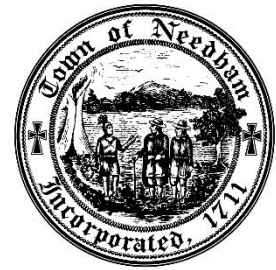


SELECT BOARD AGENDA

Regular Meeting

6:00 p.m. March 25, 2025



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

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

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

Link:

<https://needham-k12-ma-us.zoom.us/j/82601013229?pwd=OE82V1MxQnJUZHVXZjFNbWJXRFJoQT09>

Webinar ID: 826 0101 3229

Passcode: 652800

One tap mobile: [+16469313860](tel:+16469313860).,82601013229#,,, *652800#

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

	6:00	Public Comment Period Residents are encouraged to inform the Office of the Town Manager in advance via email (OTM@needhamma.gov), telephone (781) 455-7500 extension 204, or in person by the end of the business day prior to the meeting of their intent to participate in the public comment period. The Chair will first recognize those who have communicated in advance their desire to speak for up to three minutes. If time allows, others wishing to speak will be recognized in an order determined by the Chair for up to three minutes. The Board’s policy on public participation in meetings can be found here .
1.	6:00	Babson College Scholarships • Cathy Dowd, Select Board Clerk

2.	6:05	Town Manager • Non-Essential Outdoor Water Use Restriction • Close May 12, 2025 Special Town Meeting Warrant • 2025 Annual Town Meeting Warrant Update
3.	6:25	Town Manager Search Process Introduction • Bernie Lynch, Community Paradigm Associates
4.	6:30	Town Manager Interviews • Bernie Lynch, Community Paradigm Associates

CONSENT AGENDA *Supporting Documents in Agenda Packet

1.*	Approve Open Session Minutes of February 25, 2025 and Executive Session Minutes of March 11, 2025.
2.*	Approve the revised Contributory Insurance Rules & Regulations Policy (SB-PERS-003).
3.	Approve a request from Ryan Marshall, Pastor of Highrock Church, to hold the road event “The Jog for Joy 5K” in Needham. The event is scheduled for Saturday, May 10 th , 2025, starting at 8:00 a.m. The event and route have been approved by the following departments: Fire, Police, and Public Works.
4.	Accept the following donation made to the Needham Free Public Library: • \$200 from Robert J. Onofrey
5.	Sign the Warrant for the 2025 Annual Town Election to be held on Tuesday, April 8, 2025

NOTICE OF APPROVED BLOCK PARTIES

Name	Address	Party Location	Date	Time	Rain Date
Evan Judd	30 Washburn Avenue	Washburn Ave between Great Plain Avenue and Nehoiden	5/10/25	3pm-7pm	5/11/25
Jennifer Bannon	61 Jarvis Circle	Corner of Nardone & Jarvis Circle	9/6/25	3pm-9pm	9/7/25



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 3/25/2025

Agenda Item	Babson College Scholarships
Presenter(s)	Catherine Dowd, Select Board Clerk

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Select Board awards scholarships to Needham residents and alumni of Needham High School from a fund made available to the Town by Babson College. The number of scholarships and their size is determined by the Select Board and the Financial Aid Office of Babson College. Meredith Stover, Director of Financial Aid at Babson College, Board Clerk Catherine Dowd, and Support Services Manager Myles Tucker remotely met recently and reviewed the applications.	
2.	VOTE REQUIRED BY SELECT BOARD
Suggested Motion: That the Select Board votes to award the Town of Needham Babson Scholarships to the following applicants: 1. Alberto Colon* – Rising Senior, Renewal Recipient 2. Isabella Farese – Admitted Freshman 3. Danielle Friedline* – Rising Senior, Renewal Recipient 4. Rebecca Hwang – Admitted Freshman 5. Mark Khudisman – Rising Sophomore, Renewal Recipient 6. Henry London – Part-Time Graduate Student, Babson Alumnus 7. Isabella Reidy – Admitted Freshman *Conditional Pending Application Receipt by Babson	
3.	BACK UP INFORMATION ATTACHED
a. Listing of Awards (under separate cover)	



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 3/25/2025

Agenda Item	Non-Essential Outdoor Water Use Restriction
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Town Manager will follow up on the March 11, 2025 discussion regarding the need to implement and potentially rescind a non-essential water use restriction as required under the conditions of the Water Management Act registration compliance by April 8, 2025. This condition requires the Town to implement non-essential outdoor water use restrictions during times of drought as declared by the Massachusetts Secretary of the Executive Office of Energy and Environmental Affairs. This declaration can be made or rescinded throughout the typical irrigation season.	
2.	VOTE REQUIRED BY SELECT BOARD
Suggested Motion: That the Select Board delegate the authority to declare or rescind an emergency non-essential water use restriction as set forth in the General Bylaws 2.2.5.5.2 to the Town Manager in accordance with the Town's Water Management Act registration. The Town's compliance with the conditions of the registration will include all exemptions as allowed under the regulation including: • irrigation of public parks and recreation fields outside the hours of 9 AM to 5 PM; • irrigation to establish replanted or resodded lawn or plantings during the months of May and September; • irrigation of newly planted lawns (seeded or sodded) in the current calendar year for homes or businesses newly constructed in the previous twelve months; and • filling of privately owned outdoor pools.	
3.	BACK UP INFORMATION ATTACHED
a. Updated Massachusetts Drought Declaration Map 3/7/2025	

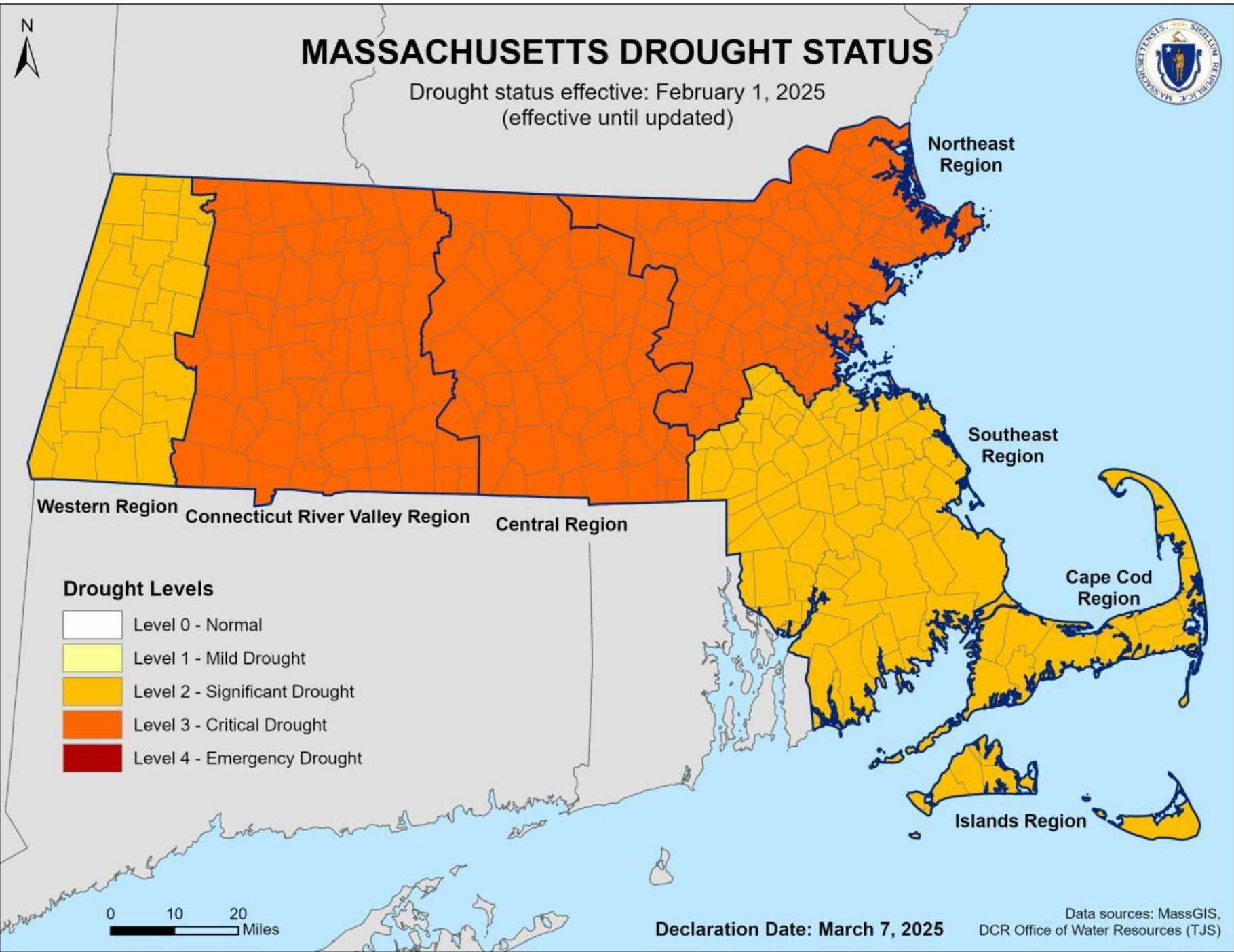


Table 9: State Guidance on Nonessential Outdoor Water-Use Restrictions at Various Drought Levels

State Drought Condition (by Region)	Nonessential Outdoor Water-Use Restrictions
Level 1 (Mild Drought)	1 day per week watering, after 5 p.m. or before 9 a.m. (to minimize evaporative losses)
Level 2 (Significant Drought)	Limit outdoor watering to hand-held hoses or watering cans, to be used only after 5 p.m. or before 9 a.m.
Level 3 (Critical Drought)	Ban on all nonessential outdoor water use
Level 4 (Emergency Drought)	Ban on all nonessential outdoor water use



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 3/25/2025

Agenda Item	Close May 12, 2025 Special Town Meeting Warrant
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Town Manager will recommend that the Board vote to close the warrant for the May 12, 2025 Special Town Meeting. At its meeting on March 11, 2025 the Board deferred action as to whether to include two articles: Article: Amend General By-Laws – Plastic Food And Beverage Serviceware And Single-Use Items; and Article Amend General By-Laws – Black Plastic Kitchenware.	
2.	VOTE REQUIRED BY SELECT BOARD
Suggested Motion: That the Board vote to include OR not include the article entitled Amend General By-Laws – Plastic Food And Beverage Serviceware And Single-Use Items in the Special Town Meeting Warrant. That the Board vote to include OR not include the article entitled Amend General By-Laws – Black Plastic Kitchenware in the Special Town Meeting Warrant. That the Board vote to close the Warrant for the May 12, 2025 Special Town Meeting, including subject to minor technical corrections to be made by the Town Manager, Town Counsel and Bond Counsel.	
3.	BACK UP INFORMATION ATTACHED
a. Draft Special Town Meeting Warrant 3/25/2025	

TOWN OF NEEDHAM



SPECIAL TOWN MEETING WARRANT

MONDAY, MAY 12, 2025

7:30 P.M.

JAMES HUGH POWERS HALL, NEEDHAM TOWN HALL

1471 HIGHLAND AVENUE

Draft - 3/25/2025

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 TWELFTH DAY OF MAY 2025

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

FINANCE ARTICLES

ARTICLE 1: APPROPRIATE FOR PUBLIC, EDUCATIONAL, AND GOVERNMENT (PEG) PROGRAMMING

To see if the Town will vote to raise and/or transfer and appropriate \$195,516 for the purpose of funding and supporting public, educational, and government (PEG) programming provided by the Needham Channel, 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 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.

ARTICLE 2: APPROPRIATE FOR INTERSECTION IMPROVEMENTS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$30,000 for the purpose of funding intersection improvements at Kendrick Street and Fourth Avenue, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Free Cash or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 3: AMEND THE FY2025 SEWER ENTERPRISE BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2025 Sewer Enterprise Operating Budget adopted under Article 14 of the May 2024 Annual Town Meeting as amended under Article 4 of the October 21, 2024, Special Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From</u>	<u>Changing To</u>
201A	Salary & Wages	\$1,218,870	\$1,122,870
201B	Expenses	\$ 866,539	\$ 962,539

or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 4: AMEND THE FY2025 WATER ENTERPRISE BUDGET

To see if the Town will vote to amend and supersede certain parts of the fiscal year 2025 Water Enterprise Operating Budget adopted under Article 15 of the May 2024 Annual Town Meeting as amended under Article 5 of the October 21, 2024, Special Town Meeting by deleting the amounts of money appropriated under some of the line items and appropriating new amounts as follows:

<u>Line Item</u>	<u>Appropriation</u>	<u>Changing From</u>	<u>Changing To</u>
301A	Salary & Wages	\$1,672,073	\$1,557,073
301B	Expenses	\$1,689,997	\$1,804,997

or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ZONING ARTICLES

ARTICLE 5: AMEND ZONING BY-LAW – FLOOD PLAIN DISTRICT

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

1. Delete Section 2.3.1 in its entirety and replace it with the following:

2.3.1

All special flood hazard areas within the Town of Needham designated as Zone A, AE, or AH on the Norfolk County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Norfolk County FIRM that are wholly or partially within the Town of Needham are panel numbers 25021C0016F, 25021C0017F, 25021C0019F, 25021C0028F, 25021C0036F, 25021C0037F, 25021C0038F and 25021C0039F dated July 8, 2025. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Norfolk County Flood Insurance Study (FIS) report dated July 8, 2025. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Official, Conservation Commission and Engineering Division.

2. Delete Section 3.3 Uses in the Flood Plain District in its entirety and replace it with the following:

3.3 Uses in the Flood Plain District

The purpose of the Flood Plain District is to:

- (a) Protect the streams, rivers, and other watercourses in the Town and their adjoining lands;
- (b) Protect the health and safety of persons and property against the hazards of flooding;
- (c) Preserve and maintain the ground water table for water supply purposes;
- (d) Protect the community against detrimental use and development of lands adjoining such water courses;
- (e) Conserve the watershed areas of the Town for the health, safety, welfare of the public;
- (f) Preserve the balance of the components of the ecosystem of the watercourses and adjoining land;
- (g) Ensure public safety through reducing the threats to life and personal injury;
- (h) Eliminate new hazards to emergency response officials;
- (i) Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding;
- (j) Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding;
- (k) Eliminate costs associated with the response and cleanup of flooding Conditions; and
- (l) Reduce damage to public and private property resulting from flooding waters.

