subtotal:					**$72,393.50**	
00002	**EARTHWORK & DRAINAGE IMPROVEMENTS**						***$66,163.60***
1	Limit of Disturbance		86,666	SF			
2	Strip and Stockpile Existing Topsoil (Assume 0.5' Depth)		590	CY	4.00	$2,361.26	
3	Screen Topsoil for Reuse (Assume 20% Fluff)		708	CY	5.25	$3,718.98	
4	Dispose of Tailings (Assume 10% of Screened Topsoil)		71	CY	20.00	$1,416.76	
5	Rough Grade Limit of Disturbance		86,666	SF	0.10	$8,666.60	
6	Drainage Improvements		1	ALLOW	50000.00	$50,000.00	
	Item Subtotal:					**$66,163.60**	
00003	**RENOVATED TENNIS COURTS**						***$725,583.40***
1	Fine Grade and Compact		25,922	SF	0.20	$5,184.40	
2	Post-Tension Concrete		25,922	SF	18.00	$466,596.00	
3	Channel Drain Along Sideline		258	LF	100.00	$25,800.00	
4	Tennis Court Surfacing		25,922	SF	3.50	$90,727.00	
5	Tennis Court Net Posts, Netting, and Center Strap Anchors		4	SET	3000.00	$12,000.00	
6	4' High Chain Link Fence		132	LF	68.00	$8,976.00	
7	12' High Chain Link Fence		780	LF	135.00	$105,300.00	
8	4' Wide Single Gate		3	EA	1500.00	$4,500.00	
9	4' Wide Double Gates		1	EA	3000.00	$3,000.00	
10	12' Wide Double Gate - 4' High		1	EA	3500.00	$3,500.00	
	Item Subtotal:					**$725,583.40**	
00004	**NEW TENNIS COURTS**						***$783,387.10***
1	Dense Graded Crushed Stone (12" Profile)		960	CY	50.00	$48,003.70	
2	Fine Grade and Compact		25,922	SF	0.20	$5,184.40	
3	Post-Tension Concrete		25,922	SF	18.00	$466,596.00	

4	Channel Drain Along Endline	406	LF	100.00	$40,600.00	
5	Tennis Court Surfacing	25,922	SF	3.50	$90,727.00	
6	Tennis Court Net Posts, Netting, and Center Strap Anchors	4	SET	3000.00	$12,000.00	
7	4' High Chain Link Fence	132	LF	68.00	$8,976.00	
8	12' High Chain Link Fence	780	LF	135.00	$105,300.00	
9	4' Wide Single Gate	4	EA	1500.00	$6,000.00	
	Item Subtotal:				**$783,387.10**	
00005	**UTILITIES**					***$81,800.00***
1	Infiltration Area in Parking Lot	5,000	CF	5.00	$25,000.00	
2	Area Drains	3	EA	3500.00	$10,500.00	
3	Drainage Manhole	2	EA	3500.00	$7,000.00	
4	Drainage Pipe	300	LF	45.00	$13,500.00	
5	Outlet Control Structure	1	EA	3500.00	$3,500.00	
6	8" Water Line	223	LF	100.00	$22,300.00	
	Item Subtotal:				**$81,800.00**	
00006	**LANDSCAPE IMPROVEMENTS**					***$199,011.97***
1	On-Site Move of Screened Topsoil	638	CY	4.00	$2,550.16	
2	Fine Grade Topsoil	17,890	SF	0.20	$3,578.00	
3	Vertical Granite Curb	25	LF	65.00	$1,625.00	
4	Dense Graded Crushed Stone (12" Profile)	163	CY	50.00	$8,159.26	
5	Asphalt Pavement in Parking Lot (3" Profile)	97	TON	250.00	$24,155.56	
6	Cement Concrete Pavement	6,121	SF	10.00	$61,210.00	
7	Stairs and Handrails	1	ALLOW	10000.00	$10,000.00	
8	Seat Wall (Stone with Granite Cap)	105	LF	400.00	$42,000.00	
9	Planting Allowance	1	ALLOW	35000.00	$35,000.00	
10	Seed Disturbed Areas	17,890	SF	0.10	$1,789.00	
11	Seed Maintenance During Grow-In	17,890	SF	0.50	$8,945.00	
	Item Subtotal:				**$199,011.97**	
	Subtotal:					***$1,928,339.58***
	8% General Conditions					***$154,267.17***
	12% Contractors Overhead and Profit					***$231,400.75***
	CONSTRUCTION SUBTOTAL:					***$2,314,007.49***
	Escalation for 2024 Construction (4%)					***$92,560.30***
	Escalation for 2025 Construction (4%)					***$96,262.71***
	CONSTRUCTION TOTAL:					***$2,502,830.50***
	7.5% Construction and Design Contingency					***$173,550.56***
	Soft Costs (Construction Administration)					***$34,710.11***
	PRELIMINARY OPINION OF PROBABLE PROJECT COSTS					**$2,711,091.18**

Witness our hands and seal this 26th day of May, 19 52

3087

281

Herbert W. Firth

Mae M. Firth

NOT AN OFFICIAL COPY

NOT AN OFFICIAL COPY

The Commonwealth of Massachusetts

Norfolk, ss. May 26, 19 52

Then personally appeared the above named Herbert W. Firth

and acknowledged the foregoing instrument to be his free act and deed, before me

Lyndell F. Carter

Notary Public—Justice of the Peace

My commission expires Feb. 4 1955

Rec'd & entered for record May 29,1952 at 9h.15m.A.M.

We, EVAN C. THORPE and JOSEPHINE B. THORPE, husband and wife, as tenants by the entirety, both

of Needham, Norfolk County, Massachusetts

~~being unmarried~~, for consideration paid, grant to INHABITANTS OF TOWN OF NEEDHAM, a municipal corporation located in Norfolk County, Massachusetts,

of

with quitclaim covenants

the land in Needham, Norfolk County, Massachusetts, being designated and shown as Lots 12, 22, 23 and 25 on a plan entitled "Subdivision of Land owned by the Needham Real Estate Associates, Needham, Mass. Dec. 1, 1926, John E. Titus, Landscape Architect, Newton Upper Falls," said plan being recorded with Norfolk County Registry of Deeds in Book 1727, Page 508. According to said plan, Lot 12 contains 12,114 square feet, Lot 22 contains 10,273 square feet; Lot 23 contains 10,537 square feet; and Lot 25 contains 10,306 square feet.

Said lots are more particularly bounded and described as follows:

Lot 12: Northeasterly by a proposed street as shown on said plan sixty-one and 84/100 (61.84) feet;
Southeasterly by Lot 11 as shown on said plan one hundred fifty-one and 74/100 (151.74) feet;
Southwesterly by land of Town of Needham by two bounds, forty-four and 45/100 (44.45) feet and fifty (50) feet respectively; and
Northwesterly by Lot 13 as shown on said plan one hundred fifty-three and 70/100 (153.70) feet.

Lot 22: Northeasterly by Lot 20 as shown on said plan thirty-eight and 87/100 (38.87) feet;
Southeasterly by Lot 23 as shown on said plan one hundred seventy-seven and 5/10 (177.5) feet;
Southwesterly by a proposed street as shown on said plan eighty-six and 57/100 (86.57) feet; and
Northwesterly by Lot 19 as shown on said plan one hundred sixty (160) feet.

Lot 23: Northeasterly by Lot 20 as shown on said plan thirty and 56/100 (30.56) feet;
Southeasterly by Lot 24 as shown on said plan one hundred eighty-two and 5/100 (182.05) feet;
Northwesterly by Lot 22 as shown on said plan one hundred seventy-seven and 5/10 (177.5) feet; and
Southwesterly by a proposed street as shown on said plan eighty-six and 57/100 (86.57) feet.

Witness our hands and seal this 26th day of May, 19 52

3087

281

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~~being unmarried~~, for consideration paid, grant to INHABITANTS OF TOWN OF NEEDHAM, a municipal corporation located in Norfolk County, Massachusetts,

of

with quitclaim covenants

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Southwesterly by land of Town of Needham by two bounds, forty-four and 45/100 (44.45) feet and fifty (50) feet respectively; and
Northwesterly by Lot 13 as shown on said plan one hundred fifty-three and 70/100 (153.70) feet.

Lot 22: Northeasterly by Lot 20 as shown on said plan thirty-eight and 87/100 (38.87) feet;
Southeasterly by Lot 23 as shown on said plan one hundred seventy-seven and 5/10 (177.5) feet;
Southwesterly by a proposed street as shown on said plan eighty-six and 57/100 (86.57) feet; and
Northwesterly by Lot 19 as shown on said plan one hundred sixty (160) feet.

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Northwesterly by Lot 22 as shown on said plan one hundred seventy-seven and 5/10 (177.5) feet; and
Southwesterly by a proposed street as shown on said plan eighty-six and 57/100 (86.57) feet.

Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET

MEETING DATE: 9/24/2024

Agenda Item	Set Recycling and Transfer Station User Charges and Fees
Presenter(s)	David Davison, Deputy Town Manager/Director of Finance

1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED

The Board held a Public Hearing regarding RTS charges and fees at its September 10, 2024 meeting. The Solid Waste Disposal & Recycling Advisory Committee voted to recommend the changes that were presented to the Board that evening.

The rates for the pay-to-throw bags would be increased for the first time since September 2018 for the large bags and since July 2016 for the small bags.

There would be a $40 fee for the disposal of box spring or mattress by commercial haulers; the residential rates would remain the same at $20.00. Revise the fee for the disposal of a TV to $20.00 to be the same as the flat screen TV.

There would be a fee structure to allow small commercial operators to dump snow during the regular business hours (if there is space), and to remove yard waste processing equipment rental fees and commercial yard waste disposal fees based on volume.

2. VOTE REQUIRED BY SELECT BOARD

Suggested Motions: Move that the Board approve the proposed changes to Recycling and Transfer Station Charges and Fees Schedule itemized below and that they be effective October 1, 2024:

Description	Current	New
Large Bags (pack of 10)	$20.00	$21.60
Small Bags (pack of 10)	$10.75	$11.60
Box Spring or Mattress (Commercial Drop Off)	New	$40.00
Television	$15.00	$20.00
Snow Dump Per Cubic Yard (CY)#	New Program	$4.00
#Snow Dump Minimum Charge	New Program	$15.00

and;

Move that the Board approve the removal of the yard waste processing equipment rental fees from the schedule as the Town no longer rents out equipment, and further that the Board approve the elimination of the commercial yard waste disposal fee based on volume as the rates are now based on weight.

3.	**BACK UP INFORMATION ATTACHED**

a. Memorandum from CPC to Select Board

Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET

MEETING DATE: 9/24/2024

Agenda Item	Sign Notice of Traffic Regulation – Norwich Road
Presenter(s)	Thomas Ryder, Town Engineer

1.	**BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED**
The Department of Public Works (DPW) requests that Norwich Road northbound and southbound be designated stopped streets at Intervale Road.	
2.	**VOTE REQUIRED BY SELECT BOARD**
Suggested Motion: That the Board vote to approve and sign the Notice of Traffic Regulation Permit #SS24-09-24 requiring that Norwich Road northbound and southbound be designated as stopped streets at the intersection of Intervale Road.	
3.	**BACK UP INFORMATION ATTACHED**
1. Copy of Traffic Regulation SS24-09-24 2. Diagram of Stop Sign Location	

TOWN OF NEEDHAM
SELECT BOARD

NOTICE OF TRAFFIC REGULATION

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

VOTED: In accordance with the provisions of Chapter 89, Section 9 of the General Laws, the following street is designated as a stop street at the intersection and in the direction indicated:

Northbound and Southbound drivers on NORWICH ROAD at the intersection of INTERVALE ROAD

_____

_____

_____

_____

_____
SELECT BOARD

Permit No. SS24-09-24

Date of Passage_____

Attest of Town Clerk_____

Town of Needham

9/18/2024, 10:07:56 AM

1:2,257

0 0.01 0.03 0.05 mi

0 0.02 0.04 0.09 km

Town Boundaries
Painted Lines
Parking Feature
Crosswalk
Buildings
Railroad Tracks
Bridges
Roads
Paved
Unpaved
Driveways
Paved
Unpaved
Parking Lots
Paved
Unpaved
Sidewalks
Sidewalk
Exterior Stairway
Sport Lines
Sports
Sports Field
Infield
Playground
Sports Court
Golf Bunker
Golf Course
Bleacher
Waterbodies
Parcels

Town of Needham
Town of Needham

Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET

MEETING DATE: 9/24/2024

Agenda Item	Sign Notice of Traffic Regulation – Intervale Road
Presenter(s)	Thomas Ryder, Town Engineer

1.	**BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED**
The Department of Public Works (DPW) requests that Intervale Road be designated a stopped street at Peacedale Road.	
2.	**VOTE REQUIRED BY SELECT BOARD**
Suggested Motion: That the Board vote to approve and sign the Notice of Traffic Regulation Permit #SS24-09-24 requiring that Intervale Road be designated as a stopped street at the intersection of Peacedale Road.	
3.	**BACK UP INFORMATION ATTACHED**
1. Copy of Traffic Regulation SS24-09-24 2. Diagram of Stop Sign Location	

TOWN OF NEEDHAM
SELECT BOARD

NOTICE OF TRAFFIC REGULATION

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

VOTED: In accordance with the provisions of Chapter 89, Section 9 of the General Laws, the following street is designated as a stop street at the intersection and in the direction indicated:

Eastbound drivers on INTERVALE ROAD at the intersection of PEACEDALE ROAD

_____

_____

_____

_____

_____
SELECT BOARD

Permit No. SS24-09-24

Date of Passage_____

Attest of Town Clerk_____

Trafficregmasterstop.doc

Town of Needham

9/18/2024, 10:07:56 AM

1:2,257

0 0.01 0.03 0.05 mi

0 0.02 0.04 0.09 km

Town Boundaries
Painted Lines
Parking Feature
Crosswalk
Buildings
Railroad Tracks
Bridges
Roads
Paved
Unpaved
Driveways
Paved
Unpaved
Parking Lots
Paved
Unpaved
Sidewalks
Sidewalk
Exterior Stairway
Sport Lines
Sports
Sports Field
Infield
Playground
Sports Court
Golf Bunker
Golf Course
Bleacher
Waterbodies
Parcels

Town of Needham
Town of Needham

Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET

MEETING DATE: 9/24/2024

Agenda Item	Sign Notice of Traffic Regulation – Peacedale Road
Presenter(s)	Thomas Ryder, Town Engineer

1.	**BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED**
The Department of Public Works (DPW) requests that Peacedale Road be designated a stopped street at Great Plain Avenue.	
2.	**VOTE REQUIRED BY SELECT BOARD**
Suggested Motion: That the Board vote to approve and sign the Notice of Traffic Regulation Permit #SS24-09-24 requiring that Peacedale Road be designated as a stopped street at the intersection of Great Plain Avenue.	
3.	**BACK UP INFORMATION ATTACHED**
1. Copy of Traffic Regulation SS24-09-24 2. Diagram of Stop Sign Location	

TOWN OF NEEDHAM
SELECT BOARD

NOTICE OF TRAFFIC REGULATION

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

VOTED: In accordance with the provisions of Chapter 89, Section 9 of the General Laws, the following street is designated as a stop street at the intersection and in the direction indicated:

Southbound drivers on PEACEDALE ROAD at the intersection of GREAT PLAIN AVENUE

_____

_____

_____

_____

_____
SELECT BOARD

Permit No. SS24-09-24

Date of Passage_____

Attest of Town Clerk_____

Trafficregmasterstop.doc

Town of Needham

9/18/2024, 9:44:25 AM

1:1,128

0 0.01 0.01 0.02 mi

0 0.01 0.02 0.04 km

Town Boundaries
Painted Lines
Parking Feature
Crosswalk
Buildings
Railroad Tracks
Bridges
Roads
Paved
Unpaved
Driveways
Paved
Unpaved
Parking Lots
Paved
Unpaved
Sidewalks
Sidewalk
Exterior Stairway
Sport Lines
Sports
Sports Field
Infield
Playground
Sports Court
Golf Bunker
Golf Course
Bleacher
Waterbodies
Parcels

Town of Needham
Town of Needham

Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET

MEETING DATE: 9/24/2024

Agenda Item	Positions on Warrant Articles
Presenter(s)	David Davison, Deputy Town Manager/Finance Director

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

The Board will review articles on the October 21, 2024 Special Town Meeting Warrant. The Deputy Town Manager will recommend that the Board consider taking a position on articles 1, 2, 4, 5, 6, 7, and 8.

