Town of Needham
Board of Selectmen
Minutes for February 10, 2015
Selectmen's Chamber
Needham Town Hall

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 Maurice P. Handel, Matthew D. Borrelli, Daniel P. Matthews, Marianne B. Cooley, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. Dan Gutekanst, School Superintendent appeared before the Board to thank them and others people who have kept the Town of Needham open and operating during significant weather circumstances. He thanked Town employees, maintenance, and custodial staff for their work to keep schools open and running. He said Needham has had fewer snow days compared to other towns because of the collaboration and cooperation between the schools and the Town, and because of the leadership of the Town Manager, Kate Fitzpatrick.

7:00 p.m. Certificate of Appreciation - Temple Aliyah:
Mr. Bulian read a Certificate of Appreciation recognizing Temple Aliyah on its 50th anniversary.

Motion by Mr. Borrelli that the Board of Selectmen of the Town of Needham, Massachusetts awarded to Temple Aliyah in recognition of its 50th anniversary providing religious education and services to the Community. Second: Ms. Cooley. Unanimously approved 5-0.

7:00 p.m. Public Hearing - Eversource (formerly NSTAR) Petition for Kendrick Street:
Maureen Carroll, Eversource representative appeared before the Board requesting permission to install 1654.40 feet of conduit from manhole #29930 Kendrick Street, Needham. Ms. Carroll said Eversource will also install six new manholes: #29612, #29613, #29930, #29931, #29932, and #29933. She commented this work is necessary in order for Eversource to increase capacity due to the growth and demand for electricity in the area of Needham.

Mr. Bulian invited public comment. No comments were made.

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

Motion by Mr. Borrelli that the Board of Selectmen approve and sign a petition from Eversource to install 1654.40 feet of conduit from manhole #29930 Kendrick Street, Needham. Eversource will also install six new

manholes: #29612, #29613, #29930, #29931, #29932, and #29933. This work is necessary in order for Eversource to increase capacity due to the growth and demand for electricity in the area of Needham.
Second: Mr. Handel. Unanimously approved 5-0.

7:02 p.m. Public Hearing Teleport Communications America - Fremont Street/Charles Street/Wexford Street/Franklin Street:
David Edgar, Siena Engineering Group, Inc., representing Teleport Communications America appeared before the Board requesting permission to install underground conduits in the following areas: 1) Fremont Street from Franklin to Wexford Street and to the point where Fremont Street becomes a Private Way, four to eight 4-inch PVC conduits, approximately 430-feet in length; 2) Charles Street - from the Private Way portion of Fremont Street to the property of 77 Wexford Street, four 4-inch PVC conduits, approximately 375 feet in length; 3) Wexford Street from Fremont Street to the property of 77 Wexford Street, four 4-inch PVC conduits approximately 355 feet in length; 4) Franklin Street from the MassDOT easement/taking on the property of 32 Fremont Street to Fremont Street, eight 4-inch PVC conduits, approximately 65 feet in length. This work is necessary due to the MassDOT, Route 128 Add-A-Lane project.

Mr. Bulian invited public comment. No comments were made.

Kate Fitzpatrick indicated all paperwork is in order.

Motion by Mr. Borrelli that the Board of Selectmen approve and sign a petition from Teleport Communications America to install underground conduits in the following areas: 1) Fremont Street from Franklin to Wexford Street and to the point where Fremont Street becomes a Private Way, four to eight 4-inch PVC conduits, approximately 430 feet in length; 2) Charles Street from the Private Way portion of Fremont Street to the property of 77 Wexford Street, four 4-inch PVC conduits, approximately 375 feet in length; 3) Wexford Street from Fremont Street to the property of 77 Wexford Street, four 4-inch PVC conduits approximately 355 feet in length; 4) Franklin Street from the MassDOT easement/taking on the property of 32 Fremont Street to Fremont Street, eight 4-inch PVC conduits, approximately 65 feet in length. This work is necessary due to the MassDOT, Route 128 Add-A-Lane project.
Second: Ms. Cooley. Unanimously approved 5-0.

7:05 p.m. Local Initiative Program Housing Proposal:
Kevin Daley, Vice President, Development & Construction, Normandy Real Estate Partners, Mark Roopenian, Principal, Normandy Real Estate Partners, and Roy Cramer, Esq., appeared before the Board to present and request the Board's consideration of a Local Initiative Program ("friendly 40B") for construction of an apartment complex at the newly acquired General Dynamics site near Second Avenue.