The Flood Plain District shall be considered as overlying other use districts established by this By-Law. Within the Flood Plain District, the requirements of the underlying district continue to apply insofar as they comply with the provisions of this section. In the event there is a conflict or difference between the provisions of the overlying and underlying district the more restrictive shall apply. Compliance with these provisions shall not be construed as satisfying the provisions of Massachusetts General Laws Chapter 131. The flood plain management regulations found in this Flood Plain District section shall take precedence over any less restrictive conflicting local laws, rules or regulations.

3. Insert a new Section 3.3.1 to read as follows:

3.3.1 Designation of Town Floodplain Administrator

The Town hereby designates the position of Town Engineer to be the official floodplain administrator of the Town.

4. Insert a new Section 3.3.2 to read as follows:

3.3.2 Definitions Applicable in Flood Plain District

The following definitions shall be applicable in the Flood Plain District.

Development – means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Floodway – the channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Functionally Dependent Use – means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Highest Adjacent Grade – means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic Structure – means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved state program as determined by the Secretary of the Interior or
 - (2) Directly by the Secretary of the Interior in states without approved programs.

New Construction – Structures for which the start of construction commenced on or after the effective date of the first flood plain management bylaw adopted by the Town, including any subsequent improvements to such structures. *New construction includes work determined to be substantial improvement.*

Recreational Vehicle – means a vehicle which is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Special Flood Hazard Area – the land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE or V1-30.

Start of Construction – the date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.

Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual “start of construction” means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure – means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

Substantial Repair of a Foundation – when work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR.

Variance – means a grant of relief by the Town from the terms of a flood plain management regulation.

Violation – means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in US Code of Federal Regulations, Title 44, §60.3 is presumed to be in violation until such time as that documentation is provided.

5. Delete Section 3.3.3 Uses Requiring A Special Permit and insert in its place the following:

3.3.3 Special Permit Required for all Proposed Development in Flood Plain District

A special permit from the Board of Appeals is required for:

- (a) All proposed construction or other development in the Flood Plain District, including new construction or changes to existing buildings, placement of manufactured homes, placement of agricultural facilities, fences, sheds, storage facilities or drilling, mining, paving and any other development that might increase flooding or adversely impact flood risks to other properties.
 - (b) Any driveway and walkway ancillary to uses otherwise permitted by this section.
 - (c) Tennis courts or other uses requiring a similarly prepared surface.
 - (d) Water and sewer pumping stations.
 - (e) Any use not expressly permitted or prohibited.
 - (f) Swimming pools, together with structures, walkways, mechanical systems accessory thereto, and fences.
 - (g) Any use permitted in the underlying district in which the land is situated, subject to the same use and development restrictions as may otherwise apply thereto, provided that the land designated as being within the Flood Plain District is found by the Board of Appeals not, in fact, to be subject to flooding. The Board of Appeals shall refer each question on this matter to the Planning Board, Conservation Commission, Board of Health, and Department of Public Works, and shall not act until these agencies have reported their recommendations or 45 days have elapsed after such referral and no report has been received.
6. Delete the introductory paragraph of Section 3.3.4 Special Permit Criteria and replace it with the following:
- The Town's special permit review process includes the requirement that the proponent obtain all local, state and federal permits that will be necessary in order to carry out the proposed development in the Flood Plain District. The proponent must acquire all necessary permits, and must demonstrate that all necessary permits have been acquired.
- In addition, in granting a special permit, the Board of Appeals shall consider, among other factors, the following:
7. Insert in Section 3.3.5 General Provisions Relating to Flood Plain District the following new subsections to read as follows:
- (f) In A Zones, in the absence of FEMA BFE data and floodway data, the Building Department will obtain, review and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A and as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.
 - (g) In A Zones, all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.

- (h) If the Town acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town will, within 6 months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s). Notification shall be submitted to:

- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation

- NFIP Program Specialist
Federal Emergency Management Agency, Region I

- (i) The Town will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to any variance, and will maintain this record in its files. The Town shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a Town official that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions for the referenced development in the Flood Plain District.

8. Delete Section 3.3.6(c) and insert in its place the following:

- (c) In a riverine situation, the Town Engineer shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities, especially upstream and downstream
- Bordering States, if affected
- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, 8th floor, Boston, MA 02114
- NFIP Program Specialist
Federal Emergency Management Agency, Region I

9. Insert new Section 3.3.7 to read as follows:

3.3.7 Variances

A variance from this Flood Plain District Bylaw must meet all requirements set out by Massachusetts law, and may only be granted if: 1) Good and sufficient cause and exceptional non-financial hardship exist; 2) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and 3) the variance is the minimum action necessary to afford relief.

10. Insert a new Section 3.3.8. to read as follows:

3.3.8 Disclaimer

The degree of flood protection required by this Bylaw is considered reasonable but does not imply total flood protection.

11. Re-number all sections within Section 3.3 in appropriate numerical order to account for the insertion of new Sections 3.3.1 and 3.3.2 as provided for above.

or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 6: AMEND ZONING BY-LAW – MAP CHANGE TO FLOOD PLAIN DISTRICT

To see if the Town will vote to amend the Needham Zoning By-Law by amending the Zoning Map to revise the boundaries of the Flood Plain District so that the District now comprises the following:

- (a) All special flood hazard areas within the Town of Needham designated as Zone A, AE, or AH on the Norfolk County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Norfolk County FIRM that are wholly or partially within the Town of Needham are panel numbers 25021C0016F, 25021C0017F, 25021C0018F, 25021C0019F, 25021C0028F, 25021C0036F, 25021C0037F, 25021C0038F, and 25021C0039F dated July 8, 2025. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Norfolk County Flood Insurance Study (FIS) report dated July 8, 2025.
- (b) All that land along or sloping toward that portion of Rosemary Brook between Rosemary Lake and Central Avenue that is at or below the following elevations: (i) Ninety (90) feet above mean sea level upstream of West Street; and (ii) Eighty-eight (88) feet above mean sea level between West Street and Central Avenue.
- (c) All that land along or sloping toward that portion of Rosemary Brook between Central Avenue and the Needham-Wellesley town line that is at or below an elevation of eighty-five (85) feet above mean sea level.

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

GENERAL ARTICLES

ARTICLE 7: TOWN HALL SATURDAY HOURS

To see if the Town will vote to rescind its vote under Article 36 of the May 1, 2023 Annual Town Meeting that Town Hall remain closed on Saturdays; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: The 2023 Annual Town Meeting voted pursuant to Massachusetts General Law Chapter 41, Section 110A that Town Hall would be deemed closed on Saturdays, which had the effect of moving the last day of voter registration for Town Elections from a Saturday to a Friday. Since the Town is required to remain open on Saturday for State and Federal elections, the Town Clerk has determined that allowing voter registration for Town elections on Saturday as appropriate will reduce potential confusion.

**ARTICLE 8: ACCEPT THE PROVISIONS OF M.G.L. CHAPTER 59 SECTION 5K –
PROPERTY TAX PROGRAM FOR PEOPLE OVER THE AGE OF 60**

To see if the Town will vote to accept the provisions of M.G.L. Chapter 59, Section 5K, to allow the Select Board to establish a program for persons over 60 to volunteer to provide services to the Town in exchange for a reduction of their real property tax obligations; to allow, for qualifying persons physically unable to provide such services, that an approved representative may provide the services in their stead; to allow for the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year; and to provide that this program will first be available in FY2026;

or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

**ARTICLE 9: ACCEPT THE PROVISIONS OF M.G.L. CHAPTER 59 SECTION 5N –
PROPERTY TAX PROGRAM FOR VETERANS**

To see if the Town will vote to adjust the exemption provided for in M.G.L. Chapter 59, Section 5N, which allows the Select Board to establish a program for veterans and spouses of veterans that are deceased or have service-connected disabilities to volunteer to provide services to the Town in exchange for a reduction of their real property tax obligations, to allow for persons physically unable to provide such services to have an approved representative provide the services in their stead; to allow for the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year; and to provide that said the program with these adjustments will first be available in FY2026;

or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

ARTICLE 10: AMEND GENERAL BY-LAWS – REVOLVING FUNDS

To see if the Town will vote to amend the General Bylaws by inserting a new Section 2.2.7.5.12 – Energy Efficiency and Clean Energy Capital Program Revolving Fund as follows:

“2.2.7.5.12 Energy Efficiency and Clean Energy Capital Program Revolving Fund

Fund Name: There shall be a separate fund called the Energy Efficiency and Clean Energy Capital Program Revolving Fund authorized for use by the Department of Public Works.

Revenues: The Town accountant shall establish the Energy Efficiency and Clean Energy Capital Program Revolving Fund as a separate account and credit to the fund all of the receipts from State, Federal, and utility energy efficiency, renewable energy and electrification rebates, incentives, and tax credits.

Purposes and Expenditures: The Town Manager may expend on an annual basis and up to the spending limit authorized by Town Meeting for the purposes of funding capital projects related to energy efficiency, renewable energy, and electrification.

Fiscal Years: The Energy Efficiency and Clean Energy Capital Program Revolving Fund shall operate for fiscal years that begin on or after July 1, 2026.”

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: Massachusetts General Law Chapter 44 §53E ½ allows the Town to establish municipal revolving funds. A revolving fund separately accounts for specific revenues and earmarks them for expenditure for particular purposes to support the activity, program, or service that generated the revenues. The objective of the proposed revolving fund is to allow the Town to use funds received from state, federal, and utility programs for completing qualifying energy efficiency and clean energy capital projects to help pay for future energy efficiency and clean energy capital projects. The Town of Needham’s Climate Action Roadmap established a goal for the Town to achieve net zero emissions by 2050, which will require investments in infrastructure that will result in energy and emissions reductions. These projects are expected to qualify for payments from state, federal, and utility programs, and the Town may use these payments to reinvest in the completion of future energy efficiency and clean energy capital projects. This will help ensure capital is available for future energy efficiency and clean energy projects and enable the Town to continue to benefit from long-term cost savings from these projects.

ARTICLE 11: AMEND GENERAL BY-LAWS – PLASTIC FOOD AND BEVERAGE SERVICEWARE AND SINGLE-USE ITEMS

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

1. Adding a new Section 3.13 to read as follows:

SECTION 3.13 PROHIBITED USE AND DISTRIBUTION OF CERTAIN FOOD AND BEVERAGE SERVICEWARE AND SINGLE-USE ITEMS (AKA SKIP-THE-STUFF)

3.13.1 Definitions.

- a) “Accessories” means any food and beverage serviceware items that are not dishware and containers. The term “accessories” as used in this section includes, but is not limited to, straws, forks, spoons, knives, chopsticks, stirrers, splash guards, cocktail sticks, toothpicks, condiment packages, and napkins.
- b) “Condiment” means a single-use packet containing relishes, spices, sauces, confections, or seasonings, that requires no additional preparation, and that is used with food or beverages, including, but not limited to, ketchup, mustard, mayonnaise, soy sauce, sauerkraut, salsa, syrup, jam, jelly, butter, salad dressings, salt, sugar, sugar substitutes, pepper, and chile pepper.
- c) “Food or Beverage Establishment” means an operation that stores, prepares, packages, serves, vends, distributes, or otherwise provides food or beverages for human consumption, including but not limited to any establishment requiring a permit to operate in accordance with the Massachusetts Retail Food Code, 105 CMR 590, as it may be amended from time to time.
- d) “Food and Beverage Serviceware” means all containers, bowls, plates, trays, cartons, cups, lids, on or in which prepared foods and beverages are packaged or directly placed. It also includes forks, knives, spoons, and other utensils that are used to serve or eat prepared foods or beverages.
- e) “Full Service Food Establishment” means a food establishment where customers are seated at a table either by waitstaff or by themselves, and where orders are taken and served by waitstaff at the table.
- f) “Online Food Ordering Platform” means the digital technology provided on a website or mobile application through which a consumer can place an order for pick-up or delivery of Prepared Food. Such platforms include those operated directly by a Food Establishment, by companies that provide delivery of Prepared Meals to consumers, and by online food ordering systems that connect consumers to a Food Establishment directly.
- g) "Retail Sales Establishment" shall mean any business facility that sells goods directly to the consumer whether for or not for profit in the Town of Needham including, but not limited to retail stores, wholesale suppliers, restaurants, pharmacies, food or ice cream trucks, private membership clubs, convenience stores, grocery stores, supermarkets, liquor stores, seasonal and temporary businesses.
- h) “Reusable” refers to food and beverage service ware that will be used multiple times in the same form by a food establishment. Such products are intended to be washed multiple times in a commercial dishwasher and to retain their form and function over multiple usage and washing cycles.
- i) “Single Item Dispenser” means bulk dispensers that only dispense one item at a time.
- j) “Single-use” means food and beverage serviceware that
 - 1) is not reusable,
 - 2) is designed to be used once and then discarded, or
 - 3) is not designed for repeated use and sanitizing.

3.13.2 Regulated Conduct.

1. Food, Beverage, or Retail Sales Establishments may not automatically provide Single-use Accessories, including in takeout orders, whether orders are placed online, via phone, or in person. Single-use Accessories may be provided only upon the request of the consumer either directly or in response to an inquiry by the food establishment. Single-use Accessories, including plastic forks,

spoons and knives, may not be wrapped in plastic or offered as bundled sets. Food, Beverage or Retail Sales Establishments may have Single-use Accessories available at self-service stations. The self-service station may include a Single Item Dispenser.

2. Online Food Ordering Platforms must provide Food, Beverage or Retail Sales Establishments with a method to list each Single-Use Accessory and Condiment that is offered by the Food, Beverage, or Retail Sales Establishment, such that customers can specifically request the Single-Use Accessories and Condiments that they wish to have included with their order.

