SELECT BOARD AGENDA
Regular Meeting
6:00 p.m. October 14, 2025

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

Originally Posted: October 9, 2025 at 4:10 p.m.
Revised: October 14, 2025 at 3:45 p.m.

Pursuant to An Act Extending Certain COVID-19 Measures Adopted During the State of Emergency, 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://needham-k12-ma-us.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 (if 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 71204 (updated), 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**	2025 National First Responders Day Proclamation • Carys Lustig, Director of Public Works • Shane Mark, Assistant Director of Public Works • Tom Conroy, Fire Chief • John Schlittler, Police Chief • Kristin Scoble, Emergency Management Administrator
2.	**6:00**	Public Hearing: Eversource Grant of Location – 235 Brookline Street • Joanne Callendar, Eversource Energy
3.	**6:10**	Public Hearing: Proposed Updates to Alcohol Regulations • Myles Tucker, Support Services Manager
4.	**6:25**	Harris Avenue Speed Cushions Pilot • Tyler Gabrielski, Director of Streets & Transportation • Justin McCullen, Transportation Safety Committee Chair
5.	**6:40**	Sign Notices of Traffic Regulation • Carys Lustig, Director of Public Works • Tom Ryder, Town Engineer
6.	**7:00**	Town Manager • Stephen Palmer Building Update • Positions on Warrant Articles • Town Manager Report
7.	**7:45**	Board Discussion • Committee Reports
8.	**8:00**	Envision Needham Center Working Group Update (Fact Sheet Added) • Tim Bulger, Envision Needham Center Working Group Chair • Carys Lustig, Director of Public Works

CONSENT AGENDA *Supporting Documents in Agenda Packet

1.*	Approve Open Session Minutes of October 7, 2025 and October 8, 2025
2.	Accept the following donations made to the Kate Fitzpatrick Professional Development Trust Fund: • $500 from an anonymous donor • $250 from Catherine Dowd • $200 from Heidi Frail

3.	Accept the following donation made to the Needham Community Revitalization Trust Fund: • $200 from Needham Community Council for Banners
4.	Accept the following donations made to the Needham Public Health Division: • $950 from Carter Memorial United Methodist Church for Needham's Gift of Warmth program • $1,000 from an anonymous donor for Needham's Traveling Meals program
5.	Accept the following donation made to Needham's Youth & Family Services: • $1800 from Needham Community Council for future programming
6.*	~~Approve Police Detail Abatement #26-02~~ (Item Removed)
7.*	Approve Water and Sewer Abatement #1355
8.*	Approve the placement of signs owned by the Park and Recreation Department promoting the 2025 Fall Family Day at the following locations: • Town Common • Avery Square • Recycling and Transfer Station • Public Services Administration Building • Highland Avenue Berms Adjacent to the Needham Free Public Library • Harris Avenue Median

NOTICE OF APPROVED BLOCK PARTIES

Name	Address	Party Location	Date	Time	Rain Date
Alexandra Young	8 Gordon Road	Gordon Road	10/26/25	2pm-8pm	N/A
Jamie McCarthy	14 Meadow Lane	Meadow Lane	10/26/25	3pm-7pm	N/A
Jake Eisenhard	59 Beaufort Avenue	Beaufort Avenue between Bond St and Nichols Rd	11/1/25	2pm-10pm	N/A

NOTICE OF APPROVED ONE-DAY SPECIAL ALCOHOL LICENSES

Hosting Organization	Event Title	Location	Event Date
PEX Health and Fitness	The Main Event	1450 Highland Avenue	10/9/25

Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET

MEETING DATE: 10/14/2025

Agenda Item	2025 National First Responders Day Proclamation
Presenter(s)	Carys Lustig, Director of Public Works Shane Mark, Assistant Director of Public Works Tom Conroy, Fire Chief John Schlittler, Police Chief Kristin Scoble, Emergency Management Administrator

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

Director of Public Works Carys Lustig, Assistant Director of Public Works Shane Mark, Fire Chief Tom Conroy, Police Chief John Schlittler, and Emergency Management Administrator Kristen Scoble will discuss the services the Fire, Police, and DPW provide as first responders. The Board will then read the 2025 National First Responders Day Proclamation.

2.	**VOTE REQUIRED BY SELECT BOARD**

Suggested Motion: That the Board vote to approve and sign the 2025 National First Responders Day Proclamation.

3.	**BACK UP INFORMATION ATTACHED**

a. 2025 National First Responders Day Proclamation

TOWN OF NEEDHAM
2025 NATIONAL FIRST RESPONDERS DAY PROCLAMATION

WHEREAS: First responders — including public works professionals, firefighters, police officers, emergency medical technicians, 911 operators, paramedics, and other emergency personnel—stand on the front lines of our communities, selflessly serving and protecting the citizens of Needham in times of crisis; and

WHEREAS: First responders respond swiftly and courageously to emergencies, often putting their own lives at risk to ensure the safety and well-being of others, whether in natural disasters, accidents, medical emergencies, or public health and safety threats; and

WHEREAS: It is in the public interest for the citizens, civic leaders, and children in Needham to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works, police, fire, and other first responder efforts in their respective communities; and

WHEREAS: 2025 marks the 7th annual National First Responders Day sponsored by bipartisan resolutions in Congress.

NOW THEREFORE, be it resolved that the Needham Select Board does hereby designate October 28, 2025, as National First Responders Day and urges all residents to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies paying tribute to our public works first responders alongside law enforcement, firefighters, paramedics, emergency medical technicians, 911 operators, and other emergency personnel to recognize the substantial contributions they make to protecting our health, safety, and advancing the quality of life for all.

Signed this fourteenth day of October, 2025

_____

_____

_____

_____

_____

SELECT BOARD

Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET

MEETING DATE: 10/14/2025

Agenda Item	Public Hearing: Eversource Grant of Location – 235 Brookline Street
Presenter(s)	Joanne Callender, Eversource Representative

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

Eversource Energy requests permission to install approximately thirty-six feet of conduit in Brookline Street. The reason for this work is to provide service to 235 Brookline 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.

2.	**VOTE REQUIRED BY SELECT BOARD**

Suggested Motion: That the Select Board approve and sign a petition from Eversource Energy to install approximately thirty-six feet of conduit in Brookline 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: 9-16-25 REVIEWER: R.W.W.

SITE LOCATION: 235 BROOKLINE ST. UTILITY REQUESTING: EVERSOURCE

Conduit Work Area Description

A Sidewalk/Grass Strip Crossing Only Peer Review _____

(B) Work Within Paved Road Perpendicular Crossing Peer Review 9/24/25

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 3"
- [x] Depth of Conduit
- [x] Utility Conflicts WATER/SEWER/DRAIN (IN ROAD)
- [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 No
- [x] Visible Trench Patch across Road/Sidewalk No
- [x] Abutters List Complete
- [x] Photos Included

Department Head _____

COMMENTS:

THIS ONE LOOKS GOOD, NO TRENCHING IN ROAD, NO RISER ON POLE AS OF YET. PRESENTLY TEMP. CONNECTION GOES TO POLE #16.

the application is complete pending a public hearing. tar

EVERSOURCE ENERGY

180 Calvary Street
Waltham, Ma 02453

September 12, 2025

Select Board
Town Hall
1471 Highland Avenue
Needham, MA 02192

RE: Brookline Street
Needham, MA
W.O.# 22305248

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 36 feet of conduit in Brookline Street.

The reason for this work is to provide service to #235 Brookline 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

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 August 28, 2025,** and filed herewith, under the following public way or ways of said Town:

Brookline Street - **Northerly from pole 16/15, approximately 60 feet east of Holmes Street, install approximately 36 feet of conduit.**

W.O.# 22305248

NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY

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

Dated this 12th day of September 2025

Town of **NEEDHAM** Massachusetts

Received and filed _____2025

_____

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:

Brookline Street - Northerly from pole 16/15, approximately 60 feet east of Holmes Street, install approximately 36 feet of conduit.

W.O.# 22305248

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 August 28, 2025** 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 _____ 2025 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 _____, 2025 and recorded with the records of location Orders of said Town, Book _____, Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter.Ed.) and any additions thereto or amendments thereof, as the same appear of record.

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

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

NAD 1983

INSTALL 1 - 3" PVC PIPE
SCHEDULE 40, NO CONCRETE
SECTION 1 FIG. 1 36'±

#235

#227

#245

APPROX. PT.
OF PICKUP

CHAIN LINK FENCE

DWY

APPROX. R.O.W

BACK OF SIDEWALK

CONC SIDEWALK

GG

2" GAS

EOP

8" WATER

8" SEWER/12" DRAIN

BROOKLINE ST

CBS

GRASS

16/15

ASPHALT SIDEWALK

HOLMES ST

SECTION - 1

STREET SURFACE

APPROX. DEPTH 2'-6"

SECTION OF PROPOSED LINE

1-IRON PIPE OR
1-PVC CONDUIT (SCH.40)
OR 1-FIBRE DUCT

FIGURE - 1

#234

#228

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.

THE INFORMATION MAY NOT REPRESENT A SURVEY, MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION, EITHER EXPRESSED OR IMPLIED. UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED

MASS. LAW

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

C# 215-25	NSTAR ELECTRIC d/b/a EVERSOURCE
Ward #	1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125
Work Order # 22305248	
Surveyed by: N/A	*Plan of* BROOKLINE ST
Research by: GR	NEEDHAM
Plotted by: LM	Showing PROPOSED CONDUIT LOCATION
Proposed Structures: LM	
Approved: K RICE	Scale 1"=20' Date AUGUST 28, 2025
P#	SHEET 1 of 1

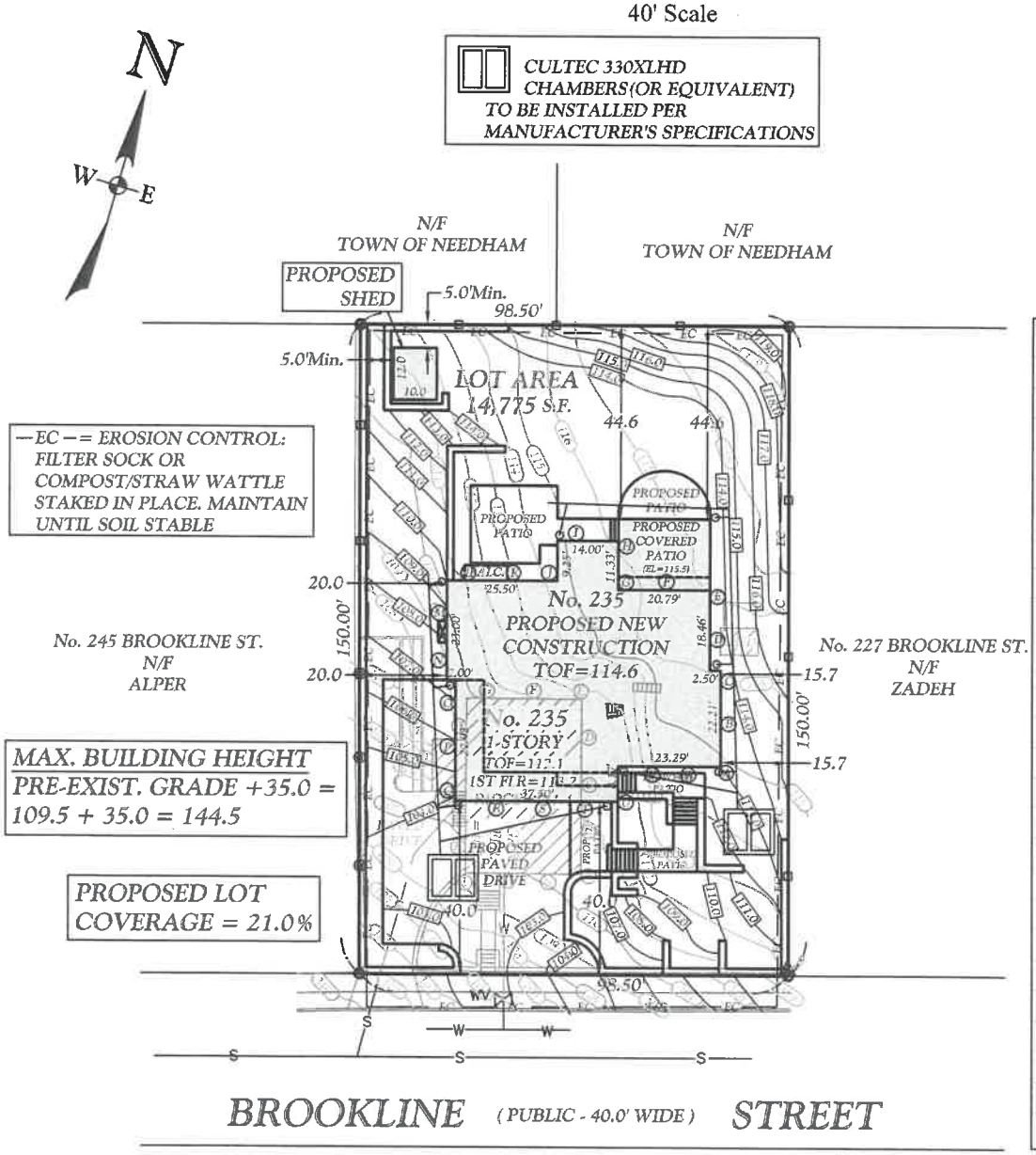
TOWN OF NEEDHAM, MASSACHUSETTS

Building Inspection Department

Building Permit Number: _____
Lot Area: *14,775 S.F.*
Owner: *BANDARCHUK*

Assessor's Map & Parcel Number: *MAP N0. 56, PARCEL 10*
Zoning District: *SRB*
Address: *No. 235 BROOKLINE STREET*
Builder: _____

PROPOSED NEW CONSTRUCTION PLOT PLAN
40' Scale



SPOT LOCATION	PRE-EXIST ELEV.	PROPOSED ELEV.
A	110.5	113.0
B	110.9	113.5
C	111.3	113.6
D	111.5	113.6
E	112.0	113.6
F	111.0	115.5
G	110.1	115.5
H	109.0	115.5
I	107.0	114.5
J	106.0	114.5
K	104.9	114.5
L	109.0	114.5
M	109.5	108.7
N	110.1	107.6
O		106.9
P		105.8
Q		104.2
R		104.0
S		104.0
T		104.5
U		109.0
V		112.0
W		112.0
TOTAL	1532.8	2550.5
AVERAGE	109.5	110.9

Note: Plot Plans shall be drawn in accordance with Sections 7.2.1 and 7.2.2 of the Zoning By-Laws for the town of Needham. All plot plans shall show existing structures and public & private utilities, including water mains, sewers, drains, gaslines, etc.; driveways, septic systems, wells, Flood Plain and Wetland Areas, lot dimensions, lot size, dimensions of proposed structures, sideline, front and rear offsets and setback distances, (measured to the face of structure) and elevation of top of foundations and garage floor. For new construction, lot coverage, building height calculations proposed grading and drainage of recharge structures. For pool permits, plot plans shall also show fence surrounding pool with a gate, proposed pool and any accessory structures*, offsets from all structures and property lines, existing elevations at nearest house corners and pool corners, nearest storm drain catch basin (if any) and, sewage disposal system location in areas with no public sewer.
(*Accessory structures may require a separate building permit — See Building Code)

I hereby certify that the information provided on this plan is accurately shown and correct as indicated.
The above is subscribed to and executed by me this *14 th* day of *FEBRUARY* 20 *24*.
Name *CHRISTOPHER C. CHARLTON* Registered Land Surveyor No. *48649* License Expiration Date *06/30/2024*
Address *105 BEAVER STREET* City *FRANKLIN* State *MA* Zip *02038* Tel. No. *(508) 528-2528*
Approved _____ Director of Public Works Date _____
Approved _____ Building Inspector Date _____

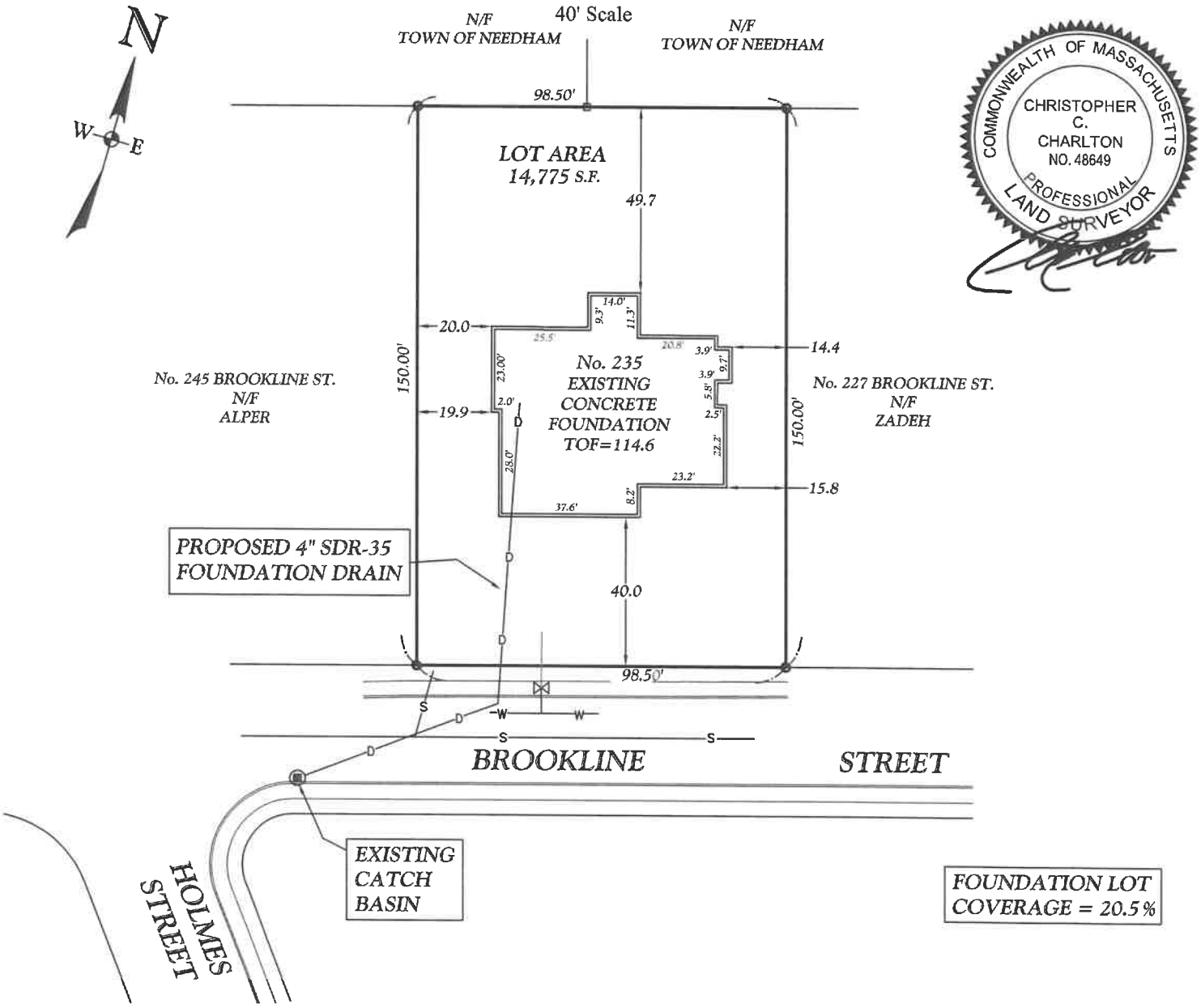
TOWN OF NEEDHAM, MASSACHUSETTS

Building Inspection Department

Building Permit Number: _____
Lot Area: *14,775 S.F.*
Owner: *BANDARCHUK*

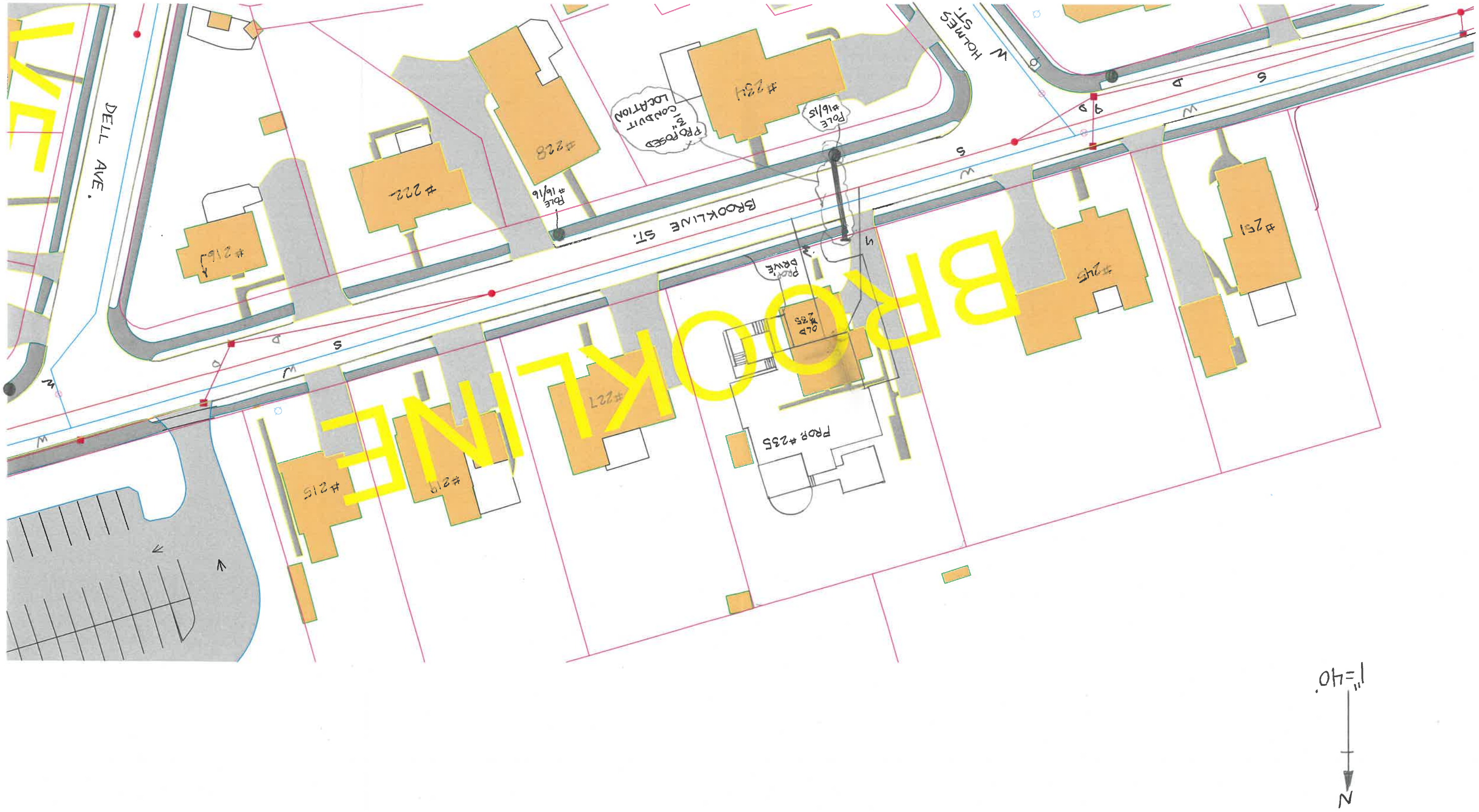
Assessor's Map & Parcel Number: *MAP N0. 56, PARCEL 10*
Zoning District: *SRB*
Address: *No. 235 BROOKLINE STREET*
Builder: _____

FOUNDATION AS-BUILT PLOT PLAN



Note: Plot Plans shall be drawn in accordance with Sections 7.2.1 and 7.2.2 of the Zoning By-Laws for the town of Needham. All plot plans shall show existing structures and public & private utilities, including water mains, sewers, drains, gaslines, etc.; driveways, septic systems, wells, Flood Plain and Wetland Areas, lot dimensions, lot size, dimensions of proposed structures, sideline, front and rear offsets and setback distances, (measured to the face of structure) and elevation of top of foundations and garage floor. For new construction, lot coverage, building height calculations proposed grading and drainage of recharge structures. For pool permits, plot plans shall also show fence surrounding pool with a gate, proposed pool and any accessory structures*, offsets from all structures and property lines, existing elevations at nearest house corners and pool corners, nearest storm drain catch basin (if any) and, sewage disposal system location in areas with no public sewer.
(*Accessory structures may require a separate building permit — See Building Code)

I hereby certify that the information provided on this plan is accurately shown and correct as indicated.
The above is subscribed to and executed by me this *3 rd* day of *JUNE* 20 *25*.
Name *CHRISTOPHER C. CHARLTON* Registered Land Surveyor No. *48649* License Expiration Date *06/30/2026*
Address *105 BEAVER STREET* City *FRANKLIN* State *MA* Zip *02038* Tel. No. *(508) 528-2528*
Approved _____ Director of Public Works Date _____
Approved _____ Building Inspector Date _____


BROOKLINE
DELL AVE.
BROOKLINE ST.
HOLMES ST.
#216
#222
#228
#231
#215
#219
#227
#235
#241
PROP. #235
OLD #235
PROP. DRIVE
POLE #16/16
POLE #16/15
PROPOSED 2" CONDUIT LOCATION
1"=40'
N

NOTICE

To the Record

You are hereby notified that a public hearing will be held **at 6:00 p.m. on Tuesday, October 14, 2025, in person at Town Hall, 1471 Highland Avenue, Needham, MA 02492 and via Zoom** upon petition of Eversource Energy dated August 28, 2025, to install approximately thirty-six feet of conduit in Brookline Street. The reason for this work is to provide service to 235 Brookline 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.

Heidi Frail
Catherine Dowd
Joshua Levy
Marianne Cooley
Kevin Keane

SELECT BOARD

You are invited to a Zoom webinar:
https://needham-k12-ma-us.zoom.us/j/82601013229?pwd=OE82V1MxQnJUZHVXZjFNbWJXRFJoQT09
Passcode: 652800
Webinar ID: 826 0101 3229

Dated: October 6, 2025

235 BROOKLINE STREET

PARCEL ID	OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP
199/029.0-0031-0000.0	MAXWELL, STEVEN R. &	MAXWELL, HELEN	234 BROOKLINE ST	NEEDHAM	MA	02492-
199/056.0-0001-0000.0	TOWN OF NEEDHAM	SCHOOL DEPT-WILLIAM MITCHELL SCHOOL	1471 HIGHLAND AVE	NEEDHAM	MA	02492-
199/056.0-0008-0000.0	HYPERSUN PROPERTIES LLC		191 BURROUGHS RD	BOXBOROUG	MA	01719-
199/029.0-0058-0000.0	DESAULNIERS, JANET C. &	IRITI, DOMENCO	222 BROOKLINE ST	NEEDHAM	MA	02494-
199/054.0-0088-0000.0	PRATT, JAMES &	PRATT, ELIZABETH N	3 HOLMES ST	NEEDHAM	MA	02492-
199/055.0-0002-0000.0	CHLADNY, RYAN &	CHLADNY, MELANIE	251 BROOKLINE ST	NEEDHAM	MA	02492-
199/056.0-0011-0000.0	ALPER, NEIL O. +	ALPER, CAROL D	245 BROOKLINE ST	NEEDHAM	MA	02492-
199/029.0-0059-0000.0	RIZZO, MICHAEL &	RIZZO, KELLY	216 BROOKLINE ST	NEEDHAM	MA	02492-
199/055.0-0001-0000.0	TOWN OF NEEDHAM		1471 HIGHLAND AVE	NEEDHAM	MA	02492-
199/056.0-0009-0000.0	ZADEH, RODAN &	ZADEH, EMILY S	227 BROOKLINE ST	NEEDHAM	MA	02492-
199/056.0-0010-0000.0	BANDARCHUK, PAVEL	BATURA, VOLHA	65 CRESCENT RD	NEEDHAM	MA	02494-
199/029.0-0057-0000.0	VAJDA, SANDOR, TR.	VAJDANE, GABRIELLA, TR.	228 BROOKLINE ST	NEEDHAM	MA	02492-
199/056.0-0007-0000.0	MA, QIUFU &	XIONG, YANHONG	215 BROOKLINE ST	NEEDHAM	MA	02492-

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

Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET

MEETING DATE: 10/14/2025

Agenda Item	Public Hearing: Proposed Updates to Alcohol Regulations
Presenter(s)	Myles Tucker, Support Services Manager

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

The Select Board will receive a brief update from staff before providing an opportunity for interested residents, businesses, and other stakeholders to provide input on proposed updates to the Town of Needham Regulations for the Sale of Alcoholic Beverages ("regulations").