Mr. Cramer stated Normandy Real Estate Partners purchased over 27 acres of property, formerly General Dynamics site near Second Avenue, Needham. Mr. Cramer said the proposal for development includes 40B residential housing and commercial retail space. A site plan was presented. Mr. Cramer introduced representatives from Normandy's consulting team including Geoff Engler, SEB, LLC., John Connery, Connery Associates, Nancy Doherty, Tetra Tech, Glenn Dougherty, Tetra Tech, Brian Roessler, Elkus Manfredi Architects, and David Manfredi, Elkus Manfredi Architects. Mr. Cramer described the proposed project.

David Manfredi, Elkus Manfredi Architects showed the Board renderings and described the general overall plan of the project.

Mr. Bulian commented the project is another exciting piece for Needham Crossing. He said the project would put Needham over the 10% threshold of 40B housing, saying it is a tremendous milestone for the Town. He asked for the estimated number of school children who may live in the buildings.

Mr. Handel said the project increases the economic vitality of the area the Town has been working towards. He said the project accelerated the strategy for increasing development of Needham Crossing.

Mr. Borrelli said he likes the concept, but is concerned the number of units is overwhelming. He asked why 400 units are being proposed, instead of 300 units. He asked about mitigation considering public safety needs, Charles River Landing, and the overlay district on Wexford Street currently being contemplated. He commented on design and suggested incorporating some elements from TripAdvisor, Marriott, and the Charles River Landing sites. Mr. Borrelli asked about potential traffic to the area.

John Connery, Connery Associates discussed the fiscal impact to the Town from the project, the number of potential school children, and the affect on police and fire services.

Mr. Handel commented the Town is currently under the 10% threshold, so there will be development pressure around Needham that will produce more students. He said the Normandy project is advantageous because it meets the Town's strategic designs for Needham Crossing, rather than having scattered developments in locations around Needham that the Town may or may not want.

Mr. Matthews said the Normandy project fits the guidelines developed by the Town and it makes sense as part of the vitality of the business district. He said he is not as worried about the number of school age children in the development, and commented the project fits the area. Mr. Matthews asked for an explanation of the LIP application process.

Nancy Doherty, Tetra Tech gave an overview of the traffic study.

Ms. Cooley commented on the overall number of units and wanted to know why 400 units was chosen.

Kevin Daley, Vice President, Development and Construction, Normandy Real Estate Partners said the area could support the number of units based upon the entire office park.

Mr. Borrelli said he likes the overall concept but said it is important to make sure 400 units is in the best interest of the Town.

Geoff Engler, SEB, LLC., said Mr. Borrelli's concerns are valid, but pointed out that the density of the Charles River Landing project was increased because of its location, and said the Normandy project is similar. He said it is a great location and synergistically fits commercial and retail together.

Mr. Bulian said he is very excited as the project meets the vision the Town has for Needham Crossing.

7:35 p.m. Community Preservation Consultation:
Lita Young, CPC Chair, Gary Crossen, CPC Vice Chair, and Patty Carey, Director of Park and Recreation appeared before the Board to discuss projects currently under review by the Community Preservation Committee for the 2015 Annual Town Meeting.

Lita Young outlined nine applications under review including Rosemary Pool, Newman Athletic Fields Renovation, Eastman Conservation Area, Mills Field Improvements, Ridge Hill Loop Trail (Student Conservation Association), Canoe Launch Improvements, Design: Rail Trail Improvements, Chapel Village at Needham Center, and Preservation of Open Space - Purchase of Land. Ms. Young said the CPC will hold a public hearing on March 11, 2015 and vote thereafter.

The Board was in favor of most projects with the exception of Chapel Village at Needham Center. Mr. Bulian commented he is not in favor of the Chapel Village project, as he said it is not a good use of taxpayer money. Mr. Borrelli agreed with Mr. Bulian. Mr. Handel said he would need to know more about the project before forming an opinion, but is not favorably inclined.

The Board thanked Ms. Young, Mr. Crossen, and Ms. Carey for the consultation.

7:55 p.m. Water and Sewer Update:
Dave Davison, ATM/Finance appeared before the Board with a revenue and rate forecast for the Water and Sewer Enterprise Fund, since the Town implemented a revised rate structure several months ago. Mr. Davison reviewed several draft charts dated February 10, 2015 including "Percentage of Annual Billed by Quarter - Water," Percentage of Annual Billed by Quarter - Sewer," "Billable Water

Consumption," "Billed Sewer Use," and "History, Billed Consumption, Trend/Analysis."