If Online Food Ordering Platforms are unable to provide Food, Beverage or Retail Sales Establishments with a method to list each Single-Use Accessory and Condiment that is offered by the Food, Beverage or Retail Establishment such that customers can specifically request the Single-Use Accessory and Condiment that they wish to have included with their order, then the default will be set to exclude all Single-Use Accessories and Condiments from the order. Customers may request Single-Use Accessories and Condiments at the time of pick-up, or Food, Beverage or Retail Sales Establishments may provide self-service stations.

3. Full Service Food Establishments shall utilize only Reusable Food and Beverage Serviceware for dine-in customers.

3.13.3 Effective Date. This by-law shall take effect on January 1, 2026.

3.13.4 Regulations. The Needham Public Health Department may adopt and amend rules and regulations to effectuate the purposes of this by-law.

3.13.5 Severability. Each separate provision of this section shall be deemed independent of all other provisions herein, and if any provision of this section be declared to be invalid by the Attorney General or a court of competent jurisdiction, the remaining provisions of this section shall remain valid and enforceable.

and

2. Amending Section 8.2.2 (Non-Criminal Disposition) by inserting a new row in the table, in appropriate numerical order, to read as follows:

3.13	Prohibited Use and Distribution of Certain Food and Beverage Serviceware and Single-use Plastic Items (AKA Skip-the-Stuff)	\$100	Per Day	Director of Health and Human Services or Designee
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or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: This article would prohibit food, beverage, or retail sales establishments from automatically providing single-use accessories, including in takeout orders.

ARTICLE 12: AMEND GENERAL BY-LAWS – BLASTIC PLASTIC KITCHENWARE

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

1. Adding a new Section 3.14 to read as follows:

SECTION 3.14 BLACK PLASTIC KITCHENWARE

3.14.1 Definitions.

- a) “Dishware and Containers” means all containers, bowls, plates, trays, cartons, cups, condiments/sauce cups, lids, film wrap and other items on or in which prepared foods and beverages are packaged or directly placed.
- b) "Flatware" refers to forks, spoons, knives, and serving utensils. This includes, but is not limited to, larger spoons, forks, and tongs that retailers or consumers may use to serve prepared foods.
- c) “Food or Beverage Establishment” means an operation that stores, prepares, packages, serves, vends, distributes, or otherwise provides food or beverages for human consumption, including but not limited to any establishment requiring a permit to operate in accordance with the Massachusetts Retail Food Code, 105 CMR 590, as it may be amended from time to time.
- d) “Prepared Food” means any food or beverages, which are served, packaged, cooked, chopped, sliced, mixed, brewed, frozen, squeezed or otherwise prepared on the premises where the food or beverages are to be served, sold or otherwise provided to a consumer. For the purposes of this bylaw, prepared food does not include food packaged outside of the Town of Needham.
- e) “Plastic” means material made from or comprising organic polymers from plant extracts or fossil fuels, whether the material is processed, reprocessed, re-used, recycled or recovered. Polymers are any of various complex organic compounds produced by polymerization—a process in which small molecules combine to make a very large chainlike molecule. Polymers can be molded, extruded, cast into various shapes and films, or drawn into filaments and then used as textile fibers.
- f) "Retail Sales Establishment" shall mean any business facility that sells goods directly to the consumer whether for or not for profit in the Town of Needham including, but not limited to retail stores, wholesale suppliers, restaurants, pharmacies, food or ice cream trucks, private membership clubs, convenience stores, grocery stores, supermarkets, liquor stores, seasonal and temporary businesses.
- g) “Single-use” means food and beverage serviceware that
 - 1) is not reusable,
 - 2) is designed to be used once and then discarded,
 - 3) is not designed for repeated use and sanitizing.

3.14.2 Regulated Conduct.

- (a) Food, Beverage and Retail Sales Establishments are prohibited from dispensing Prepared Food, condiments, sauces, or beverages to any person in Single-use Dishware and Containers made from black plastic.
- (b) Food, Beverage and Retail Sales Establishments are prohibited from providing Single-use Flatware made from black plastic to any person.
- (c) The Town of Needham is prohibited from dispensing Prepared Food, condiments, sauces, or beverages to any person in Single-use Dishware and Containers made from black plastic.
- (d) The Town of Needham is prohibited from providing Single-use Flatware made from black plastic to any person.

3.14.3 Effective Date. This by-law shall take effect on January 1, 2026.

3.14.4 Regulations. The Needham Public Health Department may adopt and amend rules and regulations to effectuate the purposes of this by-law.

3.14.5 Severability. Each separate provision of this section shall be deemed independent of all other provisions herein, and if any provision of this section be declared to be invalid by the Attorney General or a court of competent jurisdiction, the remaining provisions of this section shall remain valid and enforceable.

and

- 2. Amending Section 8.2.2 (Non-Criminal Disposition) by inserting a new row in the table, in appropriate numerical order, to read as follows:

3.14	Black Plastic Kitchenware	\$100	Per Day	Director of Health and Human Services or Designee
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INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: This article would prohibit food, beverage and retail sales establishments are dispensing prepared food, condiments, sauces, or beverages to any person in single-use dishware and containers made from black plastic.

RESERVE ARTICLES

ARTICLE 13: APPROPRIATE TO CAPITAL EQUIPMENT FUND

To see if the Town will vote to raise, and/or transfer and appropriate a sum to the Capital Equipment Fund, as provided under the provisions of Massachusetts General Law Chapter 40, Section 5B, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: Massachusetts General Law Chapter 40, Section 5B, allows the Town to create one or more stabilization funds for different purposes. A stabilization fund is a special reserve fund into which monies may be appropriated and reserved for later appropriation for any lawful municipal purpose. Monies accumulated in a stabilization fund carry forward from one fiscal year to another. Interest earned from the investment of monies in the stabilization fund remains with that fund. The 2004 Annual Town Meeting under Article 58 approved the creation of Capital Improvement Stabilization Fund for the purpose of setting aside funds for time-sensitive and critical capital items at times when ordinary funding sources are limited or not available. This fund was repurposed and redesigned as the Capital Equipment Fund (CEF) under Article 14 of the October 21, 2024 Special Town Meeting. The purpose of the CEF is to allow the Town to reserve funds to use for capital equipment when ordinary funding sources are unavailable, but when purchases should not be delayed. Over time, as the fund grows and is supported, it will be one of the tools in the overall financial plan of the Town. Maintaining and supporting such funds is looked upon favorably by the credit rating industry. The balance in the fund as of January 1, 2025 was \$1,705,752.

ARTICLE 14: APPROPRIATE TO ATHLETIC FACILITY IMPROVEMENT FUND

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

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: Massachusetts General Law Chapter 40, Section 5B, allows the Town to create one or more stabilization funds for different purposes. A stabilization fund is a special reserve fund into which monies may be appropriated and reserved for later appropriation for any lawful municipal purpose. Monies accumulated in a stabilization fund carry forward from one fiscal year to another. Interest earned from the investment of monies in the stabilization fund remains with that fund. Town Meeting by majority vote may appropriate into the fund and by a two-thirds vote appropriate from the fund. The 2012 Annual Town Meeting approved the creation of the Athletic Facility Improvement Fund to set aside capital funds for renovation and reconstruction of the Town's athletic facilities and associated structures, particularly at Memorial Park and DeFazio Park. The balance in the fund as of January 1, 2025 was \$202,706

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 25th day of March 2025.

Kevin Keane, Chair

Heidi Frail, Vice Chair

Catherine Dowd, Clerk

Marianne Cooley, Member

Joshua Levy, Member

SELECT BOARD OF NEEDHAM

A TRUE COPY

Attest:

Constable:



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 3/25/2025

Agenda Item	2025 Annual Town Meeting Warrant Update
Presenter(s)	Kate Fitzpatrick, Town Manager

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Town Manager will recommend that the Select Board approve the final 2025 Annual Town Meeting Warrant.	
2.	VOTE REQUIRED BY SELECT BOARD
Suggested Motion: That the Board vote to approve the final 2025 Annual Town Meeting Warrant, subject to technical corrections to be made by the Town Manager, Town Counsel, and/or Bond Counsel.	
3.	BACK UP INFORMATION ATTACHED
a. 2025 Annual Town Meeting Warrant Draft 3/25/2025 b. Status of Article as of 3/25/2025	

TOWN OF NEEDHAM



2025 ANNUAL TOWN MEETING WARRANT

ELECTION: TUESDAY, APRIL 8, 2025

BUSINESS MEETING: MONDAY, MAY 5, 2025

7:30 P.M.

JAMES HUGH POWERS HALL

NEEDHAM TOWN HALL

1471 HIGHLAND AVENUE

Draft 3/25/2025

Additional information on Warrant articles will be made available at www.needhamma.gov/townmeeting during the weeks leading up to the Annual Town Meeting.

**WARRANT FOR THE ANNUAL TOWN MEETING
TUESDAY, APRIL 8, 2025
TOWN OF NEEDHAM
COMMONWEALTH OF MASSACHUSETTS**

Norfolk, ss.

To either of the Constables in the Town of Needham in said County, Greetings:

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

Precinct A	-	Center at the Heights, 300 Hillside Avenue
Precinct B	-	Center at the Heights, 300 Hillside Avenue
Precinct C	-	Newman School, 1155 Central Avenue, Gym
Precinct D	-	Newman School, 1155 Central Avenue, Gym
Precinct E	-	Needham Golf Club, 49 Green Street
Precinct F	-	Rosemary Recreation Complex, 178 Rosemary Street
Precinct G	-	Rosemary Recreation Complex, 178 Rosemary Street
Precinct H	-	Needham Golf Club, 49 Green Street
Precinct I	-	Town Hall, 1471 Highland Avenue, Powers Hall
Precinct J	-	Town Hall, 1471 Highland Avenue, Powers Hall

on TUESDAY, THE EIGHTH DAY OF APRIL 2025

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

ARTICLE 1: ANNUAL TOWN ELECTION

To choose by ballot the following Town Officers:

One Select Board Member for a term of three years;
Three School Committee Members for a term of three years;
One Moderator for a term of three years;
One Town Clerk for a term of three years;
Two Park and Recreation Commissioners for a term of three years;
One Assessor for a term of three years;
One Commissioner of Trust Funds for a term of three years;
Two Needham Public Library Trustees for a term of three years;
Two Memorial Park Trustees:
 One Veteran for a term of three years;
 One Non-Veteran for a term of three years;
Two Board of Health Members for a term of three years;
One Planning Board Member for a term of five years; and
One Needham Housing Authority Member for a term of five years
Eight Town Meeting Members for Precinct A for a term of three years
Eight Town Meeting Members for Precinct B for a term of three years
Eight Town Meeting Members for Precinct C for a term of three years
Eight Town Meeting Members for Precinct D for a term of three years

Eight Town Meeting Members for Precinct E for a term of three years
Eight Town Meeting Members for Precinct F for a term of three years
Eight Town Meeting Members for Precinct G for a term of three years
Eight Town Meeting Members for Precinct H for a term of three years
Two Town Meeting Members for Precinct H for a term of one year
Eight Town Meeting Members for Precinct I for a term of three years
One Town Meeting Member for Precinct I for a term of one year
Eight Town Meeting Members for Precinct J for a term of three years

and you are also required to notify the qualified Town Meeting Members of the Town of Needham to meet in Powers Hall on Monday, May 5, 2025 at seven thirty o'clock in the afternoon, then and there to act upon the following articles, viz.:

**Warrant for the Annual Town Meeting
Monday, May 5, 2025 at 7:30 p.m. at Needham Town Hall**

ARTICLE 2: COMMITTEE AND OFFICER REPORTS

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

HUMAN RESOURCES ARTICLES

ARTICLE 3: ESTABLISH ELECTED OFFICIALS' SALARIES

To see if the Town will vote to fix the compensation of the following elected officers of the Town as of July 1, 2025, as required by Massachusetts General Laws, Chapter 41, Section 108:

Town Clerk	\$133,004
Select Board, Chair	\$1,800
Select Board, Others	\$1,500

INSERTED BY: Human Resources Advisory Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: In accordance with Massachusetts General Law Chapter 41, Section 108, the Town must annually vote to set the salary and compensation for any elected Town officials who receive compensation. The annual stipends for the members of the Select Board have remained unchanged since 1977.

ARTICLE 4: APPROVE 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:

HUMAN RESOURCES ADVISORY BOARD 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 agreement on this contract.

**ARTICLE 5: FUND COLLECTIVE BARGAINING AGREEMENT – 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 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:

HUMAN RESOURCES ADVISORY BOARD 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 agreement on this contract.

FINANCE ARTICLES

ARTICLE 6: APPROPRIATE FOR CLASSIFICATION AND COMPENSATION STUDY

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$120,000 for the purpose of conducting a classification and compensation study for municipal personnel, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: This article will fund a comprehensive classification and compensation study for all general government (non-public safety) positions. This request is in line with the Town's practice of conducting a study of all positions every five years. The last classification and compensation study was funded in FY2018 and implemented in 2021. A professional analysis of the components of the compensation scale for fairness and equity is essential to ensure the Town remains competitive and is critical to Needham's long-term strategy for organizational staffing needs.

ARTICLE 7: APPROPRIATE FOR NEEDHAM PROPERTY TAX ASSISTANCE PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$50,000 for the purpose of funding the Needham Property Tax Assistance Program, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Overlay Surplus; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The Property Tax Assistance Program helps elderly and disabled taxpayers in need. This appropriation complements donations by private parties to the "Voluntary Tax Relief Program" authorized by statute. The goal of the Select Board is to set a target annual appropriation for the Property Tax Assistance Program at least equal to the amount of private contributions to the voluntary program during the preceding fiscal year. The voluntary fund received \$11,730 in FY2024.