The Board received a review of the proposed updates at their September 25, 2025 meeting.

2.	**VOTE REQUIRED BY SELECT BOARD**

N/A – Discussion Only

3.	**BACK UP INFORMATION ATTACHED**

a. Background Memorandum, 9/16/2025
b. Proposed Update to Town of Needham Regulations for the Sale of Alcoholic Beverages – Clean Draft, 9/24/2025
c. Proposed Update to Town of Needham Regulations for the Sale of Alcoholic Beverages, 9/24/2025

MEMORANDUM

TO:	Select Board
CC:	Katie King, Town Manager; David Davison, Deputy Town Manager/Director of Finance; John Schlittler, Chief of Police; Tim McDonald, Director of Health and Human Services; Christopher Heep, Town Counsel
FROM:	Myles Tucker, Support Services Manager
SUBJECT:	Town of Needham Regulations for the Sale of Alcoholic Beverages – Proposed Update
DATE:	September 16, 2025

Background

Periodically, staff proposes recommended updates to the Town of Needham Regulations for the Sale of Alcoholic Beverages ("regulations") based on input from the Board, changes in state law, feedback from licensees, and changes to the practice of license administration. The proposed changes before the Board are in line with this practice. The Board most recently updated the alcohol regulations in April 2023.

As additional background, below is a summary of the current inventory of issued licenses relative to the quota allotted to the Town:

Type	Quota	Issued	Remaining
On-Premises, All Alcohol	34	21	13
On-Premises, Wine and Malt	7	1	6
Off-Premises, All Alcohol	7	7	0
Off-Premises, Wine and Malt	7	0	7

Discussion

The proposed changes primarily cover a series of substantive changes (listed in order by their appearance in the proposed regulations):

<u>Addition of Continuing Care Retirement Communities as Category and Regulating Self-Service Taps</u>
In 2025, the Board approved an on-premises alcohol license to North Hill, a Continuing Care Retirement Community (CCRC). North Hill was the first CCRC to apply for and be granted an alcohol license in Needham. The proposed regulations add a new section governing CCRCs. Similar to the unique motion the Board voted to approve North Hill's license, these regulations draw from existing regulations for non-profit clubs. North Hill was also the first establishment in Needham to utilize self-serve taps. The proposed changes now include text regulating this service model.

<u>Extension of On-Premises Last Call Time to Midnight</u>
In 2018, the Board changed the allowable last call time for on-premises licenses from midnight to 11 PM (note: state law allows for service as late as 2 AM). However, the Board did not require that restaurants change their ABCC approved hours following this change and many continue to keep their previously approved hours. Further, the Board has granted several newer licensees exceptions to have last call time at midnight. In total, 15 of the 22 on-premises licensees in Needham are currently licensed to serve alcohol until midnight, including 12 of 16 restaurants. To align with practice, the proposed regulations restore the Town's allowable last call to midnight.

Changing Employee Roster Reporting

In 2023, the Select Board included a requirement for licensees to provide the Town with an updated staff roster within 45 days of any new hire and during their annual license renewal process. The purpose of this requirement is to ensure that each staff member involved in alcohol service is properly trained. Over the past two years, the 45-day requirement has proven onerous in practice both to licensees and Town staff. The proposed changes remove this requirement, while maintaining annual reporting and clarifying that the Board may request a current roster at any time.

Training Changes and Clarification

On the recommendation of the Needham Department of Health and Human Services, the proposed regulations permit live virtual training as a substitute for live in-person training requirements. This training medium is becoming increasingly common. It can be accessed more expeditiously and at a lower cost than in-person training in the event that free, Town-provided training is not available on a suitable timeline. Further, the proposed regulations clarify that only the staff involved in the service of alcohol must be trained in alcohol service.

Innkeeper Updates

The proposed regulations make two changes to Innkeeper licenses. First, "cocktail lounge" is replaced with "restaurant or guest lounge", aligning with current industry practice. Second, the proposal removes text linking restaurant regulations to hotels, since hotels also serve alcohol at front desk concession desks. The current text contradicts a later section that discusses sales at the concession stand.

Existing Common Victualler Standard

Over the past five years, the Board has chosen not to hold restaurant applicants to a current regulation that requires 12 months of operation as a restaurant before applying for an alcohol license. The proposed regulations removes this requirement to align with current practice.

Annual Service Report CPA Requirement

Current regulations require that the annual alcohol service report provided by restaurants be completed by a certified public accountant (CPA). The Town has heard feedback from businesses that this requirement is onerous and that the report can be accurately generated without a specialized professional. The proposed regulations remove the CPA requirement while maintaining annual reporting.

Penalties

The proposed regulations make two changes to penalties. First, based on case law and recent practice, the recommended first penalty for a compliance check failure now includes text recommending the suspension be held in abeyance. Of note, the Board is welcome to hold any penalty in abeyance. Second, following recent Board input, language requiring that penalties be served consecutively is removed, along with the addition of language codifying the Board's practice to hold a hearing following a third violation or compliance check failure.

Administrative and Technical Changes

The recommended regulations also recommend several technical and administrative changes aimed at updating stale language and replacing it with evergreen text; improving clarity; updating text to account for advances in technology and procedures; making numerical changes necessitated by changes to section numbering; and formatting adjustments. Specific examples include:

- Replacement of references to specific citations in Massachusetts General Laws with references to “applicable regulation[s] of Massachusetts General Law”
- Clarifies that a building inspection is required prior to issuing an initial license
- Removes the requirement for applicants to provide other licenses issued by the Town or ABCC
- Clearly states that scanner apps on cell phones may be acceptable card scanning device
- Removes text alluding to a fee schedule attachment that is redundant to the current Select Board fee schedule

TOWN OF NEEDHAM

REGULATIONS FOR THE SALE OF ALCOHOLIC BEVERAGES

Amended and Revised: DD Mon YYYY

I. Types of Licenses to be Granted in Needham

II. Compliance

III. General Rules and Regulations Applicable to Holders of Licenses to Sell Alcoholic Beverages within the Town

IV. Rules and Regulations for the Sale of Alcoholic Beverages by Innholders Only

V. Rules and Regulations Applicable to the Sale of Alcoholic Beverages in Restaurants

VI. Rules and Regulations Applicable to Clubs and Veterans Organizations

VII. Rules and Regulations Applicable to Continuing Care Retirement Communities

VIII. Rules and Regulations Applicable to Special Event Licenses

IX. Rules and Regulations Applicable to Package Stores

X. Rules and Regulations Applicable to Farmer Series Pouring Permittees

XI. Violations

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Licensing Authority: Select Board

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

I. TYPES OF LICENSES TO BE GRANTED IN NEEDHAM

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

1.1 Innholders All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in a hotel dining area with a seating capacity of not less than ninety-nine (99) persons and a living capacity of not less than fifty (50) rooms, under the applicable regulations of Massachusetts General Law, this regulation, and any and all conditions stipulated for the specified license. The sale of alcoholic beverages to the room of any registered guest is prohibited unless otherwise authorized by the Select Board.

1.2 Restaurant All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in a restaurant and/or function room under the applicable regulations of Massachusetts General Law, this regulation, and any and all conditions stipulated for the specified license.

1.3 Restaurant Wine and Malt Beverages: issued to qualified applicants to sell only wine and malt beverages in a restaurant under the applicable regulations of Massachusetts General Law, this regulation, and any and all conditions stipulated for the specified license.

1.4 Club and Veterans' Organization All Alcoholic Beverages: issued to qualified applicant Clubs existing under Chapter 180 of Massachusetts General Laws and Veterans' Organizations duly chartered or authorized by the Laws of the United States or the Commonwealth of Massachusetts to sell all alcoholic beverages under the applicable regulations of Massachusetts General Law, this regulation, and any and all conditions stipulated for the specified license.

1.5 Continuing Care Retirement Community Wine and Malt Beverages: issued to qualified applicants to sell wine and malt beverages in a continuing care retirement community under the applicable regulations of Massachusetts General Law, this regulation, and any and all conditions stipulated for the specified license.

1.6 Continuing Care Retirement Community All Alcoholic Beverages: issued to qualified applicants to sell all alcohol beverages in a continuing care retirement community under the applicable regulations of Massachusetts General Law, this regulation, and any and all conditions stipulated for the specified license.

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1.7 Special One Day: issued to qualified applicants of non-profit status to sell all alcoholic beverages; or to sell wine and malt beverages only; or to qualified applicants of for- profit status to sell wine and malt beverages only under the applicable regulations of Massachusetts General Laws, this regulation, and any and all conditions stipulated for the specific license.

1.8 Package Store All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in packages not to be consumed on the premises under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license.

1.9 Package Store Wine and Malt Beverages: issued to qualified applicants to sell wine and malt beverages in packages not to be consumed on the premises under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages and any and all conditions stipulated for the specific license.

1.10 Farmer Series Pouring Permit: issued to qualified applicants to sell malt beverages, for consumption on the grounds of a licensed farmer-brewery pursuant to M.G.L. c.138, §19C, as well as on the grounds of the farm operated as appurtenant and contiguous to, and in conjunction with, such farm, and in accordance with the applicable regulations of the Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages and any and all conditions stipulated for in the specific license. For purposes of this policy, the word "license", "Licensee", and "licensed premises" shall include a "Farmer Series Pouring Permit", "Farmer Series Pouring Permittee", and "premises subject to a Farmer Series Pouring Permit", respectively, unless otherwise noted.

II. COMPLIANCE

2.1 The issuance of a license by the Select Board for the sale of alcoholic beverages under M.G.L. c. 138 applies only to said sales and does not release the Licensee from compliance, nor does it assume compliance with the rules, regulations, requirements and procedures of other government boards, agencies or bodies having jurisdiction.

2.2 Failure to comply with these regulations, the laws of the Commonwealth of Massachusetts, the Regulations of the Alcoholic Beverages Control Commission (ABCC) or the Town's bylaws may result in the revocation, suspension or cancellation of the license.

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

This section shall apply to any and all alcoholic beverages licenses issued by the Select Board except those applicable to Special One Day Licenses (Section 8).

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3.1 Hours of Operation

3.1.1 No patron shall be served or sold alcoholic beverages before or after the hours stated in the license.

3.1.2 *On-Premises Consumption*

3.1.2.1 The hours during which the sale of all alcoholic beverages to be consumed on the premises may be made by any Licensee shall be from 11:00 a.m. to 12 a.m. Monday through Saturday and from 10:00 a.m. to 11 p.m. on Sundays, unless otherwise determined by the Select Board or further limited by statute or regulation.

3.1.2.2 Except for alcohol sold by a Farmer Series Pouring Permittee, the hours during which the sale of all alcoholic beverages may be made in a dining room are further limited to the time when the dining room is open and food service is available to the public. No alcoholic beverages shall be sold or served in a dining room before the dining room is open and food service is available, or after the dining room has been closed and food service has been suspended to the public.

3.1.2.3 No alcoholic beverages shall be served within the licensed premises during the fifteen (15) minutes preceding the hours stated on the license at which service of alcoholic beverages must cease.

3.1.2.4 All bottles, glasses, containers, etc., shall be cleared from all tables and bars within thirty (30) minutes of the established closing hour and all patrons will be off the licensed premises within forty-five (45) minutes of the established closing hour.

3.1.3 *Off-Premises Consumption*
The hours during which the sale of all alcoholic beverages to be consumed off the premises may be made by any Licensee shall be from 8:00 a.m. to 11:00 p.m. or 8:00 a.m. to 11:30 p.m. on days preceding a legal holiday, unless otherwise determined by the Select Board or further limited by statute or regulation.

3.1.4 *Adjustments*
The Board may adjust hours for individual and/or classifications of Licensees upon receipt of their request(s) for consideration of special circumstances and/or occasions.

3.1.5 *Employees and Staff*
With the exception of the Licensee and the manager, all employees shall vacate the licensed premises no later than sixty (60) minutes after the official closing hour designated on the alcohol license. Bona fide employees of the licensed

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establishment may remain upon or enter upon the licensed premises outside of the regular hours of operation while actually engaged in cleaning, staff meetings or trainings, opening, closing or preparing for the current or next day's business, but they may not dispense or consume any alcoholic beverage during such non-public hours. In any instance wherein a Licensee will have employees working on the licensed premises in excess of sixty (60) minutes before or after the serving times, the Licensee shall cause notification of the fact to be given by telephone to the Needham Police Department along with the estimate as to how long the work party will be on the premises. This provision shall not limit employees from being on the premises to produce malt beverages in accordance with a license issued pursuant to M.G.L. c.138, §19C or §19D.

3.2 Payment of Charges and Taxes

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

3.3 Filing and Application Requirements (excludes Special Event Licenses)

3.3.1 *Application for New and Transfer of License.*

In addition to the ABCC Application package, Applicants shall provide:

a. Proof of insurance;
b. All fees;
c. Completed and unexpired alcohol awareness training certificate for proposed managers of record;
d. Certificate of inspections, where required;
e. Employee roster (Section 3.4.2.); and
f. Any additional information the Select Board shall request (see Section 5.4 and Section 5.6).

3.3.2 *Application for Renewed License*

In addition to the ABCC Renewal Application Form, Applicants shall provide:

a. Proof of insurance;
b. Completed and unexpired alcohol awareness training certificates for all employees, including manager of record;
c. Certificate of inspections, where required;
d. Employee roster (Section 3.4.2.); and
e. Any additional information the Select Board shall request (see Section 5.4 and Section 5.6).

3.3.3 *Abutter Notification*

When conducting a public hearing to consider the issuance or transfer of a license to sell or serve wine, malt and/or alcoholic beverages, the Board shall require the Applicant to notify all owners of property within a 300-foot radius of the premises to be licensed.

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3.3.4 *Insurance*

No license shall be issued for the sale of alcoholic beverages (Special Event licenses excluded) in the Town until such time as the Applicant shall present to the Select Board a certificate of insurance showing that the Applicant carries the following policies of insurance from an insurance company licensed by the Department of Insurance of the Commonwealth of Massachusetts as follows: workers' compensation insurance as required by M.G.L. Chapter 152; and liquor liability insurance in the minimum amount of $100,000 per person/$1,000,000 aggregate for personal injury and $100,000 per occurrence for property damage. Licensees shall notify the Board no later than ten (10) days prior to the cancellation or material change of said coverage. The Board may, pursuant to M.G.L. c.138, §§64A, 64B, 67 increase the minimum amount of required insurance coverage. Failure to maintain such coverage during the license period shall be grounds for revocation.

3.3.5 *Fees*

All license fees of the Board are incorporated into the Select Board licensing fee schedule. This schedule is reviewed on an annual basis and updated by the Select Board as required.

3.3.5.1 Filing Fees: All required filing fees shall be paid in full at such time as the application is filed. Filing fees shall not be pro-rated for any reason.

3.3.5.2 License Fees: All license fees for the initial issuance of a new license, or for the transfer of an existing license, for a change in the structural composition of a licensed premises, and/or for the annual renewal of a license shall be paid in full prior to the issuance of the license. The initial license fee will be pro-rated based on the number of months remaining in the calendar year at the time of occupancy.

3.3.6 *Floorplans and Signage*

3.3.6.1 When a submittal of a floorplan is required by the ABCC, Applicants for a new or amended license shall submit an architectural floor plan, drawn to scale, that includes the following information, which will be clearly marked:

a) the net floor area (net floor area shall be the area of the rooms measured between the interior walls exclusive of stairways, service bars, hallways, etc.) and dimensions of the existing room or rooms and exterior premises requested to be licensed including dining rooms, function rooms, exterior premises and rooms in which alcoholic beverages are to be stored;

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b) the location of any proposed Bar Service Areas, cocktail lounge, or other area where patrons may stand while consuming alcohol;
c) areas in which seats or benches are to be securely fastened to the floor and areas in which the seats and tables are moveable;
d) entrances and exits;
e) kitchens and/or food preparation areas;
f) take out areas;
g) storage areas;
h) restrooms;
i) cash register areas;
j) all rooms not being requested to be licensed shall be labeled as to their function, such as, kitchen, coatroom, lobby, etc.;
k) total occupant load;
l) areas where food trucks or other mobile food vendors may be parked for the purposes of serving patrons;
m) outdoor service areas, showing location of seats, tables, trash cans, and physical barriers to segregate the licensed premises from non-licensed areas; and
n) any other licensed spaces not covered by the above.

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

3.3.6.3 Where outdoor service is proposed, the Applicant shall provide draft signage that will be posted around the licensed premises to aid in restricting the transportation or possession of any alcohol, wine, or malt beverage beyond the limitation of the barrier.

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

3.4 <u>Management and Trainings (excludes Special Event Licenses)</u>

3.4.1 <u>*Management*</u>.
At all times that the licensed premises are open for the sale or service of alcoholic beverages, the Licensee shall have on the premises a manager or assistant manager who has successfully completed an in-person alcoholic beverages server training program satisfactory to the Select Board. The onsite manager/assistant manager shall be responsible for compliance with all applicable laws of the Commonwealth of Massachusetts concerning the sale of alcoholic beverages and the Town's rules and regulations for the provision and consumption of alcoholic beverages. The designated manager/assistant

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manager shall have full authority to make decisions concerning the operation of the establishment.

3.4.2 *Employee Roster*

A current employee roster shall be available upon request to the Town for all licensed establishments. An updated employee roster shall be provided prior to operation when first opening, annually upon license renewal, and upon the request of the Select Board or its designee.

3.4.3 *Training*

3.4.3.1 All managers, assistant managers, and bartenders shall attend an in-person or live virtual alcoholic beverage server training program satisfactory to the Select Board within 30 days of employment and once every two years thereafter. There shall be an un-expired certificate of program completion on file with the Select Board at all times; provided that for new employees, the certificate may be provided concurrently with the employee roster required under Section 3.4.2.

3.4.3.2 All employees serving, pouring, or delivering alcoholic beverages not covered by Section 3.4.3.1 shall complete a Town- approved training program within 30 days of employment, or provide proof of training certification at a Town-approved course within the last three years. All such employees must complete an approved program once every three years. There shall be an un-expired certificate of program completion on file with the Select Board at all times; provided that for new employees, the certificate may be provided concurrently with the employee roster required under Section 3.4.2 and shall be provided upon request of the Select Board or its designee.

3.4.3.3 It is the obligation of the license manager to inform all employees about the rules and regulations of the Select Board, the ABCC, and any and all applicable Massachusetts laws.

3.5 General and Miscellaneous Provisions

3.5.1 There shall be no alcoholic beverages taken from the premises of an establishment licensed under M.G.L. c.138, §12, except for deliveries for the operation of the business as controlled by M.G.L. c.138, and with the exception of partially consumed bottles of wine that are purchased with a meal and resealed in accordance with 204 CMR 2.18 or sales conducted pursuant to M.G.L. c.138, §19C or §19D.

3.5.2 The licensed premises shall meet and fully comply with all health standards and regulations applicable to the sale of alcoholic beverages.

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3.5.3 The licensed premises must be well lit at all times.

3.5.4 There shall be no indecent or immoral entertainment on the licensed premises.

3.5.5 Gambling, lotteries, or other games are prohibited except as otherwise permitted by law.

3.5.6 The licensed premises shall be subject, at all times, to inspection by members of the Select Board, the Town Manager, Inspector of Buildings, Board of Health or its representatives, Police Department, Fire Department, or any other department or official of the Town so directed by the Select Board.

3.5.7 No licensed restaurant, innkeeper, continuing care retirement community, Farmer Series Pouring Permittee, or package store may permit the use of any amusement service such as electronic games on the premises.

3.5.8 Service of alcoholic beverages shall be completed by a trained staff member or through a metered self-service station under the supervision on a trained staff member (applicable to on premise Licensees only, including Farmer Series Pouring Permittees).

3.5.9 Licensees shall make all reasonable and diligent efforts to ensure that loitering, disorder, disturbances or illegality of any kind does not occur at the licensed premises. The Licensee shall ensure that business in the licensed premises is conducted in a responsible manner so that no activity shall detract from the quality of life in the Town generally, or in the neighborhood in which the licensed premises are located. The Licensee may be held responsible for such activity, whether present or not. Licensees shall at all times maintain the immediate and surrounding area outside the licensed premises in a state of cleanliness and upkeep.

3.5.10 The alcoholic beverage license must be prominently displayed and available for public viewing inside the premises.

3.5.11 Licensees shall at all times maintain the immediate and surrounding area outside the licensed premises in a state of cleanliness and upkeep.

3.5.12 The Licensee shall request proof of identification from any patron appearing to be under the age of 40 prior to any alcohol sale and confirm the authenticity of the identification card through the use of a digital card scanner or a card scanning application on an electronic device, such as a tablet or cellular phone.

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IV. RULES AND REGULATIONS FOR THE SALE OF ALCOHOLIC BEVERAGES BY INNHOLDERS ONLY

4.1 Service of alcohol in restaurants or guest lounge areas is permitted with the approval of the Select Board but limited to approved areas by the Select Board with appropriate identification of the specific location documented by the Inspector of Buildings.

4.2 The service of alcoholic beverages to the room of any registered guest is prohibited unless otherwise authorized by the Select Board.

4.3 With the approval of the Select Board, an Innholder may sell sealed wine and malt beverages at a concession stand in the lobby of the hotel. Such sales shall be to individuals renting rooms at the establishment only and must be consumed within the rented rooms. Any wine and malt beverage purchased at the concession stand must remain sealed until the purchaser has returned to their room.

V. RULES AND REGULATIONS APPLICABLE TO THE SALE OF ALCOHOLIC BEVERAGES IN RESTAURANTS

5.1 Purpose

It is the policy and purpose of the Select Board acting as the Licensing Board of the Town of Needham to limit the issuance of alcoholic licenses as an incidental part of a Common Victualler's primary and principal business endeavor of preparing and serving food to the public in a restaurant and function room.

The issuance of alcoholic licenses will be utilized so as to both enhance the dining experience of individuals patronizing Needham restaurants and to foster the economic development of business areas in the Town by encouraging and promoting foot traffic in those areas where restaurants are located. The Board will consider when deciding upon a license application the foregoing factors and any other matter deemed appropriate by the Board including by way of description but not limitation: proximity to residential neighborhoods, traffic, parking, appropriateness of menu and other aesthetic considerations including the physical layout of the interior of the establishment. Licenses will not be granted to establishments whose principal business activity is fast food, take-out, or which has any “drive-through” component.

5.2 Common Victualler’s License

No alcohol license will be issued to any Applicant unless such Applicant is the Licensee named in a current or pending Common Victualler's license.

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5.3 Food Service

Service of food must be available in all areas in which alcoholic beverages are to be served. Meals must be served on solid dinnerware with silverware accompanying the same. No paper plates or plastic cutlery are permitted.

5.4 Fire Safety Inspections

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

5.5 Bar Service

The sale or service of alcoholic beverages for consumption at any unapproved Bar Service Area is prohibited. For the purposes of these regulations, Bar Service Area is defined as service across a counter at which alcoholic drinks are prepared to patrons who may or may not be waiting to dine. For those establishments with no table service, the Bar Service Area shall include the entire area where patrons may consume alcohol. Bar Service Areas are permitted only in locations expressly approved and authorized by the Select Board. Such authorization may be granted under the following conditions:

a) The Board makes a finding that it is in the best interest of the Town to allow the service of alcoholic beverages in the Bar Service areas
b) No more than a total of fifteen (15) seats or twenty percent (20%) of the total seats in the premises, whichever is less, shall be allowed in the Bar Service area(s), except that the Board may authorize a greater number where such seats are intended for food service customers as part of the Licensee's business plan;
c) The seats in the Bar Service areas are included when calculating the number of seats in the premises;
d) All food and beverages on the menu served in the public dining room shall be available for service to the patrons in the Bar Service areas.

5.6 Reporting

Licensees shall provide the Select Board with a statement as to the percentage the annual sales for the previous period of October 1-September 30 of alcoholic beverages compared to the total annual sales of food and alcoholic beverages. If the percentage exceeds fifty percent (50%), the Select Board may investigate to determine whether the service of alcoholic beverages has become more than incidental to the service of food on the premises. If the Board determines that the sale of alcoholic beverages has become more than incidental to the sale of food on the premises, it may after hearing require the Licensee to reduce it alcohol sales or take any other action permitted by law, including suspension or revocation of the license.

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VI. RULES AND REGULATIONS APPLICABLE TO CLUBS AND VETERANS ORGANIZATIONS

6.1 Every club applicant to be eligible to be licensed to sell any or all alcoholic beverages within the Town of Needham must be a corporation duly organized and existing under Chapter 180 of the General Laws of the Commonwealth of Massachusetts and has maintained club facilities for not less than three (3) years prior to the filing of an application. The within provisions may be waived by the Select Board.

6.2 Every Veterans organization to be eligible to be licensed to sell any and all alcoholic beverages within the Town of Needham must be duly chartered or authorized by the Laws of the United States or the Commonwealth of Massachusetts.

6.3 Each Applicant shall furnish a copy of its Charter or other legal evidence of its eligibility as herein specified when requested by the Select Board.

6.4 Each eligible club and veteran's organization must have the exclusive legal right to the possession and enjoyment of indoor facilities of not less than 2,000 square feet of floor space on one or more floors and which may consist of one or more rooms.

6.5 Each Licensee hereunder acting by and through its Board of Directors or other governing body shall appoint a manager or bartender who is of good moral character and a responsible person. The manager or bartender will be in charge during open hours acting for and on behalf of the Board of Directors or other governing Board. Acting for and on behalf of the Board of Directors the manager or bartender shall be responsible for the conduct of the members and guests, accountable for keeping order and the prevention of undue noise and disturbances on the licensed premises and the neighborhood.

6.6 Section 5.3 of these policies shall apply to all clubs and veterans' organizations.

VII. RULES AND REGULATIONS APPLICABLE TO CONTINUING CARE RETIREMENT COMMUNITIES

7.1 Every continuing care retirement community (CCRC) applicant to be eligible to be licensed to sell any or all alcoholic beverages within the Town of Needham must be a corporation duly organized and existing under Chapter 93, Section 76 of the General Laws of the Commonwealth of Massachusetts. The within provisions may be waived by the Select Board.

7.2 Every CCRC shall be duly chartered or authorized by the Laws of the United States or the Commonwealth of Massachusetts.

7.3 Each Applicant shall furnish a copy of legal evidence of its eligibility as herein specified when requested by the Select Board.