Mr. Bulian asked about spring 2015 restrictions and residential gallons per person per day.

Mr. Borrelli suggested drafting a letter to Governor Baker highlighting issues and concerns.

Mr. Handel suggested informing residents with pools that it may be cost effective to buy commercial water to fill their pool, rather than using the irrigation meter.

The Board thanked Mr. Davison for the update.

8:50 p.m. Appointments and Consent Agenda:
Motion by Mr. Borrelli that the Board of Selectmen vote to approve the Appointments and Consent Agenda as presented.

APPOINTMENTS:
Rail Trail Advisory Committee Dmitry Gorenburg (term expires 6/30/17)
Rail Trail Advisory Committee James Goldstein (term expires 6/30/17)

CONSENT AGENDA

1. **Accept the following donation to New Years Needham: $300 from Bill Gallagher/Needham Running Club.**
2. **Accept the following donations made to the Needham Public Library during the period October 9, 2014 to February 3, 2015: Sandra Faiman-Silva, NHS '64, donated copies of two books that she wrote: Choctaws at the Crossroads ($24.00), and The Courage to Connect ($28.00); Jim Cruickshank, NHS '64, provided the library with a copy of classmate Richard Moore's book, Monhegan Come Again ($29.95); Barbara Kochaniak donated $100 for the purchase of children's books for learning the Polish language; Ford H. Peckham donated a copy of The Liberators in memory of Jane Amsterdam Howard ($25.00); Needham author Sue Fleming gave the library a copy of her new book, Protest at 37 Pinecrest Drive ($10.00); Ellen Knizeski donated $50.00 for the purchase of mystery books in memory of her father Bernie Ford; The following people have made gifts to the library in memory of Mary H. Dickert: Lois and Bill Bacon ($25.00), Carol Stoll Baker ($10.00), Carole and Philip Aronson ($50.00), American Information Services, Inc. ($100.00).**
3. **Accept donations totaling $200 made to the Needham Fire Department from Robert Larson, and Robert and Barbara Levine. The monies will be used to support the activities of The Student Awareness of Fire Education program.**
4. **Accept a donation of desk chairs, corner desk and side table, and two storage cabinets from American Landmarks III with an estimated value of $1,650 made to the Needham Fire Department.**

5. **Accept the following donations made to the Needham Health Department's Gift of Warmth fund: $250 from Shahin Sagafi, a Waltham resident, and $250 from an anonymous donor.**
6.* **Water and Sewer Abatement Order #1192**
7.* **Approve a One Day Special Wines & Malt Beverages License for Lisa Pearlstein, of Temple Beth Shalom to hold its Purim Shpiel on Saturday, March 7, 2015 from 7:00 p.m. to 11:00 p.m. The event will be held at the Temple Beth Shalom, 670 Highland Avenue, Needham.**
8.* **Approve minutes from January 13, 2015 (Executive Session and Open Session), January 21, 2015 (Executive Session and Open Session), and January 28, 2015.**
9. **Accept a $5,000 donation made to the Needham Fire Department from Fidelity Charitable Fund.**

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

8:50 p.m. Director of Public Works:

1. <u>Winter Snow & Ice Update</u>

Richard P. Merson, Director of Public Works said it has been a remarkable two and half weeks, commenting on the seventy inches of snow that has fallen thus far. He noted the intensity, duration, and frequency of the storms has been a challenge, but the DPW crews have done an excellent job clearing roads, sidewalks, parking lots, and keeping schools open. He noted the use of "See Click Fix" technology for reporting issues around Town and said more of the public is utilizing the website.

Mr. Borrelli asked about the amount of salt in the salt shed. He also suggested school bus stops be located in an open driveway near the regular stop during heavy snow. He asked about the impact of snow on fields in the spring.

Ms. Cooley said moving children to the nearest open driveway during a heavy snow is good guidance for parents and should be noted on school websites.

Mr. Merson asked residents to clear fire hydrants, noting the Town's methodology for finding a fire hydrant.

2. <u>Proposed Town Common Renovation Design</u>

Ed Olsen, Parks and Forestry Superintendent discussed the proposed design plans for the Town Common renovation. He said the design includes stripping and re-sodding existing lawn areas, new irrigation system, new perennial planting beds, upgrades to the electrical system, selective tree removal and replanting, wiring for a proposed sound system, and improvements to the existing hardscape and pathways on the Common. A draft design and aerial photograph were viewed. Mr. Olsen said modernizing the Common is consistent with renovation of the Town Hall and improvements being considered by the Downtown Streetscape Committee.