ARTICLE 8: APPROPRIATE FOR PUBLIC FACILITIES MAINTENANCE PROGRAM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,000,000 for the purpose of funding the Public Facilities Maintenance Program, to be spent under the direction of the Town Manager, and to meet this appropriation that \$500,000 be transferred from Free Cash and \$500,000 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: This recurring warrant article funds the annual maintenance of public buildings throughout the Town and School Department, including, but not limited to, asbestos abatement, duct cleaning, painting, electrical and mechanical systems, HVAC, lighting, flooring, roof repairs, carpentry work, and other repairs and upgrades.

ARTICLE 9: APPROPRIATE FOR FORESTRY MANAGEMENT

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$222,600 for the purpose of funding a forestry management program, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: This request is to fund and formalize a Forestry Management Program to address three pressing issues. Funds would be allocated to continue the development of a comprehensive tree inventory for Needham, to be performed by a qualified arborist contractor. The resulting data will be used as a baseline to guide forestry program planning. Second, funding would be allocated for an expansion of the Town's tree planting program. Third, funding in this article would allow for one week of targeted tree removals to be performed in the spring, summer, and fall - a key component of healthy forest management is proactive, targeted tree removals to curtail the spread of tree pests or diseases.

ARTICLE 10: APPROPRIATE FOR CLIMATE ACTION PROGRAM INITIATIVES

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$250,000 for climate action program initiative matching funds, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: Funding from this article will be used as a match for grant opportunities that the Town is awarded from outside funding sources. The primary matching opportunity in the upcoming fiscal year is for federal funding for green infrastructure and stormwater best management practices to support flood mitigation and water quality improvements, with the intention of spending these funds on the DeFazio parking lot regrading and bioretention basin installation which are currently in engineering design. If the Town is not awarded this federal funding opportunity, the next likely matching opportunities would be for State funding for flood mitigation and stormwater best management practices, including a proposed project at Linden Street which would include design for subsurface storage and infiltration, rain gardens, and naturalized swales.

ARTICLE 11: APPROPRIATE FOR FINANCIAL APPLICATIONS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,999,995 for the purpose of updating the Town's financial applications, to be spent under the direction of the Town Manager, and to meet this appropriation that \$1,423,170 be transferred from Free Cash and \$576,825 be raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: This request is to fund the purchase and implementation of a new, comprehensive financial application software to support all Town and school departments. This enterprise-wide application would support critical functions of the Accounting Division including payroll, accounts payable, and the general ledger and the Treasurer/Collector Division including accounts receivable, water and sewer (utility) billing, real and personal property tax billing, motor vehicle excise tax billing, cash management, and miscellaneous billing. The current billing and collections software does not meet the Town's needs. Transitioning to an enterprise-wide software will eliminate the use of multiple platforms, which is not only inefficient, but complicates revenue posting, reporting, and cash reconciliation. It will also replace the problematic tax/utility billing application, which produces inconsistent information about customer accounts, and which has resulted in billing, collection and posting delays. Transitioning to a new software application could provide the robust functionality necessary to support the Town's business operations today and into the future, through process automation, customer conveniences and better reporting and planning capabilities.

ARTICLE 12: APPROPRIATE FOR OPIOID PROGRAMMING

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$108,783 for the purpose of funding a Behavioral Health Peer Support Specialist, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from the Opioid Settlement Stabilization Fund; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: This article continues the funding for the salary, benefits and expenses of the Behavioral Health Peer Support Specialist (formerly the Peer Recovery Coach) through the Opioid Settlement Stabilization Fund. The funding is now aligned with the annual operating budget cycle.

ARTICLE 13: APPROPRIATE THE FY2026 OPERATING BUDGET

To see what sums of money the Town will vote to raise, appropriate, and/or transfer for the necessary Town expenses and charges, and further that the operating budget be partially funded by a transfer from Free Cash in the amount of \$4,245,792, from Overlay Surplus in the amount of \$350,000, from Amounts Reserved for Debt Exclusion Offsets in the amount of \$21,723, and \$1,362,957 to be raised from CPA Receipts; and further that the Town Manager is authorized to make transfers from line item 9 to the appropriate line items in order to fund the classification and compensation plan approved in accordance with the provisions of Section 20B(5) of the Town Charter, and to fund collective bargaining agreements approved by vote of Town Meeting; and further that the Town Manager is authorized to expend from line item 5 in order to meet expenses for post-employment health and life insurance benefits for eligible retirees from the fund established for that purpose; or take any other action relative thereto.

INSERTED BY: Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article Be Adopted as shown on pages ##-##.

ARTICLE 14: APPROPRIATE THE FY2026 SEWER ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Sewer Division of the Department of Public Works during fiscal year 2026, under the provisions of M.G.L. Chapter 44, Section 53F ½:

**Sewer Enterprise
FY2026**

Line #	Description	FY2024		FY2025		FY2026	
		Expended	FTE	Current Budget	FTE	Recommended	FTE
201A	Salary & Wages	\$1,130,463	11.0	\$1,218,870	11.0	\$1,275,049	11.0
201B	Expenses	\$478,008		\$866,539		\$904,663	
201C	Capital Outlay	\$0		\$96,000		\$134,000	
201D	MWRA Assessment	\$7,084,841		\$7,445,411		\$7,445,411	
201E	Debt Service	\$493,424		\$670,000		\$700,000	
202	Reserve Fund	Transfers Only		\$35,000		\$35,000	
TOTAL		\$9,186,736	11.0	\$10,331,820	11.0	\$10,494,123	11.0
FY2026 Budget Percentage Change from FY2025 Budget						1.6%	

and to meet this appropriation that [Amount] be raised from Sewer Enterprise Fund receipts, \$881,784 be raised from the Tax Levy and transferred to the Sewer Enterprise Fund, and [amount] be transferred from Sewer Enterprise Fund Retained Earnings; or take any other action relative thereto.

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

Article Information: This article funds the operation of the Town's sanitary sewer system. The Town's sewage collection system consists of more than 130 miles of collector and interceptor sewers, 3,700 sewer manholes, and ten sewer pump stations. The Town's sewer system is a collection system that discharges its wastewater to the Massachusetts Water Resources Authority (MWRA) system for treatment. Approximately 65% of the Town's sewer collection system is a gravity-only system, and 35% of the sewer system is pumped into the gravity system. Needham has two principal points of discharge into the MWRA system and nineteen other public locations where subdivisions discharge to the MWRA system. Personnel maintain and operate 24 sewer pumps, motors, switchgear, gates, valves, buildings, and grounds contained in ten pumping facilities located throughout town.

The Division also oversees the collection and transportation of Stormwater (drains program) originating from rain and snow storms for discharge into streams, brooks, rivers, ponds, lakes, flood plains and wetlands throughout town. Stormwater and associated discharges are now considered by the federal government as potentially contaminated and have come under increasingly severe discharge performance standards. The intention is to reduce or eliminate contaminants contained in the flow washed from ground surfaces considered to be harmful to the environment. The Town's drainage infrastructure consists of approximately 100 miles of various size drainage pipes, 4,300 catch basins, 1,500 drainage manholes, and 295 drainage discharges.

The Sewer Enterprise Fund budget includes the costs of the drains program because the daily work is performed by Enterprise Fund staff. However, the costs not associated with sewer operations are funded by taxation and not by sewer use fees. The table below provides a breakout between the sewer operations and the drains program to compare the budget change in the two operations from the current year.

Budget Line	FY2026 Sewer Operations	FY2026 Drains Program	FY2026 Recommended Budget	FY2025 Sewer Operations	FY2025 Drains Program	FY202 Sewer Budget
Salary & Wages	\$807,261	\$467,788	\$1,275,049	\$774,694	\$444,176	\$1,218,870
Expenses	\$490,667	\$413,996	\$904,663	\$460,964	\$405,575	\$866,539
Capital Outlay	\$134,000		\$134,000	\$96,000		\$96,000
MWRA Assessment	\$7,445,411		\$7,445,411	\$7,445,411		\$7,445,411
Debt Service	\$700,000		\$700,000	\$670,000		\$670,000
Reserve Fund	\$35,000		\$35,000	\$35,000		\$35,000
Total	\$9,612,339	\$881,784	\$10,494,123	\$9,482,069	\$849,751	\$10,331,820
	FY2026 Sewer Operations \$ Change	FY2026 Drains Operations \$ Change	FY2026 Sewer Enterprise \$ Change	FY2026 Sewer Operations % Change	FY2026 Drains Operations % Change	FY2026 Sewer Enterprise % Change
Salary & Wages	\$32,567	\$23,612	\$56,179	4.2%	5.3%	4.6%
Expenses	\$29,703	\$8,421	\$38,124	6.4%	2.1%	4.4%
Capital Outlay	\$38,000		\$38,000	39.6%		39.6%
MWRA Assessment						
Debt Service	\$30,000		\$30,000	4.5%		4.5%
Reserve Fund						
Total	\$130,270	\$32,033	\$162,303	1.4%	3.8%	1.6%

The total operating budget of \$10,494,123 for FY2026 is \$162,303 more than the current FY2025 budget, an increase of 1.6%. One of the increases for the year is an additional \$30,000 for sewer enterprise debt service. This increase has been expected as the Town is undertaking several major sewer system infrastructure upgrades, which will continue over the next several years and consequently the annual debt service will increase as well. The MWRA assessment is level dollar and will be adjusted at the planned Special Town Meeting in the fall after the final assessments are sent out by the MWRA. The final assessment from the MWRA will be affected by the amount of sewer rate relief that is provided to the Authority by the Commonwealth, which will not be known until after the budget is voted by the Legislature and approved by the Governor.

The FY2026 sewer operations portion of the budget is \$130,270 higher, an increase of 1.4% over the current year. FY2026 drains operations portion of the budget is \$32,033 more than the FY2025, an increase of 3.8%.

The total salary and wages line is \$1,275,049 for FY2026, an increase of \$56,179 (4.6%). The sewer division has 11 full-time employees all of whom are members of the NIPEA union. The budget is inclusive of step and longevity changes for the year. The Town and the Union have a collective bargaining agreement in place for FY2026. There is no change in the number of funded positions.

The total expense line for FY2026 is \$904,663 which is \$38,124 or 4.4% more than the current budget. Energy expenses (electric and natural gas) to operate the sewer pump stations are \$9,641 more than the current year, which is based on a five year consumption average as well as the commodity prices. Fuel cost for sewer vehicles and equipment is lower by \$1,160, which is based on three year average consumption. The budget estimate for fuel prices anticipates a decline in gasoline and diesel by \$0.20 and \$0.45 per gallon from the FY2025 budgeted prices. Most of the sewer enterprise vehicles are used for repair and construction projects, and currently there are no reliable non fossil fuel substitutes. Contracted services for repairs and maintenance are \$13,449 more than the current year, an increase of 8.5%. The cost for these contracts is estimated to increase between 3.5% to 17% next year. The estimates are based on actual contracts or prior year activity. The expense for professional and technical services is \$10,655 more for FY2026. The two primary drivers of the increase is the mandate testing for sulfides in the sewerage and pond treatments. The allocation for public works supplies is \$779 more than the current year. Public work supplies include many items such as, manhole frames and covers, precast concrete, asphalt, pump replacement parts, small tools. Contracted services for maintenance, repairs, sweeping, collection, disposal of catch basin debris and for details are \$4,460 more than FY2025, an increase of 1.5%. The balance of the increase for next year (\$300) is for vehicle supplies.

The operating capital line is \$38,000 more than FY2025, an increase of 39.6%. This budget line pays for grinder replacements and allows the department to continue its annual allocation for sewer pump and small power equipment replacement. The increase is based on the higher cost of the equipment. The reserve fund is level dollar for FY2026.

The budget plan relies on \$706,000 in sewer retained earnings for FY2026 operating budget, a decrease of \$39,804 from the amount used for the FY2025 budget. The decrease is due to the decline in the available retained earnings. The \$881,784 to be transferred from the tax levy is to pay for drains-related programs; this is an increase of \$32,033 from FY2025.

The Sewer Enterprise Fund also reimburses the general fund for costs incurred and paid by General Fund budgets, e.g., employee benefits, property and casualty insurance, financial and billing expenses, and other administrative and operational support costs. The Sewer Enterprise Fund budget is a self-supporting account. Sewer user fees and charges cover the cost of the sewer operations, and the general fund payment supports the drains program.

ARTICLE 15: APPROPRIATE THE FY2026 WATER ENTERPRISE FUND BUDGET

To see if the Town will vote to raise and/or transfer and appropriate the following sums of money to operate the Water Division of the Department of Public Works during fiscal year 2026, under the provisions of M.G.L. Chapter 44, Section 53F ½:

Water Enterprise FY2026

Line #	Description	FY2024		FY2025		FY2026	
		Expended	FTE	Current Budget	FTE	Recommended	FTE
301A	Salary & Wages	\$1,350,580	17.0	\$1,672,073	17.0	\$1,771,597	17.0
301B	Expenses	\$1,416,885		\$1,689,997		\$1,704,771	
301C	Capital Outlay	\$40,000		\$57,100		\$46,984	
301D	MWRA Assessment	\$1,887,130		\$1,212,985		\$1,212,985	
301E	Debt Service	\$1,249,009		\$1,460,000		\$1,550,000	
302	Reserve Fund	Transfers Only		\$75,000		\$75,000	
TOTAL		\$5,943,603	17.0	\$6,167,155	17.0	\$6,361,337	17.0
FY2026 Budget Percentage Change from FY2025 Budget							3.1%

and to meet this appropriation that [amount] be raised from Water Enterprise Fund receipts and [amount] be transferred from Water Enterprise Fund Retained Earnings; or take any other action relative thereto.

INSERTED BY: Select Board & Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: This article funds the Town's water system. The Town's water distribution system is a single service pressure zone system supplied by two sources. The Town's primary source of water is the Charles River Well Field. The well field consists of three groundwater-pumping stations. Needham's second water source is a connection to the Massachusetts Water Resources Authority (MWRA) surface

water supply originating at the Quabbin Reservoir and delivered through the Metrowest Tunnel and the Hultman Aqueduct. This water is pumped into the Needham system at the St. Mary's Pumping Station located at the corner of St. Mary Street and Central Avenue. This supply is used when the Town's demand for water is greater than the local supply, and serves as a backup should the Town's wells need to be taken off-line. Water Division staff operate the water treatment plant and also operate, maintain, and repair the Town-wide water distribution system. The system is comprised of more than 143.5 miles of water mains, 1,344 public and private hydrants, 3,231 water gate valves, and 10,294 water service connections. This system supports 16,186 installed meters as of June 30, 2024.