In addition, after consultation with the Finance Committee, we recommend that the amendment to the operating budget be removed (formerly Article 4). The Finance Committee recommended that the Finance Department seek a reserve fund transfer in lieu of the article.

2.	**VOTE REQUIRED BY SELECT BOARD**

Suggested Motion: That the Board vote to support (not to support) article _____ in the Special Town Meeting Warrant and to remove former Article 4 – Amend the FY2025 Operating Budget

3.	**BACK UP INFORMATION ATTACHED**

a. Draft Warrant dated September 20, 2024
b. Status of Articles as of September 18, 2024
c. FAQ or Informational Memo for Articles 1, 2, & 7

TOWN OF NEEDHAM

SPECIAL TOWN MEETING WARRANT

MONDAY, OCTOBER 21, 2024

7:30 P.M.

JAMES HUGH POWERS HALL, NEEDHAM TOWN HALL

1471 HIGHLAND AVENUE

DRAFT 9.20.2024

DRAFT 9.20.2024

Additional information on particular warrant articles will be made available from time to time at www.needhamma.gov/townmeeting during the weeks leading up to the Special Town Meeting.

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 the qualified Town Meeting Members of the Town of Needham to meet in the Needham Town Hall on:

MONDAY, THE TWENTY FIRST DAY OF OCTOBER 2024

At seven thirty o'clock in the afternoon, then and there to act upon the following articles, viz.:

FINANCE ARTICLES

ARTICLE 1: APPROPRIATE FOR ROADWAY IMPROVEMENTS (EVERSOURCE)

To see if the Town will vote to raise and/or transfer and appropriate $255,855 for roadway improvements, 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: Select Board
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The Town has negotiated with Eversource on several projects where roads have been disturbed through off-season work, or in areas where the Town had intended to pave the road in the upcoming year. The Town has allowed the work, and in return Eversource provided the Town with monetary compensation to enable the Town to repave the roads. Funds appropriated in this article will be used to supplement the Town's infrastructure funds to either perform the work on the actual roads disturbed, or to reimburse the funding for roads that were disturbed and have already been paved using infrastructure funds. Funds will then be available for additional work. The roads subject to payment from Eversource in this article include: Tanglewood Road, Damon Road, Tillotson Road, Hollow Ridge Road, Pythias Circle, Sunnyside Road, and Nichols Street.

ARTICLE 2: APPROPRIATE FOR COMMUNITY OPIOID SETTLEMENT FUND PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate $82,000 for the Community Opioid Settlement Fund Plan program, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from the Opioid Settlement Stabilization Fund; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: This funding request will allow for the use of $82,000 from the Opioid Settlement Stabilization Fund for its legally required purpose of preventing substance misuse, implementing harm reduction programs, and supporting the treatment and recovery of persons who misuse substances,

DRAFT 9.20.2024

particularly opioids. The Town's efforts will be led by the Health & Human Services Department, and will reflect close collaboration with other Town departments, Needham Public Schools, and community partners. Funding will be allocated to converting the part-time Behavioral Health Peer Support Specialist to full-time status, expanding the deployment of opioid overdose reversal kits with AEDs throughout the Town of Needham, and continuing education programs aimed at youth, those experiencing substance use, and loved ones of those experiencing substance use. This funding will support the program through FY2025 – requests for funding for FY2026 and beyond will now be on an annual cycle at the Annual Town Meeting in May. The balance in the fund prior to appropriation is $329,858.89.

ARTICLE 3: APPROPRIATE FOR STEPHEN PALMER PLANNING

To see if the Town will vote to raise and/or transfer and appropriate $150,000 for consulting services related to the Stephen Palmer ownership conversion, 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: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 4: AMEND THE FY2025 SEWER ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2025 Sewer Enterprise Fund Budget adopted under Article 14 of the 2024 Annual Town Meeting by reducing the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

Line Item	Appropriation	Changing From	Changing To
201A	Salary & Wages	$1,194,443	$1,218,870
201D	MWRA Assessment	$7,084,841	$7,445,411

And to meet this appropriation that $384,977 be raised from Sewer Enterprise Fund receipts; or take any other action relative thereto.

INSERTED BY: Select Board & Finance Committee
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

ARTICLE 5: AMEND THE FY2025 WATER ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2025 Water Enterprise Fund Budget adopted under Article 15 of the 2024 Annual Town Meeting by reducing the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

DRAFT 9.20.2024

Line Item	Appropriation	Changing From	Changing To
301A	Salary & Wages	$1,632,768	$1,672,073
301D	MWRA Assessment	$1,887,130	$1,212,985

or take any other action relative thereto.

INSERTED BY: Select Board & Finance Committee
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

ARTICLE 6: APPROPRIATE FOR UNPAID BILLS OF A PRIOR YEAR

To see if the Town will vote to raise and/or transfer and appropriate, or otherwise provide $518 for the payment of unpaid bills of previous years, incurred by the departments, boards and officers of the Town of Needham, and to meet this appropriation that said sum be raised from the Tax Levy; or take any other action relative thereto.

Department	Vendor	Description of Goods/Services	Fiscal Year	Amount
OTM/Human Resources	BID - Needham	Medical Services	2022	$518.00

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: State law requires Town Meeting action for the Town to make payment for bills received after the close of the fiscal year or bills in excess of appropriation.

ARTICLE 7: APPROPRIATE FOR PUBLIC, EDUCATIONAL, AND GOVERNMENT (PEG) PROGRAMMING

To see if the Town will vote to raise and/or transfer and appropriate $143,998 for the purpose of funding and supporting public, educational, and government (PEG) programming provided by the Needham Channel, said sum to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from the PEG Access and Cable Related Fund; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The purpose of this article is to appropriate funds to make payments to the Needham Channel during the year. Included in every cable bill from the cable operators is a line item to provide for the costs of local cable television services. These monies are retained in a special revenue account (Public, Educational, and Governmental (PEG) Access and Cable Related Fund) created pursuant to the provisions

DRAFT 9.20.2024

of Massachusetts General Laws Chapter 44, section 53F¾ and approved at the May 8, 2023 Special Town Meeting under Article 10, and are to be used to support local cable programming for the Town's PEG channels. These funds will be used to continue these informational and educational services, which may include, but are not limited to, equipment purchases, contracted services, construction services, and labor expenses.

ZONING/LAND USE ARTICLES

ARTICLE 8: AMEND ZONING BY-LAW – MULTI-FAMILY OVERLAY DISTRICT (BASE PLAN)

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

1. By amending Section 1.3, Definitions by adding the following terms:

   Applicant – A person, business, or organization that applies for a building permit, Site Plan Review, or Special Permit.

2. By amending Section 2.1, Classes of Districts by adding the following after ASOD Avery Square Overlay District:

   MFOD – Multi-family Overlay District

3. By inserting a new Section 3.17 Multi-family Overlay District:

3.17 Multi-family Overlay District

3.17.1 Purposes of District
The purposes of the Multi-family Overlay District include, but are not limited to, the following:

(a) Providing Multi-family housing in Needham, consistent with the requirements of M.G.L. Chapter 40A (the Zoning Act), Section 3A;
(b) Supporting vibrant neighborhoods by encouraging Multi-family housing within a half-mile of a Massachusetts Bay Transit Authority (MBTA) commuter rail station; and
(c) Establishing controls which will facilitate responsible development and minimize potential adverse impacts upon nearby residential and other properties.

Toward these ends, Multi-family housing in the Multi-family Overlay District is permitted to exceed the density and dimensional requirements that normally apply in the underlying zoning district(s) provided that such development complies with the requirements of this Section 3.17.

3.17.2 Scope of Authority
In the Multi-family Overlay District, all requirements of the underlying district shall remain in effect except where the provisions of Section 3.17 provide an alternative to such requirements, in which case these provisions shall supersede. If an Applicant elects to develop Multi-family housing in accordance with Section 3.17, the provisions of the Multi-family Overlay District shall apply to such development. Notwithstanding anything contained herein to the contrary, where the provisions of the underlying district

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are in conflict or inconsistent with the provisions of the Multi-family Housing Overlay District, the terms of the Multi-family Overlay District shall apply.

If the applicant elects to proceed under the zoning provisions of the underlying district (meaning the applicable zoning absent any zoning overlay) or another overlay district, as applicable, the zoning bylaws applicable in such district shall control and the provisions of the Multi-family Overlay District shall not apply.

3.17.2.1 Subdistricts

The Multi-family Overlay District contains the following sub-districts, all of which are shown on the MFOD Boundary Map and indicated by the name of the sub-district:

(a) A-1
(b) B
(c) ASB-MF
(d) CSB
(e) HAB
(f) IND

3.17.3 Definitions

For purposes of this Section 3.17, the following definitions shall apply.

Affordable housing – Housing that contains one or more Affordable Housing Units as defined by Section 1.3 of this By-Law. Where applicable, Affordable Housing shall include Workforce Housing Units, as defined in this Subsection 3.17.3 Definitions.

As of right – Development that may proceed under the zoning in place at time of application without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval.

Compliance Guidelines – *Compliance Guidelines for Multi-Family Zoning Districts Under Section 3A of the Zoning Act* as further revised or amended from time to time.

EOHLC – The Massachusetts Executive Office of Housing and Livable Communities, or EOHLC's successor agency.

Multi-family housing – A building with three or more residential dwelling units or two or more buildings on the same lot with more than one residential dwelling unit in each building and that complies with the requirements of M.G.L. c.40A, §3A and the rules and requirements thereunder.

Open space – Contiguous undeveloped land within a parcel boundary.

Parking, structured – A structure in which Parking Spaces are accommodated on multiple stories; a Parking Space area that is underneath all or part of any story of a structure; or a Parking Space area that is not underneath a structure, but is entirely covered, and has a parking surface at least eight feet below grade. Structured Parking does not include surface parking or carports, including solar carports.

Parking, surface – One or more Parking Spaces without a built structure above the space. A solar panel designed to be installed above a surface Parking Space does not count as a built structure for the purposes of this definition.

DRAFT 9.20.2024

Residential dwelling unit – A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking. and sanitation.

Section 3A – Section 3A of the Zoning Act.

Site plan review authority – The Town of Needham Planning Board

Special permit granting authority – The Town of Needham Planning Board.

Sub-district – An area within the MFOD that is geographically smaller than the MFOD district and differentiated from the rest of the district by use, dimensional standards, or development standards.

Subsidized Housing Inventory (SHI) – A list of qualified Affordable Housing Units maintained by EOHLC used to measure a community's stock of low-or moderate-income housing for the purposes of M.G.L. Chapter 40B, the Comprehensive Permit Law.

Workforce housing unit – Affordable Housing Unit as defined by Section 1.3 of this By-Law but said Workforce Housing Unit shall be affordable to a household with an income of between eighty (80) percent and 120 percent of the area median income as defined.

3.17.4 Use Regulations

3.17.4.1 Permitted Uses

The following uses are permitted in the Multi-family Overlay District as a matter of right:

(a) Multi-family housing.

3.17.4.2 Accessory Uses.

The following uses are considered accessory as of right to any of the permitted uses in Subsection 3.17.4.1:

(a) Parking, including surface parking and structured parking on the same lot as the principal use.

(b) Any uses customarily and ordinarily incident to Multi-family housing, including, without limitation, residential amenities such as bike storage/parking, a swimming pool, fitness facilities and similar amenity uses.

3.17.5 Dimensional Regulations

3.17.5.1 Lot Area, Frontage and Setback Requirements

The following lot area, frontage and setback requirements shall apply in the Multi-family Overlay District sub-districts listed below. Buildings developed under the regulations of the Multi-family Overlay District shall not be further subject to the maximum lot area, frontage, and setback requirements of the underlying districts, as contained in Subsection 4.3.1 Table of Regulations, Subsection 4.4.1 Minimum Lot Area and Frontage, Subsection 4.4.4 Front Setback, Subsection 4.6.1 Basic Requirements, and Subsection 4.6.2 Front and Side Setbacks.

	A-1	**B**	**ASB-MF**	**CSB**	**HAB**	**IND**
Minimum	20,000	10,000	10,000	10,000	10,000	10,000

DRAFT 9.20.2024

Lot Area (square feet)						
Minimum Lot Frontage (feet)	120	80	80	80	80	80
Minimum Front Setback (feet) from the front property line	25	10	Minimum 10 Maximum 15 [f, g]	20 feet for buildings with frontage on Chestnut Street 10 feet for all other buildings	20	25
Minimum Side and Rear Setback (feet)	20	10 [a, b]	10 [a, d]	20 (side) [a, b,e]	20 [a, b]	20 [a, b]

(a) The requirement of an additional 50-foot side or rear setback from a residential district as described in Subsection 4.4.8 Side and Rear Setbacks Adjoining Residential Districts or Subsection 4.6.5 Side and Rear Setbacks Adjoining Residential Districts shall not apply.

(b) Any surface parking, within such setback, shall be set back 10 feet from an abutting residential district and such buffer shall be suitably landscaped.

(c) Any underground parking structure shall be located entirely below the grade of the existing lot and set back at least ten (10) feet from the lot line and the surface of the garage structure shall be suitably landscaped in accordance with Subsection 4.4.8.5 Landscaping Specifications.

(d) The rear and side setbacks are 20 feet along the MBTA right-of-way. With respect to any lot partially within an underlying residential district, (i) no building or structure for a multi-family residential use shall be placed or constructed within 110 feet of the lot line of an abutting lot containing an existing single family residential structure and (ii) except for access driveways and sidewalks, which are permitted, any portion of the lot within said residential district shall be kept open with landscaped areas, hardscaped areas, outdoor recreation areas (e.g., swimming pool) and/or similar open areas.

(e) On the west side of Chestnut Street, the rear setback shall be 20 feet. On the east side of Chestnut Street, the rear setback shall be 30 feet.

(f) Seventy percent (70%) of the main datum line of the front facade of the building shall be setback no more than 15 feet, except that periodic front setbacks greater than fifteen (15) feet are allowed if activated by courtyards, landscaping, drive aisles, amenity areas, or other similar site design features that enhance the streetscape. In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board if less than seventy percent (70%) of the main datum line front façade of the building is setback 15 feet.

(g) In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board for an additional curb cut on Highland Avenue or West Street. For the sake of clarity, modifications to existing curb cuts do not require a Special Permit.

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3.17.5.2 Building Height Requirements

The maximum building height in the Multi-family Overlay District sub-districts shall be as shown below. Buildings developed under the Multi-family Overlay District shall not be further subject to the maximum height regulations of the underlying district, as contained in Subsection 4.3.1 Table of Regulations, Subsection 4.4.2 Maximum Building Bulk, Subsection 4.4.3 Height Limitation, Subsection 4.6.1 Basic Requirements, and Subsection 4.6.4 Height Limitation.

	A-1	**B**	**ASB-MF**	**CSB**	**HAB**	**IND**
Maximum Building Height (stories)	3.0	3.0	3.0 [c]	3.0	3.0	3.0
Maximum Building Height (feet)	40	40	40 [c]	40	40	40

(a) Exceptions. The limitation on height of buildings shall not apply to chimneys, ventilators, towers, silos, spires, stair overruns, elevator overruns, mechanical equipment, roof parapets, architectural screening, or other ornamental features of buildings, which features (i) are in no way used for living purposes; (ii) do not occupy more than 25% of the gross floor area of the building and (iii) do not project more than 15 feet above the maximum allowable height.

(b) Exceptions: Renewable Energy Installations. The Site Plan Review Authority may waive the height and setbacks in Subsection 3.17.5.2 Building Height Requirements and Subsection 3.17.5.1 Lot Area, Frontage and Setback Requirements to accommodate the installation of solar photovoltaic, solar thermal, living, and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall be appropriately screened, consistent with the requirements of the underlying district; shall not create a significant detriment to abutters in terms of noise or shadow; and must be appropriately integrated into the architecture of the building and the layout of the site. The installations shall not provide additional habitable space within the development.

(c) In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board for a height of four stories and 50 feet, provided that the fourth story along Highland Avenue and West Street incorporates one or more of the following design elements: (i) a pitched roof having a maximum roof pitch of 45 degrees; (ii) a fourth story recessed from the face of the building by a minimum of 12 feet; and/or (iii) such other architectural design elements proposed by the Applicant and approved by the Planning Board during the Special Permit process.