Ms. Fitzpatrick said it is early in the process but felt it important the Board view the design prior to the Town's approaching the Historic Commission. She also asked the Board if there was any objection to the placement of the the new "Blue Tree" which is scheduled to be planted before Arbor Day 2015.

The Board thanked Mr. Merson and Mr. Olsen for the presentations.

9:10 p.m. Town Manager:
Kate Fitzpatrick, Town Manager appeared before the Board with 4 items to discuss:

1. Accept and Refer Zoning Amendment
Ms. Fitzpatrick said that at its meeting on February 3, 2015, the Planning Board voted to place the following article on the warrant for the 2015 Annual Town Meeting: (1) Amend Zoning By-Law - Definition of Half Story and Dimensional Requirements for the Chestnut Street Business District; (2) Amend Zoning By-Law - Allowing More than One Municipal Building and/or Use on a Lot; (3) Amend Zoning By-Law - Definition of Half Story; (4) Amend Zoning By-Law - Description of Flood Plain District; and (5) Amend Zoning Map - Description of Flood Plain District. Under State law, the Board has fourteen days to accept the proposed amendments and refer the amendments back to the Planning Board for its review, hearing, and report. The Board's action in this matter is not discretionary.

Motion by Mr. Handel that the Board vote to accept the proposed zoning amendments and to refer the proposed amendments to the Planning Board for review, public hearing, and report.
Second: Mr. Borrelli. Unanimously approved 5-0.

2. Walker Gordon Conservation Restriction
Ms. Fitzpatrick reminded the Board that at its meeting on December 9, 2014 the Board voted to approve and sign the Conservation Restriction for the property known as "Carol-Brewster" to be held by the Land Trust, Inc.

She said in accordance with the Community Preservation Act (CPA), property purchased with CPA funds must be subject to a permanent conservation restriction (CR) - a legal agreement that prevents development and other activities on protected natural and recreational resources. The CR details what activities can and cannot take place on a specific parcel.

Ms. Fitzpatrick commented the Town cannot both own the land and hold the restriction - hence a non-profit land trust or similar organization must do so. The Town has negotiated with the Needham Land Trust, Inc. to perform conservation restriction activities for this parcel.

Ms. Fitzpatrick said the remaining parcel requiring a conservation restriction is the Walker Gordon parcel formerly known as 174 Charles River Street. Town Counsel has approved the final version. Ms. Fitzpatrick asked for the Board's approval.

Motion by Mr. Handel that the Board approve and sign the Conservation Restriction for the property known as "Walker Gordon" to be held by the Needham Land Trust, Inc., to be dated February 10, 2015.
Second: Mr. Borrelli. Unanimously approved 5-0.

3. Close 2015 Annual Town Meeting Warrant
   Motion by Mr. Handel that the Board vote to close the warrant for the 2015 Annual Town Meeting, subject to minor technical corrections to be made by the Town Manager, Town Counsel, and Bond Counsel.
   Second: Ms. Cooley. Unanimously approved 5-0.

4. Facility Financing Plan Update
   Ms. Fitzpatrick and Mr. Davison, ATM/Finance presented the Board with the facility financing plan to be included in the Facility Master Plan. Ms. Fitzpatrick noted plan assumptions include: construction of a school at the DeFazio Park site, minor renovation of the High Rock School, a modified Public Works project, construction of a new Police and Fire Station, reconstruction of the Mitchell School, and added allowance for an exclusion project at $8 million, and a project for the Rosemary Pool that is assumed to be funded by General Fund debt within the levy, and CPA supported debt and cash. She noted the framework is for planning purposes; it is expected that the actual projects and sequencing will differ from the analysis.

   Mr. Borrelli commented on the debt exclusion from the levy limit for Mitchell School in 2018 ATM. He asked about MSBA reimbursement for Mitchell and Hillside Schools.

9:21 p.m. Board Discussion:

1. Committee Reports
   Mr. Matthews reported on the progress of the Minuteman Regional High School. He said the work on reaching a consensus for a major capital project is progressing, but there are many outstanding issues to be resolved. He said key issues include the district's recommended construction proposal, enrollment size, and revision of the district agreement.

   The Board thanked Mr. Matthews for the report.

9:35 p.m. Adjourn:

Motion by Mr. Borrelli that the Board of Selectmen vote to adjourn the Board of Selectmen meeting of February 10, 2015.
Second: Mr. Handel. Unanimously approved 5-0.

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