Overall water production during calendar year 2024 increased by more than 63 million gallons of water compared to 2023. The Town's use of MWRA water increased by 49% from the prior year, 371.8 million gallons compared to 249.5 million gallons of water which is 29.7% of the total water production for the year. During calendar year 2023, approximately 21% of the total water production came from the MWRA; during calendar year 2022, 32.5% of the total production came from the MWRA.

Water Production	CY2022	CY2023	CY2024
Water Production*	1,313.7	1,187.1	1,250.5
Water Production from MWRA	427.0	249.5	371.8
Water Production from Town Wells	886.7	937.6	878.7
Percentage from MWRA	32.5%	21.0%	29.7%
*millions of gallons			
Water meters replaced	500	585	741
Percentage of the total number of water meters in place for that year	3.2%	3.7%	4.6%

The overall operating budget for FY2026 is \$6,361,337 or \$194,182 (3.1%) more than the FY2025 budget. The primary increase to the budget is similar to the Sewer Enterprise, which is an increase in the debt service line. The \$90,000 increase is 6.2% more than FY2025. Like the sewer system, the Town has been investing in the Town's water treatment, storage, and distribution systems over the past several years and the work continues. The MWRA assessment is level dollar and will be adjusted at the planned Special Town Meeting in the fall. The MWRA bills the Town for actual water consumption in the calendar year preceding the new fiscal year; the FY2026 water assessment will be based on CY2024 water use. The final assessment from the MWRA is not expected until the end of the State budget process.

The FY2026 salary and wage expense line is \$1,771,597, an increase of \$99,524 (6%) over the current budget. The budget includes step and longevity increases for the employees who are members of the unions, based on the collective bargaining agreements, and for non-represented personnel in accordance with the Town's personnel policies. The water enterprise has 17 full-time employees, of whom 13 are unionized. Twelve employees are members of the NIPEA union, and one employee is a member of the ITWA union. The Town has collective bargaining agreements with both unions for FY2026. There is no increase in the number of funded positions.

The water expense line of \$1,704,771 is \$14,774 higher than the FY2025 budget, less than 1% from the current year. The largest increase in terms of dollars (\$31,300) is for professional and technical services. The primary increase is related to cyber security, where the Town seeks to expand the review of critical water infrastructure. The other expenses include software licensing related to the treatment plant, cross connection software, testing services, and professional inspections. Energy expense is increasing by \$19,483 (electricity and natural gas) to operate the system water pumps and equipment, the treatment plant

processing, and the connections to the MWRA supply. The estimates are based on the three year averages. Like the sewer operations, the budget for gasoline and diesel which is based on a five year average consumption and anticipates lower prices allowed a reduction of \$3,925. The cost for repair contracts is increasing by \$7,400 based on contracts and prior year activity, and other services (tree and brush clearing) is \$3,000 more which too is based on prior year activity. There is also an increase in cost for other services for police details and trench restoration work of \$20,000. Communication expenses have been reduced by \$2,540 for FY2026. Most of the increases have been offset by a significant decrease in public works supplies expenses. The Town has secured better contract pricing than in recent years for many of the drinking water treatments. The budget allocation has been reduced by \$59,944, a decrease of more than 8.8% from FY2025.

The operating capital line for FY2026 is recommended at \$46,984 which is a decrease of \$10,116 (17.7%). The planned expenditure includes \$30,000 for backwater valves replacements, a reduction of \$10,000 from the current year. The valves control whether the effluent pipes are opened or closed, allowing air to be pushed through the filter to break down and clean possible impurities without contaminating the distribution system. The other planned expense (\$16,984) is for a replacement of an existing light tower trailer. The portable light tower is used at worksites which allows for work to be done by Town crews at night. Night work is usually related to emergency repairs. The water reserve fund at \$75,000 is level dollar for FY2026.

The Water Enterprise Fund also reimburses the general fund for costs incurred and paid by general fund budgets, e.g., employee benefits, property and casualty insurance, financial and billing expenses, and other administrative and operational support costs. The Water Enterprise Fund budget is a self-supporting account. Water user fees and charges cover the entire cost of operations.

ARTICLE 16: SET THE ANNUAL DEPARTMENT REVOLVING FUND SPENDING LIMITS

To see if the Town will vote to fix the maximum amount that may be spent during fiscal year 2026 beginning on July 1, 2025 for the revolving funds established in the Town's General By-Laws for certain departments, boards, committees, agencies, or officers in accordance with Massachusetts General Law Chapter 44, Section 53E½, or take any other action relative thereto.

Revolving Fund	Department, Board, Committee, Agency, or Officer	FY2025 Spending Limit	FY2026 Spending Limit
Public Facility Use	Public Works Department	\$250,000	\$250,000
Tree Replacement	Public Works Department	\$25,000	\$25,000
School Transportation	School Committee	\$819,000	\$819,000

Revolving Fund	Department, Board, Committee, Agency, or Officer	FY2025 Spending Limit	FY2026 Spending Limit
Home Composting	Public Works Department	\$3,000	\$3,000
Water Conservation	Public Works Department	\$10,000	\$10,000
Immunization Program	Health and Human Services Department	\$125,000	\$125,000
Traveling Meals	Health and Human Services Department	\$100,000	\$100,000
Needham Transportation Program	Health and Human Services Department	\$10,000	\$10,000
Aging Services Programs	Health and Human Services Department	\$75,000	\$100,000
Youth Services Programs	Health and Human Services Department	\$5,000	\$5,000
Memorial Park Activities	Memorial Park Trustees	\$4,100	\$4,100

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The purpose of this article is to set the annual spending limit for the various revolving funds that are established by Town By-Law in accordance with M.G.L Chapter 44 Section 53E1/2. The law requires that Town Meeting shall, on or before July 1 of each fiscal year, vote on the limit for each revolving fund established under this law the total amount that may be expended during the fiscal year. The law provides also that the limit on the amount that may be spent from a revolving fund may be increased with the approval of the Select Board and Finance Committee should the revolving activity exceed the spending limit, but only until the next Annual Town Meeting. All the revolving funds have the same spending ceiling for FY2026 except for the Aging Services Programs, which is proposed to increase by \$25,000 to \$100,000 for FY2026.

ARTICLE 17: AUTHORIZATION TO EXPEND STATE FUNDS FOR PUBLIC WAYS

To see if the Town will vote to authorize the Town Manager to permanently construct, reconstruct, resurface, alter, or make specific repairs upon all or portions of various Town ways and authorize the

expenditure of funds received, provided, or to be provided by the Commonwealth of Massachusetts through the Massachusetts Department of Transportation; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The Town receives funding from the Commonwealth of Massachusetts for road construction projects. Approval of Town Meeting is required for the Town to receive and expend the funds. The Massachusetts Department of Transportation (MassDOT) will distribute Chapter 90 funding only after it has been authorized by the Legislature and the Governor. The preliminary Chapter 90 allocation for FY2026 is \$1,351,593.25. Unless circumstances require otherwise, this Chapter 90 allocation will be directed towards infrastructure projects, such as the Marked Tree Road reconstruction project and Central Avenue at Great Plain Avenue intersection improvements.

ZONING/LAND USE ARTICLES

ARTICLE 18: AMEND ZONING BY-LAW – MULTI-FAMILY OVERLAY DISTRICT (BASE COMPLIANCE PLAN)

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

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

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

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

MFOD – Multi-family Overlay District

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

3.17 Multi-family Overlay District

3.17.1 Purposes of District

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

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

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

3.17.2 Scope of Authority

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

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

3.17.2.1 Subdistricts

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

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

3.17.3 Definitions

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

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

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

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

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

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

Open space – Contiguous undeveloped land within a parcel boundary.

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

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

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

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

Site plan review authority – The Town of Needham Planning Board.

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

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

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

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

3.17.4 Use Regulations

3.17.4.1 Permitted Uses

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

- (a) Multi-family housing.

3.17.4.2 Accessory Uses

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

- (a) Parking, including surface parking and structured parking on the same lot as the principal use.
- (b) Any uses customarily and ordinarily incident to Multi-family housing, including, without limitation, residential amenities such as bike storage/parking, a swimming pool, fitness facilities and similar amenity uses.

3.17.5 Dimensional Regulations

3.17.5.1 Lot Area, Frontage and Setback Requirements

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

	A-1	B	ASB-MF	CSB	HAB	IND
Minimum Lot Area (square feet)	20,000	10,000	10,000	10,000	10,000	10,000
Minimum Lot Frontage (feet)	120	80	80	80	80	80
Minimum Front Setback (feet) from the front property line	25	10	Minimum 10 Maximum 15 ^e	20 feet for buildings with frontage on Chestnut Street 10 feet for all other buildings	20	25
Minimum Side and Rear Setback (feet)	20	10 ^{a, b}	10 ^{a, c}	20 (side) ^{a, b, d}	20 ^{a, b}	20 ^{a, b}

- (a) The requirement of an additional 50-foot side or rear setback from a residential district as described in Subsection 4.4.8 Side and Rear Setbacks Adjoining Residential Districts or Subsection 4.6.5 Side and Rear Setbacks Adjoining Residential Districts shall not apply.
- (b) Any surface parking, within such setback, shall be set back 10 feet from an abutting residential district and such buffer shall be suitably landscaped.
- (c) The rear and side setbacks are 20 feet along the MBTA right-of-way. With respect to any lot partially within an underlying residential district, (i) no building or structure for a multi-family residential use shall be placed or constructed within 110 feet of the lot line of an abutting lot containing an existing single family residential structure and (ii) except for access driveways and sidewalks, which are permitted, any portion of the lot within said residential district shall be kept open with landscaped areas, hardscaped areas, outdoor recreation areas (e.g., swimming pool) and/or similar open areas.
- (d) On the west side of Chestnut Street, the rear setback shall be 20 feet. On the east side of Chestnut Street, the rear setback shall be 30 feet.

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

3.17.5.2 Building Height Requirements

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

	A-1	B	ASB-MF	CSB	HAB	IND
Maximum Building Height (stories)	3.0	3.0	3.0 ^c	3.0	3.0	3.0
Maximum Building Height (ft) ^{a,b}	40	40	40 ^c	40	40	40

- (a) Exceptions. The limitation on height of buildings shall not apply to chimneys, ventilators, towers, silos, spires, stair overruns, elevator overruns, mechanical equipment, roof parapets, architectural screening, or other ornamental features of buildings, which features (i) are in no way used for living purposes; (ii) do not occupy more than 25% of the gross floor area of the building and (iii) do not project more than 15 feet above the maximum allowable height.
- (b) Exceptions: Renewable Energy Installations. The Site Plan Review Authority may waive the height and setbacks in Subsection 3.17.5.2 Building Height Requirements and Subsection 3.17.5.1 Lot Area, Frontage and Setback Requirements to accommodate the installation of solar photovoltaic, solar thermal, living, and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall be appropriately screened, consistent with the requirements of the underlying district; shall not create a significant detriment to abutters in terms of noise or shadow; and must be appropriately integrated into the architecture of the building and the layout of the site. The installations shall not provide additional habitable space within the development.
- (c) In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board for a height of four stories and 50 feet, provided that the fourth story along Highland Avenue and West Street incorporates one or more of the following design elements: (i) a pitched roof having a maximum roof pitch of 45 degrees; (ii) a fourth story recessed from the face of the building by a minimum of 12 feet; and/or (iii) such other architectural design elements proposed by the Applicant and approved by the Planning Board during the Special Permit process.

3.17.5.3 Building Bulk and Other Requirements

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

	A-1	B	ASB-MF	CSB	HAB	IND
Floor Area Ratio (FAR)	0.50	N/A	1.3 ^{b, c}	0.70	0.70	0.50
Maximum Building Coverage (%)	N/A	25%	N/A	N/A	N/A	N/A
Maximum Dwelling Units per Acre ^a	18	N/A	44 ^d	18	N/A	N/A

- (a) The total land area used in calculating density shall be the total acreage of the lot on which the development is located.
- (b) In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board for an FAR of up to 1.7.
- (c) In the ASB-MF subdistrict, the following shall not be counted as floor area for purposes of determining the maximum floor area ratio: (i) interior portions of a building devoted to off-street parking; (ii) parking garages, structured parking or deck/rooftop parking that are screened from Highland Avenue as required by Section 3.17.6 inclusive of any waiver thereof and from West Street in a manner compatible with the architecture of the building. In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board to exclude additional areas from floor area for purposes of determining the maximum floor area ratio.
- (d) In the ASB-MF subdistrict, Multi-family housing may exceed the maximum of 44 dwelling units per acre by special permit.

3.17.5.4 Multiple Buildings on a Lot

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

3.17.5.5 Use of Dwelling Units

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

concerning size, the number or size of bedrooms, a cap on the number of occupants, or a minimum age of occupants.

3.17.6 Off-Street Parking

- (a) The minimum number of off-street parking spaces shall be one space per dwelling unit for all subdistricts within the Multi-family Overlay District.
- (b) Parking areas shall be designed and constructed in accordance with Subsection 5.1.3 Parking Plan and Design Requirements. The remaining provisions of Section 5.1 Off Street Parking Regulations shall not apply to projects within the Multi-family Overlay District.
- (c) In the ASB-MF subdistrict, the façade(s) of all parking garages, structured parking and deck/rooftop parking visible from Highland Avenue shall be designed to be generally indistinguishable from the façade(s) of the residential portion of the building(s), and shall allow no view of parked vehicles from Highland Avenue except where such view is intermittent and incidental to the operation of the parking area, such as a view afforded by the opening of an automated garage door.
- (d) Enclosed parking areas shall comply with Subsection 4.4.6 Enclosed Parking.
- (e) No parking shall be allowed within the front setback. Parking shall be on the side or to the rear of the building, or below grade.
- (f) The minimum number of bicycle parking spaces shall be one space per dwelling unit.
- (g) Bicycle storage. For a multi-family development of 25 units or more, no less than 25% of the required number of bicycle parking spaces shall be integrated into the structure of the building(s) as covered spaces.