3.17.5.3 Building Bulk and Other Requirements

The maximum floor area ratio or building coverage and the maximum number of dwelling units per acre, as applicable, in the Multi-family Overlay District sub-districts shall be as shown below, except that the area of a building devoted to underground parking shall not be counted as floor area for purposes of determining the maximum floor area ratio or building coverage, as applicable. Buildings developed under the regulations of the Multi-family Overlay District shall not be subject to any other limitations on floor area ratio or building bulk in Subsection 4.3.1 Table of Regulations, Subsection 4.4.2 Maximum Building Bulk, and Subsection 4.6.3 Maximum Lot Coverage.

	A-1	**B**	**ASB-MF**	**CSB**	**HAB**	**IND**
Floor Area Ratio (FAR) [c]	0.50	N/A	1.3[b]	0.70	0.70	0.50

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Maximum Building Coverage (%)	N/A	25%	N/A	N/A	N/A	N/A
Maximum Dwelling Units per Acre[a]	18	N/A	N/A	18	N/A	N/A

(a) The total land area used in calculating density shall be the total acreage of the lot on which the development is located.

(b) In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board for an FAR of up to 1.7.

(c) In the ASB-MF subdistrict, the following shall not be counted as floor area for purposes of determining the maximum floor area ratio: (i) interior portions of a building devoted to off-street parking; (ii) parking garages, structured parking or deck/rooftop parking that are screened in a manner compatible with the architecture of the building from Highland Avenue and the Needham Heights Common. In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board to exclude additional areas from floor area for purposes of determining the maximum floor area ratio.

3.17.5.4 Multiple Buildings on a Lot

In the Multi-family Overlay District, more than one building devoted to Multi-family housing may be located on a lot, provided that each building complies with the requirements of Section 3.17 of this By-Law.

3.17.5.5 Use of Dwelling Units

Consistent with the Executive Office of Housing and Livable Communities' Compliance Guidelines for Multi-family Zoning Districts Under Section 3A of the Zoning Act, and notwithstanding anything else contained in the Zoning By-Law to the contrary, Multi-family housing projects shall not be required to include units with age restrictions, and units shall not be subject to limit or restriction concerning size, the number or size of bedrooms, a cap on the number of occupants, or a minimum age of occupants.

3.17.6 Off-Street Parking

(a) The minimum number of off-street parking spaces shall be one space per dwelling unit for all subdistricts within the Multi-family Overlay District.
(b) Parking areas shall be designed and constructed in accordance with Subsection 5.1.3 Parking Plan and Design Requirements. The remaining provisions of Section 5.1 Off Street Parking Regulations shall not apply to projects within the Multi-family Overlay District.
(c) Enclosed parking areas shall comply with Subsection 4.4.6 Enclosed Parking.
(d) No parking shall be allowed within the front setback. Parking shall be on the side or to the rear of the building, or below grade.
(e) The minimum number of bicycle parking spaces shall be one space per dwelling unit.
(f) Bicycle storage. For a multi-family development of 25 units or more, no less than 25% of the required number of bicycle parking spaces shall be integrated into the structure of the building(s) as covered spaces.

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3.17.7 Development Standards

(a) Notwithstanding anything in the Zoning By-Laws outside of this Section 3.17 to the contrary, Multi-family housing in the Multi-family Overlay District shall not be subject to any special permit requirement.
(b) Building entrances shall be available from one or more streets on which the building fronts and, if the building fronts Chestnut Street, Garden Street, Highland Avenue, Hillside Avenue, Rosemary Street, or West Street, the primary building entrance must be located on at least one such street.
(c) Site arrangement and driveway layout shall provide sufficient access for emergency and service vehicles, including fire, police, and rubbish removal.
(d) Plantings shall be provided and include species that are native or adapted to the region. Plants on the Massachusetts Prohibited Plant List, as may be amended, are prohibited.
(e) All construction shall be subject to the current town storm water bylaws, regulations, and policies along with any current regulations or policies from DEP, state, and federal agencies.
(f) Control measures shall be employed to mitigate any substantial threat to water quality or soil stability, both during and after construction.
(g) Off-site glare from headlights shall be controlled through arrangement, grading, fences, and planting. Off-site light over-spill from exterior lighting shall be controlled through luminaries selection, positioning, and mounting height so as to not add more than one foot candle to illumination levels at any point off-site.
(h) Pedestrian and vehicular movement shall be protected, both within the site and egressing from it, through selection of egress points and provisions for adequate sight distances.
(i) Site arrangements and grading shall minimize to the extent practicable the number of removed trees 8" trunk diameter or larger, and the volume of earth cut and fill.
(j) No retaining wall shall be built within the required yard setback except a retaining wall with a face not greater than four (4) feet in height at any point and a length that does not exceed forty (40) percent of the lot's perimeter. Notwithstanding the foregoing, retaining walls may graduate in height from four (4) to seven (7) feet in height when providing access to a garage or egress entry doors at the basement level, measured from the basement or garage floor to the top of the wall. In such cases, the wall is limited to seven (7) feet in height for not more than 25% of the length of the wall.
(k) Retaining walls with a face greater than twelve (12) feet in height are prohibited unless the Applicant's engineer certifies in writing to the Building Commissioner that the retaining wall will not cause an increase in water flow off the property and will not adversely impact adjacent property or the public.

Special Development Standards for the A-1 Subdistrict

The following requirements apply to all development projects within the A-1 subdistrict of the Multi-family Overlay District:

(a) 4.3.2 Driveway Openings
(b) 4.3.3 Open Space
(c) 4.3.4 Building Location, with the substitution of "Multifamily Dwelling" for "apartment house."

Special Development Standards for the B and IND Subdistricts of the Multi-Family Overlay District:

(a) The requirements of the first paragraph of 4.4.5 Driveway Openings shall apply to all development projects within the Multi-family Overlay District within the B and IND subdistricts.

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3.17.8 Affordable Housing

Any multi-family building with six or more dwelling units shall include Affordable Housing Units as defined in Section 1.3 of this By-Law and the requirements below shall apply.

3.17.8.1 Provision of Affordable Housing.

Not fewer than 12.5% of housing units constructed shall be Affordable Housing Units. For purposes of calculating the number of Affordable Housing Units required in a proposed development, any fractional unit shall be rounded up to the nearest whole number and shall be deemed to constitute a whole unit.

In the event that the Executive Office of Housing and Livable Communities (EOHLC) determines that the calculation detailed above does not comply with the provisions of Section 3A of MGL c.40A, the following standard shall apply:

Not fewer than 10% of housing units constructed shall be Affordable Housing Units. For purposes of calculating the number of Affordable Housing Units required in a proposed development, any fractional unit shall be rounded up to the nearest whole number and shall be deemed to constitute a whole unit.

3.17.8.2 Development Standards.

Affordable Units shall be:

(a) Integrated with the rest of the development and shall be compatible in design, appearance, construction, and quality of exterior and interior materials with the other units and/or lots;
(b) Dispersed throughout the development;
(c) Located such that the units have equal access to shared amenities, including light and air, and utilities (including any bicycle storage and/or Electric Vehicle charging stations) within the development;
(d) Located such that the units have equal avoidance of any potential nuisances as market-rate units within the development;
(e) Distributed proportionately among unit sizes; and
(f) Distributed proportionately across each phase of a phased development.
(g) Occupancy permits may be issued for market-rate units prior to the end of construction of the entire development provided that occupancy permits for Affordable Units are issued simultaneously on a pro rata basis.

3.17.9 Site Plan Review.

3.17.9.1 Applicability.

Site Plan Review, as provided for in this Section 3.17, is required for all Multi-family housing projects within the Multi-Family Overlay District. Notwithstanding any other provision contained in the Zoning By-Law, except as expressly provided for in this Section 3.17, Multi-family housing projects are not subject to site plan or special permit review pursuant to Section 7.

3.17.9.2 Submission Requirements.

The Applicant shall submit the following site plan and supporting documentation as its application for Site Plan Review, unless waived in writing by the Planning and Community Development Director:

(a) Locus plan;

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(b) Location of off-site structures within 100 feet of the property line;
(c) All existing and all proposed building(s) showing setback(s) from the property lines;
(d) Building elevation, to include penthouses, parapet walls and roof structures; floor plans of each floor; cross and longitudinal views of the proposed structure(s) in relation to the proposed site layout, together with an elevation line to show the relationship to the center of the street;
(e) Existing and proposed contour elevations in one-foot increments;
(f) Parking areas, including the type of space, dimensions of typical spaces, and width of maneuvering aisles and landscaped setbacks;
(g) Driveways and access to site, including width of driveways and driveway openings;
(h) Facilities for vehicular and pedestrian movement;
(i) Drainage;
(j) Utilities;
(k) Landscaping including trees to be retained and removed;
(l) Lighting;
(m) Loading and unloading facilities;
(n) Provisions for refuse removal; and
(o) Projected traffic volumes in relation to existing and reasonably anticipated conditions based on standards from the Institute of Transportation Engineers and prepared by a licensed traffic engineer.

3.17.9.3 Timeline.

Upon receipt of an application for Site Plan Review for a project in the MFOD, the Site Plan Review Authority shall transmit a set of application materials to the Department of Public Works, Town Engineer, Police Department, Fire Department, Design Review Board, and to any other Town agency it deems appropriate, which shall each have thirty five (35) days to provide any written comment. Upon receipt of an application, the Site Plan Review Authority shall also notice a public hearing in accordance with the notice provisions contained in M.G.L. c.40A, §11. Site plan review shall be completed, with a decision rendered and filed with the Town Clerk, no later than 6 months after the date of submission of the application.

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3.17.9.4 Site Plan Approval.

Site Plan approval for uses listed in Subsection 3.17.3 Permitted Uses shall be granted upon determination by the Site Plan Review Authority that the following criteria have been satisfied. The Site Plan Review Authority may impose reasonable conditions, at the expense of the applicant, to ensure that these criteria have been satisfied.

(a) the Applicant has submitted the information as set forth in Subsection 3.17.8.2 Development Standards; and
(b) the project as described in the application meets the dimensional and density requirements contained in Subsection 3.17.5 Dimensional Regulations, the parking requirements contained in Subsection 3.17.6 Off-Street Parking, and the development standards contained in Subsection 3.17.7 Development Standards.

3.17.9.5 Waivers

When performing site plan review, the Planning Board may waive the requirements of Subsection 3.17.6 hereof and/or Subsection 5.1.3 Parking Plan and Design Requirements, or particular submission requirements.

When performing site plan review for a Multi-family Housing project that involves preservation of a structure listed in the National Register of Historic Places, the Massachusetts Register of Historical Places, the Inventory of Historic Assets for the Town of Needham, or is in pending for inclusion in any such register or inventory, the Planning Board as part of site plan review may reduce the applicable front, side or rear setbacks in this Section 3.17 by up to 40%.

3.17.9.6 Project Phasing.

An Applicant may propose, in a Site Plan Review submission, that a project be developed in phases subject to the approval of the Site Plan Review Authority, provided that the submission shows the full buildout of the project and all associated impacts as of the completion of the final phase. However, no project may be phased solely to avoid the provisions of Subsection 3.17.7 Affordable Housing.

3.17.10 Design Guidelines

The Planning Board may adopt and amend, by simple majority vote, Design Guidelines which shall be applicable to all rehabilitation, redevelopment, or new construction within the Multi-family Overlay District. Such Design Guidelines must be objective and not subjective and may contain graphics illustrating a particular standard or definition to make such standard or definition clear and understandable. The Design Guidelines for the Multi-family Overlay District shall be as adopted by the Planning Board and shall be available on file in the Needham Planning Department.

4. By amending the first paragraph of Section 7.7.2.2, Authority and Specific Powers, to add site plan reviews under Section 3.17 to the jurisdiction of the Design Review Board, so that this paragraph reads as follows:

The Design Review Board shall review requests for site plan review and approval submitted in accordance with Section 3.17 Multi-family Overlay District, Section 7.4 Site Plan Review and requests for special permits in accordance with Section 4.2.11 Planned Residential Development, Section 4.2.10 Flexible Development and Section 6.11 Retaining Walls and, for a minor project that only involves a change in the

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exterior façade of a building in the Center Business District, shall review and may approve such façade change.

5. By amending Section 7.7.3, Procedure, by inserting in the second paragraph, after the second sentence, a new sentence to read as follows:

   Within fifteen (15) days of the meeting, a final advisory design review report shall be sent both to the applicant and to the Planning Board, when a site plan review is required under Section 3.17.

so that this paragraph reads as follows:

> Within twenty (20) days of receipt of a Design Review application, the Design Review Board shall hold a meeting, to which the applicant shall be invited, for the purpose of conducting a review of the proposed project or activity. Within fifteen (15) days of the meeting, a preliminary design review report shall be sent to both the applicant and to the Planning Board, when a special permit is required under Sections 7.4, 4.2.11 and 4.2.10. Within fifteen (15) days of the meeting, a final advisory design review report shall be sent both to the applicant and to the Planning Board, when a site plan review is required under Section 3.17. However, if the proposed project or activity involves only a building permit or sign permit from the Building Commissioner, or is a "Minor Project" under Site Plan Review (all as described in Subsection 7.7.2.2), no preliminary report is required and the written advisory report of the Design Review Board to the applicant and the Building Commissioner shall be a final report.

Or take any other action relative thereto.

INSERTED BY: Planning Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 9 : AMEND ZONING BY-LAW – MAP CHANGE FOR MULTI-FAMILY OVERLAY DISTRICT (BASE PLAN)

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

(a) Place in the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Apartment A-1 and located directly to the south of Hamlin Lane as shown on Needham Town Assessors Map 200, Parcels 1 and 31, superimposing that district over the existing Apartment A-1 district, said description being as follows:

   Beginning at the point of intersection of the easterly sideline of Greendale Avenue and the northerly sideline of Charles River; thence running westerly by the easterly line of Greendale Avenue, four hundred forty-two and 36/100 (442.36) feet, more or less; northeasterly by the southerly line of Hamlin Lane, five hundred thirty-five and 44/100 (535.44) feet, more or less; southeasterly by the southerly line of Hamlin Lane, twenty and 22/100 (20.22) feet, more or less; southeasterly by the land of the Commonwealth of Massachusetts, State Highway I-95, five hundred thirty-nine 11/100

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(539.11) feet, more or less; southwesterly by the land of the Commonwealth of Massachusetts, State Highway I-95, four hundred sixty-six (466) feet, more or less; northwesterly by the northerly sideline of Charles River, two hundred seventy-six (276) to the point of beginning.