7.4 Each Licensee hereunder acting by and through its Board of Directors or other governing body shall appoint a manager of record who is of good moral character

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and a responsible person. The manager of record will act on behalf of the Board of Directors or other governing Board. Acting for and on behalf of the Board of Directors, the manager of record shall be responsible for the conduct of the members and guests, accountable for keeping order and the prevention of undue noise and disturbances on the licensed premises and the neighborhood.

7.5 Section 5.3 of these policies shall apply to all CCRCs.

VIII. RULES AND REGULATIONS APPLICABLE TO SPECIAL ONE DAY LICENSES

8.1 Hours of Sale

Request for the sale of alcohol under a Special Event License is limited to between the hours of 11:00 a.m. and 12:00 a.m. on Monday through Saturday, and 12:00 p.m. and 12:00 a.m. on Sundays.

8.2 Notice

Special Event Licenses are exempt from the legal notice and publication requirements.

8.3 Eligibility

8.3.1 No Special Event License shall be granted to any person while their application for an On-Premises license is pending before the Select Board. No person shall be granted a Special Event License for more than 30 days in a calendar year.

8.4 Application

The Applicant shall provide the following information and documents to the Select Board:

a) Information requested in the Town's One Day Special License application.
b) Descriptive information about the event (invitation, flyer, letter of explanation, etc.)
c) Written indication of the manner by which service, sale, delivery, and/or dispensing of alcoholic beverages are to be controlled.
d) Written evidence of the owner's permission to use the proposed licensed premises.
e) Proof of Non-profit Status (if request is for all alcoholic beverages).
f) Sketch/floorplan of the proposed licensed premises detailing where alcohol will be served, sold, delivered, and/or dispensed.
g) Designation and identification in writing of all individuals who will serve, sell, deliver, and/or dispense alcoholic beverages and evidence of whether or not said individuals have completed in the past three years an appropriate Massachusetts alcoholic beverages server training program.
h) Acknowledgement that the person holding the special license has purchased the alcoholic beverages from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder. A person holding a section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04)

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8.5 Conditions

The Special Event Manager shall provide for the orderly and safe conduct of the event, shall be responsible for the proper sale, service, delivery, dispensing and consumption of alcoholic beverages, shall be physically present during the duration of the entire event and shall sign the Event Information Sheet. The Special Event Manager shall display such Special Event License where sale of alcoholic beverages is taking place.

IX. RULES AND REGULATIONS APPLICABLE TO PACKAGE STORES

9.1 General Provisions

9.1.1 Employees at the licensed premises on which a Section 15 license is exercised must be 21 years of age except that such Licensees may employ a person under the age of 21 who does not directly handle, sell, store, or prepare for display any alcoholic beverages. Notwithstanding the foregoing, food store employees 18 years of age or older may handle, store, or prepare any alcoholic beverages for display.

9.1.2 No seating, chairs, stools, or tables for use by customers or patrons shall be placed or permitted by a retail package store Licensee upon or within the licensed premises, or upon any area under the direction and control of the Licensee without the Select Board's consent.

9.1.3 Where the liquor licenses are granted to serve the public, Licensees shall be open to the public and, except in exigent circumstances, operate on all days and hours in accordance with the terms of the issued liquor license. The closing of the licensed premises to the public, for a period of five (5) consecutive days or more, or for any period totaling ten (10) days during the calendar year without the prior approval of the Select Board may be deemed to be an abandonment of the Liquor License and sufficient grounds for revocation of the Liquor License.

9.1.4 Package Store Licenses may be granted to food stores as defined in these regulations, but will not be granted to convenience stores.

9.1.5 Alcohol-related signage displayed so that it is visible to the public will be limited. As a condition of the license, the Licensee will comply with the Town of Needham Sign By-law, as from time to time amended.

9.1.6 Advertisement at local sporting events or school events and sponsorships of sporting teams where participant's uniforms carry the name, logo or advertisement for any business which derives more than 25% of its gross revenues from the sale of alcoholic beverages is prohibited.

9.1.7 "Nips" or bottles of spirits containing fewer than eight (8) fluid ounces shall not be located in an area directly accessible by customers, and shall be offered for sale upon the request of a customer from a location within

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the premises to which customers do not have direct access, such as behind a counter.

9.2 Deliveries

9.2.1 For all deliveries conducted off the licensed premises, the Licensee shall keep written records including the date of sale, quantities and sizes of items purchased, method of payment transaction, and name and address of purchaser. In addition to the preceding requirements, the amount of the beverages that were delivered, the date and time of delivery, the signature of the person receiving the delivery and the type of identification card used to confirm age. Such written records shall be maintained by the Licensee within or upon the license premises for a period of not less than one year and must be readily available for inspection by the Town.

9.2.1.1 Deliveries must be made during the operating hours of the store.

9.2.1.2 Deliveries shall be made by persons no less than 21 years of age.

9.2.1.3 A copy of Off-Premises Transportation Permit, license to deliver issued by the ABCC, shall accompany application at time of submittal.

9.2.2 Hours for product deliveries to establishment and/or pick-up of bottle returns should be arranged so that activity does not interfere with the quiet enjoyment of the neighborhood.

9.3 Sample Tastings

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

9.4 Food Store Alcohol License Requirements

9.4.1 A food store is defined as a farm stand, grocery store, or supermarket, which sells at retail, food for consumption on or off the gross premises, whether alone, or in combination with grocery items or other non-durable items typically found in a grocery store and sold to individuals for personal, family or household use. Such food store shall carry fresh and processed meats, poultry, dairy products, eggs, fresh fruits and produce, baked goods and baking ingredients, canned goods and dessert items. Notwithstanding the foregoing, a food store for the purposes of these regulations shall not be a convenience store, any business that sells gasoline, or a business which derives more than 25% of its gross revenues from the sale of alcoholic beverages. The retail space used to display alcoholic beverages shall not exceed twenty-five percent (25%) of the total retail space on the premises. The Select Board shall determine whether an Applicant is a food store as set out herein and in compliance

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with any and all requirements.

9.4.2 A convenience store is defined as an establishment that sells at retail food and other non-durable items to individuals more on a daily basis, such as but not limited to small quantities of food, candy, newspapers, and tobacco products. Convenience stores are frequently open with only one staff member on duty at a time, are usually open later than 10:00 p.m. and may or may not sell gasoline. The Select Board reserves the right to consider each of these factors when determining if an Applicant will be considered a convenience store.

9.4.3 Regular sales and operation of the food store must continue during all times when the sales of alcoholic beverages are permitted.

9.4.4 Package store licenses issued to food stores shall be limited to wine and malt beverages only; provided, however, that a farm stand, as defined in 330 CMR 22.02, shall be eligible for an all-alcohol package store license.

X. RULES AND REGULATIONS APPLICABLE TO FARMER SERIES POURING PERMITTEES

10.1 Applicants

Applicants for a Farmer Series Pouring Permit shall hold a Farmer-Brewery License (M.G.L. c.138, §19C) from the ABCC at all times. If an Applicant for a Permit does not have a valid ABCC Farmer-Brewery License at the time of Application, issuance of the Permit shall be conditioned on receipt of such ABCC license.

10.2 Purpose

The issuance of Farmer Series Pouring Permits shall be utilized so as to foster the economic development of the Town by encouraging and promoting patronage in those areas where Farmer Series Pouring Permittees are located. The Select Board shall consider when deciding upon a license application the foregoing factors and any other matter deemed appropriate by the Board including by way of description but not limitation: proximity to residential neighborhoods, traffic, parking, community engagement, and other aesthetic considerations including the physical layout of the interior of the establishment.

10.3 Water Station

At all times, there shall be a free, self-service water station for patrons and customers to use without staff assistance. This provision may be waived by the Select Board upon a showing of good cause and only if a sign is posted by the bar stating that tap water is available upon request and free of charge.

10.4 Occupancy

Where required by the Select Board, the Licensee shall delegate a staff member to keep and maintain an accurate count of all individuals occupying the premises to ensure compliance with building code occupancy limits.

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10.5 Food Service

The Permittee shall ensure that food service is available to its patrons at all times that alcohol is served for on-premises consumption. The Permittee may satisfy this provision by (i) holding a Common Victualler's license and operating a full-service kitchen; (ii) arranging for food to be brought onto the premises by mobile food truck vendors; (iii) contracting with nearby restaurants; (iv) allowing patrons to have food delivered for consumption on the premises; or (v) such other arrangement as the Select Board deems appropriate. The Permittee shall submit a plan for food service with its application.

XI. VIOLATIONS

11.1 Violations

Any violation of the License terms and conditions, these Regulations, the Regulations of the Alcoholic Beverages Control Commission, the laws of the Commonwealth, including General Laws Chapter 138, or the Town's General Bylaws may be grounds for action by the Select Board, including the modification, suspension, revocation, nonrenewal or cancellation of a license.

11.2 Suggested Orders

Except as provided in Section 11.3, the suggested orders listed below shall be a guide for the Select Board. The Board, in its discretion, may impose an order that is more lenient or more severe than suggested by the guidelines when the facts surrounding a violation so warrant. In determining the appropriate action in any given case, the Select Board shall consider the violation, the facts of the case, other relevant factors including the Licensee's prior record, and aggravating or mitigating circumstances.

Offense	**Suggested Order**
1st Offense	One to five day suspension
2nd Offense	Six to ten day suspension
3rd Offense	Ten to thirty day suspension. Licensee shall be required to provide the Board with a satisfactory written plan to prevent further violations, under signature of the manager of record and any person or entity holding more than a 10% ownership interest in the license. The Select Board shall hold a hearing relative to the offense.
4th Offense	Revocation.

11.3 Compliance Checks

The Town conducts, and expects to continue to conduct, routine compliance checks of Licensees, including, but not limited to, service to underage persons checks using agents of the Needham Police Department. The following schedule of recommended discipline is a guideline intended to illustrate the range of disciplinary action that the Select Board may impose for service to underage violations identified in compliance

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checks, which are intended to be educational by design. Other violations discovered during the course of a compliance check may following the suggested order scheme identified in Section 11.2. The Select Board is not limited by these guidelines and may impose greater or lesser discipline based on consideration of the violation alleged, the facts of the case, other relevant factors including the Licensee's prior record, and aggravating or mitigating circumstances.

Offense	**Suggested Order**
1st Offense	One to two day suspension, which may be held in abeyance for one calendar year.
2nd Offense	Up to five-day suspension.
3rd Offense	Up to ten-day suspension. Licensee shall be required as a condition of the license to provide the Board with a satisfactory written plan to prevent further violations, under signature of the manager of record and any person or entity holding more than a 10% ownership interest in the license. The Select Board shall hold a hearing relative to the offense.
4th Offense	Minimum ten-day suspension. Based on relevant circumstances as determined by the Board, the Board may order a longer suspension of any length, imposition of conditions on or other modifications of the license, disqualification of the manager of record, or compulsory initiation by the Licensee of transfer of ownership to a responsible party to be approved by the Board.

11.4. Training

All employees involved in the improper sale of alcohol and the in-store manager at the time of the violation (as determined by the license Manager of Record) shall not serve alcohol until they complete another training course (either virtually or in-person) in accordance with Section 3.4.3, notwithstanding when the course was last completed and provide proof of said training to the Select Board. In addition, these employees must complete in-person or live virtual training in accordance with Section 3.4.3 no later than the next such training offered by the Town of Needham and provide proof of said training to the Select Board.

11.5 Prior Violations

In calculating the number of prior offenses under this guideline, the Select Board will consider determined violations occurring within the five (5) years preceding the date of current violation.

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11.6 Hearings

11.6.1 A Licensee shall have a right to notice and hearing before modification, suspension, revocation, nonrenewal or cancellation of a license by the Board, except that the Board may under emergency circumstances as allowed by Law suspend the license pending hearing.

11.6.2 A Licensee may waive its right to hearing, and the Board in such cases may make findings and act without hearing on recommendation of the Town Manager. The Board may, however, require that a hearing be held notwithstanding such a waiver, in which case the Licensee shall have notice of hearing and an opportunity to be heard before action is taken on modification, suspension, revocation, nonrenewal or cancellation of a license, except that Select Board may under emergency circumstances as allowed by Law suspend the license pending hearing.

11.7 Notice of Suspension

On the days when Suspension of License is being served, the Licensee will publicly post at its public entrance(s) a notice of the Suspension in a form as the Board or Town Manager may direct. The Board may also post notice of violation hearings, findings, decisions, and orders to the Town's website and Town's social media.

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APPROVED:	6/14/77
Amended and revised:	11/18/97
Amended and revised:	2/9/99
Revised fee schedule:	12/7/99
Revised fee schedule:	12/5/00
Revised and approved:	8/20/02
Fee changes	12/21/04
Addition of Liquor Liability Insurance:	1/25/05
Addition of One-Day License:	1/25/05
Amended and revised:	11/14/06
Amended and revised:	6/22/10
Amended and revised:	12/18/12
Amended and revised:	5/13/14
Amended and revised:	9/10/2014
Amended and revised:	11/9/2016
Amended and revised:	7/25/2017
Amended and revised:	8/18/2020
Amended and revised:	7/26/2022
Amended and revised:	4/25/2023
Amended and revised:	

SELECT BOARD

ACTING AS

NEEDHAM LICENSING BOARD

TOWN OF NEEDHAM

REGULATIONS FOR THE SALE OF ALCOHOLIC BEVERAGES

Amended and Revised: DD Mon YYYY

I. Types of Licenses to be Granted in Needham

II. Compliance

III. General Rules and Regulations Applicable to Holders of Licenses to Sell Alcoholic Beverages within the Town

IV. Rules and Regulations for the Sale of Alcoholic Beverages by Innholders Only

V. Rules and Regulations Applicable to the Sale of Alcoholic Beverages in Restaurants

VI. Rules and Regulations Applicable to Clubs and Veterans Organizations

~~VI.~~VII. Rules and Regulations Applicable to Continuing Care Retirement Communities

~~VII.~~VIII. Rules and Regulations Applicable to Special Event Licenses

~~VIII.~~IX. Rules and Regulations Applicable to Package Stores

~~IX.~~X. Rules and Regulations Applicable to Farmer Series Pouring Permittees

~~X.~~XI. Violations

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Licensing Authority: Select Board ~~*Revision Date:*~~

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

I. TYPES OF LICENSES TO BE GRANTED IN NEEDHAM

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

1.1 Innholders All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in a hotel dining area with a seating capacity of not less than ninety-nine (99) persons and a living capacity of not less than fifty (50) rooms, under the applicable regulations of Massachusetts General Law, this regulation, and any and all conditions stipulated for the specified license. ~~applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license.~~ The sale ~~Service~~ of alcoholic beverages to the room of any registered guest is prohibited unless otherwise authorized by the Select Board. ~~(M.G.L. c.138, s.11, D; 11/7/72 election)~~

~~1.2~~ 1.2 Restaurant All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in a restaurant and/or function room under the applicable regulations of Massachusetts General Law, this regulation, and any and all conditions stipulated for the specified license. ~~applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.11, E; 11/4/80 election; M.G.L. c.138, s.12; Chapter 32 of the Acts of 2014; 4/8/2014 election)~~

1.3 Restaurant Wine and Malt Beverages: issued to qualified applicants to sell only wine and malt beverages in a restaurant under the applicable regulations of Massachusetts General Law, this regulation, and any and all conditions stipulated for the specified license.~~applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.12; Chapter 169 of the Acts of 2001; 11/8/01 election)~~

1.4 Club and Veterans' Organization All Alcoholic Beverages: issued to qualified applicant Clubs existing under Chapter 180 of Massachusetts General Laws and Veterans' Organizations duly chartered or authorized by the Laws of the United States or the Commonwealth of Massachusetts to sell all alcoholic beverages under the applicable regulations of Massachusetts General Law, this regulation, and any

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and all conditions stipulated for the specified license. ~~applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.12; 11/8/88 election)~~

1.5 Continuing Care Retirement Community Wine and Malt Beverages: issued to qualified applicants to sell wine and malt beverages in a continuing care retirement community under the applicable regulations of Massachusetts General Law, this regulation, and any and all conditions stipulated for the specified license.

1.6 Continuing Care Retirement Community All Alcoholic Beverages: issued to qualified applicants to sell all alcohol beverages in a continuing care retirement community under the applicable regulations of Massachusetts General Law, this regulation, and any and all conditions stipulated for the specified license.

~~1.4~~

~~1.5~~1.7 Special ~~Event~~One Day: issued to qualified applicants of non-profit status to sell all alcoholic beverages; or to sell wine and malt beverages only; or to qualified applicants of for- profit status to sell wine and malt beverages only under the applicable regulations of Massachusetts General Laws, this regulation, and any and all conditions stipulated for the specific license.~~f~~

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~~Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. (M.G.L. c.138, s.14)~~

~~1.6~~1.8 Package Store All Alcoholic Beverages: issued to qualified applicants to sell all alcoholic beverages in packages not to be consumed on the premises under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages, and any and all conditions stipulated for the specific license. ~~(Chapter 207 of the Acts of 2012; Approved 11/6/2012 election)~~

~~1.7~~1.9 Package Store Wine and Malt Beverages: issued to qualified applicants to sell wine and malt beverages in packages not to be consumed on the premises under the applicable regulations of Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages and any and all conditions stipulated for the specific license. ~~(Chapter 207 of the Acts of 2012; Approved 11/6/2012 election)~~

~~1.8~~1.10 Farmer Series Pouring Permit: issued to qualified applicants to sell malt beverages, for consumption on the grounds of a licensed farmer-brewery pursuant to M.G.L. c.138, §19C, as well as on the grounds of the farm operated as appurtenant and contiguous to, and in conjunction with, such farm, and in accordance with the applicable regulations of the Massachusetts General Laws, the Town of Needham Rules & Regulations Governing the Sale of Alcoholic Beverages and any and all conditions stipulated for in the specific license. For purposes of this policy, the word "license", "Licensee", and "licensed premises" shall include a "Farmer Series Pouring Permit", "Farmer Series Pouring Permittee", and "premises subject to a Farmer Series Pouring Permit", respectively, unless otherwise noted.

II. COMPLIANCE

2.1 The issuance of a license by the Select Board for the sale of alcoholic beverages under M.G.L. c. 138 applies only to said sales and does not release the Licensee from compliance, nor does it assume compliance with the rules, regulations, requirements and procedures of other government boards, agencies or bodies having jurisdiction.

2.2 Failure to comply with these regulations, the laws of the Commonwealth of Massachusetts, the Regulations of the Alcoholic Beverages Control Commission (ABCC) or the Town's bylaws may result in the revocation, suspension or cancellation of the license.

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

This section shall apply to any and all alcoholic beverages licenses issued by the Select Board ~~-~~ except those applicable to Special One Day Licenses (Section 8).

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3.1 Hours of Operation

3.1.1 No patron shall be served or sold alcoholic beverages before or after the hours stated in the license.

3.1.2 *On-Premises Consumption*

3.1.2.1 The hours during which the sale of all alcoholic beverages to be consumed on the premises may be made by any Licensee shall be from 11:00 a.m. to 12~~1~~ a~~p~~.m. Monday through Saturday and from 10:00 a.m. to 11 p.m. on Sundays, unless otherwise determined by the Select Board or further limited by statute or regulation.

3.1.2.2 Except for alcohol sold by a Farmer Series Pouring Permittee, the hours during which the sale of all alcoholic beverages may be made in a dining room are further limited to the time when the dining room is open and food service is available to the public. No alcoholic beverages shall be sold or served in a dining room before the dining room is open and food service is available, or after the dining room has been closed and food service has been suspended to the public.

3.1.2.3 No alcoholic beverages shall be served within the licensed premises during the fifteen (15) minutes preceding the hours stated on the license at which service of alcoholic beverages must cease.

3.1.2.4 All bottles, glasses, containers, etc., shall be cleared from all tables and bars within thirty (30) minutes of the established closing hour and all patrons will be off the licensed premises within forty-five (45) minutes of the established closing hour.

3.1.3 *Off-Premises Consumption*
The hours during which the sale of all alcoholic beverages to be consumed off the premises may be made by any Licensee shall be from 8:00 a.m. to 11:00 p.m. or 8:00 a.m. to 11:30 p.m. on days preceding a legal holiday, unless otherwise determined by the Select Board or further limited by statute or regulation.

3.1.4 *Adjustments*
The Board may adjust hours for individual and/or classifications of Licensees upon receipt of their request(s) for consideration of special circumstances and/or occasions.

~~3.1.5~~ *Employees and Staff*
3.1.5
With the exception of the Licensee and the manager, all employees shall vacate the licensed premises no later than sixty (60) minutes after the official closing hour designated on the alcohol license. Bona fide employees of the licensed

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establishment may remain upon or enter upon the licensed premises outside of the regular hours of operation while actually engaged in cleaning, staff meetings or trainings, opening, closing or preparing for the current or next day's business, but they may not dispense or consume any alcoholic beverage during such non-public hours. In any instance wherein a Licensee will have employees working on the licensed premises in excess of sixty (60) minutes before or after the serving times, the Licensee shall cause notification of the fact to be given by telephone to the Needham Police Department along with the estimate as to how long the work party will be on the premises. This provision shall not limit employees from being on the premises to produce malt beverages in accordance with a license issued pursuant to M.G.L. c.138, §19C or §19D.

3.2 Payment of Charges and Taxes

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

3.3 Filing and Application Requirements (excludes Special Event Licenses)

3.3.1 *Application for New and Transfer of License*.

In addition to the ABCC Application package, Applicants shall provide:

a. Proof of insurance;
b. All fees;
c. Completed and unexpired alcohol awareness training certificate for proposed managers of record;
d. Certificate of inspections, where required;
e. Employee roster (Section 3.4.2.); and
f. Any additional information the Select Board shall request (see Section 5.4 and Section 5.6).
~~e.~~
~~d. Copies of any other license issued by the Town of Needham and the ABCC to them for use at the proposed licensed premises, including, but not limited to G.L. c.138, §19C, §19D, §22; and~~
~~e. Any additional information the Select Board shall request.~~

3.3.2 *Application for Renewed License*

In addition to the ABCC Renewal Application Form, Applicants shall provide:

a. Proof of insurance;
b. Completed and unexpired alcohol awareness training certificates for all employees, including manager of record;
c. Certificate of inspections, where required; ~~and~~
~~e.~~d. Employee roster (Section 3.4.2.); and
~~d.~~e. Any additional information the Select Board shall request (see Section 5.4 and Section 5.6).

3.3.3 *Abutter Notification*

When conducting a public hearing to consider the issuance or transfer of a

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license to sell or serve wine, malt and/or alcoholic beverages, the Board shall require the Applicant to notify all owners of property within a 300-foot radius of the premises to be licensed.

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3.3.4 *Insurance*

No license shall be issued for the sale of alcoholic beverages (Special Event licenses excluded) in the Town until such time as the Applicant shall present to the Select Board a certificate of insurance showing that the Applicant carries the following policies of insurance from an insurance company licensed by the Department of Insurance of the Commonwealth of Massachusetts as follows: workers' compensation insurance as required by M.G.L. Chapter 152; and liquor liability insurance in the minimum amount of $100,000 per person/$1,000,000 aggregate for personal injury and $100,000 per occurrence for property damage. Licensees shall notify the Board no later than ten (10) days prior to the cancellation or material change of said coverage. The Board may, pursuant to M.G.L. c.138, §§64A, 64B, 67 increase the minimum amount of required insurance coverage. Failure to maintain such coverage during the license period shall be grounds for revocation.

3.3.5 *Fees*

All license fees of the Board are incorporated in ~~these rules and regulations as Attachment I, Schedule of Town of Needham Liquor License Fees. These fees shall be non-refundable.~~to the Select Board licensing fee schedule. This schedule is reviewed on an annual basis and updated by the Select Board as required.

3.3.5.1 Filing Fees: ~~—~~All required filing fees shall be paid in full at such time as the application is filed. Filing fees shall not be pro-rated for any reason.

3.3.5.2 License Fees: ~~s~~ All license fees for the initial issuance of a new license, or for the transfer of an existing license, for a change in the structural composition of a licensed premises, and/or for the annual renewal of a license shall be paid in full prior to the issuance of the license. The initial license fee will be pro-rated based on the number of months remaining in the calendar year at the time of occupancy.

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3.3.6 *Floorplans and Signage*

3.3.6.1 When a submittal of a floorplan is required by the ABCC, Applicants for a new or amended license shall submit an architectural floor plan, drawn to scale, that includes the following information, which will be clearly marked:

a) the net floor area (net floor area shall be the area of the rooms measured between the interior walls exclusive of stairways, service bars, hallways, etc.) and dimensions of the existing room or rooms and exterior premises requested to be licensed including dining rooms, function rooms, exterior premises and rooms in which alcoholic beverages are to be stored;

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b) the location of any proposed Bar Service Areas, cocktail lounge, or other area where patrons may stand while consuming alcohol;
c) areas in which seats or benches are to be securely fastened to the floor and areas in which the seats and tables are moveable;
d) entrances and exits;
e) kitchens and/or food preparation areas;
f) take out areas;
g) storage areas;
h) restrooms;
i) cash register areas;
j) all rooms not being requested to be licensed shall be labeled as to their function, such as, kitchen, coatroom, lobby, etc.;
k) total occupant load;
l) areas where food trucks or other mobile food vendors may be parked for the purposes of serving patrons;
m) outdoor service areas, showing location of seats, tables, trash cans, and physical barriers to segregate the licensed premises from non-licensed areas; and
n) any other licensed spaces not covered by the above.

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

3.3.6.3 Where outdoor service is proposed, the Applicant shall provide draft signage that will be posted around the licensed premises to aid in restricting the transportation or possession of any alcohol, wine, or malt beverage beyond the limitation of the barrier.

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

3.4 Management and Trainings (excludes Special Event Licenses)

3.4.1 *Management*.
At all times that the licensed premises are open for the sale or service of alcoholic beverages, the Licensee shall have on the premises a manager or assistant manager who has successfully completed an in-person alcoholic beverages server training program satisfactory to the Select Board. The onsite manager/assistant manager shall be responsible for compliance with all applicable laws of the Commonwealth of Massachusetts concerning the sale of alcoholic beverages and the Town's rules and regulations for the provision and consumption of alcoholic beverages. The designated manager/assistant

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manager shall have full authority to make decisions concerning the operation of the establishment.

3.4.2 *Employee Roster*

A current employee roster shall be available upon request to the Town for all licensed establishments. An updated employee roster shall be provided prior to operation when first opening, annually upon license renewal, and upon the request of the Select Board or its designee.~~to the Town within 45 days of the hiring of a new employee subject to the training requirements of 3.4.3.~~

3.4.3 *Training~~s~~*

3.4.3.1 All managers, assistant managers, and bartenders shall attend an in-person or live virtual alcoholic beverage server training program satisfactory to the Select Board within 30 days of employment and once every two years thereafter. There shall be an un-expired certificate of program completion on file with the Select Board at all times; provided that for new employees, the certificate may be provided concurrently with the employee roster required under Section 3.4.2.

3.4.3.2 All employees serving, pouring, or delivering alcoholic beverages not covered by Section 3.4.3.1 shall complete a Town- approved training program within 30 days of employment, or provide proof of training certification at a Town-approved course within the last three years. All such employees must complete an approved program once every three years. There shall be an un-expired certificate of program completion on file with the Select Board at all times; provided that for new employees, the certificate may be provided concurrently with the employee roster required under Section 3.4.2 and shall be provided upon request of the Select Board or its designee.

3.4.3.3 It is the obligation of the license manager to inform all employees about the rules and regulations of the Select Board, the ABCC, and any and all applicable Massachusetts laws.