3.17.7 Development Standards

- (a) Notwithstanding anything in the Zoning By-Law outside of this Section 3.17 to the contrary, Multi-family housing in the Multi-family Overlay District shall not be subject to any special permit requirement.
- (b) Buildings shall be designed with due regard to their relationship to open spaces, existing buildings, and community assets in the area.
- (c) Building entrances shall be available from one or more streets on which the building fronts and, if the building fronts Chestnut Street, Garden Street, Highland Avenue, Hillside Avenue, Rosemary Street, or West Street, the primary building entrance must be located on at least one such street.
- (d) The site shall be designed so that all collection and storage areas for residential refuse shall be internal to the building(s), or otherwise shall not be visible from any public way and appropriately screened from abutting properties, and adequate management and removal of refuse shall be provided for.
- (e) Site arrangement and driveway layout shall provide sufficient access for emergency and service vehicles, including fire, police, and rubbish removal.

- (f) Plantings shall be provided and include species that are native or adapted to the region. Plants on the Massachusetts Prohibited Plant List, as may be amended, are prohibited.
- (g) All construction shall be subject to the current town storm water bylaws, regulations, and policies along with any current regulations or policies from DEP, state, and federal agencies.
- (h) Control measures shall be employed to mitigate any substantial threat to water quality or soil stability, both during and after construction.
- (i) There shall be adequate water, sewer, and utility service provided to serve the project.
- (j) Off-site glare from headlights shall be controlled through arrangement, grading, fences, and planting. Off-site light over-spill from exterior lighting shall be controlled through luminaries selection, positioning, and mounting height so as to not add more than one foot candle to illumination levels at any point off-site.
- (k) Pedestrian and vehicular movement within and outside the project site shall be protected, through selection of egress points, provision for adequate sight distances, and through reasonable mitigation measures for traffic attributable to the project.
- (l) Site arrangements and grading shall minimize to the extent practicable the number of removed trees 8" trunk diameter or larger, and the volume of earth cut and fill.
- (m) No retaining wall shall be built within the required yard setback except a retaining wall with a face not greater than four (4) feet in height at any point and a length that does not exceed forty (40) percent of the lot's perimeter. Notwithstanding the foregoing, retaining walls may graduate in height from four (4) to seven (7) feet in height when providing access to a garage or egress entry doors at the basement level, measured from the basement or garage floor to the top of the wall. In such cases, the wall is limited to seven (7) feet in height for not more than 25% of the length of the wall.
- (n) Retaining walls with a face greater than twelve (12) feet in height are prohibited unless the Applicant's engineer certifies in writing to the Building Commissioner that the retaining wall will not cause an increase in water flow off the property and will not adversely impact adjacent property or the public.
- (o) Construction activity shall be consistent with Section 3.8 of the General By-Laws and any reasonable conditions on construction activity that are warranted at a particular site and included in the applicable site plan approval, including but not limited to hours during which construction activity may take place, the movement of trucks or heavy equipment on or off the site, measures to control dirt, dust, and erosion and to protect existing vegetation to be preserved on the site.

Special Development Standards for the A-1 Subdistrict

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

- (a) 4.3.2 Driveway Openings
- (b) 4.3.3 Open Space

- (c) 4.3.4 Building Location, with the substitution of “Multifamily Dwelling” for “apartment house.”

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

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

Special Development Standards for the ASD-MF Subdistrict of the Multi-Family Overlay District:

- (a) Multi-family housing in the ASD-MF subdistrict shall employ existing curb cuts on Highland Avenue and West Street to the extent feasible. Existing curb cuts may be improved, reconstructed and modified. Additional curb cuts may be added subject to site plan review.

3.17.8 Affordable Housing

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

3.17.8.1 Provision of Affordable Housing

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

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

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

3.17.8.2 Affordable Housing Development Standards

Affordable Units shall be:

- (a) Integrated with the rest of the development and shall be compatible in design, appearance, construction, and quality of exterior and interior materials with the other units and/or lots;
- (b) Dispersed throughout the development;
- (c) Located such that the units have equal access to shared amenities, including light and air, and utilities (including any bicycle storage and/or Electric Vehicle charging stations) within the development;
- (d) Located such that the units have equal avoidance of any potential nuisances as market-rate units within the development;
- (e) Distributed proportionately among unit sizes; and

- (f) Distributed proportionately across each phase of a phased development.
- (g) Occupancy permits may be issued for market-rate units prior to the end of construction of the entire development provided that occupancy permits for Affordable Units are issued simultaneously on a pro rata basis.

3.17.9 Site Plan Review

3.17.9.1 Applicability

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

3.17.9.2 Submission Requirements

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

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

- (o) Projected traffic volumes in relation to existing and reasonably anticipated conditions based on standards from the Institute of Transportation Engineers and prepared by a licensed traffic engineer and including, if applicable, recommended traffic mitigation measures based on the traffic attributable to a particular project.

3.17.9.3 Timeline

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

3.17.9.4 Site Plan Approval

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

- (a) the Applicant has submitted the information as set forth in Subsection 3.17.9.2 Submission Requirements; and
- (b) the project as described in the application meets the dimensional and density requirements contained in Subsection 3.17.5 Dimensional Regulations, the parking requirements contained in Subsection 3.17.6 Off-Street Parking, the development standards contained in Subsection 3.17.7 Development Standards, and Subsection 3.17.8.2 Affordable Housing Development Standards.

3.17.9.5 Waivers

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

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

3.17.9.6 Project Phasing

An Applicant may propose, in a Site Plan Review submission, that a project be developed in phases subject to the approval of the Site Plan Review Authority, provided that the submission shows the full buildout of the project and all associated impacts as of the completion of the final phase. However, no project may be phased solely to avoid the provisions of Subsection 3.17.8 Affordable Housing.

3.17.10 Design Guidelines

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

3.17.11 Special Permits

In those specific occasions where this Section 3.17 authorizes relief in the form of a special permit only, applications shall be reviewed and decided by the Planning Board in accordance with Section 7.5.2.

4. By amending the first sentence of Section 7.6.1, Special Permit Granting Authority, to add Section 3.17 to the list of Sections for which the Planning Board is the Special Permit Granting Authority, so that this sentence reads as follows:

The Planning Board shall act as a Special Permit Granting Authority only where so designated in Sections 3.4, 3.8, 3.9, 3.10, 3.14, 3.16, 3.17, 4.2.10, 4.2.11, 4.2.12, 4.4.5, 4.4.9, 4.4.10, 5.1.1.6, 6.6, 6.8 and 7.4 of this By-Law.

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

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

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

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

so that this paragraph reads as follows:

Within twenty (20) days of receipt of a Design Review application, the Design Review Board shall hold a meeting, to which the applicant shall be invited, for the purpose of conducting a review of the proposed project or activity. Within fifteen (15) days of the meeting, a preliminary design review report shall be sent to both the applicant and to the Planning Board, when a special permit is required under Sections 7.4, 4.2.11 and 4.2.10. Within fifteen (15) days of the meeting, a final advisory design review report shall be sent both to the applicant and to the Planning Board, when a site plan review is required under Section 3.17. However, if the proposed project or activity involves only a building permit or sign permit from the Building Commissioner, or is a "Minor Project" under Site Plan Review (all as

described in Subsection 7.7.2.2), no preliminary report is required and the written advisory report of the Design Review Board to the applicant and the Building Commissioner shall be a final report.

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDED THAT: Article be Adopted

Article Information:

The MBTA Communities Law, M.G.L. c.40A, §3A was passed by the Massachusetts Legislature in January 2021. This statute states:

(a) An MBTA community shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right; provided, however, that such multi-family housing shall be without age restrictions and shall be suitable for families with children. For the purposes of this section, a district of reasonable size shall: (i) have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A; and (ii) be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.

(b) An MBTA community that fails to comply with this section shall not be eligible for funds from: (i) the Housing Choice Initiative as described by the governor in a message to the general court dated December 11, 2017; (ii) the Local Capital Projects Fund established in section 2EEEE of chapter 29; (iii) the MassWorks infrastructure program established in section 63 of chapter 23A, or (iv) the HousingWorks infrastructure program established in section 27 of chapter 23B.

(c) The executive office of housing and livable communities, in consultation with the executive office of economic development, the Massachusetts Bay Transportation Authority and the Massachusetts Department of Transportation, shall promulgate guidelines to determine if an MBTA community is in compliance with this section.

The law was intended as a means to address the Commonwealth's housing shortage and the impact that shortage was having on the state's ability to compete for business and talent, ensure our residents can live affordably regardless of their income, and to better link housing, jobs, and transportation to address climate change and help reduce greenhouse gas emissions.

For purposes of the law, Needham is categorized as a commuter rail community. Commuter rail communities are required to comply with the law by July 14, 2025. To meet its compliance requirements, Needham's MBTA Communities districts and zoning must meet the following criteria: (1) The districts must have a minimum total land area of 50 acres. (2) 45 acres must be located within a half-mile of any of Needham's commuter rail stations. (3) One district must be at least 25 acres in size. (4) No single district can be less than 5 acres in size. (5) The zoning capacity of the districts must meet or exceed 1,784 units. (6) 1,606 of those units must be within a half-mile of any of Needham's commuter rail stations. (7) The districts must have zoning that allows for an average of at least 15 dwelling units per acre.

In response to the MBTA Communities Law, one compliant zoning scenario is being presented to Town Meeting. This scenario is referred to as the "Base Compliance Plan". The zoning language in Articles 18 and 19 matches the "Base Compliance Plan" that was presented to the October 2024 Special Town Meeting, with minor grammatical corrections.

The Base Compliance Plan (presented under Articles 18 and 19), adheres very closely to the underlying zoning district boundaries and dimensional standards found in Needham's current Zoning By-Law. This scenario is intended to meet the minimum compliance requirements of the MBTA Communities Law and proposes zoning that would allow for a total of 1,870 units. The compliance metrics under the MBTA Communities Law for the Base Compliance Plan are noted in the table below.

	Needham Requirement	Base Compliance Plan
<i>Acreage included in proposed zoning (net)</i>	50	100.3
<i>Unit capacity allowed by right</i>	1,784	1,870
<i>Average residential density allowed in overlay district (units/acre)</i>	15	18.6
<i>Percent in Transit Area</i>	90%	93%

The Base Compliance Plan is presented under Articles 18 and 19 of this warrant as follows. Article 18: Multi-family Overlay District (Base Compliance Plan) creates a Multi-Family Overlay District. Article 19: Map Change for Multi-family Overlay District (Base Compliance Plan) implements the zoning map change by describing the geographical area of the Multi-family Overlay District anticipated under Article 18. A detailed description of the two articles follows.

Article 18, in combination with Article 19, proposes to create the "Multi-family Overlay District." Article 18 lays out the regulatory framework for the new district while Article 19 describes its geographical boundaries.

This Article proposes the creation of a new zoning district called the "Multi-family Overlay District (MFOD)". The proposed zoning amendments would add a new Section 3.17 to the Zoning By-Law for the purpose of establishing the Multi-family Overlay District. The purposes of this new overlay district include providing for multi-family housing as of right consistent with the requirements of the MBTA Communities Law. The proposed amendments will allow for multi-family housing within the overlay district that adheres very closely to the underlying zoning district boundaries and dimensional standards found in Needham's current Zoning By-Law. The overlay district will include multiple sub-districts (titled A-1, B, ASB-MF, CSB, HAB and IND), each of which will have its own set of applicable density and dimensional requirements as itemized in tables contained in the proposed amendments. The proposed amendments include parking standards, development standards, affordability requirements, and a process for site plan review that will apply to multi-family housing projects within the new overlay district. The proposed amendments also include revisions to Section 1.3 (Definitions) and Section 7.4 (Design Review) of the Zoning By-Law to address the addition of the new overlay district.

Since Article 18 involves the creation of an overlay district, property owners will have the option of developing multi-family housing subject to the requirements of the new zoning. They will also retain the option of using and/or developing property under the rules applicable in the pre-existing, underlying zoning district. The Multi-family Overlay District creates additional choices by placing alternative provisions to those which already exist. The Multi-family Overlay District's key provisions are summarized below.

Designation of the District

The Multi-family Overlay District contains the following sub-districts, all of which are shown on the MFOD Boundary Map and indicated by the name of the sub-district: A-1, B, ASB-MF, CSB, HAB, and IND. A complete description of the geographical boundaries for the Multi-family Overlay District and the A-1, B, ASB-MF, CSB, HAB and IND sub-districts to be contained within the Multi-family Overlay District can be found in Article 19.

Purpose of District

The purposes of the Multi-family Overlay District include, but are not limited to, the following: (a) providing multi-family housing in Needham, consistent with the requirements of M.G.L. Chapter 40A (the Zoning Act), Section 3A; (b) supporting vibrant neighborhoods by encouraging multi-family housing within a half-mile of a Massachusetts Bay Transit Authority (MBTA) commuter rail station; and (c) establishing controls which will facilitate responsible development and minimize potential adverse impacts upon nearby residential and other properties.

Definitions

New terms that appear in the package of zoning amendments but not elsewhere in the zoning bylaw are presented in alphabetical order as follows: affordable housing; as of right; compliance guidelines; EOHLC; multi-family housing; open space; parking, structured; parking, surface; residential dwelling unit; Section 3A; site plan review authority; special permit granting authority; sub-district; subsidized housing inventory (SHI) and work force housing unit.

Permitted Uses

In the Multi-family Overlay District, multi-family housing is permitted as a matter of right. The following uses are considered accessory as of right to any multi-family housing use: (a) Parking, including surface parking and structured parking on the same lot as the principal use; and (b) Any uses customarily and ordinarily incident to Multi-family housing, including, without limitation, residential amenities such as bike storage/parking, a swimming pool, fitness facilities and similar amenity uses.