(b) Place in the CSB Subdistrict of the Multi-family Overlay District a portion of land now zoned Chestnut Street Business and Single Residence B and located directly to the east and west of Chestnut Street as shown on Needham Town Assessors Map 47, Parcels 54, 72, 74-03, 74-04, 76, 77, 78, 79, 80, 83, 84, 85, 86, 87, 88, and 91, Needham Town Assessors Map 46, Parcels 12, 13, 14, 15, 16, 17, 18, 19, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 58, 59, 60, and 61 and Needham Town Assessors Map 45, Parcel 6, superimposing that district over the existing Chestnut Street Business and Single Residence districts, said description being as follows:

Beginning at the point of intersection of the easterly sideline of M.B.T.A and the southerly sideline of Keith Place; thence running southeasterly by the southerly sideline of Keith Place to the intersection with northerly sideline of Chestnut Street; southwesterly by the northerly sideline of Chestnut Street to the intersection with northerly sideline of Freeman Place; northeasterly to a point on the southerly sideline of Chestnut Street, approximately four hundred and ninety-five 88/100 (495.88) feet from the intersection with southerly sideline of School Street; southeasterly by the southerly property line of Deaconess-Glover Hospital Corporation, one hundred and eighty-seven 68/100 (187.68) feet, more or less; southwesterly by the easterly property line of Deaconess-Glover Hospital Corporation, ninety-six 74/100 (96.74) feet, more or less; southwesterly by the westerly property line of Chaltanya Kadem and Shirisha Meda, eighty-two 80/100 (82.80) feet, more or less; southwesterly by the westerly property line of Huard, eighty-two 80/100 (82.80) feet, more or less; southwesterly by the westerly property line of Reidy, ninety-seven 40/100 (97.40) feet, more or less; northeasterly by the northerly property line of L. Petrini & Son Inc, fifteen 82/100 (15.82) feet, more or less; southwesterly by easterly property line of L. Petrini & Son Inc, one hundred and seventy-seven 77/100 (177.77) feet, more or less; northeasterly by the easterly property line of L. Petrini & Son Inc, one hundred and two 59/100 (102.59) feet, more or less; southwesterly by the easterly property line of L. Petrini & Son Inc, fifty 16/100 (50.16) feet, more or less; northeasterly by the easterly property line of L. Petrini & Son Inc, seven 39/100 (7.39) feet, more or less; southwesterly by the easterly property of Briarwood Property LLC, seventy-five (75.00) feet, more or less; northeasterly by the easterly property of Briarwood Property LLC, one hundred (100) feet, more or less; southwesterly by the easterly property of Briarwood Property LLC, two hundred and forty-nine 66/100 (249.66) feet, more or less; southeasterly by the southerly property of Briarwood Property LLC, two hundred ninety-three (293.28) feet, more or less; southwesterly by the easterly property of Veterans of Foreign Wars, one hundred and fifty (150) feet, more or less; northeasterly by the southerly property line of Veterans of Foreign Wars, eighty-five (85) feet, more or less; southwest by the easterly property of M.B.T.A, one hundred and sixty (160) feet, more or less; southeasterly by the northerly sideline of Junction Street to intersection with westerly sideline of Chestnut; southwesterly by the westerly sideline of Chestnut Street to intersection with northerly sideline of property of M.B.T.A; southwesterly by the southerly property line of Castanea Dentata LLC, two hundred and twenty-eight 81/100 (228.81) feet, more or less; southwesterly by the southerly property line of Castanea Dentata LLC, one hundred and eight 53/100 (108.53) feet, more or less; northwesterly by the southerly property line of Castanea Dentata LLC, one hundred and thirty-six 6/100 (136.06) feet, more or less; northwesterly by the southerly property line of Castanea Dentata LLC, one hundred and ten 10/100 (110.10) feet, more or less; thence running northeasterly by the easterly sideline of M.B.T.A. to the point of beginning.

(c) Place in the IND Subdistrict of the Multi-family Overlay District a portion of land now zoned Industrial and Single Residence B and located directly to the south and east of Denmark Lane as

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shown on Needham Town Assessors Map 132, Parcel 2, superimposing that district over the existing Industrial and Single Residence B districts, said description being as follows:

Beginning at the point of intersection of the westerly sideline of M.B.T.A. and the southerly sideline of Great Plain Ave; thence running southwesterly by the westerly line of M.B.T.A, four hundred thirty-seven 24/100 (437.24) feet, more or less; southwesterly by the southerly property line of Denmark Lane Condominium, one hundred and eleven 17/100 (111.17) feet, more or less; northeasterly by the easterly property line of Denmark Lane Condominium, two hundred (200) feet, more or less; northwesterly by the southerly property line of Denmark Lane Condominium, one hundred and thirty-nine 75/100 (139.75) feet, more or less; northeasterly by the easterly sideline of Maple Street, one hundred and thirty-five (135) feet, more or less; southeasterly by the northerly property line of Denmark Lane Condominium, one hundred and forty (140) feet, more or less; southwesterly by the northerly property line of Denmark Lane Condominium, fifteen 20/100 (15.2) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, two 44/100 (2.44) feet, more or less; southwesterly by the northerly property line of Denmark Lane Condominium, thirty-three 35/100 (33.35) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, seventy-nine (79) feet, more or less; northwesterly by the northerly property line of Denmark Lane Condominium, thirteen 28/100 (13.28) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, forty-seven 50/100 (47.50) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, eighty-one 91/100 (81.91) feet, more or less; northeasterly by the southerly sideline of Great Plain Ave, twelve 28/100 (12.28) feet to the point of beginning.

(d) Place in the CSB Subdistrict of the Multi-family Overlay District a portion of land now zoned Chestnut Street Business and located directly to the east of Garden Street as shown on Needham Town Assessors Map 51, Parcels 17, 20, 22, 23, superimposing that district over the existing Chestnut Street Business district said description being as follows:

Beginning at the point of intersection of the westerly sideline of M.B.T.A. and the northerly sideline of Great Plain Ave; thence running southwesterly by the northerly sideline of Great Plain Ave, nine 32/100 (9.32) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifty-three 17/100 (53.17) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifty-six 40/100 (56.40) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifty-six 92/100 (56.92) feet, more or less; northwesterly by the westerly property line of Town of Needham, on an arch length one hundred and twelve 99/100 (112.99) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifteen 10/100 (15.10) feet, more or less; northeasterly by the westerly property line of Town of Needham, one hundred and thirty-eight 83/100 (138.83) feet, more or less; southeasterly by the northerly property line of Town of Needham, thirty-three 42/100 (33.42) feet, more or less; northwesterly by the southerly property line of Eaton Square Realty LLC, forty (40) feet, more or less; northwesterly by the southerly property line of Eaton Square Realty LLC, eighty-one 99/100 (81.99) feet, more or less; northwesterly by the southerly property line of Eaton Square Realty LLC, fifty-eighty 31/100 (58.31) feet, more or less; northeasterly by the easterly sideline of Garden Street to intersection with May Street; northeasterly by the southerly sideline of May Street, sixty-one 33/100 (61.33) feet, more or less; southwesterly by the westerly sideline of M.B.T.A to the point of beginning.

(e) Place in the B Subdistrict of the Multi-family Overlay District a portion of land now zoned Business and Single Residence B and located directly to the west of Highland Avenue as shown on Needham Town Assessors Map 52, Parcels 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, and Needham Town Assessors Map 226, Parcels 56, 57, and 58, superimposing that district over the existing Business and Single Residence B districts, said description being as follows:

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Beginning at the point of intersection of the easterly sideline of M.B.T.A. and the northerly sideline of May Street; thence running northeasterly by the easterly sideline of M.B.T.A. to the intersection with southerly sideline of Rosemary Street; southeasterly by the southerly sideline of Rosemary Street to the intersection with easterly sideline of Highland Ave; southwesterly by the westerly sideline of Highland Avenue to the intersection with the northerly sideline of May St; southwesterly by the northerly sideline of May Street to the point of beginning.

(f) Place in the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Apartment A-1 and located directly to east of Highland Avenue and north of May Street as shown on Needham Town Assessors Map 53, Parcels 1, 2 and 3, superimposing that district over the existing Apartment A-1 district, said description being as follows:

Beginning at the point of intersection of the northerly sideline of May Street and the westerly sideline of Oakland Avenue; thence running easterly by the northerly sideline of May Street to the intersection with easterly sideline of Highland Avenue; northeasterly by the easterly sideline of Highland Avenue to the intersection with southerly sideline of Oakland Avenue; southeasterly by the southerly sideline of Oakland Avenue: southerly by the westerly sideline of Oakland Avenue to the point of beginning.

(g) Place in the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Apartment A-1 and located directly to the west of Hillside Avenue and north of Rosemary Street as shown on Needham Town Assessors Map 100 Parcels 1, 35, and 36, and Needham Town Assessors Map 101, Parcels 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 24, 25, and 26, superimposing that district over the existing Apartment A-1 district, said description being as follows:

Beginning at the point of intersection of the northerly sideline of Rosemary Street and the easterly sideline of Concannon Circle; thence running northwesterly by the easterly sideline of Concannon Circle, one hundred and sixty (160) feet, more or less; northwesterly by the easterly property line of 15 Concannon Circle Realty Trust, two hundred and thirty-two 75/100 (232.75) feet, more or less; northwesterly by the easterly property line of L. Petrini and Son Inc, one hundred and forty-five 84/100 (145.84) feet, more or less; northeasterly by the northerly property line of L. Petrini and Son Inc, one hundred and twenty-five (125) feet, more or less; northwesterly by the westerly sideline of Tillotson Road, one hundred and twelve (112) feet, more or less; northeasterly across Tillotson Road to the northeasterly corner of the property of L. Petrini and Son Inc, forty (40) feet, more or less; northeasterly by the northerly property line of L. Petrini and Son Inc, one hundred and twenty-five (125) feet, more or less; northwesterly by the easterly property line of Petrini Corporation, one hundred and nineteen 94/100 (119.94) feet, more or less; northeasterly by the southerly property line of L. Petrini and Son Inc, one hundred and sixty-two (162) feet, more or less; northwesterly by the easterly property line of Rosemary Ridge Condominium, three hundred and twenty-eight (328) feet, more or less; northeasterly by the northerly property line of Rosemary Ridge Condominium, two hundred and ninety (290) feet, more or less; northeasterly by the northerly property line of Rosemary Ridge Condominium, one hundred and sixty-two 19/100 (162.19), more or less; northwesterly by the northerly property line of Rosemary Ridge Condominium, one hundred and thirty (130), more or less; southeasterly by the northerly property line of Rosemary Ridge Condominium, two hundred and forty-one 30/100 (241.30), more or less; southeasterly by the northerly property line of Pop Realty LLC, ninety-four 30/100 (94.30), more or less to westerly side of Hillside Avenue; southeasterly by the westerly sideline of Hillside Avenue to intersection with northerly sideline of Rosemary Street; southeasterly by the northerly sideline of Rosemary Street to the point of beginning.

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(h) Place in the IND Subdistrict of the Multi-family Overlay District a portion of land now zoned Industrial, Hillside Avenue Business, and Single Residence B and located directly to the east of Hillside Avenue and north of Rosemary Street as shown on Needham Town Assessors Map 100, Parcels 3, 4, 5, 7, 8, 9, 10, 11, 12, and 61, and Needham Town Assessors Map 101, Parcels 2, 3, 4, 5 and 6, superimposing that district over the existing Industrial, Hillside Avenue Business, and Single Residence B districts, said description being as follows:

Beginning at the point of intersection of the northerly sideline of Rosemary Street and the westerly sideline of M.B.T.A; thence running northwesterly by the northerly sideline of Rosemary Street to the intersection with easterly sideline of Hillside Avenue; northeasterly by the easterly sideline of Hillside Avenue to the intersection with southerly sideline of West Street; northeasterly by the southerly sideline of West Street to the intersection with the westerly sideline of M.B.T.A; southeasterly by the westerly sideline of M.B.T.A. to the point of beginning.

(i) Place in the ASB-MF Subdistrict of the Multi-family Overlay District a portion of land now zoned Avery Square Business and Single Residence B and located directly to the west of Highland Avenue and south of West Street as shown on Needham Town Assessors Map 63, Parcel 37, superimposing that district over the existing Avery Square Business and Single Residence B districts, said description being as follows:

Beginning at the point of intersection of the easterly sideline of M.B.T.A. and the southerly sideline of West Street; thence running southeasterly by the southerly sideline of West Street, one hundred and sixty-one 48/100 (161.48) feet, more or less; southeasterly on arch, twenty-nine (27/100) 29.27 feet to a point on the easterly sideline of Highland Avenue; southeasterly by the easterly sideline of Highland Avenue seven hundred and sixty-one (761.81) feet, more or less; northeasterly by the easterly sideline of Highland Avenue ten (10) feet, more or less; southeasterly by the easterly sideline of Highland Avenue seventy (70) feet, more or less; northwesterly by the southerly property line of HCRI Massachusetts Properties Trust II, one hundred and fifty (150) feet, more or less; southeasterly by the southerly property line of HCRI Massachusetts Properties Trust II, seventy (70) feet, more or less; southwesterly by the southerly property line of HCRI Massachusetts Properties Trust II, one hundred and two 57/100 (102.57) feet, more or less; northeasterly by the easterly sideline of M.B.T.A., three hundred and seventy-one 56/100 (371.56) feet, more or less; northwesterly by the easterly sideline of M.B.T.A., three 54/100 (3.54) feet, more or less; northeasterly by the easterly sideline of M.B.T.A., three hundred and ninety-three 56/100 (393.56) feet, more or less; northeasterly by the easterly sideline of M.B.T.A., one hundred and seventy-five 46/100 (175.46) feet to the point of beginning.

(j) Place in the HAB Subdistrict of the Multi-family Overlay District a portion of land now zoned Hillside Avenue Business and located directly to the east of Hillside Avenue and north of West Street as shown on Needham Town Assessors Map 99, Parcels 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14, superimposing that district over the existing Hillside Avenue district, said description being as follows:

Beginning at the point of intersection of the westerly sideline of M.B.T.A and the northerly sideline of West Street; thence running northwesterly by the northerly sideline of West Street to the intersection with easterly sideline of Hillside Avenue; northwesterly by the easterly sideline of Hillside Avenue to the intersection with northerly sideline of Hunnewell Street; northwesterly by the easterly sideline of Hillside Avenue, twenty-four 1/100 (24.01) feet to the angle point; northeasterly by the easterly sideline of Hillside Avenue, ninety-five 61/100 (95.61) feet, more or less; northeasterly by the northerly property line of Hillside Condominium, two hundred and twenty-one 75/100 (221.75) feet, more or less; northeasterly by the northerly property line of Hunnewell Needham LLC, eighteen 48/100 (18.48) feet, more or less; southwesterly by the westerly sideline of M.B.T.A. to the point of beginning.

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(k) Place in the IND Subdistrict of the Multi-family Overlay District a portion of land now zoned Industrial and Single Residence B and located at Crescent Road as shown on Needham Town Assessors Map 98, Parcels 40 and 41, and Needham Town Assessors Map 99, Parcels 38, 39, 40, 61, 62, 63, and 88, superimposing that district over the existing Industrial and Single Residence B districts, said description being as follows:

Beginning at the bound on easterly side of Hunnewell Street, approximately three hundred and thirty-two 35/100 (332.35) feet from the intersection with Hillside Avenue; thence running southwesterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and ninety-one 13/100 (191.13) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, sixty-eight 68/100 (68.75) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and thirty (130) feet, more or less; southeasterly by the easterly property line of Drack Realty LLC, seventy-three (73) feet, more or less; southwesterly by the easterly property line of Drack Realty LLC, one hundred and forty (140) feet, more or less; northeasterly by the northerly property line of Lally, forty-one (41) feet, more or less; southeasterly by the easterly property line of Lally, seventy-five (75) feet, more or less; southwesterly by the southerly property line of Lally, one hundred (100) feet, more or less; southwesterly to the center of Crescent Road, twenty (20) feet, more or less; southeasterly by the center of Crescent Road, twenty-nine (29) feet, more or less; southwesterly to a bound located twenty-nine feet from the angle point on the easterly side of Crescent Road; southwesterly by the southerly property line of 66 Crescent Road LL, four hundred and fifteen 60/100 (415.60) feet, more or less; northwesterly by the easterly property line of Town of Needham, fifty-two 37/100 (52.37) feet, more or less; northwesterly by the easterly property line of Town of Needham, one hundred and sixty-two 37/100 (162.37) feet, more or less; southwesterly by the easterly property line of Town of Needham, forty-five 76/100 (45.76) feet, more or less; northwesterly by the easterly property line of Town of Needham, one hundred and forty-three 92/100 (143.92) feet, more or less; northwesterly by the easterly property line of Town of Needham, fifteen 71/100 (15.71) feet, more or less; southwesterly by the easterly property line of Town of Needham, two hundred and forty-eight 40/100 (248.40) feet, more or less; northwesterly by the easterly property line of Town of Needham, fifty-three 33/100 (53.33) feet, more or less; northeasterly by the northerly property line of 166 Crescent Road LLC, five hundred and fifty-five 68/100 (555.68) feet, more or less; northeasterly to the center of Crescent Road, twenty (20) feet, more or less; northwesterly by the center of Crescent Road, fifty-six 47/100 (56.47) feet, more or less; northeasterly to the bound located four 38/100 (4.38) feet from the end of the Crescent Road; northeasterly by the northerly property line of Microwave Development Laboratories Inc, one hundred and forty-six 29/100 (146.29) feet, more or less; southeasterly by the northerly property line of Microwave Development Laboratories Inc, fifty-four 82/100 (54.82) feet, more or less; northeasterly by the northerly property line of Microwave Development Laboratories Inc, fifty-four 21/100 (54.21) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and ninety-five 81/100 (195.81) feet, more or less; northeasterly by the easterly property line of Microwave Development Laboratories Inc, seven (7) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, ninety-one (91) feet, more or less; northeasterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and forty-two (142) feet, more or less; southeasterly by the easterly sideline of Hunnewell Street, twenty (20) feet to the point of beginning.