3.5 General and Miscellaneous Provisions

~~3.5.1~~ There shall be no alcoholic beverages taken from the premises of an establishment licensed under M.G.L. c.138, §12, except for deliveries for the operation of the business as controlled by M.G.L. c.138, and with the exception of partially consumed bottles of wine that are purchased with a meal and resealed in accordance with 204 CMR 2.18 or sales conducted pursuant to

3.5.1 M.G.L. c.138, §19C or §19D.

~~3.5.2 No Licensee shall sell alcoholic beverages in any part of the premises not~~

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~~specified on its license or such other license issued by the ABCC. No change of such area or location shall be made without prior written approval of the~~

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3.5.2 ~~Select Board.~~ The licensed premises shall meet and fully comply with all health standards and regulations applicable to the sale of alcoholic beverages.

3.5.3 The licensed premises must be well ~~lighted~~ lit at all times.

3.5.4 There shall be no indecent or immoral entertainment on the licensed premises.

3.5.5 Gambling, lotteries, or other ~~illegal machines or~~ games are prohibited except as otherwise permitted by law.

3.5.6 The licensed premises shall be subject, at all times, to inspection by members of the Select Board, the Town Manager, Inspector of Buildings, Board of Health or its representatives, Police Department, Fire Department, or any other department or official of the T~~t~~own so directed by the Select Board.

3.5.7 ~~-~~No licensed restaurant, innkeeper, continuing care retirement community, Farmer Series Pouring Permittee, or package store may permit the use of any amusement service such as electronic games on the premises.

3.5.8 Service of alcoholic beverages shall be completed by a trained staff member ~~by a bartender/server/wait person~~or through a metered self-service station under the supervision on a trained staff member (applicable to on premise Licensees only, including Farmer Series Pouring Permittees).

3.5.9 Licensees shall make all reasonable and diligent efforts to ensure that loitering, disorder, disturbances or illegality of any kind does not occur at the licensed premises. The Licensee shall ensure that business in the licensed premises is conducted in a responsible manner so that no activity shall detract from the quality of life in the Town generally, or in the neighborhood in which the licensed premises are located. The Licensee may be held responsible for such activity, whether present or not. Licensees shall at all times maintain the immediate and surrounding area outside the licensed premises in a state of cleanliness and upkeep.

3.5.10 The alcoholic beverage license must be prominently displayed and available for public viewing inside the premises.

3.5.11 Licensees shall at all times maintain the immediate and surrounding area outside the licensed premises in a state of cleanliness and upkeep.

~~3.5.12 The alcoholic beverage license must be prominently displayed and available for public viewing inside the premises.~~

~~3.5.13~~3.5.12 The Licensee shall request proof of identification from any patron appearing to be under the age of 40 prior to any alcohol sale and confirm the authenticity of the identification card through the use of a digital card scanner or a card scanning application on an electronic device, such as a tablet or cellular phone.~~digital card scanner.~~

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IV. RULES AND REGULATIONS FOR THE SALE OF ALCOHOLIC BEVERAGES BY INNHOLDERS ONLY

4.1 ~~Cocktail lounge~~S~~s~~ervice of alcohol in restaurants or guest lounge areas is~~ are~~ permitted with the approval of the Select Board but limited to approved areas by the Select Board with appropriate identification of the specific location documented by the Inspector of Buildings.

4.2 The service of alcoholic beverages to the room of any registered guest is prohibited unless otherwise authorized by the Select Board.

~~4.3 Section 5.3 of these policies shall apply to the restaurant and dining areas of the licensed establishment.~~

~~4.4~~4.3 With the approval of the Select Board, an Innholder may sell sealed wine and malt beverages at a concession stand in the lobby of the hotel. Such sales shall be to individuals renting rooms at the establishment only and must be consumed within the rented rooms. Any wine and malt beverage purchased at the concession stand must remain sealed until the purchaser has returned to their room.

V. RULES AND REGULATIONS APPLICABLE TO THE SALE OF ALCOHOLIC BEVERAGES IN RESTAURANTS

5.1 Purpose

It is the policy and purpose of the Select Board acting as the Licensing Board of the Town of Needham to limit the issuance of alcoholic licenses as an ~~accommodating and incidental~~incidental part of a Common Victualler's primary and principal business endeavor of preparing and serving food to the public in a restaurant and function room.

The issuance of alcoholic licenses will be utilized so as to both enhance the dining experience of individuals patronizing Needham restaurants and to foster the economic development of business areas in the Town by encouraging and promoting foot traffic in those areas where restaurants are located. The Board will consider when deciding upon a license application the foregoing factors and any other matter deemed appropriate by the Board including by way of description but not limitation: proximity to residential neighborhoods, traffic, parking, appropriateness of menu and other aesthetic considerations including the physical layout of the interior of the establishment. Licenses will not be granted to establishments whose principal business activity is fast food, take-out, or which has any "drive-through" component.

5.2 Common Victualler's License

No alcohol license will be issued to any Applicant unless such Applicant is the Licensee named in a current or pending C~~c~~ommon V~~v~~ictualler's license~~ and has operated a restaurant for the twelve-month period immediately preceding the filing of an application.~~.

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5.3 Food Service

Service of food must be available in all areas in which alcoholic beverages are to be served. Meals must be served on solid dinnerware with silverware accompanying the same. No paper plates or plastic cutlery ~~is~~ are permitted.

5.4 Fire Safety Inspections

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

5.5 Bar Service

The sale or service of alcoholic beverages for consumption at any unapproved Bar Service Area is prohibited. For the purposes of these regulations, Bar Service Area is defined as service across a counter at which alcoholic drinks are prepared to patrons who may or may not be waiting to dine. For those establishments with no table service, the Bar Service Area shall include the entire area where patrons may consume alcohol. Bar Service Areas are permitted only in locations expressly approved and authorized by the Select Board. Such authorization may be granted under the following conditions:

a) The Board makes a finding that it is in the best interest of the Town to allow the service of alcoholic beverages in the Bar Service areas
b) No more than a total of fifteen (15) seats or twenty percent (20%) of the total seats in the premises, whichever is less, shall be allowed in the Bar Service area(s), except that the Board may authorize a greater number where such seats are intended for food service customers as part of the Licensee's business plan;
c) The seats in the Bar Service areas are included when calculating the number of seats in the premises;
d) All food and beverages on the menu served in the public dining room shall be available for service to the patrons in the Bar Service areas.

5.6 Reporting

Licensees shall provide the Select Board with a statement ~~certified by a Certified Public Accountant~~ as to the percentage the annual sales for the previous period of October 1-September 30 of alcoholic beverages compared to the total annual sales of food and alcoholic beverages. If the percentage exceeds fifty percent (50%), the Select Board may investigate to determine whether the service of alcoholic beverages has become more than incidental to the service of food on the premises. If the Board determines that the sale of alcoholic beverages has become more than incidental to the sale of food on the premises, it may after hearing require the Licensee to reduce it alcohol sales or take any other action permitted by law, including suspension or revocation of the license.

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VI. RULES AND REGULATIONS APPLICABLE TO CLUBS AND VETERANS ORGANIZATIONS

6.1 Every club a~~A~~pplicant to be eligible to be licensed to sell any or all alcoholic beverages within the Town of Needham must be a corporation duly organized and existing under Chapter 180 of the General Laws of the Commonwealth of Massachusetts and has maintained club facilities for not less than three (3) years prior to the filing of an application. The within provisions may be waived by the Select Board.

6.2 Every Veterans organization to be eligible to be licensed to sell any and all alcoholic beverages within the Town of Needham must be duly chartered or authorized by the Laws of the United States or the Commonwealth of Massachusetts.

6.3 Each Applicant shall furnish a copy of its Charter or other legal evidence of its eligibility as herein specified when requested by the Select Board.

6.4 Each eligible club and veteran's organization must have the exclusive legal right to the possession and enjoyment of indoor facilities of not less than 2,000 square feet of floor space on one or more floors and which may consist of one or more rooms.

6.5 Each Licensee hereunder acting by and through its Board of Directors or other governing body shall appoint a manager or bartender who is of good moral character and a responsible person. The manager or bartender will be in charge during open hours acting for and on behalf of the Board of Directors or other governing Board. Acting for and on behalf of the Board of Directors the manager or bartender shall be responsible for the conduct of the members and guests, accountable for keeping order and the prevention of undue noise and disturbances on the licensed premises and the neighborhood.

6.6 Section 5.3 of these policies shall apply to all clubs and veterans' organizations.

VII. RULES AND REGULATIONS APPLICABLE TO CONTINUING CARE RETIREMENT COMMUNITIES

7.1 Every continuing care retirement community (CCRC) applicant to be eligible to be licensed to sell any or all alcoholic beverages within the Town of Needham must be a corporation duly organized and existing under Chapter 93, Section 76 of the General Laws of the Commonwealth of Massachusetts. The within provisions may be waived by the Select Board.

7.2 Every CCRC shall be duly chartered or authorized by the Laws of the United States or the Commonwealth of Massachusetts.

7.3 Each Applicant shall furnish a copy of legal evidence of its eligibility as herein specified when requested by the Select Board.

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7.4 Each Licensee hereunder acting by and through its Board of Directors or other governing body shall appoint a manager of record who is of good moral character and a responsible person. The manager of record will act on behalf of the Board of Directors or other governing Board. Acting for and on behalf of the Board of Directors, the manager of record shall be responsible for the conduct of the members and guests, accountable for keeping order and the prevention of undue noise and disturbances on the licensed premises and the neighborhood.

7.5 Section 5.3 of these policies shall apply to all CCRCs.

VIII. RULES AND REGULATIONS APPLICABLE TO SPECIAL ~~EVENT~~ ONE DAY LICENSES ~~VII.~~

~~7.1~~8.1 Hours of Sale

Request for the sale of alcohol under a Special Event License is limited to between the hours of 11:00 a.m. and 12:00 a.m. on Monday through Saturday, and 12:00 p.m. and 12:00 a.m. on Sundays.

~~7.2~~8.2 Notice

Special Event Licenses are exempt from the legal notice and publication requirements.

~~7.3~~8.3 Eligibility

~~7.3.1~~ No Special Event License shall be granted to any person while their application for an On-Premises license is pending before the Select Board.

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7.3.28.3.1 No person shall be granted a Special Event License for more than 30 days in a calendar year.

7.58.4 Application

The Applicant shall provide the following information and documents to the Select Board:

a) Town of Needham Select Board Event Information SheetInformation requested in the Town's One Day Special License application.
b) Descriptive information about the event (invitation, flyer, letter of explanation, etc.)
c) Written indication of the manner by which service, sale, delivery, and/or dispensing of alcoholic beverages are to be controlled.
d) Written evidence of the owner's permission to use the proposed licensed premises.
e) Proof of Non-profit Status (if request is for all alcoholic beverages).
f) Sketch/floorplan of the proposed licensed premises detailing where alcohol will be served, sold, delivered, and/or dispensed.
g) Designation and identification in writing of all individuals who will serve, sell, deliver, and/or dispense alcoholic beverages and evidence of whether or not said individuals have completed in the past three years an appropriate Massachusetts alcoholic beverages server training program.
h) Acknowledgement that the person holding the special license has purchased the alcoholic beverages from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder. A person holding a section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04)

7.6 8.5 Conditions

The Special Event Manager shall provide for the orderly and safe conduct of the event, shall be responsible for the proper sale, service, delivery, dispensing and consumption of alcoholic beverages, shall be physically present during the duration of the entire event and shall sign the Event Information Sheet. The Special Event Manager shall display such Special Event License where sale of alcoholic beverages is taking place.

7.7 Alcohol Training

The Select Board may require the Special Event Manager or individuals serving or handling alcohol at the event to complete a training program to prevent service to underage or intoxicated persons.

VIII.IX. RULES AND REGULATIONS APPLICABLE TO PACKAGE STORES

8.19.1 General Provisions

8.1.19.1.1 Employees at the licensed premises on which a Section 15 license is exercised must be 21 years of age except that such Licensees may

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a person under the age of 21 who does not directly handle, sell, store, or prepare for display any alcoholic beverages. Notwithstanding the foregoing, food store employees 18 years of age or older may handle, store, or prepare any alcoholic beverages for display.

~~8.1.2~~9.1.2 No seating, chairs, stools, or tables for use by customers or patrons shall be placed or permitted by a retail package store Licensee upon or within the licensed premises, or upon any area under the direction and control of the Licensee without the Select Board's consent.

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~~8.1.3~~9.1.3 Where the liquor licenses are granted to serve the public, Licensees shall be open to the public and, except in exigent circumstances, operate on all days and hours in accordance with the terms of the issued liquor license. The closing of the licensed premises to the public, for a period of five (5) consecutive days or more, or for any period totaling ten (10) days during the calendar year without the prior approval of the Select Board may be deemed to be an abandonment of the Liquor License and sufficient grounds for revocation of the Liquor License.

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~~8.1.4~~9.1.4 Package Store Licenses may be granted to food stores as defined in these regulations, but will not be granted to convenience stores.

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~~8.1.5~~9.1.5 Alcohol-related signage displayed so that it is visible to the public will be limited. As a condition of the license, the Licensee will comply with the Town of Needham Sign By-law, as from time to time amended.

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~~8.1.6~~9.1.6 Advertisement at local sporting events or school events and sponsorships of sporting teams where participant's uniforms carry the name, logo or advertisement for any business which derives more than 25% of its gross revenues from the sale of alcoholic beverages is prohibited.

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~~8.1.7~~9.1.7 "Nips" or bottles of spirits containing fewer than eight (8) fluid ounces shall not be located in an area directly accessible by customers, and shall be offered for sale upon the request of a customer from a location within the premises to which customers do not have direct access, such as behind a counter.

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~~8.2~~9.2 Deliveries

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~~8.2.1~~9.2.1 For all deliveries conducted off the licensed premises, the Licensee shall keep written records including the date of sale, quantities and sizes of items purchased, method of payment transaction, and name and address of purchaser. In addition to the preceding requirements, the amount of the beverages that were delivered, the date and time of delivery, the signature of the person receiving the delivery and the type of identification card used to confirm age. Such written records shall be maintained by the

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Licensee within or upon the license premises for a period of not less than one year and must be readily available for inspection by the Town.

~~a)~~9.2.1.1 Deliveries must be made during the operating hours of the store.

~~b)~~9.2.1.2 Deliveries shall be made by persons no less than 21 years of age.

~~c)~~9.2.1.3 A copy of Off-Premises Transportation Permit, license to deliver issued by the ABCC, shall accompany application at time of submittal.

~~8.2.2~~9.2.2 Hours for product deliveries to establishment and/or pick-up of bottle returns should be arranged so that activity does not interfere with the quiet enjoyment of the neighborhood.

~~8.3~~9.3 Sample Tastings

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

~~8.4~~9.4 Food Store Alcohol License Requirements

~~8.4.1~~9.4.1 A food store is defined as a farm stand, grocery store, or supermarket, which sells at retail, food for consumption on or off the gross premises, whether alone, or in combination with grocery items or other non-durable items typically found in a grocery store and sold to individuals for personal, family or household use. Such food store shall carry fresh and processed meats, poultry, dairy products, eggs, fresh fruits and produce, baked goods and baking ingredients, canned goods and dessert items. Notwithstanding the foregoing, a food store for the purposes of these regulations shall not be a convenience store, any business that sells gasoline, or a business which derives more than 25% of its gross revenues from the sale of alcoholic beverages. The retail space used to display alcoholic beverages shall not exceed twenty-five percent (25%) of the total retail space on the premises. The Select Board shall determine whether an Applicant is a food store as set out herein and in compliance with any and all requirements.

~~8.4.1~~9.4.2 A convenience store is defined as an establishment that sells at retail food and other non-durable items to individuals more on a daily basis, such as but not limited to small quantities of food, candy, newspapers, and tobacco products. Convenience stores are frequently open with only one staff member on duty at a time, are usually open later than 10:00 p.m. and may or may not sell gasoline. The Select Board reserves the right to consider each of these factors when determining if an Applicant will be considered a convenience store.

~~8.4.2~~9.4.3 Regular sales and operation of the food store must continue during

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times when the sales of alcoholic beverages are permitted.

~~8.4.3~~9.4.4 Package store licenses issued to food stores shall be limited to wine and malt beverages only; provided, however, that a farm stand, as defined in 330 CMR 22.02, shall be eligible for an all-alcohol package store license.

~~IX.~~X. RULES AND REGULATIONS APPLICABLE TO FARMER SERIES POURING PERMITTEES

~~9.1~~10.1 Applicants

Applicants for a Farmer Series Pouring Permit shall hold a Farmer-Brewery License (M.G.L. c.138, §19C) from the ABCC at all times. If an Applicant for a Permit does not have a valid ABCC Farmer-Brewery License at the time of Application, issuance of the Permit shall be conditioned on receipt of such ABCC license.

~~9.2~~10.2 Purpose

The issuance of Farmer Series Pouring Permits shall be utilized so as to foster the economic development of the Town by encouraging and promoting patronage in those areas where Farmer Series Pouring Permittees are located. The Select Board shall consider when deciding upon a license application the foregoing factors and any other matter deemed appropriate by the Board including by way of description but not limitation: proximity to residential neighborhoods, traffic, parking, community engagement, and other aesthetic considerations including the physical layout of the interior of the establishment.

~~9.3~~10.3 Water Station

At all times, there shall be a free, self-service water station for patrons and customers to use without staff assistance. This provision may be waived by the Select Board upon a showing of good cause and only if a sign is posted by the bar stating that tap water is available upon request and free of charge.

~~9.4~~10.4 Occupancy

Where required by the Select Board, the Licensee shall delegate a staff member to keep and maintain an accurate count of all individuals occupying the premises to ensure compliance with building code occupancy limits.

~~9.5~~10.5 Food Service

The Permittee shall ensure that food service is available to its patrons at all times that alcohol is served for on-premises consumption. The Permittee may satisfy this provision by (i) holding a Common Victualler's license and operating a full-service kitchen; (ii) arranging for food to be brought onto the premises by mobile food truck vendors; (iii) contracting with nearby restaurants; (iv) allowing patrons to have food delivered for consumption on the premises; or (v) such other arrangement as the Select Board deems appropriate. The Permittee shall submit a plan for food service with its application.

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~~X.~~XI. VIOLATIONS

~~10.1~~11.1 Violations

Any violation of the License terms and conditions, these Regulations, the Regulations of the Alcoholic Beverages Control Commission, the laws of the Commonwealth, including General Laws Chapter 138, or the Town's General Bylaws may be grounds for action by the Select Board, including the modification, suspension, revocation, nonrenewal or cancellation of a license.

~~10.2~~11.2 Suggested Orders

Except as provided in Section ~~10~~11.3, the suggested orders listed below shall be a guide for the Select Board. The Board, in its discretion, may impose an order that is more lenient or more severe than suggested by the guidelines when the facts surrounding a violation so warrant. In determining the appropriate action in any given case, the Select Board shall consider the violation, the facts of the case, other relevant factors including the Licensee's prior record, and aggravating or mitigating circumstances. ~~Dates of suspension will be determined by the Select Board and suspensions of more than one day will be served consecutively.~~

Offense	Suggested Order
1st Offense	One to five day suspension
2nd Offense	Six to ten day suspension
3rd Offense	Ten to thirty day suspension. Licensee shall be required to provide the Board with a satisfactory written plan to prevent further violations, under signature of the manager of record and any person or entity holding more than a 10% ownership interest in the license. The Select Board shall hold a hearing relative to the offense.
4th Offense	Revocation.

~~10.3~~11.3 Compliance Checks

The Town conducts, and expects to continue to conduct, routine compliance checks of Licensees, including, but not limited to, service to underage persons checks using agents of the Needham Police Department. The following schedule of recommended discipline is a guideline intended to illustrate the range of disciplinary action that the Select Board may impose for service to underage violations identified in compliance checks, which are intended to be educational by design. Other violations discovered during the course of a compliance check may following the suggested order scheme identified in Section 11.2. The Select Board is not limited by these guidelines and may impose greater or lesser discipline based on consideration of the violation alleged, the facts of the case, other relevant factors including the Licensee's prior record, and aggravating or mitigating circumstances. ~~Dates of suspension will be~~

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~~determined by the Select Board and suspensions of more than one day will be served consecutively.~~

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Offense	Suggested Order
1st Offense	One to two day suspension, which may be held in abeyance for one calendar year.~~.~~
2nd Offense	Up to five-day suspension.
3rd Offense	Up to ten-day suspension. Licensee shall be required as a condition of the license to provide the Board with a satisfactory written plan to prevent further violations, under signature of the manager of record and any person or entity holding more than a 10% ownership interest in the license~~, to assure that a further offence will not occur.~~. The Select Board shall hold a hearing relative to the offense.
4th Offense	Minimum ten-day suspension. Based on relevant circumstances as determined by the Board, the Board may order a longer suspension of any length, imposition of conditions on or other modifications of the license, disqualification of the manager of record, or compulsory initiation by the Licensee of transfer of ownership to a responsible party to be approved by the Board.

~~10~~11.4. Training

All employees involved in the improper sale of alcohol and the in-store manager at the time of the violation (as determined by the license Manager of Record) shall not serve alcohol until they complete another training course (either virtually or in-person) in accordance with Section 3.4.3, notwithstanding when the course was last completed and provide proof of said training to the Select Board. In addition, these employees must complete in-person or live virtual training in accordance with Section 3.4.3 no later than the next such training offered by the Town of Needham and provide proof of said training to the Select Board.

~~10.5~~11.5 Prior Violations

In calculating the number of prior offenses under this guideline, the Select Board will consider determined violations occurring within the five (5) years preceding the date of current violation.

~~10.6~~11.6 Hearings

~~10.6.1~~11.6.1 A Licensee shall have a right to notice and ~~public~~ hearing before modification, suspension, revocation, nonrenewal or cancellation of a license by the Board, except that the Board may under emergency

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circumstances as allowed by Law suspend the license pending hearing.

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~~10.6.2~~11.6.2 A Licensee may waive its right to hearing, and the Board in such cases may make findings and act without hearing on recommendation of the Town Manager. The Board may, however, require that a hearing be held notwithstanding such a waiver, in which case the Licensee shall have notice of hearing and an opportunity to be heard before action is taken on modification, suspension, revocation, nonrenewal or cancellation of a license, except that Select Board may under emergency circumstances as allowed by Law suspend the license pending hearing.

~~10.7~~11.7 Notice of Suspension

On the days when Suspension of License is being served, the Licensee will publicly post at its public entrance(s) a notice of the Suspension in a form as the Board or Town Manager may direct. The Board may also post notice of violation hearings, findings, decisions, and orders to the Town's website and Town's social media.

APPROVED:	6/14/77
Amended and revised:	11/18/97
Amended and revised:	2/9/99
Revised fee schedule:	12/7/99
Revised fee schedule:	12/5/00
Revised and approved:	8/20/02
Fee changes	12/21/04
Addition of Liquor Liability Insurance:	1/25/05
Addition of One-Day License:	1/25/05
Amended and revised:	11/14/06
Amended and revised:	6/22/10
Amended and revised:	12/18/12
Amended and revised:	5/13/14
Amended and revised:	9/10/2014
Amended and revised:	11/9/2016
Amended and revised:	7/25/2017
Amended and revised:	8/18/2020
Amended and revised:	7/26/2022
Amended and revised:	4/25/2023
Amended and revised:	

SELECT BOARD

ACTING AS

NEEDHAM LICENSING BOARD

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Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET

MEETING DATE: 10/14/2025

Agenda Item	Harris Avenue Speed Cushions Pilot
Presenter(s)	Tyler Gabrielski, Director of Streets & Transportation Justin McCullen, Transportation Safety Committee Chair

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

The Transportation Safety Committee (TSC) will give an overview of the planned installation of "speed cushions" on Harris Avenue at the crosswalks near Pinewood Road leading to Pollard Middle School. A resident safety concern petition was heard at the February 2025 TSC meeting concerning this location and at the March 2025 meeting it was voted on that speed cushions would be implemented to calm traffic near the crosswalks and protect pedestrians. These cushions will be implemented on a pilot basis and will be removed seasonally to avoid conflicts with snow plowing. Installation is tentatively scheduled for Spring 2026.

2.	**VOTE REQUIRED BY SELECT BOARD**

N/A – Discussion Only

3.	**BACK UP INFORMATION ATTACHED**

a. Speed Cushion Specifications and Product Sheets
b. Speed Cushion Layout/Dimensions
c. Diagram Showing Approximate Location of Installation

TRAFFIC LOGIX
Rubber Products Group
A Division of Logix ITS

SPEED CUSHIONS

Speed Cushions of various dimensions may be constructed utilizing patented directional tongue and grove 18" x 42" interlocking rubber modules. ◊ This two directional tongue and grove interlocking module system provides additional connection between the modules. ◊ Creates a bond among modules. ◊ Increases vehicle impact resistance. Adds to long-term stability and performance.
◊ Reduces installation time.

Every Speed Cushion, Hump and/or Table includes ample Bolts, Anchors, Washers and Anchor Adhesive.

PRODUCT SPECIFICATIONS

Material Physical Properties

Material: Compression molded 100% recycled synthetic and natural rubber composite and binder. Contains no dust, crumbs or fly that will weaken modules
Tensile Strength: 500 psi minimum
Shore Hardness: 70 Shore A minimum
Specific Gravity: 1.1
Deformation Rate: None; 100% recovery
Skid Resistance: 89 (Dry)
Markings: All markings embedded into rubber during manufacturing process. All have reflective qualities.
Inherent Resistance: Impermeable to engine oils, road salts, transmission fluid, anti-freeze, gasoline/diesel fuel, solvents, etc. Unchanged by outdoor exposure including extreme weather conditions.
Conforms to pavement deviations.

Aspects of Patented Modules

Width: 18" (+/- 1/16") With Dual Tongue & Grooves
Length: 42" (+/- 1/8") With Dual Tongue & Grooves
Height: 3" (+/- 1/8") With Dual Tongue & Grooves
Entrance and exit module gradient: 1:15 Lip: .25"
Side module gradient: 1:5 Lip: .25"

Speed Cushions, Humps, Tables

Widths and lengths are adjustable
Width: From 3' and up by (18") 1.5' increments
Length: From 7' and up by (42") 3.5' increments
Standard Product Lengths 7', 10.5', 14', 17.5', 21'

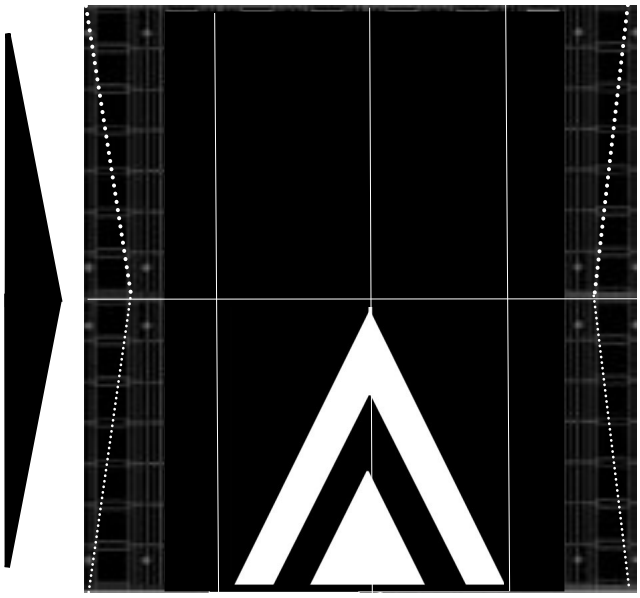
7" Hardware is standard for asphalt installation. Request 4" hardware if installing into concrete.