Lot Area and Frontage and Setback Requirements

The following lot area, frontage and setback requirements shall apply in the Multi-family Overlay District sub-districts listed below.

	A-1	B	ASB-MF	CSB	HAB	IND
Minimum Lot Area (square feet)	20,000	10,000	10,000	10,000	10,000	10,000
Minimum Lot Frontage (feet)	120	80	80	80	80	80
Minimum Front Setback (feet) from the front property line	25	10	Minimum 10 Maximum 15 ^e .	20 feet for buildings with frontage on Chestnut Street	20	25

				10 feet for all other buildings		
Minimum Side and Rear Setback (feet)	20	10 ^{a, b}	10 ^{a, c}	20 (side) ^{a, b, d}	20 ^{a, b}	20 ^{a, b}

- (a) The requirement of an additional 50-foot side or rear setback from a residential district as described in Subsection 4.4.8 Side and Rear Setbacks Adjoining Residential Districts or Subsection 4.6.5 Side and Rear Setbacks Adjoining Residential Districts shall not apply.
- (b) Any surface parking, within such setback, shall be set back 10 feet from an abutting residential district and such buffer shall be suitably landscaped.
- (c) The rear and side setbacks are 20 feet along the MBTA right-of-way. With respect to any lot partially within an underlying residential district, (i) no building or structure for a multi-family residential use shall be placed or constructed within 110 feet of the lot line of an abutting lot containing an existing single family residential structure; and (ii) except for access driveways and sidewalks, which are permitted, any portion of the lot within said residential district shall be kept open with landscaped areas, hardscaped areas, outdoor recreation areas (e.g., swimming pool) and/or similar open areas.
- (d) On the west side of Chestnut Street, the rear setback shall be 20 feet. On the east side of Chestnut Street, the rear setback shall be 30 feet.
- (e) Seventy percent (70%) of the main datum line of the front facade of the building shall be set back no more than 15 feet, except that periodic front setbacks greater than fifteen (15) feet are allowed if activated by courtyards, landscaping, drive aisles, amenity areas, or other similar site design features that enhance the streetscape. In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board if less than seventy percent (70%) of the main datum line front facade of the building is set back 15 feet.

Building Height Requirements

The maximum building height in the Multi-family Overlay District sub-districts shall be as shown below.

	A-1	B	ASB-MF	CSB	HAB	IND
Maximum Building Height (stories)	3.0	3.0	3.0 ^c	3.0	3.0	3.0
Maximum Building Height (ft) ^{a, b}	40	40	40 ^c	40	40	40

- (a) *Exceptions. The limitation on height of buildings shall not apply to chimneys, ventilators, towers, silos, spires, stair overruns, elevator overruns, mechanical equipment, roof parapets, architectural screening, or other ornamental features of buildings, which features (i) are in no way used for living purposes; (ii) do not occupy more than 25% of the gross floor area of the building and (iii) do not project more than 15 feet above the maximum allowable height.*
- (b) *Exceptions: Renewable Energy Installations. The Site Plan Review Authority may waive the height and setbacks in Subsection 3.17.5.2 Building Height Requirements and Subsection 3.17.5.1 Lot Area, Frontage and Setback Requirements to accommodate the installation of solar photovoltaic, solar thermal, living, and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall be appropriately screened, consistent with the requirements of the underlying district; shall not create a significant detriment to abutters in terms of noise or shadow; and must be appropriately integrated into the architecture of the building and the layout of the site. The installations shall not provide additional habitable space within the development.*
- (c) *In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board for a height of four stories and 50 feet, provided that the fourth story along Highland Avenue and West Street incorporates one or more of the following design elements: (i) a pitched roof having a maximum roof pitch of 45 degrees; (ii) a fourth story recessed from the face of the building by a minimum of 12 feet; and/or (iii) such other architectural design elements proposed by the Applicant and approved by the Planning Board during the Special Permit process.*

Building Bulk and Other Requirements

The maximum floor area ratio or building coverage and the maximum number of dwelling units per acre, as applicable, in the Multi-family Overlay District sub-districts shall be as shown below, except that the area of a building devoted to underground parking shall not be counted as floor area for purposes of determining the maximum floor area ratio or building coverage, as applicable.

	A-1	B	ASB-MF	CSB	HAB	IND
<i>Floor Area Ratio (FAR)</i>	0.50	N/A	1.3 ^{b, c}	0.70	0.70	0.50
<i>Maximum Building Coverage (%)</i>	N/A	25%	N/A	N/A	N/A	N/A
<i>Maximum Dwelling Units per Acre^a</i>	18	N/A	44 ^d	18	N/A	N/A

- (a) *The total land area used in calculating density shall be the total acreage of the lot on which the development is located.*
- (b) *In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board for an FAR of up to 1.7.*
- (c) *In the ASB-MF subdistrict, the following shall not be counted as floor area for purposes of determining the maximum floor area ratio: (i) interior portions of a building devoted to off-street*

parking; (ii) parking garages, structured parking or deck/rooftop parking that are screened from Highland Avenue as required by Section 3.17.6 inclusive of any waiver thereof and from West Street in a manner compatible with the architecture of the building. In the ASB-MF subdistrict, the Applicant may apply for a Special Permit from the Planning Board to exclude additional areas from floor area for purposes of determining the maximum floor area ratio.

- (d) In the ASB-MF subdistrict, multi-family housing may exceed the maximum of 44 dwelling units per acre by special permit.

Off-Street Parking

Multi-family housing projects will be required to provide a minimum of one parking space per dwelling unit in all subdistricts. Parking areas must be designed and constructed in accordance with the current Zoning By-Law parking plan and design requirements.

In the ASB-MF subdistrict, the zoning regulates the visibility of parking structures from Highland Avenue and West Street. In the ASB-MF subdistrict, the façade(s) of all parking garages, structured parking and deck/rooftop parking visible from Highland Avenue must be designed to be generally indistinguishable from the façade(s) of the residential portion of the building(s), and shall allow no view of parked vehicles from Highland Avenue except where such view is intermittent and incidental to the operation of the parking area, such as a view afforded by the opening of an automated garage door.

Affordable Housing

The Multi-family Overlay District requires affordable housing in developments with six or more dwelling units. In such cases, not fewer than 12.5% of housing units constructed shall be set aside as deed restricted affordable housing units for those households with an income at or below 80% of the area median income that applies to subsidized housing in the Town of Needham. For purposes of calculating the number of affordable housing units required in a proposed development, any fractional unit shall be rounded up to the nearest whole number and shall be deemed to constitute a whole unit consistent with Needham's existing zoning. Setting the affordability requirement at 12.5% is intended to help Needham stay above the state requirement under M.G.L. c.40B, §§20-23 that 10% of a town's housing stock qualify as affordable. Lastly, the Town's Economic Feasibility Analysis (EFA) indicates that the 12.5% set aside included in the proposed zoning will not render multi-family housing projects uneconomic. The Town is required to make this showing to EOHLIC in support of any local zoning requiring that more than 10% of multi-family housing units be affordable.

Site Plan Review

The proposed zoning provides for site plan review, to be performed by the Planning Board, of all multi-family housing projects within the Multi-family Overlay District. The requirement in §3A that multi-family housing be allowed "as of right" means that the proposed zoning cannot require other forms of zoning relief such as special permits or variances. See Compliance Guidelines for Multi-family Zoning Districts Under Section 3A of the Zoning Act §4 ("To comply with Section 3A, a multi-family zoning district must allow multi-family housing 'as of right,' meaning that the construction and occupancy of multi-family housing is allowed in that district without the need for a special permit, variance, zoning amendment, waiver, or other discretionary approval.")

Pursuant to Massachusetts case law, the Planning Board cannot deny a site plan review application for a by-right use that complies with the zoning (including the permissible number of units, building dimensions, height, setbacks and development standards). However, the Board can apply reasonable conditions on the project, which may include modifying lighting, adding fencing, reviewing stormwater design for compliance with applicable standards, and adjusting the parking layout and other structural elements on

the site plan. When performing site plan review for a use allowed by right, conditions can also be used to shape a project, but cannot go so far as to unreasonably interfere with or effectively prohibit the project.

All projects will need to comply with the development standards of the Multi-Family Overlay District, Building Code, Fire Code, Health Code, Department of Public Works regulations, state and local wetlands and other environmental regulations. The applicant will be required to demonstrate availability of adequate water, sewer, and utilities to serve a project. The Town is under no obligation to make investments in public infrastructure to make an individual project viable.

Development Standards

The Multi-family Overlay District establishes development standards for the Planning Board to consider when conducting site plan review. The following matters are to be considered: (a) provision of adequate water, sewer, and utility service to the project; (b) protection of pedestrian and vehicular movement within the project site, through the selection of egress points, provision for adequate site distances, and through reasonable mitigation measures for traffic attributable to the project; (c) adequacy of the arrangement of parking and loading spaces in relation to the proposed use; (d) control of off-site light over-spill through controlled luminaires selection, position, and mounting height; (e) adequacy of the methods of disposal of refuse and other wastes resulting from the use of the site; and (f) limitations on construction activities, such as but not limited to, the hours during which construction activity may take place, the movement of heavy equipment on or off the site, measures to control dirt, dust, erosion and to protect existing vegetation on the site.

Design Guidelines

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

ARTICLE 19: AMEND ZONING BY-LAW – MAP CHANGE FOR MULTI-FAMILY OVERLAY DISTRICT (BASE COMPLIANCE PLAN)

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

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

Beginning at the point of intersection of the easterly sideline of Greendale Avenue and the northerly sideline of Charles River; thence running westerly by the easterly line of Greendale Avenue, four hundred forty-two and 36/100 (442.36) feet, more or less; northeasterly by the southerly line of Hamlin Lane, five hundred thirty-five and 44/100 (535.44) feet, more or less; southeasterly by the southerly line of Hamlin Lane, twenty and 22/100 (20.22) feet, more or less; southeasterly by the land of the Commonwealth of Massachusetts, State Highway I-95, five hundred thirty-nine 11/100 (539.11) feet, more or less; southwesterly by the land of the Commonwealth of Massachusetts, State Highway I-95, four hundred sixty-six (466) feet, more or less; northwesterly by the northerly sideline of Charles River, two hundred seventy-six (276) to the point of beginning.

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

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

- (c) Place in the IND Subdistrict of the Multi-family Overlay District a portion of land now zoned Industrial and Single Residence B and located directly to the south and east of Denmark Lane as shown on Needham Town Assessors Map 132, Parcel 2, superimposing that district over the existing Industrial and Single Residence B districts, said description being as follows:

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

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

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

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

Beginning at the point of intersection of the easterly sideline of M.B.T.A. and the northerly sideline of May Street; thence running northeasterly by the easterly sideline of M.B.T.A. to the intersection

with southerly sideline of Rosemary Street; southeasterly by the southerly sideline of Rosemary Street to the intersection with easterly sideline of Highland Ave; southwesterly by the westerly sideline of Highland Avenue to the intersection with the northerly sideline of May St; southwesterly by the northerly sideline of May Street to the point of beginning.

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

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

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

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

- (h) Place in the IND Subdistrict of the Multi-family Overlay District a portion of land now zoned Industrial, Hillside Avenue Business, and Single Residence B and located directly to the east of Hillside Avenue and north of Rosemary Street as shown on Needham Town Assessors Map 100,

Parcels 3, 4, 5, 7, 8, 9, 10, 11, 12, and 61, and Needham Town Assessors Map 101, Parcels 2, 3, 4, 5 and 6, superimposing that district over the existing Industrial, Hillside Avenue Business, and Single Residence B districts, said description being as follows:

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

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

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

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

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

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

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

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

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

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

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDED THAT: Article be Adopted

Article Information: Article 19 describes the geographical area of the Multi-family Overlay District under the Base Compliance Plan. The proposed zoning amendments would amend the Zoning By-Law and the Zoning Map to add the Multi-family Overlay District and the A-1, B, ASB-MF, CSB, HAB and IND sub-districts to be contained within the Multi-family Overlay District. These amendments to the Zoning Map accompany the proposed set of zoning amendments under Article 18 the Base Compliance Plan for purposes of complying with the MBTA Communities Law. The Multi-family Overlay District under the Base Compliance Plan contains approximately 100.3 acres.

COMMUNITY PRESERVATION ACT ARTICLES

ARTICLE 20: APPROPRIATE FOR ON-GOING COLLECTIONS STORAGE UPGRADES AT THE NEEDHAM HISTORY CENTER & MUSEUM

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$46,712 for on-going collections storage upgrades at the Needham History Center and Museum, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from CPA Historic Reserve; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

The Needham History Center and Museum (NHC&M) is requesting funding to support the acquisition of heavy-duty modular shelving, racks and cases to increase storage capacity, dehumidification equipment for its basement storage area, shipping, assembly and disposal of materials. The requested funding will aid in the preservation of NHC&M's collections, increase storage capacity within the same footprint, and make the material more accessible. This will also move the NHC&M closer to its goal of full compliance with the Department of the Interior's Standards for Managing and Preserving Museum Property, which requires a museum to provide adequate storage space, facilitate safe access to objects through the efficient use of storage systems, protect collections from damage, and provide a protected and stable environment.

ARTICLE 21: APPROPRIATE FOR NEEDHAM TRAIL SIGNAGE IMPROVEMENTS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$104,000 for trail signage and improvements, to be spent under the direction of the Town manager, and to meet this appropriation that said sum be transferred from CPA Free Cash; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

The Needham Conservation Department and Commission is requesting funding for the purchase and installation of new aluminum signage, pressure-treated signposts, kiosks, and trail improvements such as bridges, bog walks and trail steps. The goal is to upgrade and expand signage on existing trails and trailheads to increase visibility, safety and ease of use by creating uniformity and incorporating new technologies like QR codes on signs. The signage will be installed on properties under the jurisdiction of the Conservation Commission, the Park and Recreation Commission, the Select Board, and the School Committee.