(l) Place in the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Apartment A-1 and Single Residence B and located east and west of Highland Avenue at Cottage Avenue as shown on Needham Town Assessors Map 70, Parcels 24 and 25, superimposing that

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district over the existing Apartment A-1 and Single Residence B districts, said description being as follows:

Beginning at the point on the westerly sideline of Highland Avenue, two hundred and seventeen 63/100 (217.63) from the arch on Webster Street; thence running southwesterly by the westerly sideline of Highland Avenue, three hundred and seventeen (317) feet, more or less; southeasterly across Highland Avenue, fifty (50) feet to a point on the easterly sideline of Highland Avenue; southeasterly by the northerly property line of Avery Park Condominium, two hundred and seventy-eight 75/100 (278.75) feet, more or less; northeasterly by the northerly property line of Avery Park Condominium, sixty-one (61.51) feet, more or less; northeasterly by the northerly property line of Avery Park Condominium, one hundred and seventy-nine 70/100 (179.70) feet, more or less; southwesterly by the westerly sideline of Webster Street, thirty-one 16/100 (31.16) feet, more or less; southwesterly by the southerly property line of Avery Park Condominium, one hundred and sixty-six 51/100 (166.51) feet, more or less; southwesterly by the southerly property line of Avery Park Condominium, one hundred and five 59/100 (105.59) feet, more or less; southwesterly by the southerly property line of Avery Park Condominium, one hundred and forty-four 62/100 (144.62) feet, more or less; northwesterly by the southerly property line of Avery Park Condominium, two hundred and seventy-seven 29/100 (277.29) feet, more or less; northwesterly across Highland Avenue, fifty (50) feet to a point on the westerly side of Highland Avenue: northwesterly by the southerly property line of Hamilton Highlands LLC, one hundred and fifty-nine 45/100 (159.45) feet, more or less; southwesterly by the southerly property line of Hamilton Highlands LLC, ninety-seven 33/100 (97.33) feet, more or less; northwesterly by the northerly sideline of Cottage Avenue, forty (40) feet, more or less; southwesterly by the southerly property line of Hamilton Highlands LLC, fifteen (15) feet, more or less; northwesterly by the southerly property line of Hamilton Highlands LLC, twenty-five 54/100 (25.54) feet, more or less; northeasterly by the easterly sideline of M.B.T.A., five hundred and seventy-five 57/100 (575.57) feet, more or less; southeasterly by the northerly property line of Hamilton Highlands LLC, one hundred and forty-five 2/100 (145.02) feet, more or less; northeasterly by the northerly property line of Hamilton Highlands LLC, one hundred and one 57/100 (101.57) feet, more or less; southeasterly by the northerly property line of Hamilton Highlands LLC, one hundred and eighty 18/100 (180.18) feet, more or less; southeasterly by the northerly property line of Hamilton Highlands LLC, fifty-six 57/100 (56.57) feet to the point of beginning.

Or take any other action relative thereto.

INSERTED BY: Planning Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 10: AMEND ZONING BY-LAW – MULTI-FAMILY OVERLAY DISTRICT (NEIGHBORHOOD HOUSING PLAN)

To see if the Town will vote to amend the Needham Zoning By-Law, inclusive of those amendments adopted under Article 1 and Article 2, as follows, and to act on anything related thereto:

1. Amending the definition of Mixed-Use Building in Section 1.3 to include the Multi-family Overlay District, so that the definition reads as follows:

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Mixed-Use Building – A building in the Needham Center, Chestnut Street, Garden Street or Multi-family Overlay District in which the ground floor facing the street is used for such retail or restaurant uses as may be permitted by right or by special permit in the applicable overlay district, and other ground-floor and upper-floor space is used for other commercial use(s) or dwelling units(s), and subject to any additional qualifications provided for in the applicable overlay district.

2. Amending Section 3.17 Multi-family Overlay District by revising Subsection 3.17.2.1 Subdistricts to read as follows:

   The Multi-family Overlay District contains the following sub-districts, all of which are shown on the MFOD Boundary Map and indicated by the name of the sub-district:

   (a) A-1
   (b) B
   (c) ASB-MF
   (d) CSB-E (Chestnut Street Business – East)
   (e) CSB-W (Chestnut Street Business – West)
   (f) CSB-GS
   (g) HAB
   (h) IND
   (i) IND-C (Industrial – Crescent)

3. Amending Subsection 3.17.1 Purposes of District by amending the last paragraph to read as follows:

   Toward these ends, Multi-family housing and mixed-use development (where allowed) in the Multi-family Overlay District is permitted to exceed the density and dimensional requirements that normally apply in the underlying zoning district(s) provided that such development complies with the requirements of this Section 3.17.

4. Amending Subsection 3.17.4. Use Regulations, by adding the following paragraph (b) to Subsection 3.17.4.1 Permitted Uses:

3.17.4.1 Permitted Uses

(b) In the B and CSB subdistricts: A Mixed-Use Building containing commercial use(s) on the ground floor, whether facing the street or otherwise, is permitted by right, provided that all upper floors shall be used as Multi-family Housing. Commercial uses are limited to the uses listed below:

i. Retail establishments serving the general public containing less than 5,750 gross square feet of floor area. In multi-tenanted structures the provisions of the section will individually apply to each tenant or use and not to the aggregate total of the structure.

ii. Retail trade or shop for custom work or the making of articles to be sold at retail on the premises.

iii. Offices and banks.

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iv. Craft, consumer, professional or commercial service established dealing directly with the public and not enumerated elsewhere in this section.

v. Personal fitness service establishment, provided all required off-street parking is provided on-site for all land uses located on the subject site and in adherence with the requirements of Section 5.1.2, Required Parking, absent any waivers from the provisions of Subsection 5.1.1.5 and 5.1.1.6.

vi. Manufacturing clearly incidental and accessory to retail use on the same premises and the product is customarily sold on the premises.

vii. Laundry; coin operated or self-service laundry or dry-cleaning establishment.

5. Amending Subsection 3.17.4. Use Regulations, by adding the following after Subsection 3.17.4.1 Permitted Uses and renumbering Subsection 3.17.4.2 Accessory Uses to 3.17.4.3:

3.17.4.2 Special Permit Uses in the B and CSB Subdistricts.

The following uses are permitted by Special Permit from the Planning Board in the B and CSB sub-districts of the Multi-family Overlay District:

(a) A Mixed-Use Building containing commercial use(s) listed below on the ground floor, whether facing the street or otherwise, and provided that all upper floors shall be used as Multi-family Housing:

i. Restaurant serving meals for consumption on the premises and at tables with service provided by a server.

ii. Take-out operation accessory to the above.

iii. Take-out food counter as an accessory to a food retail or other non- consumptive retail establishment.

iv. Retail sales of ice cream, frozen yogurt, and similar products for consumption on or off the premises.

v. Take-out establishment primarily engaged in the dispensing of prepared foods to persons carrying food and beverage away for preparation and consumption elsewhere.

vi. Personal fitness service establishment, where there is insufficient off-street parking on-site to serve all land uses located thereon in adherence with the requirements of Subsection 5.1.2 Required Parking but where it can be demonstrated that the hours, or days, of peak parking for the uses are sufficiently different that a lower total will provide adequately for all uses or activities served by the parking lot.

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6. Amending Section 3.17 Multi-family Overlay District by replacing the tables in Subsection 3.17.5 Dimensional Requirements with the tables below, with all other text, including footnotes, contained in Subsection 3.17.5 to remain unamended unless noted below:

3.17.5. Dimensional Requirements

Replace the table in 3.17.5.1 Subsection Lot Area, Frontage and Setback Requirements with the tables below:

Table 1A. Lot Area, Frontage and Setback Requirements

	A-1	**B**	**ASB-MF**	**HAB**	**IND**
Minimum Lot Area (square feet)	20,000	10,000	10,000	10,000	10,000
Minimum Lot Frontage (feet)	120	80	80	80	80
Minimum Front Setback (feet) from the front property line	25	10	Minimum 10 Maximum 15	20	25
Minimum Side and Rear Setback (feet)	20	20[a, b]	10[a,d]	20 [a,b]	20 [a,b]

Table 1B. Lot Area, Frontage and Setback Requirements

	CSB-E	**CSB-W**	**CSB-GS**	**IND - C**
Minimum Lot Area (square feet)	10,000	10,000	10,000	10,000
Minimum Lot Frontage (feet)	80	80	80	80
Minimum Front Setback (feet) from the front property line	Minimum of 5 feet or average of setbacks within 100 feet, whichever is smaller	Minimum of 5 feet or average of setbacks within 100 feet, whichever is smaller	Minimum of 10 feet or average of setbacks within 100 feet, whichever is smaller	25
Minimum Side and Rear Setback (feet)	20 (side) 30 (rear) [a, b]	20 [a, b]	20 [a, b]	20 [a, b]

And delete footnote (e).

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Replace the table in Subsection 3.17.5.2 Building Height Requirements with the tables below:

Table 2A. Building Height Requirements

	A-1	**B**	**ASB-MF**	**HAB**	**IND**
Maximum Building Height (stories)[d]	4.0	4.0 4.5 with commercial ground floor or see 3.17.8.1	3.0[c]	3.0	3.0
Maximum Building Height (feet) [d]	50	50 55 with commercial ground floor or see 3.17.8.1	40 [c]	40	40

Table 2B. Building Height Requirements

	CSB-E	**CSB-W**	**CSB-GS**	**IND - C**
Maximum Building Height (stories) [d]	3.0 3.5 with commercial ground floor or see 3.17.8.1	4.0 4.5 with commercial ground floor or see 3.17.8.1	3.0 3.5 with commercial ground floor or see 3.17.8.1	3.0
Maximum Building Height (feet) [d]	40 45 with commercial ground floor or see 3.17.8.1	50 55 with commercial ground floor or see 3.17.8.1	40 45 with commercial ground floor or see 3.17.8.1	40

And add new footnote (d):

(d) The requirements of Subsection 4.4.7 Business Use in Other Districts are not applicable to commercial ground floor uses in the MFOD.

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Replace the table in Subsection 3.17.5.3 Building Bulk and Other Requirements with the tables below:

Table 3A. Building Bulk and Other Requirements

	A-1	B	ASB-MF	HAB	IND
Floor Area Ratio (FAR)	1.00	2.00	1.00[b]	1.00	1.0
Maximum Building Coverage (%)	N/A	N/A	N/A	N/A	N/A
Maximum Dwelling Units per Acre[a]	36	N/A	N/A	24	24

Table 3B. Building Bulk and Other Requirements

	CSB-E	CSB-W	CSB-GS	IND - C
Floor Area Ratio (FAR)	2.00	2.00	2.00	0.75
Maximum Building Coverage (%)	N/A	N/A	N/A	N/A
Maximum Dwelling Units per Acre [a]	N/A	N/A	N/A	24

7. Amending Section 3.17 Multi-family Overlay District by adding the following to Subsection 3.17.7 Development Standards, to read as follows:

   (l) For a mixed-use building, entrances to ground-floor dwelling units shall be located on the side or rear of the building, not from any side facing the street, or the entrances may be from a first-floor lobby serving other uses in the building.

   (m) For a mixed-use building, the ground floor of the front façade shall contain only retail or restaurant uses allowed by right or by special permit.

8. Amending Section 3.17 Multi-family Overlay District by adding a new paragraph to Subsection 3.17.8.1 Provision of Affordable Housing, immediately following the first paragraph, to read as follows:

   3.17.8.1 Provision of Affordable Housing.
   In the B and CSB subdistricts, an Applicant may provide an additional 7.5% of units as Workforce Housing Units in place of the requirement for a commercial ground floor to achieve the additional allowable height listed in Tables 2A and 2B under Subsection 3.17.5.2 Building Height Requirements.

9. Amending Section 3.17 Multi-family Overlay District by modifying the first line of Subsection 3.17.8.2 Development Standards to read as follows:

   Affordable Units, including Workforce Housing Units, shall be:

Or take any other action relative thereto.

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INSERTED BY: Planning Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 11 : AMEND ZONING BY-LAW – MAP CHANGE FOR MULTI-FAMILY OVERLAY DISTRICT (NEIGHBORHOOD HOUSING PLAN)

To see if the Town will vote to amend the Needham Zoning By-Law by amending the Zoning Map, inclusive of those changes adopted under Article 2, as follows:

(a) Place in the CSB-W Subdistrict of the Multi-family Overlay District a portion of land now zoned Chestnut Street Business and located directly to the west of Chestnut Street as shown on Needham Town Assessors Map 47, Parcels 72, 74-03, 74-04, 76, 77, 78, 79, 80, 83, 84, 85, 86, 87, 88, and 91, and Needham Town Assessors Map 46, Parcels 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 58, 59, 60, and 61, superimposing that district over the existing Chestnut Street Business district and removing the existing CSB Subdistrict of the Multi-family Overlay District, said description being as follows:

Beginning at the point of intersection of the easterly sideline of M.B.T.A and the southerly sideline of Keith Place; thence running southeasterly by the southerly sideline of Keith Place to the intersection with westerly sideline of Chestnut Street; southwesterly by the westerly sideline of Chestnut Street to the intersection with northerly sideline of property of M.B.T.A; northeasterly by the northerly sideline of M.B.T.A; northeasterly by the easterly sideline of M.B.T.A. to the point of beginning.

(b) Place in the CSB-E Subdistrict of the Multi-family Overlay District a portion of land now zoned Chestnut Street Business and Single Residence B and located directly to the east of Chestnut Street as shown on Needham Town Assessors Map 46, Parcels 12, 13, 14, 15, 16, 17, 18, 19, 32, 33 and 34 superimposing that district over the existing Chestnut Street Business and Single Residence districts and removing the existing CSB Subdistrict of the Multi-family Overlay District, said description being as follows:

Beginning at the point on the easterly sideline of Chestnut Street, approximately four hundred and ninety-five 88/100 (495.88) feet from the intersection with southerly sideline of School Street; southeasterly by the southerly property line of Deaconess-Glover Hospital Corporation, one hundred and eighty-seven 68/100 (187.68) feet, more or less; southwesterly by the easterly property line of Deaconess-Glover Hospital Corporation, ninety-six 74/100 (96.74) feet, more or less; southwesterly by the westerly property line of Chaltanya Kadem and Shirisha Meda, eighty-two 80/100 (82.80) feet, more or less; southwesterly by the westerly property line of Huard, eighty-two 80/100 (82.80) feet, more or less; southwesterly by the westerly property line of Reidy, ninety-seven 40/100 (97.40) feet, more or less; northeasterly by the northerly property line of L. Petrini & Son Inc, fifteen 82/100 (15.82) feet, more or less; southwesterly by easterly property line of L. Petrini & Son Inc, one hundred and seventy-seven 77/100 (177.77) feet, more or less; northeasterly by the easterly property line of L. Petrini & Son Inc, one hundred and two 59/100 (102.59) feet, more or less; southwesterly by the easterly property line of L. Petrini & Son Inc, fifty 16/100 (50.16) feet, more or less; northeasterly by the easterly property line of L. Petrini & Son Inc, seven 39/100 (7.39) feet, more or less; southwesterly by the easterly property of Briarwood Property LLC, seventy-five (75.00) feet, more or less; northeasterly by the easterly property of Briarwood Property LLC, one hundred (100) feet, more or less; southwesterly by the easterly property of Briarwood

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Property LLC, two hundred and forty-nine 66/100 (249.66) feet, more or less; southeasterly by the southerly property of Briarwood Property LLC, two hundred ninety-three (293.28) feet, more or less; southwesterly by the easterly property of Veterans of Foreign Wars, one hundred and fifty (150) feet, more or less; northeasterly by the southerly property line of Veterans of Foreign Wars, eighty-five (85) feet, more or less; southwest by the easterly property of M.B.T.A, one hundred and sixty (160) feet, more or less; southeasterly by the northerly sideline of Junction Street to intersection with easterly sideline of Chestnut; northeasterly by the easterly sideline of Chestnut Street to the point of beginning.