Traffic Logix 6' W cushions easily permit Fire Apparatus passage with **NO** slowing. Front tires can entirely straddle our 6' width.
NO front tire bumps.
NO conflict for ERV drivers.

Individual Module Parts are stamped on ALL module outer edges for easy identifications when installing.

Not shown 17.5' and 21' lengths

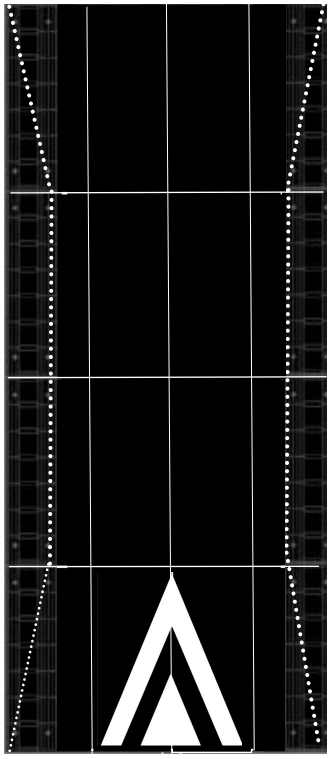
ITE approved MUTCD Dual Arrow



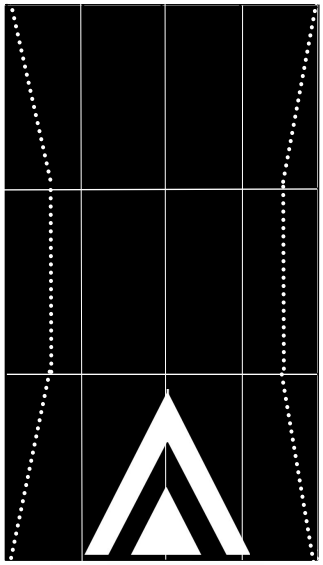
3"

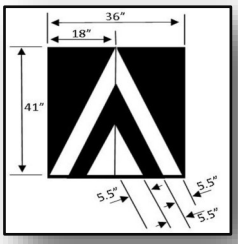
Part # SC-070603-M
7' L x 6' w x 3" H

14' L x 6' W x 3" H
Part # SC-140603-M



10.5' L x 6' W x 3" H
Part # SC-1050603-M





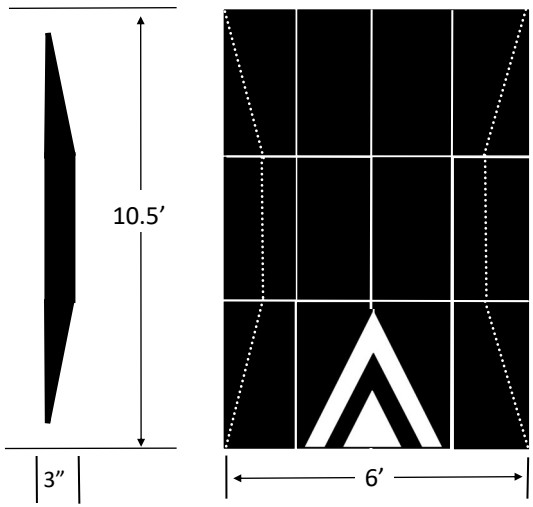
TRAFFIC LOGIX
Rubber Products Group
A Division of Logix ITS

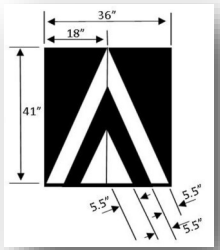
SPEED CUSHIONS

Speed Cushions are raised devices placed across the road to slow traffic. This design encourages cars to slow down without coming to a halt. They are ideal for residential roads, school zones, parks and playground areas, commercial, industrial, military areas, etc.
Speed Cushions should ideally be installed in a series to create ongoing traffic calming.
At 10.5' long, designed speeds between 15-20 mph +/- 5 mph.

As Shown: 10.5 L x 6' W x 3" H w MUTCD Markings

Part Number: SC-1050603-M

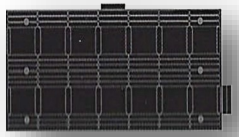




SC-1050603-M Consists of

2 ea. LSH03-B *
2 ea. RSH03-B *
1 ea. LSH33-B *
1 ea. RSH33-B *
1 ea. MSH03-MLT *
1 ea. MSH03-MRT *
2 ea. MSH03-B *
2 ea. MSH33-B
76 ea. Bolts, Anchors, Washers
6 ea. Tubes Anchor Adhesive
* **MUST apply** anchor adhesive

All modules have patented interlocking tongue and grooves.
Creates a bond among modules.
Increases installed cushion vehicle impact resistance.
Enhances long-term stability and performance.
Reduces installation time.



PRODUCT SPECIFICATIONS

Material Physical Properties

Material: Compression molded 100% recycled synthetic and natural rubber composite and binder. Contains no dust, crumbs or fly that will weaken modules
Tensile Strength: 500 psi minimum
Shore Hardness: 70 Shore A minimum
Specific Gravity: 1.1
Deformation Rate: None; 100% recovery
Skid Resistance: 89 (Dry)
Markings: All markings embedded into rubber during manufacturing process. All have reflective qualities.
Inherent Resistance: Impermeable to engine oils, road salts, transmission fluid, anti-freeze, gasoline/diesel fuel, solvents, etc. Unchanged by outdoor exposure including extreme weather conditions.
Conforms to pavement deviations.

Aspects of Patented Modules

Width: 18" (+/- 1/16") With Dual Tongue & Grooves
Length: 42" (+/- 1/8") With Dual Tongue & Grooves
Height: 3" (+/- 1/8") With Dual Tongue & Grooves
Entrance and exit module gradient: 1:15 Lip: .25"
Side module gradient: 1:5 Lip: .25"

Speed Cushions, Humps, or Tables

Widths and lengths are adjustable
Width: From 3' and up by (18") 1.5' increments
Length: From 7' and up by (42") 3.5' increments
Standard Product Lengths 7', 10.5', 14', 17.5', 21'

Elements of Speed Cushions

7' x 6' x 3" ● 8 modules
10.5' x 6' x 3" (Flat surface 41" x 42") ●12 modules
14' x 6' x 3" (Flat surface 41" x 84") ●16 modules
17.5' x 6' x 3" (Flat surface 41" x 126") ● 20 modules
21' x 6' x 3" (Flat surface 41" x 168") ● 24 modules

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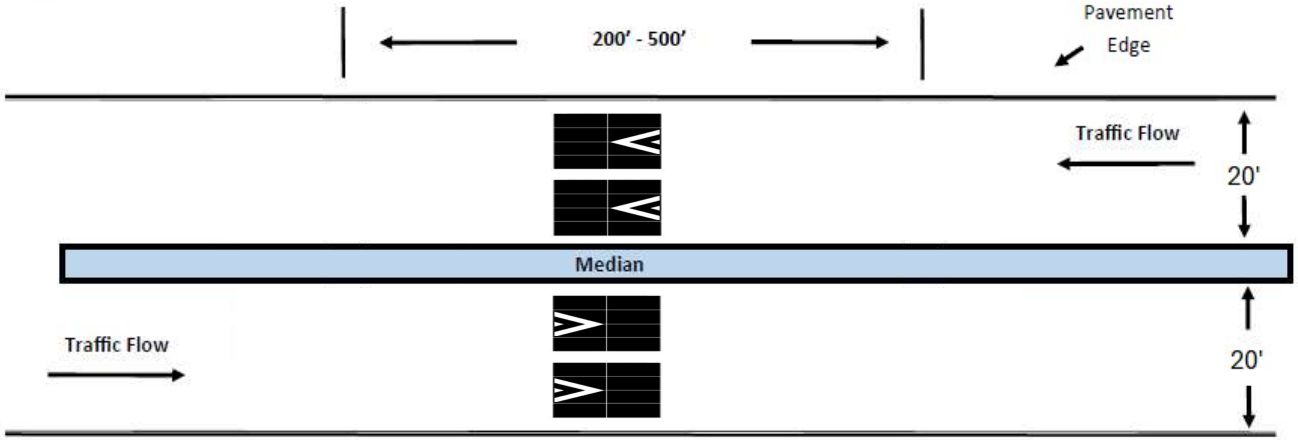
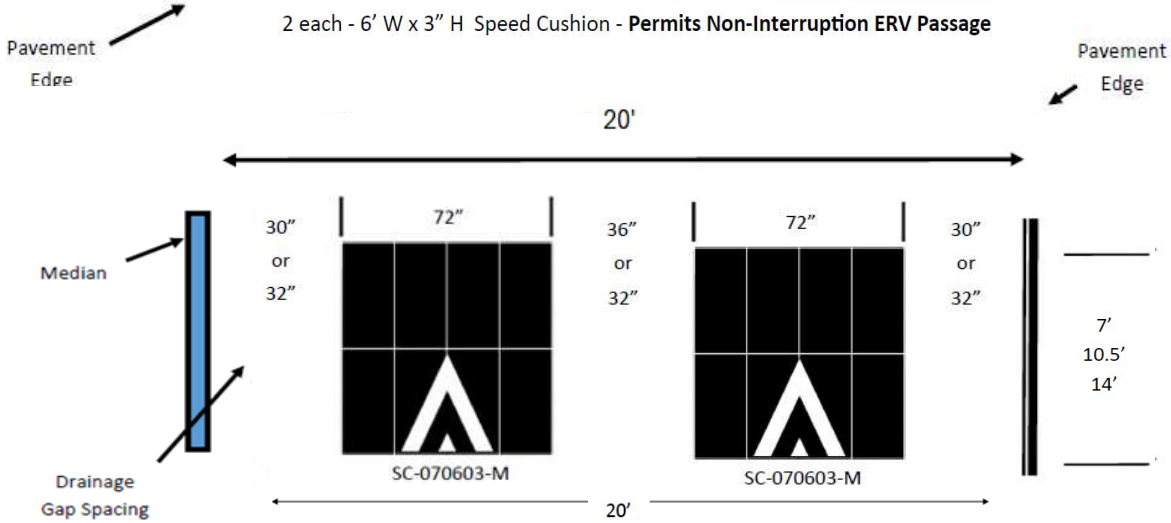
Suggested Layout 20' Roadway



2 each - 6' W x 3" H Speed Cushion - **Permits Non-Interruption ERV Passage**



This is not an approved plan. Offered only as a suggestion. A trained traffic engineer must always be consulted for proper placement and cushion spacing.

Pinewood Rd
189
179
Harris Ave
Harris Ave
Harris Ave
Harris Ave
Median
Harris
Harris Ave

Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET

MEETING DATE: 10/14/2025

Agenda Item	Sign Notices of Traffic Regulation
Presenter(s)	Carys Lustig, Director of Public Works Tom Ryder, Town Engineer

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

The Department of Public Works (DPW) requests that the Select Board approve the placement of stop signs at nine intersections across Needham:

1. Coulton Park at Harris Avenue
2. Wilshire Park at Harris Avenue
3. Stevens Road at Harris Avenue
4. Prince Street at Harris Avenue
5. Pinewood Road at Harris Avenue
6. Green Street at Great Plain Avenue
7. Maple Street at Great Plain Avenue
8. Nehoiden Street at Meadowbrook Road
9. Hunnewell Street at Hillside Avenue

2.	**VOTE REQUIRED BY SELECT BOARD**

Suggested Motions:

1. That the Board vote to approve and sign the Notice of Traffic Regulation Permit #SS25-10-14 placing a stop sign on Coulton Park at Harris Avenue

2. That the Board vote to approve and sign the Notice of Traffic Regulation Permit #SS25-10-14 placing a stop sign on Wilshire Park at Harris Avenue

3. That the Board vote to approve and sign the Notice of Traffic Regulation Permit #SS25-10-14 placing a stop sign on Stevens Road at Harris Avenue

4. That the Board vote to approve and sign the Notice of Traffic Regulation Permit #SS25-10-14 placing a stop sign on Prince Street at Harris Avenue

5. That the Board vote to approve and sign the Notice of Traffic Regulation Permit #SS25-10-14 placing a stop sign on Pinewood Road at Harris Avenue

6. That the Board vote to approve and sign the Notice of Traffic Regulation Permit #SS25-10-14 placing a stop sign on Green Street at Great Plain Avenue

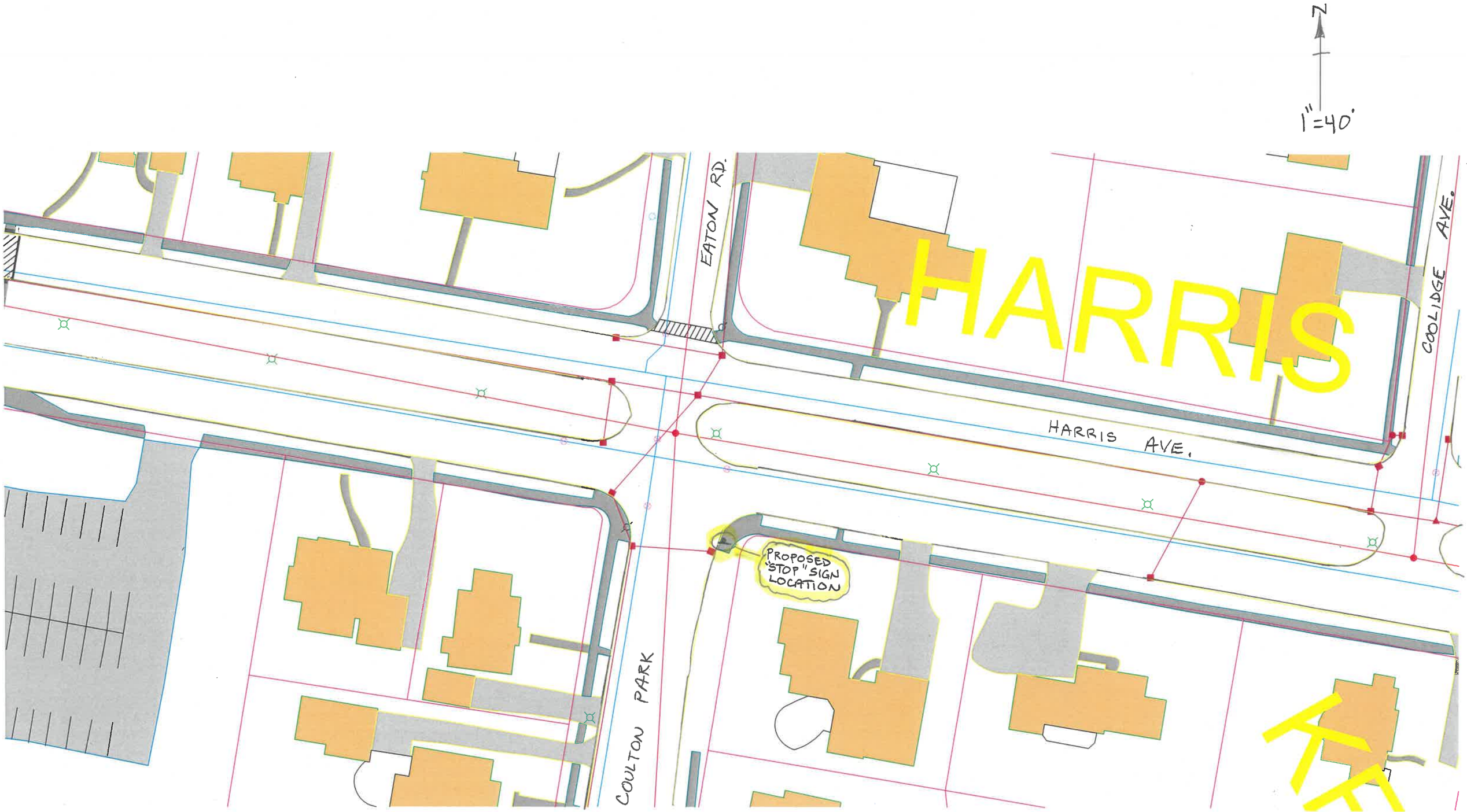
7. That the Board vote to approve and sign the Notice of Traffic Regulation Permit #SS25-10-14 placing a stop sign on Maple Street at Great Plain Avenue

8. That the Board vote to approve and sign the Notice of Traffic Regulation Permit #SS25-10-14 placing a stop sign on Nehoiden Street at Meadowbrook Road

9. That the Board vote to approve and sign the Notice of Traffic Regulation Permit #SS25-10-14 placing a stop sign on Hunnewell Street at Hillside Avenue

3.	**BACK UP INFORMATION ATTACHED**

a) Diagrams of Stop Sign Locations


N
1"=40'
EATON RD.
HARRIS
COOLIDGE AVE.
HARRIS AVE.
PROPOSED "STOP" SIGN LOCATION
COULTON PARK

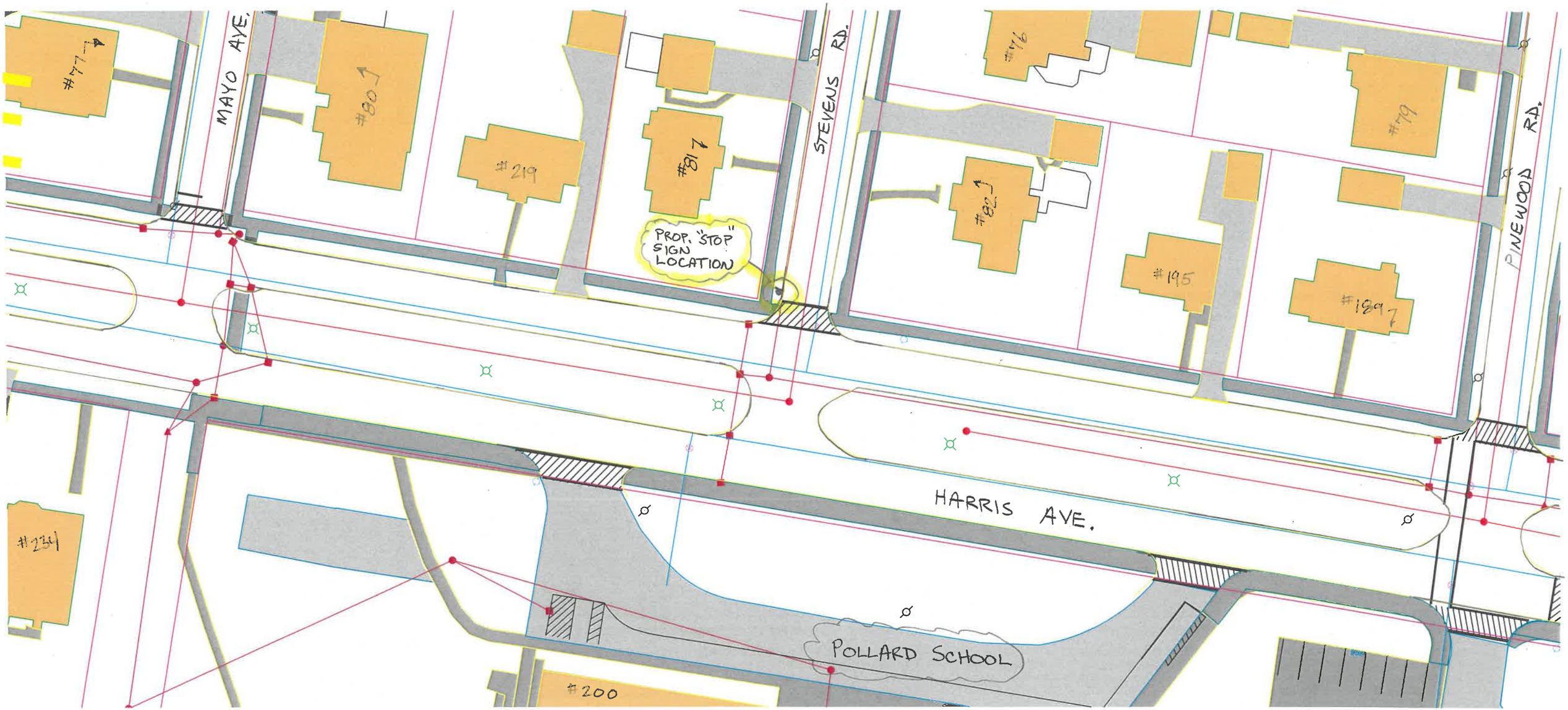
N

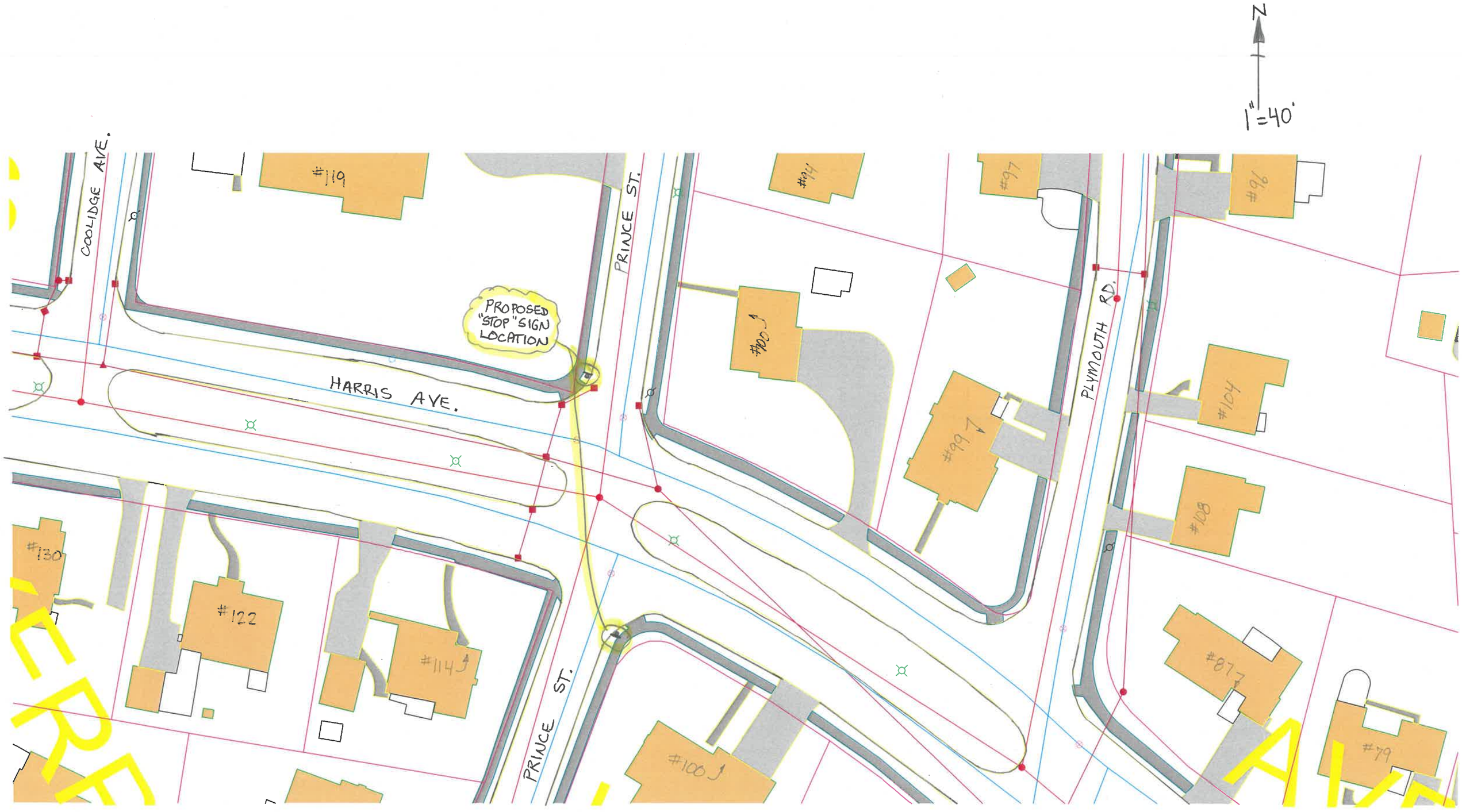
1" = 40'

#87
#79
#115
#71
PROP. "STOP" SIGN LOCATION
WILSHIRE PARK
#51
#43
HARRIS AVE.
#84
#78
ALLEN ST.

