

**Town of Needham
Board of Selectmen
Minutes for February 15, 2011
Needham Public Services Administration Building**

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

7:00 p.m. Call to Order:
A meeting of the Board of Selectmen was convened by Chairman John A. Bulian. Those present were Daniel P. Matthews, Maurice P. Handel, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt. Denise C. Garlick and Gerald A. Wasserman arrived at 7:07 p.m.

7:00 p.m. Town Manager:
Ms. Kate Fitzpatrick, Town Manager appeared before the Board with 3 items to discuss:

1. Accept and Refer Zoning Amendment:

Ms. Fitzpatrick told the Board the Planning Board voted to place five zoning change articles on the Annual Town Meeting warrant. She stated that even if a zoning change is initiated by the Planning Board, it has to be accepted and referred back to the Planning Board for review, hearing, and report by the Board of Selectmen.

Motion by Mr. Matthews that the Board vote to accept and refer five proposed zoning articles: 1. Amend Zoning By-Law: Outdoor Seating; 2. Amend Zoning By-law: Schedule of Use Regulations; 3. Amend Zoning By-law; Neighborhood Business District; 4. Amend Zoning By-law: Technical Amendments for New England Business Center, Highland Commercial 128 and Mixed Use-128; and 5. Amend Zoning By-law: Corrective Zoning Amendments to the Planning Board for review, public hearing, and report.
Second: Mr. Handel. Unanimously approved 3-0.

2. Land Exchange Agreement for Property:

Ms. Fitzpatrick told the Board the Town and the MBTA have reached agreement on the terms of the transfer of the Needham Heights Commuter lot and the Upper Hersey Commuter lot, which will be effective March 1, 2011.

Motion by Mr. Matthews that the Board vote to approve and sign the Land Exchange Agreement for Property Located in Needham, Massachusetts.
Second: Mr. Handel. Unanimously approved 5-0.

Motion by Mr. Matthews that the Board vote to approve and sign the Easement Agreement by and between the Town of Needham and the Massachusetts Bay Transportation Authority.
Second: Mr. Handel. Unanimously approved 5-0.

Motion by Mr. Matthews that the Board vote to approve and sign the Quit Claim Deed for the property known as the Upper Hersey Lot.
Second: Mr. Handel. Unanimously approved 5-0.

3. Massachusetts Bay Transportation Authority Use and Occupancy Agreement – MBTA #10243 Railroad Properties

Ms. Fitzpatrick told the Board the Town and the MBTA have reached agreement on terms that will allow for municipal parking in Needham Center in spaces that had previously been reserved for commuter parking. She stated an evaluation indicates that at this time, there is sufficient capacity at the Needham Heights, Needham Junction, Upper Hersey and Lower Hersey lots to accommodate the commuter parking need. She said use of the Needham Center lot for municipal parking will meet demonstrated need for employee and retail parking in Needham Square. Ms. Fitzpatrick said the Use and Occupancy Agreement is renewable annually, and should additional commuter parking become necessary in the future, the use of the property can be easily converted. She suggested the Board of Selectmen hold a public hearing in March and requested approval of the Use and Occupancy Agreement.

Motion by Mr. Matthews that the Board vote to approve the Town Manager's entering into a Use and Occupancy Agreement for use of parking spaces in Needham Center.

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

Mr. Matthews commented it makes sense to convert to use related to the business district, and not to have commuter parking in the Center when it is available at other locations. He said this kind of change affects many people and to hold a public hearing makes a lot of sense.

7:15 p.m. Adjourn.

Motion by Mr. Matthews that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of February 15, 2011.

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