(c) Place in the CSB-E Subdistrict of the Multi-family Overlay District a portion of land now zoned Chestnut Street Business and located at 433 Chestnut Street as shown on Needham Town Assessors Map 45, Parcel 6, superimposing that district over the existing Chestnut Street Business district and removing the existing CSB Subdistrict of the Multi-family Overlay District, said description being as follows:

Starting at the point of intersection of the westerly sideline of Chestnut Street and the southerly sideline of M.B.T.A.; southerly by the westerly sideline of Chestnut Street to the intersection with northerly sideline of M.B.T.A; southwesterly by the southerly property line of Castanea Dentata LLC, two hundred and twenty-eight 81/100 (228.81) feet, more or less; southwesterly by the southerly property line of Castanea Dentata LLC, one hundred and eight 53/100 (108.53) feet, more or less; northwesterly by the southerly property line of Castanea Dentata LLC, one hundred and thirty-six 6/100 (136.06) feet, more or less; northwesterly by the southerly property line of Castanea Dentata LLC, one hundred and ten 10/100 (110.10) feet, more or less; running northeasterly by the easterly sideline of M.B.T.A. to the point of beginning.

(d) Place in the CSB-GS Subdistrict of the Multi-family Overlay District a portion of land now zoned Chestnut Street Business and located directly to the east of Garden Street as shown on Needham Town Assessors Map 51, Parcels 17, 20, 22, 23, superimposing that district over the existing Chestnut Street Business district and removing the existing CSB Subdistrict of the Multi-family Overlay District, said description being as follows:

Beginning at the point of intersection of the westerly sideline of M.B.T.A. and the northerly sideline of Great Plain Ave; thence running southwesterly by the northerly sideline of Great Plain Ave, nine 32/100 (9.32) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifty-three 17/100 (53.17) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifty-six 40/100 (56.40) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifty-six 92/100 (56.92) feet, more or less; northwesterly by the westerly property line of Town of Needham, on an arch length one hundred and twelve 99/100 (112.99) feet, more or less; northeasterly by the westerly property line of Town of Needham, fifteen 10/100 (15.10) feet, more or less; northeasterly by the westerly property line of Town of Needham, one hundred and thirty-eight 83/100 (138.83) feet, more or less; southeasterly by the northerly property line of Town of Needham, thirty-three 42/100 (33.42) feet, more or less; northwesterly by the southerly property line of Eaton Square Realty LLC, forty (40) feet, more or less; northwesterly by the southerly property line of Eaton Square Realty LLC, eighty-one 99/100 (81.99) feet, more or less; northwesterly by the southerly property line of Eaton Square Realty LLC, fifty-eighty 31/100 (58.31) feet, more or less; northeasterly by the easterly sideline of Garden Street to intersection with May Street; northeasterly by the southerly sideline of May Street, sixty-one 33/100 (61.33) feet, more or less; southwesterly by the westerly sideline of M.B.T.A to the point of beginning.

(e) Place in the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Industrial and Single Residence B and located directly to the south and east of Denmark Lane as shown on Needham Town Assessors Map 132, Parcel 2, superimposing that district over the

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existing Industrial and Single Residence B districts, and removing the existing IND Subdistrict of the Multi-family Overlay District, said description being as follows:

Beginning at the point of intersection of the westerly sideline of M.B.T.A. and the southerly sideline of Great Plain Ave; thence running southwesterly by the westerly line of M.B.T.A, four hundred thirty-seven 24/100 (437.24) feet, more or less; southwesterly by the southerly property line of Denmark Lane Condominium, one hundred and eleven 17/100 (111.17) feet, more or less; northeasterly by the easterly property line of Denmark Lane Condominium, two hundred (200) feet, more or less; northwesterly by the southerly property line of Denmark Lane Condominium, one hundred and thirty-nine 75/100 (139.75) feet, more or less; northeasterly by the easterly sideline of Maple Street, one hundred and thirty-five (135) feet, more or less; southeasterly by the northerly property line of Denmark Lane Condominium, one hundred and forty (140) feet, more or less; southwesterly by the northerly property line of Denmark Lane Condominium, fifteen 20/100 (15.2) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, two 44/100 (2.44) feet, more or less; southwesterly by the northerly property line of Denmark Lane Condominium, thirty-three 35/100 (33.35) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, seventy-nine (79) feet, more or less; northwesterly by the northerly property line of Denmark Lane Condominium, thirteen 28/100 (13.28) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, forty-seven 50/100 (47.50) feet, more or less; northeasterly by the northerly property line of Denmark Lane Condominium, eighty-one 91/100 (81.91) feet, more or less; northeasterly by the southerly sideline of Great Plain Ave, twelve 28/100 (12.28) feet to the point of beginning.

(f) Place in the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Single Residence B and located directly to the west of Highland Avenue and north of Hunnewell Street as shown on Needham Town Assessors Map 69, Parcel 37, superimposing that district over the existing Single Residence B district, said description being as follows:

Beginning at the point of intersection of the easterly sideline of the M.B.T.A and the northerly sideline of Hunnewell Street; thence running northwesterly by the easterly sideline of the M.B.T.A., on an arch one hundred and twenty-one 22/100 (121.22) feet, more or less; southeasterly by the northerly property line of The Suites of Needham LLC, one hundred and sixty 23/100 (160.23) feet, more or less; southwesterly by the easterly sideline of Highland Avenue to the intersection with northerly sideline of Hunnewell Street; northwesterly by the northerly sideline of Hunnewell Street to the point of beginning.

(g) Remove from the A-1 Subdistrict of the Multi-family Overlay District a portion of land now zoned Apartment A-1 and Single Residence B and located east and west of Highland Avenue at Cottage Avenue as shown on Needham Town Assessors Map 70, Parcels 24 and 25, said description being as follows:

Beginning at the point on the westerly sideline of Highland Avenue, two hundred and seventeen 63/100 (217.63) from the arch on Webster Street; thence running southwesterly by the westerly sideline of Highland Avenue, three hundred and seventeen (317) feet, more or less; southeasterly across Highland Avenue, fifty (50) feet to a point on the easterly sideline of Highland Avenue; southeasterly by the northerly property line of Avery Park Condominium, two hundred and seventy-eight 75/100 (278.75) feet, more or less; northeasterly by the northerly property line of Avery Park Condominium, sixty-one (61.51) feet, more or less; northeasterly by the northerly property line of Avery Park Condominium, one hundred and seventy-nine 70/100 (179.70) feet, more or less; southwesterly by the westerly sideline of Webster Street, thirty-one 16/100 (31.16) feet, more or less; southwesterly by the southerly property line of Avery Park Condominium, one

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hundred and sixty-six 51/100 (166.51) feet, more or less; southwesterly by the southerly property line of Avery Park Condominium, one hundred and five 59/100 (105.59) feet, more or less; southwesterly by the southerly property line of Avery Park Condominium, one hundred and forty-four 62/100 (144.62) feet, more or less; northwesterly by the southerly property line of Avery Park Condominium, two hundred and seventy-seven 29/100 (277.29) feet, more or less; northwesterly across Highland Avenue, fifty (50) feet to a point on the westerly side of Highland Avenue: northwesterly by the southerly property line of Hamilton Highlands LLC, one hundred and fifty-nine 45/100 (159.45) feet, more or less; southwesterly by the southerly property line of Hamilton Highlands LLC, ninety-seven 33/100 (97.33) feet, more or less; northwesterly by the northerly sideline of Cottage Avenue, forty (40) feet, more or less; southwesterly by the southerly property line of Hamilton Highlands LLC, fifteen (15) feet, more or less; northwesterly by the southerly property line of Hamilton Highlands LLC, twenty-five 54/100 (25.54) feet, more or less; northeasterly by the easterly sideline of M.B.T.A., five hundred and seventy-five 57/100 (575.57) feet, more or less; southeasterly by the northerly property line of Hamilton Highlands LLC, one hundred and forty-five 2/100 (145.02) feet, more or less; northeasterly by the northerly property line of Hamilton Highlands LLC, one hundred and one 57/100 (101.57) feet, more or less; southeasterly by the northerly property line of Hamilton Highlands LLC, one hundred and eighty 18/100 (180.18) feet, more or less; southeasterly by the northerly property line of Hamilton Highlands LLC, fifty-six 57/100 (56.57) feet to the point of beginning.

(h) Place in the IND-C Subdistrict of the Multi-family Overlay District a portion of land now zoned Industrial and Single Residence B and located at Crescent Road as shown on Needham Town Assessors Map 98, Parcels 40 and 41, and Needham Town Assessors Map 99, Parcels 38, 39, 40, 61, 62, 63, and 88, superimposing that district over the existing Industrial and Single Residence B districts, and removing the existing IND Subdistrict of the Multi-family Overlay District, said description being as follows:

Beginning at the bound on easterly side of Hunnewell Street, approximately three hundred and thirty-two 35/100 (332.35) feet from the intersection with Hillside Avenue; thence running southwesterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and ninety-one 13/100 (191.13) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, sixty-eight 68/100 (68.75) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and thirty (130) feet, more or less; southeasterly by the easterly property line of Drack Realty LLC, seventy-three (73) feet, more or less; southwesterly by the easterly property line of Drack Realty LLC, one hundred and forty (140) feet, more or less; northeasterly by the northerly property line of Lally, forty-one (41) feet, more or less; southeasterly by the easterly property line of Lally, seventy-five (75) feet, more or less; southwesterly by the southerly property line of Lally, one hundred (100) feet, more or less; southwesterly to the center of Crescent Road, twenty (20) feet, more or less; southeasterly by the center of Crescent Road, twenty-nine (29) feet, more or less; southwesterly to a bound located twenty-nine feet from the angle point on the easterly side of Crescent Road; southwesterly by the southerly property line of 66 Crescent Road LL, four hundred and fifteen 60/100 (415.60) feet, more or less; northwesterly by the easterly property line of Town of Needham, fifty-two 37/100 (52.37) feet, more or less; northwesterly by the easterly property line of Town of Needham, one hundred and sixty-two 37/100 (162.37) feet, more or less; southwesterly by the easterly property line of Town of Needham, forty-five 76/100 (45.76) feet, more or less; northwesterly by the easterly property line of Town of Needham, one hundred and forty-three 92/100 (143.92) feet, more or less; northwesterly by the easterly property line of Town of Needham, fifteen 71/100 (15.71) feet, more or less; southwesterly by the easterly property line of Town of Needham, two hundred and forty-eight 40/100 (248.40) feet, more or less; northwesterly by the easterly property line of Town of Needham, fifty-three 33/100 (53.33) feet, more or less; northeasterly by the northerly property line of 166 Crescent Road LLC, five hundred and fifty-five

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68/100 (555.68) feet, more or less; northeasterly to the center of Crescent Road, twenty (20) feet, more or less; northwesterly by the center of Crescent Road, fifty-six 47/100 (56.47) feet, more or less; northeasterly to the bound located four 38/100 (4.38) feet from the end of the Crescent Road; northeasterly by the northerly property line of Microwave Development Laboratories Inc, one hundred and forty-six 29/100 (146.29) feet, more or less; southeasterly by the northerly property line of Microwave Development Laboratories Inc, fifty-four 82/100 (54.82) feet, more or less; northeasterly by the northerly property line of Microwave Development Laboratories Inc, fifty-four 21/100 (54.21) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and ninety-five 81/100 (195.81) feet, more or less; northeasterly by the easterly property line of Microwave Development Laboratories Inc, seven (7) feet, more or less; southeasterly by the easterly property line of Microwave Development Laboratories Inc, ninety-one (91) feet, more or less; northeasterly by the easterly property line of Microwave Development Laboratories Inc, one hundred and forty-two (142) feet, more or less; southeasterly by the easterly sideline of Hunnewell Street, twenty (20) feet to the point of beginning.

Or take any other action relative thereto.

INSERTED BY: Planning Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

COMMUNITY PRESERVATION ACT ARTICLES

ARTICLE 12: APPROPRIATE FOR HIGH SCHOOL TENNIS COURTS

To see if the Town will vote to raise and/or transfer and appropriate $3,000,000 for improvements to the Needham High School tennis courts, said sum to be spent under the direction of the Town Manager, and to meet this appropriation that $1,100,000 be transferred from the CPA General Reserve, $300,000 to be transferred from CPA Free Cash, $1,100,000 be transferred from the Athletic Facility Stabilization Fund, and $500,000 be transferred from Overlay Surplus; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

CAPITAL ARTICLES

ARTICLE 13: APPROPRIATE FOR TOWN HALL REPAIRS AND UPGRADES

To see if the Town will vote to raise, and/or transfer and appropriate the sum of $100,000 for engineering and design for the Town Hall HVAC systems and generator, to be spent under the direction of the Town

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Manager, and to meet this appropriation that said sum be transferred from Overlay Surplus; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

TOWN RESERVE ARTICLES

ARTICLE 14: AMEND STABILIZATION FUND

To see if the Town will vote to amend the special stabilization fund adopted under Article 58 of the 2004 Annual Town Meeting called the Capital Improvement Fund to now be known as the Capital Equipment Fund to reserve funds for future appropriation for capital equipment and in accordance with the fourth paragraph of M.G.L. Chapter 40, Section 5B which allows the dedication, without further appropriation, of 100% of the Sale of Surplus Equipment collected into the fund for capital equipment purchases, effective for FY2026 beginning on July 1, 2025; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:. The balance in the fund as of [DATE] was[AMOUNT].

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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 fourteen (14) 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 into our hands at Needham aforesaid this 10th day of September, 2024.

_____
Kevin Keane, Chair

_____
Heidi Frail, Vice Chair

_____
Catherine Dowd, Clerk

_____
Marianne B. Cooley, Member

_____
Joshua W. Levy, Member

SELECT BOARD OF NEEDHAM

A TRUE COPY
Attest:
Constable:

DRAFT 9.20.2024

Status of Articles 9/18/2024
October 21, 2024 Special Town Meeting

#	Article	Status	SB Position	FC Position	SB	FC	CPC	Planning
1	Appropriate for Roadway Improvements (Eversource)			Adopt	Josh			
2	Appropriate for Community Opioid Settlement Fund Program				Kevin			
3	Appropriate for Stephen Palmer Planning				Marianne			
~~4~~	~~Amend FY2025 Operating Budget~~				~~Kevin~~			
4	Amend Sewer Enterprise Fund Budget			Adopt	Kevin			
5	Amend Water Enterprise Fund Budget			Adopt	Kevin			
6	Appropriate for Unpaid Bills of a Prior Year			Adopt	Cathy			
7	Appropriate for PEG Programming			Adopt	Cathy			
8	Amend Zoning Multi-Family Overlay District Base Compliance Plan				Heidi			
9	Amend Zoning By-law Map Change Base Compliance Plan				Heidi			
10	Amend Zoning Multi-Family Overlay District Neighborhood Housing Plan				Heidi			
11	Amend Zoning By-law Map Change Neighborhood Housing Plan				Hedi			
12	CPA – Appropriate for High School Tennis Courts			Adopt	Cathy			
13	Appropriate for Town Hall Repairs & Upgrades				Josh			
14	Amend Stabilization Fund				Marianne			

T O W N O F N E E D H A M
TOWN HALL
Needham, MA 02492-2669

Office of the
TOWN MANAGER

TEL: (781) 455-7500
FAX: (781) 449-4569

October 21, 2024 Special Town Meeting
Article 1 – Appropriate for Roadway Improvements (Eversource)

Why is Eversource providing funds to the Town to resurface roads?
Beginning in FY2024, the Department of Public Works began a new initiative with Eversource with respect to its work in the Town's right of way. Under the new program, Eversource has been granted permission to work during the off season (typically November 30 – April 1), or has been granted permission to perform work on roads that are on the Town's short-term list for surface treatments. The work that Eversource performs disturbs the condition of the road. Eversource and the Town mutually agreed that it would be advantageous for the Town to oversee the repaving work using its contractors and staff.

How will the Town expend the funds?
Funds appropriated in this article will be used to supplement the Town's infrastructure funds to either perform the work on the actual roads disturbed, or to reimburse the funding for roads that were disturbed and have already been paved using infrastructure funds. Funds will then be available for additional work.

What Roads will be impacted?
The roads subject to payment from Eversource in this article include: Tanglewood Road, Damon Road, Tillotson Road, Hollow Ridge Road, Pythias Circle, Sunnyside Road, and Nichols Street. The Town has already paved Nichols Street, and is preparing to pave Sunnyside Road. Funds collected as part of this program for roads already repaved will be used to offset other roads in the infrastructure program.

What funds has Eversource provided under this initiative?
The October 30, 2023 Special Town Meeting appropriated $205,000 provided by Eversource based on its natural gas main repairs and capacity improvements on Webster Street between West Street and Parkinson Street. Eversource completed the work outside the Town's normal street opening permit period of April to November, and in return, Eversource provided funding to the Town to repave the road.