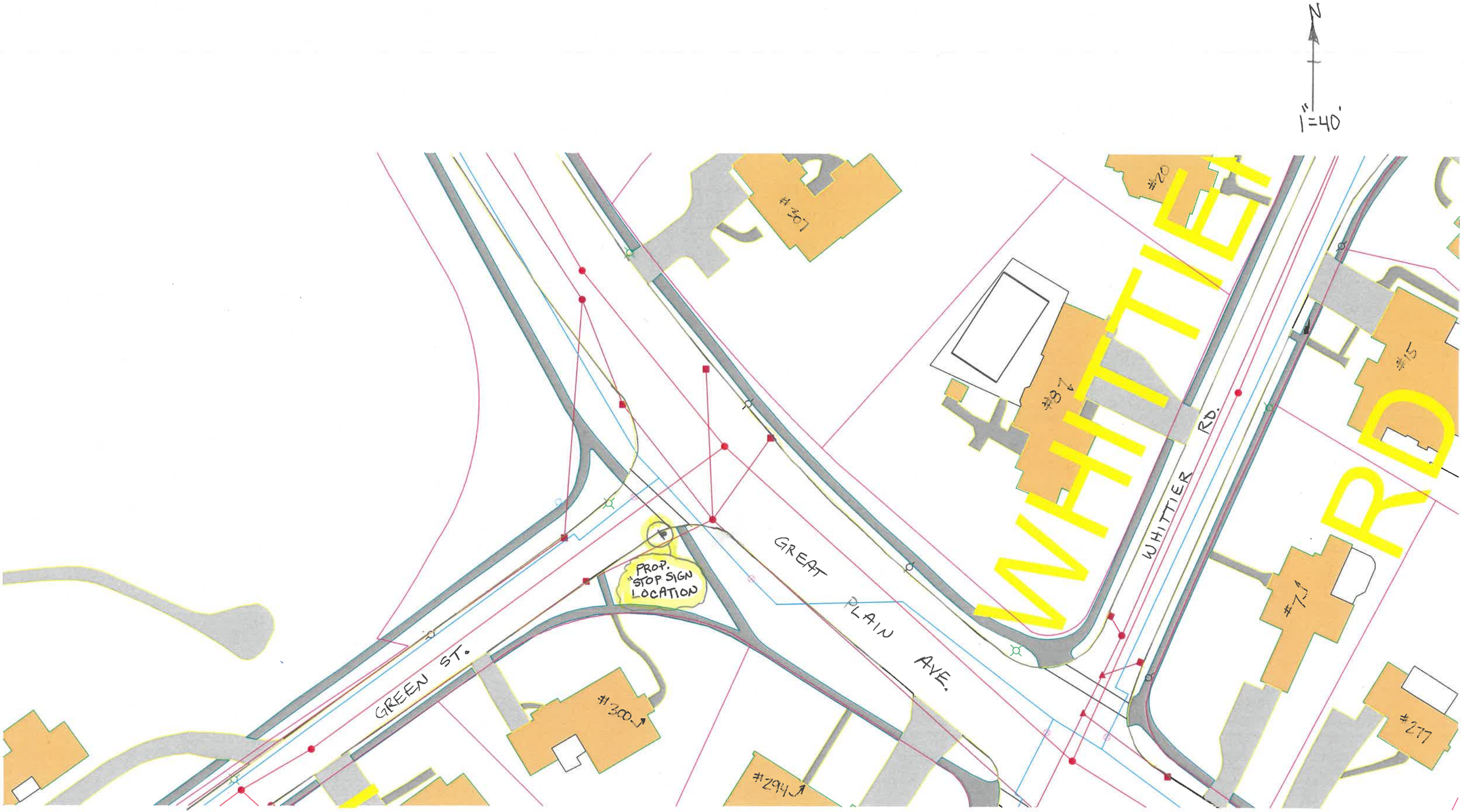
N

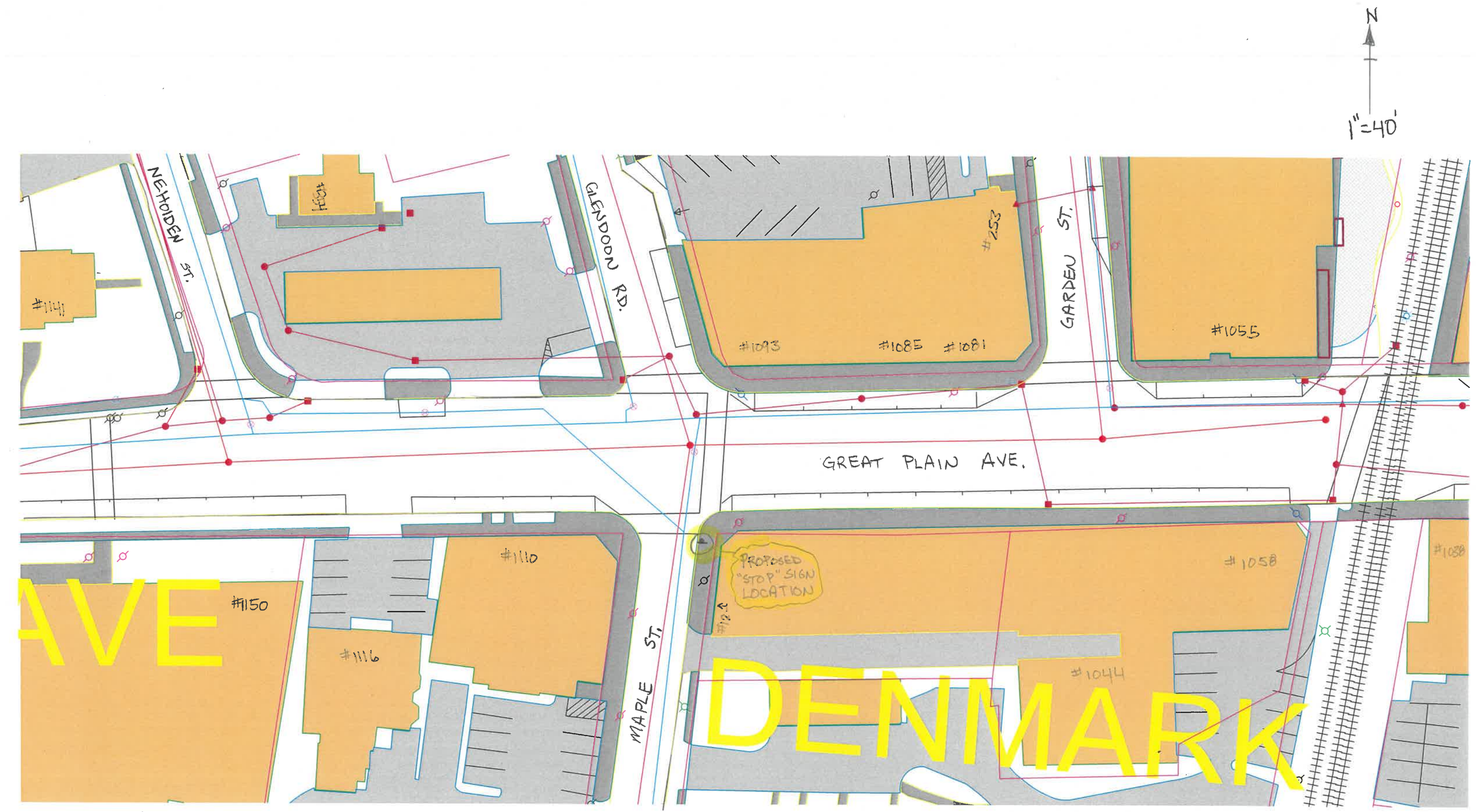
1"=40'


#77
MAYO AVE.
#80
#219
#81
PROP. "STOP" SIGN LOCATION
STEVENS RD.
#76
#82
#195
#189
#79
PINEWOOD RD.
HARRIS AVE.
#234
POLLARD SCHOOL
#200


N
1"=40'
COOLIDGE AVE.
#119
PROPOSED "STOP" SIGN LOCATION
HARRIS AVE.
PRINCE ST.
#94
#97
#96
#100
PLYMOUTH RD.
#99
#104
#108
#130
#122
#114
#87
#79
#100

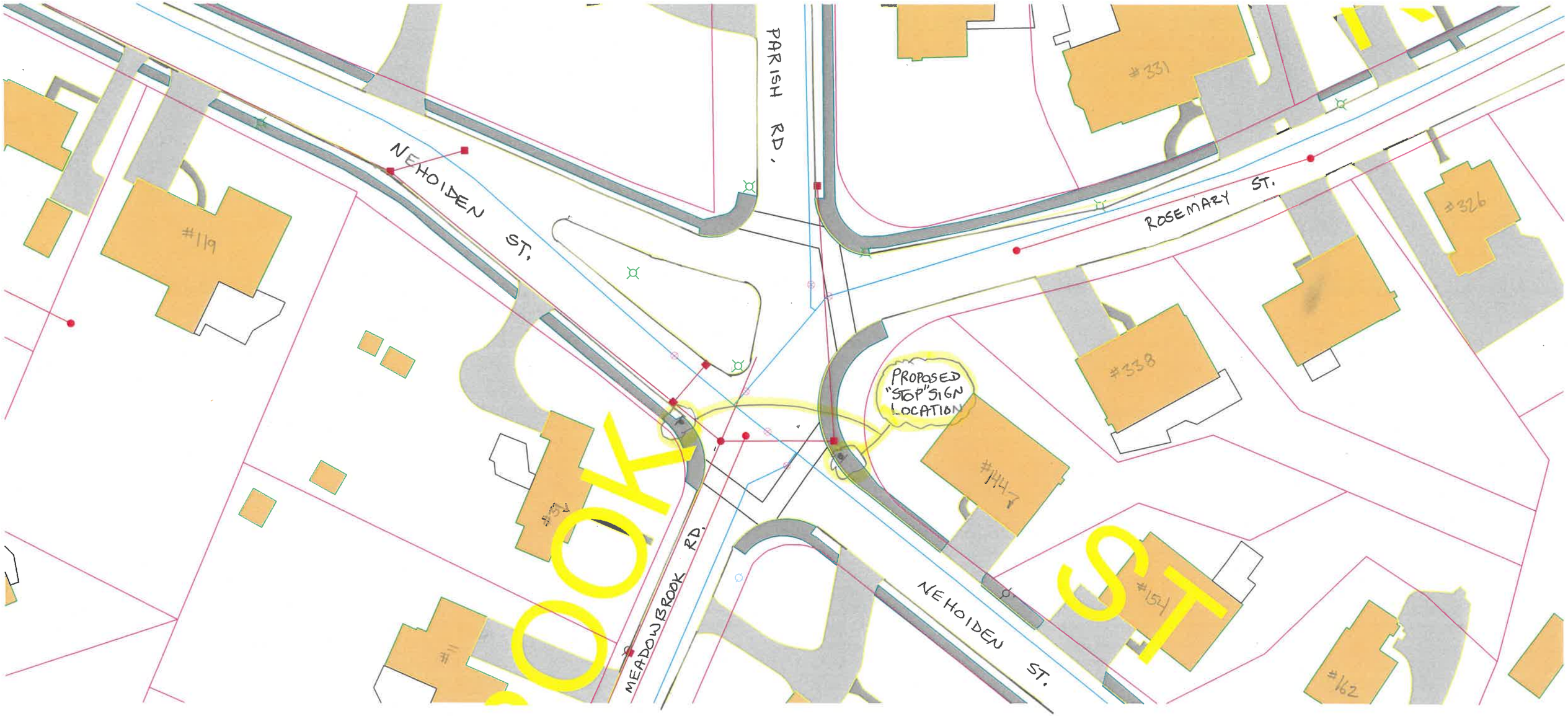
N
1" = 40'
#79
#82
#175
#189
PINEWOOD RD.
#80
#179
PROPOSED "STOP" SIGN LOCATION
#169
#161
HARRIS AVE.
POLLARD SCHOOL
#200
#168


N
1"=40'
#64
#20
#37
#15
#71
#277
#300
#294
GREAT PLAIN AVE.
GREEN ST.
WHITTIER RD.
PROP. STOP SIGN LOCATION


N
1"=40'
NEHOIDEN ST.
GLENDOON RD.
GARDEN ST.
GREAT PLAIN AVE.
MAPLE ST.
#1150
#1116
#1110
#1093
#1085
#1081
#253
#1055
#1058
#1044
#1038
PROPOSED "STOP" SIGN LOCATION
AVE
DENMARK

N

1" = 40'


PARISH RD.
NEHOIDEN ST.
ROSEMARY ST.
#331
#326
#119
#338
PROPOSED "STOP" SIGN LOCATION
#147
#154
#162
#11
MEADOWBROOK RD.
NEHOIDEN ST.

N
1"=40'
HUNNEWELL ST.
HILLSIDE AVE.
#367
#369
#373
#375
#379
#370
#140
#154
#160
#390
#400
#401
#183
#185
PROP. "STOP" SIGN LOCATION

Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET

MEETING DATE: 10/14/2025

Agenda Item	Stephen Palmer Update
Presenter(s)	Katie King, Town Manager

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

The Town Manager will provide an update regarding planning for the return of the Stephen Palmer Building to the Town at the expiration of the existing 50-year ground lease. The update includes an agreement between the Town of Needham and Stephen Palmer Associates/Crowninshield to responsibly wind down the existing residential use of the property. The October 20, 2025 Special Town Meeting warrant includes an appropriation request (Article 5) to fund this agreement. The Town Manager will also provide an update on a tenant relocation assistance program to support Stephen Palmer residents through this transition.

2.	**VOTE REQUIRED BY SELECT BOARD**

Suggested Motion: That the Board approve and sign the Memorandum of Agreement with the Stephen Palmer Associates Limited Partnership.

3.	**BACK UP INFORMATION ATTACHED**

a. Memo regarding Stephen Palmer, dated 10/10/2025
b. Memorandum of Agreement between the Town of Needham and Stephen Palmer Associates – October 2025

MEMORANDUM

TO:	Select Board
FROM:	Katie King, Town Manager
CC:	Chris Heep, Town Counsel; David Davison, Deputy Town Manager/Director of Finance; Liz LaRosee, Deputy Town Manager
SUBJECT:	Stephen Palmer Memorandum of Agreement
DATE:	10/10/2025

Background

The Stephen Palmer Building is a former elementary school, located at 83 Pickering Street, constructed in 1914 and closed in the 1970s. Town Meeting voted to authorize the sale of the Stephen Palmer School and the lease of the land at the November 12, 1975 Special Town Meeting. This vote was amended at the February 2, 1977 Special Town Meeting. The Town entered into a 50-year ground lease with Stephen Palmer Associates/Crowninshield on May 3, 1977.

Under the agreement, the Town sold the building to Crowninshield/SPA for consideration of "less than $100." The lease area includes the building, surrounding grounds, and parking lots. Stephen Palmer Associates (SPA) redeveloped the property, converting the building into 28 residential rental units. SPA has served as the landlord and property manager to the residential tenants since that time. For a time, the Town subleased the basement for the Senior Center until it was relocated to its current site on Hillside Avenue in 2013.

Occupancy of the units is intended for individuals over 55 years old, with preference first given to Needham residents aged 55 and older, then other Needham residents, and finally non-Needham residents. There are no income requirements for tenants to be eligible for a unit, thus the units are not included on the Town's Subsidized Housing Inventory. The property contains 20 one-bedroom units and 8 two-bedroom units, ranging from 575 to 750 square feet. Rent amounts range from $826 - $1,430 per month. All 28 units are currently occupied.

The ground lease expires on May 3, 2027, at which time the building and land revert to the Town. The ground lease provides that upon expiration, the Lessee shall "peaceably surrender to Lessor the Leased Property add/or [sic] Improvements in good order, condition and repair in accordance with its obligations…and assign to Lessor the subleases then current." It does not require that SPA return a vacant building to the Town.

October 21, 2024 Special Town Meeting Appropriation

The October 21, 2024 Special Town Meeting approved Article 3, appropriating $150,000, to fund consulting services related to two separate aspects of planning for the expiration of the Stephen Palmer lease: tenant relocation assistance and future reuse planning assistance.

With these funds, the Town has contracted with HousingToHome, a resident engagement firm that has extensive experience providing relocation assistance to residential tenants across the nation, to provide one-on-one engagement with Stephen Palmer residents. HousingToHome is advising the Town on the requirements under the Uniform Relocation Assistance Act, which is not applicable to the Town at this time, but may be in the future if the Town applies for federal or state funding to rehabilitate or redevelop the property.

The Town has not yet determined the future use of the building or the property. In 2025, the Select Board established the Stephen Palmer Development Review Committee to engage the Needham community to consider the future of this site (needhamma.gov/stephenpalmer). Using the October 2024 appropriation, the Town contracted with Barrett Planning Group and Gamble Associates to support the work of the Committee's community engagement and planning efforts and to provide the Town with an existing conditions assessment to understand the implications of retaining or demolishing the building. The Committee will launch this month and will ultimately make recommendations to the Select Board about the property.

October 2025 Agreement: Town of Needham and Stephen Palmer Associates

Regardless of which option the Town chooses as the future use of this property (housing or otherwise), the implementation of that decision will not be completed before May 2027. The Town is not structured to operate as a landlord for the intervening years. Following the Board's guidance, Town Counsel Chris Heep and I have been meeting with Stephen Palmer Associates/Crowninshield representatives to plan for how to responsibly wind down the existing residential use and occupancy of this property prior to May 2027.

On your October 14, 2025 meeting agenda is an agreement between the Town of Needham and Stephen Palmer Associates/Crowninshield. The agreement is subject to Town Meeting appropriating the funds required for the Town to fulfill its financial obligations under the agreement (see next section below). The agreement provides that:

- SPA will notify all tenants that their leases will expire on October 31, 2026. This will serve as the final move-out date for all current Stephen Palmer residents. Tenants whose leases expire before that date will have the option to continue occupancy on a month-to-month basis through October 31, 2026. Tenants who choose to vacate earlier may do so without penalty for early termination.
- SPA will not enter any new leases or allow any new occupancy of units once a unit becomes vacant.
- The Town will pay SPA the rent for vacant units through the conclusion of the ground lease, upon proof of vacancy.
- The Town will also pay individually-metered utility costs for vacant units directly to the utility companies.
- If the building becomes fully vacant prior to May 2, 2027, the Town will terminate the ground lease early and take the building back within 15 business days following proof that the building is vacant.

- On or after March 15, 2027, if SPA proves to the Town that it is unable to obtain the insurance required under the ground lease due to the occupancy level of the Stephen Palmer Building, the Town will accept the building back as early as March 15, 2027 (or on a later date before May 3, 2027).

This agreement provides a clear timeline for transitioning the building and provides 12 months advance notice to all tenants for their required relocation date.

Articles 5 & 6: October 20, 2025 Special Town Meeting

The appropriation request is $385,000. Article 5, if approved, would appropriate the estimated cost of the agreement between the Town and SPA to be implemented. The actual cost of the agreement will be determined by when units become vacant, and the total may end up being higher or lower than this estimate.

Article 6, sponsored by the Finance Committee, amends the Fiscal Year 2026 Operating Budget. The amendment to line item 10, would reduce the Reserve Fund by $385,000, from $1,784,395 to $1,399,395. If adopted, Article 6 would provide the funding to support Article 5 within the Town's total FY2026 operating budget previously approved by the 2025 Annual Town Meeting.

Tenant Relocation Assistance

In addition to the agreement with Stephen Palmer Associates, the Select Board has provided guidance on how the Town can support Stephen Palmer residents during this transition. The Select Board will seek Reserve Fund Transfers from the Finance Committee as needed to allow the Town to reimburse up to $10,000 per Stephen Palmer unit for eligible relocation costs including: the rent differential between their future and current rent for up to 4 months, security deposit, moving costs, and application fees. This program will operate on a reimbursement basis and is capped at $10,000 per unit at the Stephen Palmer Building for eligible costs. HousingToHome will administer the program on behalf of the Town and will work individually with each resident to support them during this transition.

MEMORANDUM OF AGREEMENT

This Agreement is entered into this _____ day of October 2025 between the Town of Needham, a Massachusetts municipal corporation having its business address at 1471 Highland Avenue, Needham MA 02492, acting by and through its Select Board, (the "Town") and Stephen Palmer Associates Limited Partnership, a Massachusetts Limited Partnership having its business address at 9 Atlantic Avenue, Marblehead, MA 01945, the general partners of which are Crowninshield Corporation and Mather, Inc. ("SPA").

WHEREAS the Town and SPA are party to the Ground Lease dated May 3, 1977 (the "Ground Lease"); and

WHEREAS the Ground Lease provides that the Town is Lessor and SPA is Lessee of the Stephen Palmer Building and the underlying lot located at 83 Pickering Street, Needham MA, as described more particularly therein; and

WHEREAS the Ground Lease provides that SPA will enter into subleases with residential tenants for the twenty-eight (28) dwelling units contained within the Stephen Palmer Building; and

WHEREAS SPA has served as landlord and property manager to the residential tenants/sublessees at the Stephen Palmer Building for the duration of the Ground Lease; and

WHEREAS the Ground Lease has a fifty (50) year term, and is scheduled to expire on May 3, 2027; and

WHEREAS the Ground Lease provides that upon expiration, the Lessee shall "peaceably surrender to Lessor the Leased Property add/or [sic] Improvements in good order, condition and repair in accordance with its obligations…and assign to Lessor the subleases then current"; and

WHEREAS given the impending expiration of the Ground Lease, the parties wish to enter into an agreement that will responsibly wind down the existing residential use and occupancy of this property.

NOW THEREFORE, in mutual consideration of the promises contained herein, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Town Meeting Approval: The Town will seek an appropriation in the amount of $385,000 at its October 20, 2025 Special Town Meeting for the purpose of funding its financial obligations under this agreement If this appropriation is approved and becomes available to spend in accordance with the Town Charter, then the Town will promptly send SPA written notice to that effect. Upon transmittal of such notice, all remaining terms of this agreement shall become binding on the parties. If this appropriation is not approved by Town Meeting or does not become available to spend in accordance with the Town Charter, then this agreement shall be null and void.

2. Non-renewal of existing subleases: Within 30 days after the Town sends notice to SPA as provided in Section 1, SPA will notify all tenants that their current leases will not be renewed or extended; that any existing lease that expires prior to October 31, 2026 will be converted to month-to-month; and that all tenancies regardless of form will be terminated as of October 31, 2026. SPA will allow tenants to terminate any leases early without penalty. SPA will be responsible for all notices regarding lease non-renewal and termination.

3. Rental payments – vacant units: SPA will not enter into any new lease for, or allow any new occupancy of, any unit within the Stephen Palmer Building that becomes vacant for any reason before the expiration of the Ground Lease. Beginning on the first day after any vacancy occurs, the Town will be responsible for the rent for that unit through the conclusion of the Ground Lease. SPA shall be responsible to confirm vacancy of each unit to the Town, in the first instance by providing confirmation of vacating the premises signed by the former tenant, or in the alternative certification by SPA that the unit has been vacated. The Town shall thereafter be responsible for rent at the current monthly rate for each unit, as listed on Exhibit A to this agreement. The Town will make payment for each vacant unit on a monthly basis, with the first payment in a month involving partial vacancy (if applicable) to be made on a pro-rated basis.

4. Utility payments – vacant units: The Town will pay, directly to the utility, the cost of utilities for vacant units that would otherwise have been paid by the tenant, beginning as soon as is practicable to arrange for billing by the utility through expiration of the Ground Lease.

5. Communications: The Town and SPA agree to collaborate on any communications that either party directs to tenants, and to provide each other the opportunity to review and approve any communication that discusses the other party before issuance.

6. Insurance: SPA shall maintain insurance at all times in accordance with the Ground Lease. Beginning on January 31, 2027, SPA will provide to the Town, as a matter of course and without the need for request, all communications to and from SPA (and/or Crowninshield Corporation, as applicable) relating to the renewal and maintenance of the required insurance, and any and all efforts to obtain the required insurance from new or alternative insurance providers, if coverage with current provider is not possible.

Notwithstanding the first sentence of this section, if on or after March 15, 2027, SPA is unable to obtain insurance required by the Ground Lease based exclusively on the occupancy level of the Stephen Palmer Building, then SPA will surrender, and the Town will accept, the leased premises on March 15, 2027 or such later date before May 3, 2027 that SPA has become unable to obtain the required insurance. In this event, in addition to the foregoing requirements, SPA shall provide a copy of the policy not to be renewed or to be cancelled, as applicable; all correspondence from the insurer about changes to the policy or policy provision, non-renewal or cancellation; and documented proof of all efforts to secure insurance coverage from another provider if the current policy is not renewed, is cancelled, or is amended below requirements to support. Any surrender of the leased premises pursuant to this section of this agreement shall otherwise be in accordance with the terms of the Ground Lease.

For purposes of this paragraph, the parties acknowledge that insurance for the Stephen Palmer Building may be part of a multi-development package, and that SPA is obligated to provide information related to the insurance for the Stephen Palmer Building only.

7. Tenant meeting: The Town will conduct a joint tenant meeting for all Stephen Palmer residents with representatives from the Town, SPA and the Town's consultant to convey forthcoming notifications from SPA, relocation support/assistance from the Town and its consultant, and timeline. SPA will help arrange for this meeting, which is expected to occur prior to October 20, 2025.

8. Early termination: If the Stephen Palmer Building becomes vacant prior to May 2, 2027, the Town will terminate the Ground Lease early, 15 business days following proof that the building is vacant.

9. Representations regarding Ground Lease: The Town represents that SPA is, as of the date of this agreement, current on its property taxes; that based on its current knowledge the Town has no present concerns of noncompliance by SPA with the terms of the Ground Lease; and that the Ground Lease states among other things that upon expiration the Lessee shall "peaceably surrender to Lessor the Leased Property add/or [sic] Improvements in good order, condition and repair in accordance with its obligations…and assign to Lessor the subleases then current."

10. Ground Lease otherwise in effect: Except as expressly modified or amended in this agreement, the terms of the Ground Lease shall remain in full force and effect.

Executed this _____ day of October 2025.

TOWN OF NEEDHAM

By its SELECT BOARD

_____

Heidi Frail, Chair

_____

Catherine Reid Dowd, Vice Chair

_____

Joshua Levy, Clerk

_____

Marianne Cooley

_____

Kevin Keane

Executed this _____ day of October 2025

STEPHEN PALMER ASSOCIATES

By The Crowninshield Corporation,
General Partner

Deborah Collier-Comins

Deborah Collier-Comins, President

Exhibit A

Exhibit A

Stephen Palmer Apartments
Resident List

UNIT	MONTHLY RENT
206	$1,026.00
208	$1,200.00
212	$925.00
102	$1,430.00
109	$1,000.00
107	$826.00
111	$1,200.00
104	$1,000.00
108	$1,200.00
213	$1,092.00
209	$1,147.00
201	$1,172.00
202	$1,080.00
110	$1,230.00
205	$1,430.00
103	$850.00
105	$1,026.00
207	$1,030.00
B01	$1,030.00
B02	$1,030.00
106	$1,130.00
101	$1,130.00
204	$1,030.00
210	$1,200.00
211	$1,030.00
B03	$1,011.00
203	$919.00
214	$1,230.00
	$30,604.00

Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET

MEETING DATE: 10/14/2025

Agenda Item	Positions on Warrant Articles
Presenter(s)	Katie King, Town Manager

1.	**BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED**
The Board will review articles on the October 20, 2025 Special Town Meeting Warrant.	
2.	**VOTE REQUIRED BY SELECT BOARD**
Suggested Motion: That the Board vote to support (not to support) article _____ in the October 20, 2025 Special Town Meeting Warrant	
3.	**BACK UP INFORMATION ATTACHED**
a. October 20, 2025 Special Town Meeting Warrant b. Status of Articles as of October 9, 2025	

TOWN OF NEEDHAM

SPECIAL TOWN MEETING WARRANT

MONDAY, OCTOBER 20, 2025

7:30 P.M.

JAMES HUGH POWERS HALL, NEEDHAM TOWN HALL

1471 HIGHLAND AVENUE

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 TWENTIETH DAY OF OCTOBER 2025

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

HUMAN RESOURCES ARTICLES

ARTICLE 1: FUND COLLECTIVE BARGAINING AGREEMENT – NEEDHAM POLICE SUPERIOR OFFICERS ASSOCIATION

To see if the Town will vote to fund the cost of items contained in a collective bargaining agreement between the Town and the Needham Police Superior Officers Association by authorizing the Town Manager to transfer a sum necessary to fund the cost items contained in the agreement for fiscal year 2026; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT: Article Be Adopted
HUMAN RESOURCES ADVISORY COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The Town and the Police Superior Officers Union have agreed on a one-year contract extension for fiscal year 2026. The Agreement provides for a general wage increase of 3% in fiscal year 2026 and a change in the detail rate. The contract brings the Police Superior Officers Union current. The parties will continue to meet to reach agreement on a successor agreement for fiscal year 2027 and beyond.

ARTICLE 2: FUND COLLECTIVE BARGAINING AGREEMENT – NEEDHAM POLICE UNION

To see if the Town will vote to fund the cost of items contained in a collective bargaining agreement between the Town and the Needham Police Union by authorizing the Town Manager to transfer a sum necessary to fund the cost items contained in the agreement for fiscal year 2026; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT: Article Be Adopted
HUMAN RESOURCES ADVISORY COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The Town and the Police Union have agreed on a one-year contract extension for fiscal year 2026. The Agreement provides for a general wage increase of 3% in fiscal year 2026 and a change in the detail rate. The contract brings the Police Union current. The parties will continue to meet to reach agreement on a successor agreement for fiscal year 2027 and beyond.

FINANCE ARTICLES

ARTICLE 3: APPROPRIATE FOR INFILTRATION AND INFLOW

To see if the Town will vote to raise and/or transfer and appropriate $132,000 for infiltration and inflow improvements, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be raised from Sewer Enterprise Fund receipts; or take any other action relative thereto.

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

Article Information: The Planning Board issued a Major Project Special Permit to Children's Hospital for its development at 360 First Avenue, which included a condition requiring Children's Hospital to remove an amount of inflow and infiltration of wastewater into the Town's sewer system equal to four times the net increased sewage flow due to the development of the Pediatric Medical Facility. Children's opted to meet this requirement by paying a fee to the Town's Inflow and Infiltration Program at a rate of $8.00 per gallon required to be removed. This article applies the $132,000 required payment from Children's Hospital to the Town's Inflow and Infiltration program, which funds investigation studies and subsequent sewer repairs including but not limited to the rehabilitation of the Town's interceptor sewer along Route 128.

ARTICLE 4: APPROPRIATE FOR INTERSECTION IMPROVEMENT ANALYSES

To see if the Town will vote to raise and/or transfer and appropriate $25,000 for intersection improvement analyses, 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 Planning Board issued a Major Project Special Permit to Children's Hospital for its development at 360 First Avenue with a required payment of $25,000 for the traffic signal warrant analysis and roadway safety audit of the Kendrick Street and 4th Avenue intersection. Safety and operational issues have been identified at this intersection. A signal warrant includes a collection of traffic counts representing typical traffic to determine if conditions are met to justify the installation of a traffic signal. If appropriated, these funds will be used by the Department of Public Works to complete the signal warrant analysis at Kendrick and 4th.

ARTICLE 5: APPROPRIATE FOR STEPHEN PALMER LEASE EXPIRATION

To see if the Town will vote to raise and/or transfer and appropriate a sum for the purpose of funding efforts to manage the return of the Stephen Palmer Building to the Town at the expiration of the existing

ground lease, with said funds to be expended 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: Recommendation to be Made at Town Meeting

Article Information: At the time of the printing of the Warrant, the parties had not reached an agreement.

ARTICLE 6: AMEND THE FY2026 OPERATING BUDGET

To see if the Town will vote to amend and thereby supersede certain parts of the fiscal year 2026 Operating Budget adopted under Article 13 of the 2025 Annual Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating the new amounts as follows:

Line Item	Appropriation	Changing From	Changing To
10	Reserve Fund	1,784,395	TBD
12B	Town Clerk Expenses	136,635	148,235

And to meet this appropriation that $11,600 be raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Finance Committee
FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The purpose of this article is to amend the fiscal year 2026 operating budget.

Line Item 10: At the time of the printing of the Warrant, the parties had not reached an agreement. The reduction in this line item would fund Article 5, if adopted.

Line Item 12B: The Town Clerk's Office has requested an automated envelope opening and date stamping machine to handle the opening and date stamping of the voluminous mail received by the office. Automating the opening and date stamping of envelopes is anticipated to reduce labor expenses and free staff for other tasks. The Town Clerk's Office receives a minimum of 25,000 pieces of mail per year. During years when there is more than one election, the quantity can exceed 60,000 pieces of mail. Funding is requested now so that the equipment will be in place before the next election. The use of the equipment will be shared with other departments.

ARTICLE 7: AMEND THE FY2026 SEWER ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and thereby supersede certain parts of the fiscal year 2026 Sewer Enterprise Fund Budget adopted under Article 14 of the 2025 Annual Town Meeting by increasing the amount under the following line item, and appropriating the new amounts as follows:

Line Item	Appropriation	Changing From	Changing To
201D	MWRA Assessment	$7,445,411	$7,763,087

And to meet this appropriation that $317,676 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: This article is to provide funding for the increase in the MWRA sewer assessment that was approved at the May 5, 2025 Annual Town Meeting in the amount of $317,676. The Town received the final assessment after the adoption of the Sewer Enterprise Fund budget. The MWRA budget line was level funded in May. The net change in the MWRA assessment from last year is 4.3%.

ARTICLE 8: AMEND THE FY2026 WATER ENTERPRISE FUND BUDGET

To see if the Town will vote to amend and thereby supersede certain parts of the fiscal year 2026 Water Enterprise Fund Budget adopted under Article 15 of the 2025 Annual Town Meeting by increasing the amount under the following line item, and appropriating the new amounts as follows:

Line Item	Appropriation	Changing From	Changing To
301D	MWRA Assessment	$1,212,985	$1,776,283

And to meet this appropriation that $563,298 be raised from Water 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: Similarly to the Sewer Enterprise Fund Budget article, this article is to provide funding for the increase in the MWRA water assessment that was approved at the May 5, 2025 Annual Town Meeting in the amount of $563,298. The Town received the final assessment after the adoption of the Water Enterprise Fund budget. The MWRA budget line was level funded in May. The net change in the MWRA assessment from last year is 46.4%. This is reflective of the increased amount of MWRA water used by Needham during calendar year 2024.

ARTICLE 9: APPROPRIATE FOR PUBLIC, EDUCATIONAL, AND GOVERNMENT (PEG) PROGRAMMING

To see if the Town will vote to raise and/or transfer and appropriate $268,220 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 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.*

GENERAL ARTICLES

ARTICLE 10: AMEND GENERAL BY-LAWS – DOG AND KENNEL LICENSING

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

1. By deleting Section 3.7.9 (Vaccination Requirement) in its entirety, and inserting in its place the following:

3.7.9 Vaccination Requirement. Whoever is the owner of a pet (dog or cat or ferret) six months of age or older shall cause such pet (dog or cat or ferret) to be vaccinated against rabies by a licensed veterinarian using a vaccine approved by the Department of Public Health. Such owner shall produce a veterinarian's certificate that such pet (dog or cat or ferret) has been so vaccinated setting forth the date of such vaccination and the duration of immunity, or a notarized letter from a veterinarian that a certification was issued. An exemption from such vaccine may be declared by the Board of Health only upon presentation of a veterinarian's certificate stating that because of an infirmity, other physical condition or regimen of therapy, such inoculation is considered inadvisable for a specified period of time, the pet is in transit, or was brought into the Commonwealth temporarily for the sole purpose of display in a show or for exhibition as provided in MGL Chapter 140 s.145B.

3.7.9.1 Unvaccinated pets (dogs or cats or ferrets) acquired or brought into the Town shall be vaccinated within thirty days after acquisition or entry into the Town or upon reaching the age of six months, whichever comes later.

3.7.9.2 Pets (dogs or cats or ferrets) shall be re-vaccinated in accordance with rules and regulations adopted and promulgated by the Massachusetts Department of Agricultural Resources.

2. By deleting Section 4.1 (Dog Licenses) in its entirety, and inserting in its place the following:

SECTION 4.1 DOG AND KENNEL LICENSING

4.1.1 Licenses. As required by M.G.L. Chapter 140, any owner or keeper of a dog which is six (6) months of age or older and is located in the Town of Needham shall obtain a license from the Town Clerk

for that dog which shall be valid for a period beginning on January 1 of each year through December 31. Any person who, during any license period, becomes the owner or keeper of a dog who is not licensed in the Town of Needham, shall license the dog for the remainder of the licensing year.

4.1.2 Application. When applying for a license, the applicant must show proof that the dog has received a veterinarian certificate for rabies vaccination or present a veterinarian's certificate that the rabies vaccination is considered inadvisable and the Board of Health has declared the dog exempt, as required by M.G.L. Chapter 140, Section 145B. No fee shall be charged for a license for a service animal as defined by the Americans with Disabilities Act or regulations promulgated thereunder.

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

4.1.4 Fees. The fees for registering and licensing dogs of all types in the Town shall be established from time to time by the Town Clerk provided that no fee shall be increased without a majority vote of Town Meeting. The Town Clerk may issue late fees in an amount not to exceed the amount of the licensing fee.

4.1.5 Failure to License. In addition to the requirement that a dog shall be duly licensed as required by law, the owner of a dog not licensed on or before April 30th in any year shall be subject to fines as stated in Section 8.

4.1.6 Kennel Licenses. A person maintaining a kennel shall obtain a kennel license. A kennel is defined as set forth in M.G.L. Chapter 140, Section 136A. Kennels can be private (more than four (4) dogs, three (3) months old or older owned or kept on a single premise) or commercial, including a commercial boarding or training kennel (an establishment used for boarding, holding, day care, overnight stays or training of animals that are not the property of the owner of the establishment, at which such services are rendered in exchange for consideration and in the absence of the owner of any such animal), commercial breeder kennel, domestic charitable corporation kennel, personal kennel, or veterinary kennel. A person maintaining a kennel shall obtain a kennel license from the Town Clerk. The Town Clerk shall issue, suspend, renew and revoke kennel licenses as provided in M.G.L. Chapter 140, Section 137A and any regulations promulgated by the Massachusetts Department of Agricultural Resources. In the case of an applicant for initial licensure or license renewal, the Town Clerk shall deny a kennel license until the kennel has passed inspection by an Animal Control Officer.

The kennel license shall be valid for a period of one year, beginning January 1 of each year through December 31. The fee for the issuance and renewal of a kennel license shall be established from time to time by the Town Clerk; provided, however, that in determining the amount of the license fee for a kennel, a dog under the age of three (3) months shall not be counted in the number of dogs kept in the kennel. Kennel license fees shall not be required for domestic charitable corporations that are incorporated exclusively for the purpose of protecting animals from cruelty, neglect or abuse and for the relief of suffering among animals.

The Town Clerk shall specify on the license the type of kennel and the maximum number of animals that may be maintained by the licensee. Such number shall be determined by the Town Clerk and the Animal Control Officer following the required annual inspection of all kennels by the Animal Control Officer.

Failure to license a kennel as required by M.G.L. Chapter 140, Section 137A shall result in a fine as stated in Article 8.

3. By amending Section 8.2.2 (Non-Criminal Disposition) to add the Town Clerk as an enforcement entity for Section 3.7.9, so that this row in the table reads as follows:

Section	Description	Penalty	Frequency	Enforcement Entity
3.7.9	Vaccination Requirement	$100	Per Offense	Any Sworn Police Officer or the Town Clerk

4. By amending Section 8.2.2 (Non-Criminal Disposition) to revise the existing row for Section 4.1.4 (Failure to License) to renumber it as Section 4.1.5 and to add the Town Clerk as an enforcement entity, so that this row in the table reads as follows:

Section	Description	Penalty	Frequency	Enforcement Entity
4.1.5	Failure to License	$100	Per Offense	Any Sworn Police Officer or the Town Clerk

5. By amending Section 8.2.2 (Non-Criminal Disposition) to insert in numerical order a new row for Section 4.1.6 to read as follows:

Section	Description	Penalty	Frequency	Enforcement Entity
4.1.6	Requirements applicable to kennels	$500 – 1st offense $1,000 each subsequent offense	Per Offense	Any Sworn Police Officer or the Town Clerk

or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: The Town Clerk has requested changes to the Rabies Vaccination and Dog Licensing By-Laws, primarily to update them to reflect recent changes to Massachusetts General Law. Other changes are for clarification of language and for alignment of duties with responsible authorities.

Proposed By-Law Changes - Article 3
The proposed changes to Article 3 are housekeeping changes to align the language of Needham's By-Law to current Massachusetts General Law language.

Proposed By-Law Changes - Article 4
Article 4.1.1, 4.1.4, and 4.1.5 proposed changes clarify the period of time that a dog license is effective. Dog license renewal in Needham has taken place from January 1 through April 30, with fines for failure to license if the dog is not licensed by April 30. This results in some dogs having expired licenses for multiple months. The new By-Law would clarify that the licensing period is January 1 through December 31 in line with the licensing period for kennels. This would mean that the Town Clerk's office would begin the renewal

process on December 1 with renewals of licenses due by January 1 of the license year. The Town Clerk would have authority to implement late fees. Currently, there are no late fees, because the renewal period runs for four months after expiration of the dog license after which time, fines are issued through the Police Department. Under the proposed By-Law, fines for dogs not licensed by April 30 would remain the same.

Article 4.1.2 aligns the language of Needham's By-Law to current Massachusetts General Law regarding service animals.

Article 4.1.6 is new and implements Ollie's Law. The purpose of Ollie's Law is to ensure that municipalities provide oversight to any location that offers commercial kennel services or has a private kennel. All persons maintaining a kennel must obtain a kennel license. A kennel is any pack or collection of dogs on a single premise, including training, breeder, charitable, personal, or veterinary kennels. The minimum number of dogs to qualify as a personal kennel is five. There is no longer an option to obtain a private kennel license rather than individual dog licenses for owners of fewer than five dogs with no other dogs on the premises. All dogs in a private kennel must have individual dog tags. Ollie's Law removed the option of dogs having a kennel tag. Having individual tags allows for better control of compliance with rabies vaccination requirements and knowledge of individual dogs being kept. Commercial, training, and breeder kennels are clearly defined. Commercial and training kennels are establishments used for boarding, holding, day care, and overnight stays or training of animals that are not the property of the owner of the establishment, in exchange for consideration and in the absence of the owner of the animal. Breeder kennels are establishments, other than personal kennels, engaged in the business of breeding animals in return for consideration.

All kennels must receive and pass an inspection of the premises prior to being issued a kennel license. The Animal Control Officer (ACO) conducts the inspection. The ACO and the licensing authority determine the type of kennel licenses (personal, commercial, training, breeder, charitable, or veterinary) and the maximum number of dogs that the establishment is licensed for. After the initial inspection and licensing, kennels must be inspected at least annually. The ACO inspects for such minimum conditions as: adequate shelter, fresh food and clean water, appropriate management of waste, adequate ventilation, adequate temperature, cages, enclosures or other housing in good repair, no sharp edges, and functional latches. Municipalities are free to further define required conditions of inspection.

<u>Proposed By-Law Changes – Article 8</u>
Fines for violations are proposed to be updated to add the Town Clerk as an enforcement agent. The Town Clerk is the office with the information regarding rabies vaccination and licensing. The issuance of fines through the Police Department on behalf of the Town Clerk results in unnecessary administrative work. The Town Clerk issues the fines and mails them on behalf of the police. The Police Department then fields calls intended for the Town Clerk and that need to be referred to the Town Clerk. The ability to levy late fees as proposed in the changes to Article 4 before fines are issued would allow the magnitude of the fee to be more commensurate with the cost of the license and would streamline the administrative work both in the Town Clerk's Office and the Police Department.

The statutory fine for failure to license a kennel has been added to the list of fines. Fines for a kennel violation are set by statute at $500 for the first offense and not more than $1,000 for a second and subsequent offenses. These amounts are required by the law and therefore override the $300 maximum fine that ordinarily applies to other local by-law violations. Ollie's Law provides that the licensing authority or the ACO may enforce the kennel law.

ARTICLE 11: AMEND GENERAL BY-LAW – STORMWATER

To see if the Town will vote to amend the General By-Laws by deleting Article 7 (Stormwater) in its entirety and inserting in its place the following:

ARTICLE 7

STORMWATER

SECTION 7.1 GENERAL

7.1.1 Purpose

The purpose of this by-law is to protect, maintain, and enhance the public health, safety, environment, and general welfare of the Town of Needham. It supports compliance with State and Federal statutes and regulations related to stormwater discharges, including the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit. This is accomplished by establishing minimum requirements and procedures to address the adverse impacts of soil erosion, sedimentation, construction site runoff, post-development stormwater runoff, and nonpoint source pollution associated with new development and redevelopment projects.

Quality

The U.S. Environmental Protection Agency (EPA) has identified sedimentation from land disturbance activities and polluted runoff from land development and redevelopment as significant sources of water pollution, affecting drinking water supplies, natural habitats, and recreational resources. Regulating activities that disturb land and generate runoff is essential to protect water bodies and groundwater resources, safeguard public health, safety, and welfare, and preserve wetlands and other natural resources.

Quantity

The Town of Needham has identified stormwater management as a critical component to help mitigate flooding occurrences and severity by setting standards that minimize runoff from public and private properties. Properties that are altered by activities such as new construction, increased impervious surfaces or other alterations of surface grades may strain capacity within the townwide drain system and may result in increased/adverse runoff to neighboring properties. The Stormwater By-Law also seeks to avoid potential damage to public property, private property, and infrastructure.

7.1.2 Objective

The purpose of this by-law shall be achieved through the following objectives:

General

a) Establish the legal authority necessary to ensure compliance with the provisions of this by-law through permitting, inspection, monitoring, and enforcement.
b) Promote infiltration and recharge of groundwater.
c) Authorize the Town to monitor and enforce the efficacy of infiltration infrastructure.
d) Prevent pollution of Needham's wetlands and surface waters from uncontrolled stormwater runoff and illicit discharges.
e) Promote best practices and foster public participation through education and increased awareness of stormwater management.

Quality

a) Ensure compliance with state and federal statutes and regulations relating to stormwater discharges, including the NPDES MS4 Permit issued by the EPA, the Massachusetts Stormwater Standards—regardless of a property's proximity to wetlands or other resource areas—and the 1996 Memorandum of Understanding (MOU) between the Town of Needham and the EPA.
b) Prevent and correct illicit connections and discharges.
c) Support the administration of the Stormwater Assessment Fee.

Quantity

a) Address stormwater capacity challenges affecting the Needham community.
b) Support the preservation of trees/tree canopy subsequent to land disturbance activity.
c) Review and approval of Stormwater Control Measures (SCMs) designed to mitigate or prevent runoff to abutting properties and resource areas, prevent soil erosion and sedimentation resulting from construction site stormwater runoff and manage soil grading activities.

SECTION 7.2 DEFINITIONS

For purposes of this by-law, the following terms shall have the following definitions, unless the context clearly states otherwise.

Alter Any activity that will measurably change the ability of a ground surface area to absorb water, will change existing surface drainage patterns, or will increase or decrease the rate or volume of flow from a site (including tree and vegetation removal).

Applicant Any person or entity requesting a Permit.

Application Standard form for application as issued by the Permitting Authority and any other documentation, which shall include, but shall not be limited to, plans, charts, drawings, specifications, narratives, or any other documents or pieces of information required by applicable federal, state or local laws, rules and/or regulations, submitted in connection with a permit, as applicable, and as defined in the regulations promulgated by the Department of Public Works in support of this by-law.

Clean Water Act The Federal Water Pollution Control Act (33 U.S.C. §§ 1251 et seq.) as it may hereafter be amended, and the Massachusetts Clean Water Act and Regulations.

Clearing Any activity that removes the vegetative surface cover.

Designated Agent Any person or entity designated by the DPW Director to assist in the administration, implementation or enforcement of this by-law and its regulations.

Development Any construction or activity that disturbs or alters a parcel of land.

Erosion The wearing away of the ground surface by natural or artificial forces and the subsequent detachment and transportation of soil.

Erosion/Sediment Control The prevention or reduction of the movement of soil particles or rock fragments due to stormwater runoff. Erosion/sediment control is typically achieved through the installation of straw bales, silt fence, silt socks, or by surface coverings such as jute mesh, erosion control blankets, or by the establishment of surface vegetation.

Existing Lawn Grass area which has been maintained or mowed in the previous two years.

Grading Changing the level or shape of the ground surface.

Grubbing The act of clearing ground surface by digging or grinding up roots and stumps.

Illicit Connection A surface or subsurface drain or conveyance that allows an illicit discharge into the MS4 that is not entirely composed of stormwater or groundwater, including but not limited to any connection from an indoor drain, sink, toilet, or laundry facility.

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

Impervious Surface/Cover An area within a parcel which prevents or significantly impedes the infiltration of stormwater into the soil. Common impervious areas include, but are not limited to, buildings, driveways (including paving, concrete, stone, gravel and dirt), parking lots, paved walkways, pools, patios, sports courts, and other similar non-porous areas.

Infiltration The act of conveying surface water into the ground to permit groundwater recharge and the reduction of stormwater runoff from a project site.

Land-Disturbing Activity or Land Disturbance Any activity, including, without limitation, clearing, grubbing, grading, digging, cutting, removal of vegetation or trees, excavation, placement of fill, or resurfacing and construction that causes a change in the position or location of soil or a change in the pattern of drainage and/or infiltration of water. This may include the demolition of existing structures and site features, along with any site preparation required for new construction.

Lot A single parcel of land held in identical ownership throughout and defined by metes, bounds, or boundary lines in a recorded deed or on a recorded plan.

Low Impact Development (LID) A comprehensive land planning and engineering design strategy that seeks to maintain a Site's pre-development ecological and hydrological function through the protection, enhancement, or mimicry of natural processes. LID systems and practices emphasize reduction of effective imperviousness and conservation, and use of existing natural Site features integrated with distributed small-scale Stormwater Controls to result in the treatment, infiltration, evapotranspiration, and/or use of Stormwater close to its source.

Low Permeability Soil Low Permeability Soil refers to how easily water or other liquids can flow through a soil. It's a key factor in how well a soil drains and how easily it allows water to pass through. Examples include, but are not limited to clay, silt, ledge, or hardpan.

Massachusetts Stormwater Management Standards The Standards issued by the Department of Environmental Protection, as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act M.G.L. c. 131 §40 and the Massachusetts Clean Waters Act M.G.L. c. 21, §§ 23-56, and any successor statutory provision.

Municipal Storm Drain System or Municipal Separate Storm Sewer System (MS4) The system of conveyances designed or used for collecting or conveying Stormwater, including, without limitation, any

road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town.

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

New Construction Refer to the Needham Zoning By-Law or the Needham Wetlands Protection Regulations as applicable.

Normal Maintenance Activities that are regularly scheduled to maintain the health and condition of a landscaped area. Examples include removal of weeds or invasive species, pruning, mowing, raking, and other activities that are done at regular intervals within the course of a year.

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

Owner A person or entity with a legal or equitable interest in property.

Permittee The person or entity who holds a permit.

Permitting Authority The municipal board, committee or department with authority for issuing permits for construction and/or land disturbing activities. These include the Planning Board, Conservation Commission, Department of Public Works, Building Department, and Zoning Board of Appeals.

Plot Plan A plot plan (also known as a site plan) is a scaled drawing that shows the layout of a property, including the location of existing and proposed structures, property lines, setbacks, easements, driveways, walkways, utilities, topography, and drainage features.

Point Source Any discernible, confined, and discrete means of conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, or container from which pollutants are or may be discharged.

Pollutant A pollutant is any substance or material that, when introduced into the environment, particularly air, water, or soil, can cause harm to ecosystems, human health, or the natural balance of the environment. Pollutants may be chemical, biological, or physical in nature and can originate from both natural sources and human activities. Common examples of pollutants include sediment, nutrients such as nitrogen and phosphorus, heavy metals, oils and grease, pesticides and herbicides, bacteria and viruses, trash and debris, light and even excess heat, which is considered thermal pollution.

Pre-Construction All activity in preparation for construction.

Pre-Development The conditions that exist prior to the proposed disturbance activity. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time prior to the first plan submission shall establish pre-development conditions.

Post-Development The conditions that reasonably may be expected or anticipated to exist after completion of the land development activity in accordance with approved plans on a specific site or tract of land. Post-

development refers to the phase of a new development or redevelopment project after completion and does not refer to the construction phase of a project.

Qualified Soil Evaluator A professional who can demonstrate to the permitting authority, the necessary experience/credentials or a Massachusetts Registered Professional Engineer with expertise in soils to perform soil evaluations specifically for stormwater management purposes, including infiltration feasibility.

Recharge The process by which water from precipitation, surface water, or other sources infiltrates into the ground and replenishes underground aquifers or groundwater supplies.

Reconstruction The process of rebuilding or significantly restoring a structure, feature, or area that has been damaged, removed, or deteriorated. This typically involves replacing or reconfiguring existing elements to match or improve upon the original condition.

Redevelopment The process of altering, improving, or repurposing previously developed land or property. It typically involves the demolition, renovation, or replacement of existing structures and infrastructure to accommodate new uses or to bring the property into compliance with current standards and regulations.

Runoff The portion of water from precipitation, such as rain or melting snow, or from human activities like irrigation, that flows over the land surface instead of soaking into the ground. This occurs when the soil is saturated, the surface is impervious (such as pavement or rooftops), or the water is applied faster than it can infiltrate.

Sediment Solid particles of soil, sand, silt, or clay that are eroded from the land and transported by wind, water, or ice.

Sedimentation The process by which sediment is transported by water, wind, or ice and eventually settles out of suspension, accumulating in a new location. Runoff carries eroded materials into waterways, detention basins, or storm drains, where the particles settle to the bottom.

Site Any lot or parcel of land or area of property where Land-Disturbing Activities are, were, or will be performed.

Soil A natural, unconsolidated mixture of mineral particles, organic matter, air, and water that forms the upper layer of the Earth's surface. The composition of soil can vary widely based on location, climate, and organic content, affecting its texture (sand, silt, clay), fertility, permeability, and drainage capacity.

Stormwater Water that originates from precipitation events, such as rain, snow, or hail, which flows over the ground surface and into natural or man-made drainage systems.

Stormwater Control Measure (SCM) Structural, non-structural and managerial techniques that are recognized to be the most effective and practical means to prevent and/or reduce increases in stormwater volumes and flows, reduce point source and nonpoint source pollution, and promote stormwater quality and protection of the environment. "Structural" SCMs are devices that are engineered and constructed to provide temporary storage and treatment of stormwater runoff. "Non-structural" SCMs use natural measures to reduce pollution levels, do not require extensive construction efforts, and/or promote pollutant reduction by eliminating the pollutant source.

Stormwater Management The use of SCMs designed to control or reduce the quantity, rate, and quality of stormwater runoff; to promote groundwater recharge; to prevent erosion and sedimentation; to protect water

quality; and to minimize impacts on adjacent properties, infrastructure, and natural resources. Stormwater Management includes planning, designing, implementing, and maintaining measures to manage runoff from precipitation events, including rain and snowmelt.

Stormwater Regulations Policies and rules that govern the design, implementation, and maintenance of systems and practices to control stormwater runoff and its impacts on water quality, flooding, and infrastructure.

Waters of the Commonwealth All waters within the jurisdiction of the Commonwealth of Massachusetts under the Wetlands Protection Act (M.G.L c. 131 section 40 and regulations at 310 CMR 10.00) and regulations at 314 CMR 9.00, Water Quality Certification, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, wetlands, and vernal pools.

Waters of Needham All waters within the jurisdiction of the Town of Needham under the Wetlands Protection By-Law (Article 6) and implementing regulations, including rivers, streams, lakes, ponds, springs, impoundments, wetlands and vernal pools.

Wetlands Freshwater wetland, marsh, bog, wet meadow, and swamp as defined in M.G.L. c. 131, §40, the Town of Needham Wetland Protection By-Law, or any successor statutory provision.

SECTION 7.3 AUTHORITY

The Stormwater By-Law is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, and the regulations of the Federal Clean Water Act (found at 40 CFR 122.34 published in the Federal Register on December 8, 1999, as amended). No change to the aforementioned regulations should affect the validity of this by-law.

7.3.1 Permitting Authority

The municipal board, committee or department with authority for issuing permits for construction and/or land disturbing activities. These include the Planning Board, Conservation Commission, Department of Public Works, Building Department, and Zoning Board of Appeals.

7.3.2 Emergency Suspension of Storm Drain System Access

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

SECTION 7.4 APPLICABILITY

7.4.1 Activities Subject to the Stormwater By-Law

Anyone proposing construction or land work that meets any of the following thresholds must comply with this by-law:

a) New construction or project that increases existing impervious surface (see Stormwater Regulations for applicability parameters).
b) Construction or alteration of drainage systems.
c) Change in grading or existing water flow resulting in additional surface water being shed onto other properties, public infrastructure, or natural resources.

d) New construction or addition that increases existing impervious surfaces and requires approval under one or more of the following:
   (i) Needham Wetland Protection By-Law (Conservation Commission)
   (ii) Zoning By-Law (Board of Appeals)
   (iii) Subdivision Regulations (Planning Board)
   (iv) Other permitting authorities identified in this by-law.

No construction or land disturbance activities that meet one or more of these thresholds may commence prior to obtaining approval pursuant to this by-law.

7.4.2 Stormwater Management and Erosion Control

Activities subject to the Stormwater By-Law shall not be segmented or phased to avoid compliance. All land disturbances, including those not requiring a permit, must incorporate Stormwater Management and Erosion Control measures to ensure that the activity does not increase stormwater runoff or introduce pollutants to roadways or adjacent properties.

The relevant permitting authority, with guidance from the Department of Public Works (DPW), shall review each project for compliance with this by-law. Any permits issued must include a statement confirming that the project meets the requirements of this by-law. This does not limit the authority of any permitting board to enforce more stringent standards under its own by-laws, rules, or regulations.

The DPW Director, or their designee, shall participate in the review process and may provide recommendations to the permitting authority as needed. Projects involving only façade treatments, interior renovations, or changes in use are exempt from the requirement to submit a Stormwater Management and Erosion Control Plan.