Why is Town Meeting action required?
These funds are considered general fund receipts – as a result, Town Meeting action is required to ensure that they will be used for their intended purpose.

Needham Public
Health Division
Prevent. Promote. Protect.

Memorandum

To: Kate Fitzpatrick, Town Manager
From: Tiffany Benoit, Assistant Director of Public Health
CC: Timothy McDonald, Director of Health & Human Services
Kathleen King, Deputy Town Manager/Director of Operations
David Davison, Deputy Town Manager/Director of Finance
Date: September 17th, 2024
Re: Opioid Settlement Stabilization Fund Plan

The Needham Public Health Division seeks Town Meeting's approval to use $82,000 of the Opioid Settlement Stabilization Funds to work on increasing the opioid initiatives throughout the town of Needham. The areas of the Statewide Commitment for Abatement that this funding will work through include connections to care, prevention, treatment and recovery, and harm reduction. The funding request, if approved, will support the following approximate costs through the end of FY2025:

1) Approximately $69,000 to increase the hours of an existing part-time staff member to function in a new role as a Behavioral Health Peer Support Specialist. This staff member will develop and implement an action plan for use of the opioid litigation funds based upon with the finalized strategic plan; that staff member will also continue work as a Peer Recovery Coach, the pilot program of which has just passed the nine-month mark.

2) Approximately $3,000 to address certain priority items for opioid fund use including the co-location of opioid overdose reversal kits with AEDs throughout the town of Needham, including private businesses (if requested) and high visibility community location, including MBTA stations.

3) Approximately $10,000 for education programs aimed at youth, those experiencing substance use, and loved ones of those experiencing substance use

With the allocation of funding[1] from the Opioid Settlement Stabilization Fund approved by October 2023 Town Meeting, the Needham Public Health Division hired two contractors from November 2023 through September 2024 to conduct community engagement process, develop a strategic planning process, and finalize a strategic plan that will provide the Town of Needham a road map into using the opioid funding.

Throughout community engagement process of the strategic planning, feedback was given about needs that the Needham community should try to accomplish or work on. This feedback was provided by many who have been touch by substance use disorder.

[1] October 2023 Town Meeting appropriated $145,000. $75,558.92 was expended in FY2024. Over the first two months of FY2025, $21,027.60 was expended. With anticipated spending through the end of November 2024 of an additional $39,000. That will leave approximately $10,000 remaining from the initial allocation. The $82,000 allocation from October 2024 Town Meeting, if approved, will carry the program through the end of FY2025. Going forward, future spending requests will occur at Annual Town Meeting for the following fiscal year, establishing a routine schedule similar to other Town funds.

While not all of this feedback can be accomplished in the next 12 months, the Needham Public Health Division believes that increasing the hours of the Peer Recovery Coach (and making that role a Behavioral Health Peer Support Specialist) to work on continued community engagement and program development will help provide a strong foundation for use of the opioid funding. The Behavioral Health Peer Support Specialist will help in providing access and developing programs that are available exclusively for young adults and teens, resources for parents and loved ones of those with opioid use disorder, and training and education for those who respond or treat people with opioid use disorder.

Another area of concern that continued to pop-up included stigma around substance misuse and how to decrease it throughout the community. Some of the participants expressed concerns such as, "SAMBOX initiative should be more robustly advertised within Needham", "Needham should follow the model of cities like Cambridge in placing Narcan kits in as many public places as possible", and "More robust organization and structured method of Narcan and test strip distribution." Much discussion was had about how stigma stops those who need Narcan from going out of their way to access it, thus increased access allows for decreased stigma and better distribution and use of Narcan. Decreasing stigma and providing access will save lives.

The beginning of the action planning steps includes wellness development for everyone including, those who are experiencing substance use, families and loved ones who have been affected, and the Needham community as a whole. Prevention, harm reduction, connections to care, and treatment and recovery will help provide wellness to the residents and community members of Needham through peer recovery coaching, program development, and education to reach all residents in need and decrease opioid use and deaths in Needham.

Thank you for your time in considering the funding needs and use for the Opioid Settlement Stabilization Funding. Please see Exhibit A for a timeline of the strategic planning process and goals of Wellness Programming.

Sincerely,

Tiffany Benoit
Assistant Director of Public Health

.

EXHIBIT A

Opioid Strategic Plan Timeline

COMMUNITY	EDUCATION	STEERING	EVALUATION	ACTION PLAN
Community Engagement began. Stakeholder meetings, roundtable discussions held.	Community forum held. Opioid education and discussion about findings provided.	Town steering committee meetings prioritized strategies.	Evaluation planning completed and implemented into the strategic plan.	Final Strategic Plan completed. Action planning and community engagement continues.
2023-24 Nov-Mar	2024 April	2024 May-Jun	2024 Aug	2024 Sep

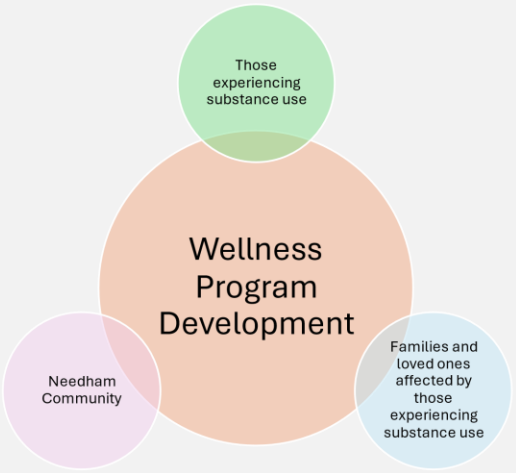
STRATEGIC PLAN TIMELINE

Timeline and Goal Planning

The Goal of All Program Development is to bring WELLNESS to all community members within in Needham

Program Development Examples:

- Harm reduction
  - Sam Box Program
  - Support/Expand Peer Recovery supports and Programming
- Treatment and Recovery
  - Peer Recover Coaching
  - Current treatment options and modalities
- Connections to Care
  - Transportation
  - Early Identification Intervention Training
  - Crisis Management Education
- Prevention Efforts
  - Youth Involvement
  - Policy Advocacy



Timeline and Goal Planning

T O W N O F N E E D H A M
TOWN HALL
Needham, MA 02492-2669

Office of the Town Manager

October 2024 Special Town Meeting
Article 7
Appropriate for Public, Educational, and Government (PEG) Programming

What are these funds and what are they appropriated to?
Each of the three cable providers that do business in Needham (Verizon, Comcast, and Astound/RCN) have licenses to operate in Needham. These licenses, which are required by law, include provisions that provide the Needham Channel funds to support PEG programming. Prior to 2023, these funds were sent directly to the Needham Channel. However, changes in statute required that municipalities take receipt of these monies as opposed to the local PEG channel.

In order to meet provisions relative to MGL Chapter 44, Section 53F¾, the May 8th, 2023 Special Town Meeting voted to establish the PEG Access and Cable Related Fund, a special revenue account to be used to hold and disburse PEG grants and licensing fees. Since these grants and fees are received into the General Fund, they must be appropriated into the PEG Access and Cable Related Fund. This article accomplishes this task.

What determines the amount of the appropriation?
Per the licensing agreements with each of the cable providers in Needham, each licensee provides the Town a fixed for PEG-related capital costs and a variable licensing fee tied to the licensee's revenues. Because the licensing fee is revenue-based, the amount changes annually for each provider.

At what frequency does Town Meeting need to vote on this appropriation?
Town Meeting will likely need to appropriate these funds at each meeting. Since there are three licensees that each pay variable, revenue-based licensing fees, the amount received by the Town semi-annually cannot be known until the Town is in receipt of these fees. By appropriating twice a year via Special Town Meeting votes, the Needham Channel is able to access funds they need to operate throughout the year with minimal delay.

Prior Town Meeting votes to appropriate for this purpose have been:

Town Meeting	Article	Appropriation
May 13, 2024 Special Town Meeting	4	$471,675
May 8, 2023 Special Town Meeting	11	$671,850

Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET

MEETING DATE: 9/24/2024

Agenda Item	Town Manager's Report
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	**BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED**
The Town Manager will update the Board on issues not covered on the agenda.	
2.	**VOTE REQUIRED BY SELECT BOARD**
N/A – Discussion Only	
3.	**BACK UP INFORMATION ATTACHED**
None	

Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET

MEETING DATE: 9/24/2024

Agenda Item	Committee Reports
Presenter(s)	Board Discussion

1.	**BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED**
Board members may report on the progress and/or activities of their Committee assignments.	
2.	**VOTE REQUIRED BY SELECT BOARD**
N/A – Discussion Only	
3.	**BACK UP INFORMATION ATTACHED**
None	

Town of Needham
Select Board
Minutes for Tuesday, August 13, 2024
Select Board's Chamber and
Via ZOOM
https://us02web.zoom.us/j/89068374046

6:03 p.m. Call to Order:
A meeting of the Select Board was convened by Chair Kevin Keane. Those present were Vice Chair Heidi Frail, Marianne Cooley, Joshua Levy, and Town Manager Kate Fitzpatrick. David Davison, Deputy Town Manager/Director of Finance and Katie King, Deputy Town Manager were also in attendance. Cathy Dowd was not present. Susan Metropol, Recording Secretary, attended via Zoom.

6:04 p.m. Public Comment Period:

No public comments were heard.

6:04 p.m. Proclamation: 2024 International Overdose Awareness Day:

Heidi Frail read the proclamation for International Overdose Awareness Day designating August 29, 2024 as International Overdose Awareness Day.

Motion by Ms. Cooley that the Board vote to approve and sign the 2024 International Overdose Awareness Day Proclamation.
Second: Mr. Levy. Unanimously approved 4-0.

6:06 p.m. Needham Branding and Town Seal Committee Logo Recommendation
Presenters: Kate Fitzpatrick, Town Manager, Amy Haelsen, Director of Communications and Community Engagement, Members of the Needham Branding and Town Seal Committee

The Town Branding and Town Seal Committee was created to provide input to the Select Board and the Town in the development of a Town brand logo and began meeting in October 2023. The Committee presented the final recommendation to the Select Board. Graphic designer David Linde emphasized that the Committee aimed to find the right colors and use scenarios. Over the next few months, the Committee will be reviewing options for updating the Town Seal and will make a recommendation to the Board in time for Town Meeting action in May 2024, if the Board so chooses. Select Board members asked about rollout of this logo, considering cost and timing, and expressed their support for the new logo.

Motion by Ms. Cooley that the Board vote to approve the Town Branding Logo as recommended by the Needham Branding and Town Seal Committee.
Second: Ms. Frail. Unanimously approved 4-0.

6:17 p.m. Public Hearing: Eversource Grant of Location – 52 Plymouth Road:
Presenter: Joanne Callender, Eversource Representative

Eversource Energy requested permission to install approximately 18 feet of conduit in Plymouth Road. The reason for this work is to provide service to 52 Plymouth Road. The Department of Public Works has approved this petition, based on Eversource Energy's commitment to adhere to the Town's regulation that all conduit installed must be 3" schedule 40 minimum; and, that when buried, that conduit must be placed at 24" below grade to the top of the conduit.

Motion by Ms. Frail that the Board vote to approve and sign a petition from Eversource Energy to install approximately 18 feet of conduit in Plymouth Road.
Second: Mr. Levy. Unanimously approved 4-0.

6:18 p.m. Public Hearing: Eversource Grant of Location – 83 Elder Road:
Presenter: Joanne Callender, Eversource Representative

Eversource Energy requested permission to install approximately 7 feet of conduit in Elder Road. The reason for this work is to provide service to 83 Elder Road. The Department of Public Works has approved this petition, based on Eversource Energy's commitment to adhere to the Town's regulation that all conduit installed must be 3" schedule 40 minimum; and, that when buried, that conduit must be placed at 24" below grade to the top of the conduit.

Nancy Ostroff, 89 Elder Road, asked if this procedure has already been completed given the amount of construction occurring already in this neighborhood. Kate Fitzpatrick noted that the work under the Town's right of way has not occurred yet, which is what the grant of location permits. Tom Ryder, Town Engineer, confirmed that the work for the conduit has not yet occurred.

Motion by Ms. Cooley that the Board vote to approve and sign a petition from Eversource Energy to install approximately 7 feet of conduit in Elder Road.
Second: Mr. Levy. Unanimously approved 4-0.

6:22 p.m. Public Hearing: Eversource Grant of Location – 131 Oxbow Road:
Presenter: Joanne Callender, Eversource Representative

Eversource Energy requested permission to install approximately 38 feet of conduit in Oxbow Road. The reason for this work is to provide service to 131 Oxbow Road. The Department of Public Works has approved this petition, based on Eversource Energy's commitment to adhere to the Town's regulation that all conduit installed must be 3" schedule 40 minimum; and, that when buried, that conduit must be placed at 24" below grade to the top of the conduit.

Ms. Frail asked about the pole to be connected and expressed concern about the leaning of the pole. Tom Ryder noted he will be communicating with Verizon, given that they are responsible for the pole, but advised Eversource to reach out to utilities directly in the future.

Motion by Ms. Cooley that the Board vote to approve and sign a petition from Eversource Energy to install approximately 38 feet of conduit in Oxbow Road. Second: Mr. Levy. Unanimously approved 4-0.

6:26 p.m. Appointment Calendar and Consent Agenda:
Motion by Ms. Cooley that the Board vote to approve the Appointment Calendar and Consent Agenda.
Second: Ms. Frail. Unanimously approved 4-0.

APPOINTMENT CALENDAR

1.	Charlene Smith	Needham Council for Arts and Culture Term Exp: 8/13/2027
2.	Jean Klugman	Needham Council for Arts and Culture Term Exp: 8/13/2027
3.	Seona Standard	Needham Council for Arts and Culture Term Exp: 8/13/2027
4.	Tracy Lin	Needham Council for Arts and Culture Term Exp: 8/13/2027
5.	Ronna Perlmutter	Needham Council for Arts and Culture Term Exp: 8/13/2027

CONSENT AGENDA

1.	Approve Open Session Minutes of July 30, 2024 and amend Open Session Minutes of June 25, 2024
2.	Approve a request from Maura Holt-Ling, Development Associate of Bikes Not Bombs, Org., to hold the road event "Bikes Not Bombs 37th Annual Bike-A-Thon" in Needham. The event is scheduled for Sunday, September 8, 2024, starting at 7:45 a.m., with a rain date of Sunday, September 15, 2024. The event and route have been approved by the following departments: Fire, Police, and Public Works
3.	Accept the following donations to Needham Youth & Family Services (YFS): • $100 from Richard Morin towards the YFS Crisis Donation Fund • $200 from Christopher Lee Granick towards the YFS Crisis Donation Fund • $100 from Ronald Ritter towards the YFS Crisis Donation Fund
4.	Accept the following donation made to the Needham Community Revitalization Trust Fund: • $1500 from the Needham Public Library • $3850 from William Middleton for the Middleton Bench Project • $1700 from Mr. & Mrs. Ryan McKee for the Caley Bench Project

5.	Accept the following donation to the Needham Aging Services Division: • From Shawn Reddish, TheraCycle exercise bike (estimated value $3000)
6.	Approve 20B Exemption for Ryan Villa to engage in work with the Needham Fire Department
7.	Amend the Charge and Composition for the Mobility Planning and Coordination Committee

NOTICE OF APPROVED BLOCK PARTIES

Name	Address	Party Location	Date	Time	Rain Date
Cindy Osgood	27 Laurel Drive	Lower Laurel Drive	9/7/24	4pm-8pm	9/8/24
Nicole Foster	38 Mayflower Road	Mayflower Rd between Great Plain Ave & Alden Rd	9/7/24	4pm-8pm	9/8/24
Kate Deeley	61 Kenney Street	Kenney St & Barbara Rd	9/21/21	3pm-11pm	9/22/24

6:26 p.m. Public Hearing: Removal of a Public Shade Tree at 239 Manning Street:
Presenter: Edward Olsen, Tree Warden/Parks & Forestry Superintendent

Homeowner Michael Virginio has requested to remove one Public Shade at 239 Manning Street. He has expressed concerns for the for the street tree located in front of his new construction home. He is formally seeking approval from the Town to remove and replace this tree. This tree would be negatively from this new construction, regardless of the placement or the location of the driveway. In addition, Mr. Virginio would like to donate a tree to the Sunita Williams School at the location of a memorial bench for his mother. Tree Warden Edward Olsen expressed that he does not object to the removal of the Public Shade Tree based upon this reason.