7.4.3 Modification of Stormwater Plan

The applicant, or an agent thereof, shall obtain the approval of the permitting authority prior to any change or modification of an activity associated with the Stormwater Management and Erosion Control provisions of the permit. Applicant shall request in writing a change or modification to the original submission. Once the permitting authority has acknowledged receipt of the request in writing, approval or rejection of the requested change or modification will be noted on the plot plan within thirty (30) calendar days.

In circumstances where Planning Board, Zoning Board of Appeals, and/or Conservation Commission approval is required prior to the issuance of a permit, approval by the respective board or commission is required prior to any change or modification of an activity associated with an approved Stormwater Management and Erosion Control Plan. Additional stormwater runoff and erosion control measures may be required prior to approval of the change or modification.

7.4.4 No Approval Required

For activities listed below, provided erosion control measures are used, and the activity will not result in an increased amount of stormwater runoff or pollutants flowing from a parcel of land and entering a traveled way or adjacent properties.

a) Repair, replacement or reconstruction of an existing driveway, patio, pool, and other improvements so long as it does not increase impervious square footage and remains in the same location.
b) Restoration of existing lawn areas without lot grading.
c) Approved temporary structures.

SECTION 7.5 ADMINISTRATION

The Stormwater By-Law is administered and enforced by the DPW Director. When work is subject to this by-law and applicants are seeking a related permit or approval from the DPW, Building Department, Conservation Commission, Planning Board, or Zoning Board of Appeals, they must demonstrate compliance with the by-law and its regulations to the applicable permitting authority.

If a proposed activity is subject to the Stormwater By-Law but is not otherwise subject to review by the DPW, Building Department, Conservation Commission, Planning Board, or Zoning Board of Appeals, the applicant must submit the project for review through a Street Permit application prior to beginning any work. This process ensures that activities such as grading or other land disturbances—especially those that may not involve traditional construction—are reviewed for compliance with the Stormwater By-Law and its regulations.

The applicable permitting authority may accept the application as compliant, accept it with conditions, or reject it—based on input from the DPW Engineering Department or in accordance with applicable state or federal laws and regulations. If the application is rejected, the applicant may submit a revised plan demonstrating compliance.

The DPW Director may take action to enforce the provisions of this by-law, as may the Building Commissioner or Conservation Agent if requested by the DPW Director.

SECTION 7.6 REGULATIONS

The Select Board shall adopt, and may periodically amend, Stormwater Regulations to effectuate the purposes of this by-law, after conducting a public hearing to receive public comment.

7.6.1 Purpose

The purpose of accompanying regulations is to provide detailed guidance for the implementation and administration of this by-law. The regulations establish specific standards, procedures, definitions, and technical requirements necessary to achieve the objectives of the Stormwater By-Law, including but not limited to performance standards, design criteria, review processes, and compliance measures.

7.6.2 Massachusetts Stormwater Handbook

The DPW Director and/or their designee will utilize the criteria, specifications and standards of the most recent edition of the Massachusetts Stormwater Handbook to execute the provisions of this by-law. Unless otherwise specified in the Stormwater Regulations, SCMs that are designed, constructed, and maintained in accordance with the design and sizing criteria in the Massachusetts Stormwater Handbook will be presumed to be protective of Massachusetts water quality standards.

SECTION 7.7 STORMWATER ASSESSMENT

The Town of Needham is subject to a federal requirement to reduce the amount of pollution from stormwater runoff discharging to local waterways, including substantial phosphorous reduction requirements of runoff into the Charles River. As a result, to meet federal and state permit obligations, the Town must increase its investment in stormwater infrastructure management. In May 2023, the Needham Select Board approved a Stormwater Mitigation Assessment Fee Program, charged through water/sewer billing, which is designed to spread the cost of this public service through a formula based on impervious cover on each property resulting in a tiered fee structure that reflects the potential contribution to stormwater runoff.

7.7.1 Stormwater Mitigation Assessment

The Department of Public Works (DPW) has long been responsible for operating, maintaining, and improving the Town's drainage system, which includes miles of pipeline and thousands of catch basins, manholes, and water quality treatment practices. A well-functioning drainage system keeps roads passable and protects public health and private property. Stormwater management has expanded to include water quality considerations under the Clean Water Act. Stormwater management activities in Needham have historically been funded primarily through the General Fund (tax revenue).

A Stormwater Mitigation Assessment that generates revenue through fees is a more equitable way to support funding for this necessary work. Revenue is collected from all properties (including tax-exempt) and is dedicated to stormwater-specific costs.

7.7.2 Municipal Authority

Massachusetts municipalities are authorized under Massachusetts General Laws to establish a stormwater management authority, empowering them to charge fees to property owners, just as traditional utilities are allowed to charge fees for electricity, drinking water, and sewer services (MGL Chapter 40 Section 1A, Chapter 40A Section 5, Chapter 44 Section 53F-1/2, and Chapter 83 Section 16).

SECTION 7.8 ILLICIT DISCHARGE, DETECTION & ELIMINATION (IDDE)

The DPW Director and/or their designee shall have the authority to investigate suspected illicit discharges and to require the elimination of illicit discharges. No person or entity shall construct, use, allow, maintain or continue any Illicit Connection, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.

7.8.1 Regulated Activities

In order to protect the Town of Needham's water resources and comply with the requirements of the NPDES program, the following activities are regulated to prevent and eliminate illicit discharges to the MS4 and ensure proper connection to municipal infrastructure.

7.8.1.1 Illicit Connections

No person or entity shall connect any pipe, swale, drain, or other appurtenance to the Town of Needham's Sanitary Sewer System or MS4, or perform any modification, repair, rehabilitation, or replacement work on either system, without first obtaining an approved Sewer Connection Permit or Drainage Connection Permit from the Department of Public Works.

7.8.1.2 Illicit Discharges

No person or entity shall discharge, or allow to be discharged, any pollutant or non-stormwater substance to the MS4 or any part of the stormwater system, either directly or indirectly. No person or entity shall allow any pipe, swale, or other point source to discharge directly, prior to filtration, onto a public way unless prior authorization is obtained through the Department of Public Works.

7.8.1.3 Obstruction of Municipal Storm Drain System

No person shall obstruct or interfere with the normal flow of stormwater into or out of the MS4 without prior written approval from the DPW Director.

7.8.2 Allowable Non-Stormwater Discharges

The following non-stormwater discharges are exempt from the prohibition, provided that the source is not a significant contributor of a pollutant to the MS4 drain system or the waters of the Commonwealth:

a) Water line flushing
b) Landscape irrigation
c) Foundation and footing drains
d) Air conditioning condensation
e) Water from crawl space pumps
f) Lawn watering
g) Individual residential car washing
h) Dechlorinated swimming pool discharges
i) Street and sidewalk wash water
j) Discharges from firefighting activities
k) Flows from wetland resource areas
l) Rising ground waters
m) Uncontaminated ground water (groundwater that is free of pollutants)
n) Discharges from potable water sources
o) Discharges necessary to protect public health, safety, welfare, or the environment.

7.8.3 Detection and Elimination

Upon identification of an illicit discharge or illegal connection, the responsible party shall be notified and required to eliminate the discharge or connection in a timely manner as directed by the Permitting Authority.

If the responsible party fails to act, the Town may take necessary enforcement actions, including but not limited to fines, cease and desist orders, or performing corrective work at the property owner's expense.

SECTION 7.9 PERMITS

7.9.1 Applications

All activities subject to the Stormwater By-Law must include Stormwater Management and Erosion Control provisions.

The applicable permitting authority shall review and approve the Stormwater Management and Erosion Control Plan prior to issuing any permit. The DPW Director, or their designee, shall participate in the review process and may provide recommendations to the permitting authority as needed.

Projects that involve only façade treatments, interior renovations, or changes in use are exempt from the requirement to submit a Stormwater Management and Erosion Control Plan.

7.9.2 Fees

Fees may be established by the Select Board to pay for expenses if it is determined that an outsourced professional or expert consultation is necessary to adequately evaluate a proposed project. This may include retaining a registered professional engineer or other qualified consultant to advise the permitting authority on one or more aspects of the submitted plans.

If such consultation is required, the applicant may be required to pay the associated review fees in advance. The applicant may also be responsible for ongoing consultant costs, if necessary for the

duration of the project, through an account established in accordance with M.G.L. c. 44, §53G, or any successor statutory provision.

7.9.3 Permit Amendments

If the permitting authority determines that material changes or alterations to an approved project plan are significant, the applicant may be required to submit a new application. Minor adjustments, such as those made to address field conditions or similar non-substantial changes, generally do not require a new application. The applicant may revise and resubmit an application as needed to meet the objectives and comply with the requirements of this by-law.

7.9.4 Non-Compliance

Any person who fails to comply with the conditions of an issued permit, including an approved Erosion and Sedimentation Control Plan, Operations and Maintenance Plan, or any order issued under the Stormwater By-Law, shall be considered in violation and subject to enforcement action.

SECTION 7.10 STORMWATER MANAGEMENT AND EROSION CONTROL PLAN REQUIREMENTS

7.10.1 Low Impact Development (LID)

The Town of Needham supports, encourages, and anticipates the use of Low Impact Development (LID) practices wherever possible or practicable, as a preferred approach to managing stormwater and preserving site-specific ecological and hydrological functions. Applicants are expected to incorporate LID principles into their site planning process.

7.10.2 Regulated Activities

Any construction or land disturbance activity regulated under this by-law shall require the preparation and submission of a Stormwater Management and Erosion Control Plan. The purpose of the Plan is to ensure that adequate measures are in place to manage stormwater runoff, minimize erosion, and prevent sedimentation both during and after construction. The Plan must demonstrate that the proposed activity will not result in adverse impacts to abutting properties, public infrastructure, or natural resources, and that it complies with the performance standards and design criteria outlined in the Stormwater Regulations. The permitting authority shall review all submitted plans for completeness and conformance with the requirements of the Stormwater By-Law prior to approval.

7.10.3 Exempt Activities

The following activities shall be exempt from the requirement to submit a Stormwater Management and Erosion Control Plan under this by-law:

a) Emergency activities necessary to protect public health or safety as determined by the authority having jurisdiction;

b) Any work or projects for which all necessary approvals and permits have been issued before the effective date of this by-law.

7.10.4 General Requirements

If authorized by the Owner or other party in control of the property, the permitting authority, its designee, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this by-law and may make or cause to be made such examinations, surveys or sampling as deemed reasonably necessary to determine compliance with the permit.

7.10.4.1 Pre-Construction

A Stormwater Management and Erosion Control Plan along with soil testing results from a qualified soil evaluator shall be submitted as part of a Plot Plan or independently with an application for a Building Permit, Street Permit, Planning Board application, Zoning Board of Appeals application, Conservation Commission application, and/or prior to any activity subject to this by-law.

7.10.4.2 Construction

The Stormwater Management and Erosion Control Plan shall include construction-period measures such as a dewatering plan during and after construction to prevent the discharge of silt or sediment to the MS4, roadway, wetland resources or abutting properties. The permitting authority or its designee may perform inspections as necessary at various stages of the project to verify and document compliance with the issued permit.

7.10.4.3 Post-Construction

For all projects subject to this by-law, the Stormwater Management and Erosion Control Plan shall include post-construction measures designed to provide a minimum combined volumetric capacity to recharge at least one and a half inches (1.5") of rainfall over the total impervious area of the site, including all buildings and other impervious surfaces.

Projects subject to this by-law that require approval from the Conservation Commission, Planning Board, or Zoning Board of Appeals must include stormwater runoff quality controls in their plans. These controls must incorporate structural and/or non-structural Stormwater Control Measures (SCMs) that are designed to remove pollutants from stormwater prior to infiltration into the ground, in accordance with the Massachusetts Stormwater Handbook.

The purpose of these post-construction measures is to minimize or prevent increases in stormwater volume and peak flow to the MS4, and to reduce the pollutant load entering the MS4 and receiving waters.

7.10.4.4 Low-Permeability Soils

In cases where low-permeability soils are present, the DPW Director may, in consultation with the Engineering Division and Permitting Authority, authorize modifications that are consistent with the intent of this by-law. The applicant must conduct and submit soil testing results that describe soil types and groundwater elevations.

7.10.4.5 Operation and Maintenance Plan

An Operation and Maintenance (O&M) Plan shall be submitted with any application for a Building Permit, Street Permit, or application to the Planning Board, Board of Appeals, or Conservation Commission pursuant to this by-law. The O&M Plan must be designed to ensure year-round compliance with this by-law and remain effective throughout the life of the system. The Plan must be recorded with the Registry of Deeds, and proof of recording must be submitted to the permitting authority. Annual inspection and maintenance records for all stormwater control measures (SCMs) shall be made available to the DPW and Permitting Authority upon request.

7.10.4.6 As-Built Drawing

At the completion of any project subject to the Stormwater By-Law, as-built drawings must be submitted and shall include all stormwater management systems as constructed. These drawings must be prepared, signed, and stamped by a Massachusetts Registered Professional Engineer. The as-built drawings shall accurately reflect the final configuration, elevations, dimensions, and materials of all stormwater infrastructure, including but not limited to infiltration systems, drainage pipes, manholes, catch basins, and outfalls.

The as-built drawings must accompany the certified as-built Plot Plan, which is required to be stamped by a Massachusetts Registered Land Surveyor. Together, these documents provide verification that the stormwater management systems have been constructed in accordance with the approved plans and comply with the requirements of this by-law and associated regulations.

7.10.4.7 Design Criteria

Infiltration and other stormwater management systems shall be designed in accordance with SCMs as outlined in the Massachusetts Stormwater Handbook and the Stormwater Regulations. For building additions that increase the existing impervious footprint by 25% to 50%, infiltration is required for the newly constructed area. For additions that increase the impervious footprint by more than 50%, infiltration is required for the entire impervious area, including both the addition and the existing structure.

For properties containing 4,000 square feet or less of impervious surface post-construction, infiltration systems must be designed to collect and infiltrate a minimum of one and a half inches (1.5") of rainfall. Impervious surfaces beyond the roof—such as driveways, decks, and patios—may be directed to the same infiltration system or managed separately using other acceptable methods such as rain gardens, drainage trenches or swales, detention basins, or other SCMs.

For projects resulting in more than 4,000 square feet of impervious surface post-construction, infiltration systems must be designed to collect and infiltrate a minimum of one and a half inches (1.5") of rainfall over the total impervious area, including roofs, driveways, patios, decks, and other hardscapes. In addition, the applicant must demonstrate compliance with the Massachusetts Stormwater Standards, specifically Standard 2 (Peak Rate Attenuation) and Standard 3 (Recharge). Projects shall be subject to any tree planting requirements detailed in the Town of Needham's Stormwater Regulations and any Town tree preservation by-law, as applicable.

Projects subject to this by-law requiring approval by the Conservation Commission, Zoning Board of Appeals, and/or Planning Board must also comply with the applicable requirements and approvals of the relevant Permitting Authority. Applicants must demonstrate compliance with the Massachusetts Stormwater Standards for Stormwater Management and Erosion Control measures.

Erosion and sediment controls must be designed to prevent adverse impacts caused by the discharge of silt or sediment to municipal and/or abutting properties during and after land disturbance or construction activities.

There shall be no change to the existing conditions of abutting properties or public ways from any increase in volume or peak rate of stormwater runoff or from erosion, silting, flooding, displacement, sedimentation or impacts to wetlands and other resource areas as defined in the Massachusetts Wetlands Protection Act and/or Needham Wetlands Protection By-Law.

When any proposed discharge may have an impact upon streams, wetlands and/or the MS4 or its conveyance system (storm sewers), the DPW Director and/or their designee may require minimization or elimination of this impact based on site conditions and existing stormwater system capacity.

SECTION 7.11 ENFORCEMENT

The DPW Director and/or their designee is authorized to oversee and review all matters relating to stormwater management within the Town of Needham. The DPW Director, or their designee, shall

administer and enforce the Stormwater By-Law and Stormwater Regulations, including orders, violation notices, and enforcement orders. The Director may pursue all applicable civil and criminal remedies and penalties including without limitation non-criminal disposition as provided in Section 8.

7.11.1 Written Order

The DPW Director and/or their designee may issue a written order to enforce the provisions of this by-law or the regulations thereunder, which may include, but are not limited to, the following:

a) A requirement to cease and desist until there is compliance with the Stormwater By-Law;
b) Elimination of illicit connections or discharges to the MS4;
c) Maintenance, installation or performance of additional Erosion and Sedimentation control measures;
d) Monitoring, analyses, and reporting; and/or
e) Remediation of contamination, erosion and/or sedimentation resulting directly or indirectly from the permitted activity.

7.11.2 Appeal of Determination

Any person or entity aggrieved by a decision of the DPW Director and/or their designee under a provision of this Stormwater By-Law may submit a letter of appeal to the Select Board which may affirm, amend, or overrule that decision after a public meeting held not more than 45 days after the submission of a letter of appeal.

7.11.3 Injunctive Relief

If a person violates the provisions of this by-law, or any regulation, permit, notice, or order issued thereunder, the DPW Director or their designee, with the approval of the Select Board, may seek injunctive relief in a court of competent jurisdiction to restrain such person from activities that would create further violations or to compel the person to perform abatement or remediation of the violation.

or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information: This article proposes amendments to the existing Stormwater By-Law to strengthen the management of stormwater runoff through water quality and quantity controls. The updates are intended to reduce pollution from stormwater runoff into the Charles River, help manage the quantity of water flow from subjected activities, promote the long-term maintenance of stormwater systems, and ensure compliance with State and Federal water quality requirements, including the Town's National Pollutant Discharge Elimination System (NPDES) permit under the Clean Water Act and Municipal Separate Storm Sewer System (MS4). The proposed amendment covers several primary topics:

Applicability: The Town's existing Stormwater By-Law applies to new construction, additions that expand the building footprint by more than 25%, and projects that require approval by the Planning Board, Zoning Board of Appeals, and Conservation Commission. Under this article, the updated Stormwater By-Law would apply to all existing activities and would add these additional activities: construction or alteration of drainage systems, projects that increase the amount of impervious surface on a property, and changes in grading that result in additional surface water being shed onto other properties, public infrastructure, or natural resources. This article adds language to prohibit the phasing of projects to avoid compliance with this by-law. It exempts certain activities if erosion control measures are in place, such as lawn restoration, approval of temporary structures, and the repair, replacement or reconstruction of driveways,

patios, and pools, if there is no change in impervious surface. Existing properties that are not proposing any applicable activity or connection to the Town's drain system have no requirements under this Stormwater By-Law.

Stormwater Controls: The proposed update requires subjected activities to meet higher standards for stormwater management. This amendment (1) increases recharge standards by increasing standard runoff capture from 1 inch to 1.5 inches, (2) explicitly defines required design standards for systems that capture and treat stormwater to prevent runoff onto neighboring properties, (3) reaffirms compliance with the Massachusetts Stormwater Handbook, (4) provides revised guidelines for managing erosion and sediment during construction, and (5) further defines requirements for properties with low-permeable soil to reduce additional connections into the Town's drainage system.

Property Owner Responsibilities: The updated by-law would require long-term maintenance of stormwater management systems. Permit applicants would be required to record the existence of stormwater management systems and their operation and maintenance plans with the Registry of Deeds for the knowledge of future property owners. Property owners would be responsible for regularly inspecting and maintaining these systems to ensure continued proper function and to prevent future stormwater issues. This proposed update clarifies the list of allowable and prohibited (illicit) water discharges into the municipal stormwater drain system.

Enforcement: This article clarifies the roles of the Select Board to adopt regulations and the Department of Public Works to perform oversight and enforcement, respectively. This proposed update increases the ability of the Department of Public Works to inspect and require elimination of discharges. It expands the enforcement tools available under the by-law to include penalties, compliance measures, and other legal mechanisms. If this article is adopted, the Select Board shall adopt and may periodically amend companion Stormwater Regulations to provide further guidance for implementation.

Administrative and Technical Changes: This article includes updates to terminology and definitions in the Stormwater By-Law, along with changes in structure, for improved readability.

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 9th day of September, 2025.

Heidi Frail, Chair

Catherine R. Dowd, Vice Chair

Joshua W. Levy, Clerk

Marianne B. Cooley, Member

Kevin Keane, Member

SELECT BOARD OF NEEDHAM

A TRUE COPY
Attest:
Constable:

Status of Articles as of 10/9/2025
October 20, 2025 Special Town Meeting

#	Article	Status	SB Position	FC Position
1	FUND COLLECTIVE BARGAINING AGREEMENT – POLICE SUPERIOR OFFICERS ASSOCIATION		Adopt	Adopt
2	FUND COLLECTIVE BARGAINING AGREEMENT – NEEDHAM POLICE UNION		Adopt	Adopt
3	APPROPRIATE FOR INFILTRATION AND INFLOW		Adopt	Adopt
4	APPROPRIATE FOR INTERSECTION IMPROVEMENT ANALYSES		Adopt	Adopt
5	APPROPRIATE FOR STEPHEN PALMER LEASE EXPIRATION			
6	AMEND THE FY2026 OPERATING BUDGET			
7	AMEND THE FY2026 SEWER ENTERPRISE FUND BUDGET		Adopt	Adopt
8	AMEND THE FY2026 WATER ENTERPRISE FUND BUDGET		Adopt	Adopt
9	APPROPRIATE FOR PUBLIC, EDUCATIONAL, AND GOVERNMENT (PEG) PROGRAMMING		Adopt	Adopt
10	AMEND GENERAL BY-LAW – DOG LICENSES		Adopt	Adopt
11	AMEND GENERAL BY-LAW – STORMWATER		Adopt	Adopt

Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET

MEETING DATE: 10/14/2025

Agenda Item	Town Manager's Report
Presenter(s)	Katie King, 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: 10/14/2025

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
Special Meeting
Minutes for October 7th, 2025
Great Plain Room, Town Hall
1471 Highland Avenue
Needham, MA 02492
& Zoom
https://us02web.zoom.us/j/89068374046

7:06 p.m. Call to Order:
A meeting of the Select Board was convened by Chair Heidi Frail. Those present were Vice Chair Cathy Dowd, Kevin Keane, Joshua Levy, and Town Manager Katie King. Marianne Cooley was present via Zoom. Also present were Deputy Town Manager Liz LaRosee, Deputy Town Manager/Director of Finance Dave Davison, Town Counsel Chris Heep and Support Services Manager Myles Tucker.

7:07 p.m. **Motion by Ms. Frail that the Board vote to enter into Executive Session pursuant to Exception 6: to discuss the purchase, lease and value of real property located at the Stephen Palmer Building, 83 Pickering Street, Needham, MA, where the Chair declares that an open meeting on both of these items may have a detrimental effect on the negotiating position of the public body [The Chair so declares.] and to adjourn at the conclusion of the executive session without returning to open session. Second by Mr. Keane. Passed unanimously by a roll call vote.**

Ms. Frail: Yes
Ms. Dowd: Yes
Mr. Levy: Yes
Ms. Cooley: Yes
Mr. Keane: Yes

Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET

MEETING DATE: 10/14/2025

Agenda Item	Envision Needham Center Working Group Update (Added Fact Sheet)
Presenter(s)	Tim Bulger, Envision Needham Center Working Group Chair Carys Lustig, Director of Public Works

1.	**BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED**
The Chair of the Envision Needham Center Working Group (ENCWG), Tim Bulger, and Director of Public Works Carys Lustig will provide a status update on the work of the ENCWG.	
2.	**VOTE REQUIRED BY SELECT BOARD**
N/A – Discussion Only	
3.	**BACK UP INFORMATION ATTACHED**
None	

Town of Needham
Select Board
Special Meeting
Minutes for October 8th, 2025
Select Board Chambers, Town Hall
1471 Highland Avenue
Needham, MA 02492
&
Zoom
https://us02web.zoom.us/j/89068374046

7:31 p.m. Call to Order:
A meeting of the Select Board was convened by Chair Heidi Frail. Those present were Vice Chair Cathy Dowd, Kevin Keane, Joshua Levy, and Town Manager Katie King. Present via Zoom was Marianne Cooley. Also present were Deputy Town Manager Liz LaRosee, Deputy Town Manager/Director of Finance Dave Davison, and Support Services Manager Myles Tucker.

7:32 p.m. **Motion by Ms. Frail that the Board vote to enter into Executive Session pursuant to Exception 6: to discuss the purchase, lease and value of real property located at the Stephen Palmer Building, 83 Pickering Street, Needham, MA, where the Chair declares that an open meeting on both of these items may have a detrimental effect on the negotiating position of the public body [The Chair so declares.] and to adjourn at the conclusion of the executive session without returning to open session. Second by Mr. Levy. Passed unanimously by a roll call vote.**

Ms. Frail: Yes
Ms. Dowd: Yes
Mr. Levy: Yes
Ms. Cooley: Yes
Mr. Keane: Yes

Town of Needham
Water Sewer Billing System
Abatement Form

FROM: DEPARTMENT OF PUBLIC WORKS
TO: TOWN TREASURER AND COLLECTOR
CC: TOWN ACCOUNTANT

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

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

Water Sales:	-$41.25
Water Irrigation:	$0.00
Water Admin Fees:	$0.00
Sewer Sales:	-$39.66
Stormwater Fees:	$0.00
Transfer Station Charges:	$0.00
Total Abatement:	-$80.91

Order #: 1355

Read and Approved: Date

10/06/25

Superintendent of Water, Sewer, and Drains

Director of Public Works

Date

Select Board

Town of Needham
Water Sewer Billing
Abatement Form

Customer Name	Customer ID #	Location ID #	Street #	Street Name	Domestic Water	Sewer	Irrigation Water	Stormwater	Total	Reason Code	Prepared By:
Richard Dinatale	24137	4275	6	Mayo Ave	-$41.25	-$39.66	$0.00	$0.00	-$80.91	ACC	KW
					$0.00	$0.00	$0.00	$0.00	$0.00		
					$0.00	$0.00	$0.00	$0.00	$0.00		
					$0.00	$0.00	$0.00	$0.00	$0.00		
					$0.00	$0.00	$0.00	$0.00	$0.00		
					$0.00	$0.00	$0.00	$0.00	$0.00		
					$0.00	$0.00	$0.00	$0.00	$0.00		
					$0.00	$0.00	$0.00	$0.00	$0.00		
					$0.00	$0.00	$0.00	$0.00	$0.00		
					$0.00	$0.00	$0.00	$0.00	$0.00		
					$0.00	$0.00	$0.00	$0.00	$0.00		
					-$41.25	**-$39.66**	**$0.00**	**$0.00**	**-$80.91**		

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

Verified By: Kristen Wright

Mangement Analyst, DPW

NEEDHAM PARK AND RECREATION DEPARTMENT

Rosemary Recreation Complex
178 Rosemary Street
Needham, MA 02494
Tel: (781) 455-7930

October 8, 2025

Ms. Heidi Frail
Chair, Select Board
Town of Needham
1471 Highland Ave.
Needham, MA 02492

Dear Chair Frail,

I am writing to request the Select Board's approval of placing lawn signs promoting Park and Recreation's Fall Family Day event, happening on October 25, 2025 in the following locations around town from October 15, 2025 to October 26, 2025:

- Town Common
- Needham Heights Common
- Recycling and Transfer Station
- Public Services Administration Building
- Berms adjacent to the Needham Free Public Library
- Harris Ave. median

If you need any other information, I can be reached at 781-455-7930. Thank you for your consideration of this request.

Sincerely,

Stacey Mulroy, Director
Needham Park & Recreation
smulroy@needhamma.gov