Extensive discussion included Board members' concerns about removal of the tree, including potentially altering plans for the driveway, the process through which construction permits are approved, and the concerns that the Select Board has for the removal of public trees in town. Board members also emphasized the role of the developer in understanding how trees will be affected by planned construction. Curtis Petrini of Petrini Corporation also recognized the role his team has in preventing these types of situations.

John and Terry Bergdoll, 233 Manning Street, expressed concerns about the failure of the oak tree nearer her property as a result of construction. Mr. Bergdoll stated that he is against the removal of the London Plane tree, stating many reasons why the tree should remain in place.

Nancy Mayo, 300 Second Avenue, expressed her disappointment that the Town Arborist is involved with removing a public shade tree.

Motion by Ms. Cooley that the Board vote to approve and sign the public shade tree removal form for the removal of one London Plane tree on the front berm of 239 Manning Street.
Second: Mr. Keane: Motion failed 2-2. Ms. Frail and Ms. Cooley voted for the motion. Mr. Keane and Mr. Levy voted against the opposition.

Further discussion ensued on the merits of the proposed removal, cost implications related to delayed removal, and structure of continued deliberations relative to the hearing.

Motion by Mr. Levy that the Board vote to continue this hearing until September 10, 2024 at 6:00 p.m.
Second: Mr. Keane. Unanimously approved 4-0.

7:04 p.m. FY2023 Financial Audit:
Presenters: Marcus LLP (Independent Auditors), David Davison, Deputy Town Manager/Director of Finance

Representatives of the audit firm Marcum LLP updated the Board regarding their work and audit of the Town's general purpose financial statements for fiscal year 2023. They reported that the audit of the financials went very well according to generally accepted accounting principles. The books and records were found to be in good working order. They also communicated to the Board that there were no material weaknesses or significant deficiencies in internal control identified as a result of their audit procedures. The fund balance of the General Fund demonstrated that the Town is conservative in its budgeting and using all of its resources to avoid overspending. The Board thanked the auditors and the Finance team for their efforts.

7:22 p.m. Public Hearing: Application for Multiple Amendments to an All-Alcohol License – Blue Restaurant Needham, LLC d/b/a Blue on Highland:
Presenter: Thomas Miller, Applicant Counsel

Blue Restaurant Needham, LLC d/b/a Blue on Highland has applied for multiple amendments to their existing Section 12 Restaurant All-Alcoholic Beverages License at 882 Highland Avenue. The amendments reflect proposed changes in LLC Managers, Change in Corporate Ownership Interest, and Alteration of Premises to reflect Scott Drago's purchase of Corey Peyser's ownership interest in the restaurant and expansion into newly acquired abutting space that will include seating spaces for 40 additional customers, a service station and an additional bathroom. Board members asked about approval by the Planning Board and if there will be any new entrances added given the additional space.

Motion by Ms. Frail to approve the application for multiple amendments to a Section 12 Restaurant All-Alcohol License submitted by Blue Restaurant Needham, LLC d/b/a Blue on Highland, and if so approved, forward the application to the ABCC for review and final approval.
Second: Mr. Levy. Unanimously approved 4-0.

7:30 p.m. Public Hearing: Verizon Grant of Location – Lawton Road:
Presenter: Alex Marrero, Verizon Representative

Alex Marrero, representative of Verizon New England, requested permission to install one (1) JO Pole, P.13 on the easterly side of Lawton Road, approximately 95 feet northwesterly from the centerline of South Street. The reason for this work is to provide service to new construction. The Department of Public Works has approved this petition.

Motion by Ms. Frail that the Board approve and sign a petition from Verizon New England to install one (1) JO Pole, P.13 on the easterly side of Lawton Road, approximately 95 feet northwesterly from the centerline of South Street.
Second: Ms. Cooley. Unanimously approved 4-0.

7:34 p.m. Director of Public Works
Sign Notice of Traffic Regulation – Kearney Road:
Presenter: Carys Lustig, Director of Public Works

The Transportation Safety Committee (TSC) requested that Kearney Road be designated a stopped street at Gould Street.

Motion by Mr. Levy that the Board vote to approve and sign the Notice of Traffic Regulation Permit #SS24-08-13 requiring that Kearney Road be designated as a stopped street at the intersection of Gould Street.
Second: Ms. Frail. Unanimously approved 4-0.

7:36 p.m. Sign Notice of Traffic Regulation – George Aggott Road:
Presenter: Carys Lustig, Director of Public Works

The TSC requested that George Aggott Road be designated a stopped street at Dedham Avenue following construction and the addition of a crosswalk at George Aggott Road in order to control pedestrian traffic flow near this crosswalk.

Motion by Ms. Frail that the Board vote to approve and sign the Notice of Traffic Regulation Permit #SS24-08-13 requiring that George Aggott Road be designated as a stopped street at the intersection of Dedham Avenue.

Second: Ms. Cooley. Unanimously approved 4-0.

7:39 p.m. Sign Notice of Traffic Regulation – George Aggott Road:
Presenter: Carys Lustig, Director of Public Works

The TSC requested that West Street be designated a stopped street at Hillside Avenue. The additional stop will effectively create an "all way" stop control intersection.

Motion by Ms. Cooley that the Board vote to approve and sign the Notice of Traffic Regulation Permit #SS24-08-13 requiring that West Street be designated as a stopped street at the intersection of Hillside Avenue.
Second: Mr. Levy. Unanimously approved 4-0.

7:45 p.m. Town Manager:

Town Offices Schedule Shift
Kate Fitzpatrick and Tatiana Swanson discussed a proposal to extend the current Town Offices schedule to a year-round basis. The change would apply to the offices at the Public Services Administration Building, Rosemary Recreation Complex, and Town Hall. They recommended that the Board vote to extend the current schedule through September 30, 2024 on an interim basis while the proposal is under consideration.

Motion by Ms. Frail that the Board vote to support the concept of extending the Town Offices schedule to a year-round basis, and to extend the current shift through September 30, 2024 while the specifics of the proposal are worked out.
Second: Ms. Cooley. Unanimously approved 4-0.

National Community Survey
Amy Haelsen, Director of Communications and Community Engagement, presented the results of the recently completed National Community Survey, including methodology and results. The wide range of responses and the broad based opinions expressed by the survey participants provided the Town with a unique perspective about service delivery, highlighting successes, opportunities, and areas that deserve greater attention.

Ms. Haelsen reviewed that there were several areas where Needham exceeded the national benchmark, including an overall feeling of safety, availability of affordable quality health care, availability of preventive health services, overall economic health, ease of walking, snow removal, cleanliness and air quality of the natural environment, and K-12 education. According to the survey, the Town has also exceeded the national benchmark in overall confidence in Needham government.

Discussion ensued regarding results regarding race/ethnicity of survey respondents and their feedback to specific questions, concerns regarding diversity, equity, and inclusion, and town-wide communication channels.

Call for and Open Special Town Meeting Warrant

Ms. Fitzpatrick asked the Board to call for a Special Town Meeting to be held on Monday, October 21, 2024 and to open the warrant for that meeting. The Board is scheduled to close the warrant on September 10, 2024. She reviewed the list of potential articles.

Motion by Ms. Cooley that the Board vote to call for and open the warrant for the October 21, 2024 Special Town Meeting.
Second: Ms. Frail. Unanimously approved 4-0.

Downtown Project Working Group

Ms. Fitzpatrick recommended that the Board establish the Needham Center Working Group to provide input and feedback to the DPW, its consultants, and the Board on the Needham Center Project along Great Plain Avenue. Ms. Lustig noted that the Town is investigating grant funding for this project as well as other funding sources in addition to Chapter 90.

Motion by Ms. Frail that the Board vote to approve the charge and composition of the Needham Center Project Working Group.
Second: Ms. Cooley. Unanimously approved 4-0.

American Rescue Plan Act Funding

Ms. Fitzpatrick recommended that the Board vote to approve a request for reallocation between State ARPA line items in the Economic Development category. Remaining funding in the Grant Program will move to both Public Art and Other categories.

Motion by Ms. Cooley that the Board vote to approve the requested reallocation of funding for the Town's State ARPA Allotment.
Second: Mr. Levy. Unanimously approved 4-0.

Release of Executive Session Minutes

In accordance with the Policy Regarding Executive Session Minutes, after periodic review, Ms. Fitzpatrick reported that there were 68 executive session minutes that no longer warrant continued non-disclosure in whole or in part at the next Select Board meeting following the conclusion of the review.

Town Manager Report

- Notification by Congressman Auchincloss' office indicated that the Stormwater Management for Healthy Rivers and Climate Resilience Project was awarded $1.1 million.

8:30 p.m. Board Discussion:

Proposed MBTA Needham Line Commuter Rail Service Modifications
Following a public hearing to solicit feedback about a proposal to alter MBTA Needham Line Commuter Rail service, the Board discussed the feedback received and determined that they would discontinue the evaluation of this specific proposal at this time.

Select Board Goal Setting FY2025 – 2026
The Board discussed the FY2025 – 2026 goals and initiatives. The Town Manager recommended that the Board adopt the goals and initiatives as presented.

Motion by Mr. Levy that the Board vote to adopt its goal statement for FY2025 – 2026.
Second: Ms. Frail. Unanimously approved 4-0.

Town Manager Performance Evaluation
In accordance with the Town Manager Evaluation Policy, the Select Board prepared an annual performance evaluation of the Town Manager. Each member of the Board completed an individual evaluation. The individual evaluations were then compiled into a consensus evaluation overview document by Ms. Cooley, immediate past chair of the Board. Select Board members thanked Ms. Fitzpatrick for her committed service and professionalism in leadership of the Town government.

Motion by Ms. Frail that the Board vote to approve the Town Manager Consensus Evaluation Overview Document dated August 6, 2024, and authorize the Chair to approve a merit award of up to $2,500 to the Town Manager, as provided for in Section 5.5 of the Employment Agreement between the Town and the Town Manager.
Second: Ms. Cooley. Unanimously approved 4-0.

Open Meeting Law Complaint
On October 11, 2023, Gregg Darish filed Open Meeting Law complaints with the Select Board and the Planning Board, asserting that the September 11, 2023 joint executive session of the two boards was improperly held. On August 2, 2024, the Office of the Attorney General issued a determination letter concluding that the Select Board and the Planning Board did not violate the Open Meeting Law, and that it now considers both complaints to be resolved. Board members acknowledged the importance of addressing these specific complaints and additionally recognizing the commitment of those in public service committed to the Town's best interests.

Committee Reports

Ms. Frail reported that the Town has begun efforts on the topic of trees. Ms. Frail noted that she has received feedback from residents and reassured the public that these efforts are underway.

Ms. Cooley reported that she attended Needham's Purple Heart Day Observance on August 7, and that Needham has 84 Purple Heart recipients.

Mr. Keane reported that the Stormwater By-Law Working Group has been working towards a bylaw and regulations.

9:04 p.m. Adjourn:

Motion by Mr. Levy that the Board adjourn the Select Board meeting of Tuesday, August 13, 2024.
Second: Ms. Cooley. Unanimously approved 4-0.

A list of all documents used at this Select Board meeting is available at:
http://www.needhamma.gov/Archive.aspx?AMID=99&Type=&ADID

The next Select Board meeting is scheduled for Tuesday, September 10, 2024, at 6:00 p.m.

TOWN OF NEEDHAM
OFFICE OF THE TOWN CLERK

1471 Highland Avenue, Needham, MA 02492

Louise L. Miller, J.D.
Town Clerk
Registrar of Voters

Tel: 781-455-7500 ext. 216
Email: LMiller@NeedhamMa.gov

September 17, 2024

Select Board
Town of Needham
Town Hall
1471 Highland Avenue
Needham, MA 02492

Dear Members of the Select Board:

I request two votes from the Select Board at your next meeting regarding the State Election taking place on November 5, 2024: (1) the assignment of a police detail to each polling location in Needham, of which there are five, and at Town Hall after the polls have closed; (2) the early voting hours and location.

Police Detail at Polling Locations and at Town Hall after Close of Polls
Under Massachusetts General Laws Chapter 54, Section 72, the Select Board, in consultation with its election officers and registrars shall detail a sufficient number of police officers or constables for each building that is a polling place. The purpose of the law is to protect the election officers and supervisors from any interference with their duties and to aid in enforcing election laws. Police officers uphold the election laws and the safety of the workers and voters on election day. There are two shifts on election day staffed by police officers as follows:

1. the morning shift arrives at the Town Clerk's Office at 6:00 AM to pick up both the regular and absentee ballots, the ImageCast Tabulators, and supply cases to take to the polling location.
2. The afternoon shift arrives at each precinct location to relieve the first police officer. After the polls close, that officer brings back to Town Hall the ballots (both used and unused), the ImageCast Tabulator, and the supply case.
3. At 8:00 PM an additional police officer is assigned to staff the Town Hall while election results are tabulated.

Because the selection of police officers who will be working at the polls on election day depends upon their availability just prior to each Election, I would recommend that the Select Board vote to detail one police officer to each polling location and one at Town Hall to be assigned by Police Chief John Schlittler.

I am not requesting police detail during early in-person voting at Town Hall, since I will be on site during all voting hours.

TOWN OF NEEDHAM
OFFICE OF THE TOWN CLERK

1471 Highland Avenue, Needham, MA 02492

Early Voting Hours and Location

Under Massachusetts General Laws Chapter 54, Sections 25B(b)(2)(i) and 25(b)(3), the Town is required to hold in person early voting from the seventeenth day through the fourth day, inclusive, preceding the State Election, which translates to Saturday, October 19 through Friday, November 1. The requirements for weekend hours differ for communities that have more than 25,000 registered voters and those that have fewer than 25,000. There were 24,990 voter records for the State Primary Election on September 3, 2024. The Town Clerk's Office has since then reviewed all registered voter lists and updated them for moves and deaths. As of the writing of this letter, there are 24,943 voter records. We also have 77 pre-registrants who are citizens who will be turning 18 years old between today and election day and have pre-registered to vote. Given that we are so close to the 25,000 voter mark, and the office has new voters registering daily, I consulted with the Secretary of State staff and recommend that the Town comply with the early vote requirements for communities with 25,000 or more registered voters. This means that the Town must offer early voting hours on Sundays as well as Saturdays during the early voting period for at least 4 hours each day. The weekday hours must coincide with the Town's business hours, unless the Select Board votes at least 20 days prior to the start of early in-person voting to reduce the hours during the first week of early in-person voting, which I recommend. The last day to register to vote for the State Primary Elections is Saturday October 26. That day, the Town Clerk's Office will also be available for voter registration from 9:00 am to 5:00 pm.

Under Massachusetts General Laws Chapter 54, Section 25B(b)(4), I recommend that the Town have a single voting location for early in-person voting at the Town Hall, which is where the Town Clerk's office is located. The early in-person voting schedule would be as follows:

Saturday October 19, 2024 and Sunday October 20, 2024: 9:00 AM to 1:00 PM
Monday October 21, 2024 through Thursday October 24, 2024: 10:00 AM to 2:00 PM
Friday October 25, 2024: 10:00 AM to 12:30 PM
Saturday October 26, 2024: 9:00 AM to 5:00 PM
Sunday October 27, 2024: 9:00 AM to 1:00 PM
Monday October 28, 2024- Friday November 1, 2024: Regular business hours
- Monday October 28, 2024: 8:00 AM to 5:00 PM
- Tuesday October 29, 2024: 8:00 AM to 6:00 PM
- Wednesday October 30, 2024: 8:00 AM to 5:00 PM
- Thursday October 31, 2024: 8:00 AM to 5:00 PM
- Friday November 1, 2024 – 8:00 AM to 12:30 PM

In addition, the in-person absentee voting deadline is 12:00 noon on Monday November 4, 2024 at the Town Clerk's Office.

TOWN OF NEEDHAM
OFFICE OF THE TOWN CLERK

1471 Highland Avenue, Needham, MA 02492

Designation and Posting Requirements for Early Voting Hours and Location

Under Massachusetts General Laws Chapter 54, Section 25B(b)(5), the early voting hours and location must be designated no later than 14 days prior to the start of in-person early voting and must be posted no later than 5 days prior to the start of in-person early voting.

Please let me know if you have any questions.

Sincerely,

Louise Miller

Cc: Kate Fitzpatrick, Town Manager
John Schlittler, Police Chief
Board of Registrars
Helen Atkinson, Assistant Town Clerk