ARTICLE 22: APPROPRIATE FOR EAST MILITIA HEIGHTS DEVELOPMENT

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$2,840,223 for the creation of new affordable housing at the East Militia Heights Development by the Charles River Center, to be spent under the direction of the Town Manager, and to meet this appropriation that \$741,180 be transferred from CPA Free Cash, and \$2,099,043 be transferred from CPA Receipts; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

The Charles River Center (CRC), in partnership with the Planning Office for Urban Affairs of the Archdiocese of Boston, is requesting funding for construction costs associated with its redevelopment of 3.5 acres of land at 59 East Militia Heights Drive to serve as an integrated housing and education complex where adults with intellectual disabilities can live side by side with people without intellectual disabilities. This project will create 86 new units of affordable housing for households earning at or below 30% to 80% AMI. Approximately half of the units will be available through a closed referral system for people with autism and intellectual/developmental disabilities. In addition to housing, CRC will provide comprehensive wrap-around services to support individuals whose goal is to live independently within the community. Five of these units will be set aside for CRC staff (earning at or below 80% AMI) who will provide after-hours support to residents, on an emergency basis. The remaining units will be available to the general public as traditional affordable housing units. The project design envisions a four-building, integrated community setting with a community center that will be the core of this inclusive community, while also welcoming the surrounding neighborhood. The requested CPA funds are one component of the total project financing, which is estimated at \$50 million. The balance of funding for this project will be raised through various non-Town funding sources.

ARTICLE 23: APPROPRIATE FOR PRESERVATION OF SEABEDS WAY

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$3,200,000 for the preservation of Seabeds Way, to be spent under the direction of the Town Manager, and to meet this appropriation that \$872,545 be transferred from the CPA Housing Reserve, \$17,255 be transferred from CPA FY2025 General Reserves, and \$2,310,200 be transferred from CPA Free Cash; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

The Needham Housing Authority (NHA) is requesting funding for construction costs associated with the preservation of the 46 affordable public housing units at the Seabeds Way property for households with incomes at or below 80% AMI. CPA funds will be used for critical upgrades including building envelope, replacement of windows, roofs, siding, and outmoded building systems that affect tenant safety. This project enables the repositioning of housing at Seabeds Way from the Section 9 federal public housing program to the Section 8 program, which allows the NHA to transfer freed-up public housing rental subsidies to the Linden Street redevelopment project. The requested CPA funds are one component of the total project financing, which is estimated at over \$20 million. The balance of funding for this project will be raised through various non-Town funding sources.

ARTICLE 24: APPROPRIATE FOR ACTION SPORTS PARK & PICKLEBALL COURTS DESIGN

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$300,000 for the design of an action sports park and pickleball courts, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from CPA Free Cash; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

The Needham Park and Recreation Department is requesting funding for the design of an action sports park (including a pump track) and pickleball courts. A feasibility study for this project was funded in FY2024, and the Town engaged the engineering firm CHA Solutions to conduct a feasibility study of Mills, Hillside, Cricket, and Claxton fields as possible locations for these amenities. After conducting site visits, meeting with neighbors and convening a working group, the Park and Recreation Commission and CHA Solutions determined that Claxton Field was the best location for the amenities.

ARTICLE 25: APPROPRIATE FOR ELIOT SCHOOL GROUNDS RENOVATION (DESIGN)

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$69,960 for the design of the Eliot School grounds renovation project, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from the CPA FY2025 General Reserves; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

The Needham Department of Public Works and Needham Park and Recreation Department are requesting funding for the design of improvements to Eliot School fields, courts and playgrounds. The fields are showing signs of age due to poorly draining subsurface materials which impact the health of the turf and make the fields more expensive to maintain. The playground at Eliot is past its useful life and presents maintenance challenges due to wood fiber migration. There is also a lack of accessible and sensory playground equipment. The playground would be redesigned with a poured-in-place protection surface that presents fewer maintenance challenges and can be properly contained in the play area. Accessible and interactive sensory playground pieces would also be incorporated.

ARTICLE 26: APPROPRIATE FY2026 CPA BUDGET AND RESERVES

To see if the Town will vote to hear and act on the report of the Community Preservation Committee; and to see if the Town will vote to appropriate a sum pursuant to Massachusetts General Law Chapter 44B from the estimated FY2026 Community Preservation Fund revenues, or to set aside certain amounts for future appropriation, to be spent under the direction of the Town Manager, as follows:

Appropriations:

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

Reserves:

- | | | |
|--|----|---------|
| B. Community Preservation Fund Annual Reserve: | \$ | 0 |
| C. Community Housing Reserve: | \$ | 0 |
| D. Historic Resources Reserve: | \$ | 0 |
| E. Open Space Reserve: | \$ | 438,000 |

or take any other action relative thereto.

INSERTED BY: Community Preservation Committee
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

Town Meeting and voters approved the Community Preservation Act in 2004. The Fund receives monies through a 2.0% surcharge on local real estate property tax bills with certain exemptions. Adoption of the Act makes the Town eligible to receive additional monies on an annual basis from the Massachusetts Community Preservation Fund. Any expenditure from the Community Preservation Fund must be both recommended by the Community Preservation Committee (CPC) and approved by Town Meeting. The law requires that at least 10% of the revenue be appropriated or reserved for future appropriation for each of the following purposes: community housing, historic preservation, and open space. The Town traditionally sets aside 11% of the estimated fiscal year receipts to account for any changes to the revenue estimate or State match that may occur during the year. In prior years, the CPC has voted to increase the amount set aside in the Community Housing Reserve to 22% of the estimated revenue for the year to ensure that at a minimum of 20% of the actual CPA receipts are appropriated or reserved for future appropriation for Community Housing. Up to 5% of the annual revenue estimate may be utilized for the administrative and operational expenses of the Community Preservation Committee. At the end of the fiscal year, unspent administrative funds return to the CPA Fund. This year, the CPC has voted to appropriate the amount required to allocate towards Community Housing and the remaining funds typically appropriated for the Annual Reserves directly to Community Housing projects.

CAPITAL ARTICLES

ARTICLE 27: APPROPRIATE FOR GENERAL FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$4,558,050 for General Fund Cash Capital, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

Group	Description	Recommended	Amendment
Community Services	Library Technology	\$54,000	
Community Services	Trail Resurfacing and Improvements	\$75,000	
General	General Government Technology Replacements	\$896,000	
General	Town Copier Replacement	\$28,000	
General	Town Facility Replacement Furniture and Office Fixtures	\$40,000	
Public Safety	LIFEPAK 35 Defibrillator/Monitor	\$62,842	
Public Safety	Personal Protective Equipment	\$103,958	

Public Works	Building Management System Upgrades	\$229,000	
Public Works	HVAC Upgrades	\$80,000	
Public Works	Specialty Equipment	\$28,000	
Public Works	Stormwater Quality Improvements (NPDES)	\$500,000	
Public Works	Sustainable Building Retrofit Program	\$100,000	
Schools	School Copiers	\$60,000	
Schools	School Furniture	\$25,000	
Schools	School Technology	\$577,875	
Transportation Network	Transportation Safety Committee Improvements (Traffic Improvements)	\$100,000	
Multiple	Fleet Program	\$1,598,375	
	Total	\$4,558,050	

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

Library Technology

Unless circumstances require otherwise, this request is for the replacement of staff laptops/tablets, upgrade of the public scan station, and the replacement of the Community Room Central Processing Unit (CPU).

Trail Resurfacing and Improvements

This request is for repairs and maintenance of the Bay Colony Rail Trail. The 1.7-mile stretch of the trail from the Charles River Peninsula to High Rock was constructed in 2016. Since that time, the stone dust surface has worn down, becoming uneven and experiencing drainage issues. This project includes removing all loose materials and installing new fill to make the path safer and maintain accessibility. Drainage issues will be addressed and preventative measures will be taken to reduce deterioration in areas that are prone to puddling and erosion.

General Government Technology Replacements

This funding request is for the replacement of technology assets across Town departments, to include network infrastructure replacement, twelve exterior security cameras at the Center at the Heights (CATH), audio-visual equipment at the CATH (Conference Room 1 and Activity Room 2), and door access controllers at all Town buildings.

Town Copier Replacements

The funding request is for two (2) copiers in the following locations: Town Hall Mail Room and Rosemary Recreation Center Main Floor.

Town Facility Replacement Furniture and Office Fixtures

This funding request is for the replacement of furniture in Town Hall and the Public Services Administration Building. These facilities were equipped with new furniture when they reopened and opened in 2011 and 2010 respectively. In FY2025, desk and conference room chairs were replaced. In FY2026, target furniture for replacement will be non-ergonomic work set-up, to include procurement of standing desks.

Lifepak 35 Defibrillator/Monitor

This funding request will replace lifesaving hardware for public safety personnel. The Physio Lifepak 35 (LP35) is the industry standard cardiac defibrillator/monitor that the Department will use on frontline rescues, upgrading from the current Lifepak 15. The average lifespan for this piece of equipment is estimated to be about five years.

Personal Protective Equipment

This funding request will replace Personal Protective Equipment (PPE) – known as "bunker gear" – for 20% of all firefighting personnel on an annual basis. This is to ensure the life span of the equipment does not exceed the 10-year guideline. All line personnel now have two sets of PPE available. By having a second set of PPE, fire personnel are able to clean one set after an incident while remaining in service for other emergencies. Properly maintaining PPE helps ensure its expected longevity and can significantly reduce long term health risks faced by personnel.

Building Management System Upgrade

The Town maintains a Building Management System (BMS) to manage the heating, ventilation, and air conditioning (HVAC) for all major facilities throughout Town. This system consists of internal sensors in the HVAC components and a back-end software product that allows Building Maintenance staff to review and diagnose HVAC issues both remotely and on-site. This request is to upgrade and standardize all of the existing systems so that the Town is only maintaining one system. The new system will simplify the hardware and software in each building, and take advantage of newer and more robust technologies. Unless circumstances require otherwise, the updates will be conducted at the Newman School and the Rosemary Recreational Complex.

HVAC Upgrades

This request is for the design phase of Needham High School HVAC system improvements. The roof and accompanying rooftop HVAC units 17 and 18 at the High School have sections ranging from three years old to 25 years old. The roof section over the auditorium is the oldest section with the oldest rooftop units (RTUs), which are failing more often and working less efficiently than the others on the building, wasting energy and requiring more costly maintenance. The design will determine the best way to replace the equipment with modern units and components that are more efficient and require less frequent repairs.

DPW Specialty Equipment

This request is for large equipment that fits the definition of capital but is not included in the fleet request because the equipment is not a registered vehicle. Specialty equipment proposed for FY2026 is for a Dynapac Roller (\$28,000) for the Streets and Transportation Division.

Stormwater Quality Improvements (NPDES)

This funding request is for the identification of opportunities for stormwater quality improvements. Such opportunities are vital for the Town to achieve full compliance with federal stormwater standards.

Sustainable Building Retrofit Program

This funding request is for lighting upgrade projects at the Broadmeadow School, converting their existing outdated lighting to high-efficiency LED systems, in addition to other sustainable building retrofit projects as funding allows. Similar projects have been successfully completed in the past few years at the Pollard, Newman, Mitchell, and Hillside schools, and these projects would be modeled on those. Building

Maintenance plans to continue these lighting upgrade projects at all Town and School buildings wherever feasible to reduce energy consumption and to take advantage of state programs that subsidize their cost. Any funds available will be used to supplement grant funding that may become available to assist in identifying plans and best practices on how to sustainably update the Town's buildings.

School Copiers

This funding request is to replace four copiers in the following locations: Newman Main Office, Newman Lower Level, NHS Grade Level Office, and High Rock Main Office. School photocopiers in all school buildings are used both by administrative and teaching staff. Copiers which are heavily used are replaced more frequently than copiers that are lightly used. The average life cycle is calculated at seven years, although planned replacement ages range from five to nine years, depending on use. It is important to replace machines regularly, even if they have not yet reached maximum copy allowances, given the additional operating expense associated with servicing and maintaining older equipment, as well as the difficulty in obtaining replacement parts. This analysis also assumes that copiers are re-deployed around the District as needed, to better match projected usage with equipment capacity.

School Furniture

This funding request is a recurring capital item to replace furniture in poor and fair condition and to provide new classroom furniture as needed for new enrollment or replacement purposes.

School Technology

This funding request is a recurring capital item to fund the School Department technology replacement program. This program funds replacement of desktop computers, printers, classroom audio visual devices, specialized instructional labs, projectors, video displays, security cameras and electronic door access controllers. The request also incorporates funding for school technology infrastructure, which consists of servers, network hardware, wireless infrastructure, data cabling and access points. The FY2026 School Technology request includes \$113,000 for network security and \$464,875 for infrastructure replacement.

Transportation Safety Committee Projects

This request is for funding construction-related transportation safety projects and interventions in response to resident petitions, including roadway geometry changes, accessibility ramps, crosswalks, flashing LED pedestrian signs, speed radar signs, "Stop", "School Zone", and "Children Playing" signs, and other pedestrian improvements. In 2023, the committee transitioned from the Traffic Management Advisory Committee (TMAC) to the Transportation Safety Committee (TSC), which has a wider scope and range of interventions.

General Fund Core Fleet Replacement

Unit	Existing	Division	Year	Replacement	Amount
143	Volvo L90H Loader	DPW Streets and Transportation	2019	Loader	\$434,910
579	Ford Explorer Interceptor	Police Department	2014	Equinox AWD	\$41,181
Bus 1	Blue Bird School Bus	Needham Public Schools	2017	School Bus (Electric)	\$375,437
C-02	Chevy Tahoe	Fire Department	2021	Public Safety Response Vehicle	\$108,627

R-04	Ford E450 Ambulance	Fire Department	2017	Ambulance	\$638,220
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ARTICLE 28: APPROPRIATE FOR ELIOT SCHOOL BOILER REPLACEMENT

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$560,000 for the purpose of replacing the Eliot School boiler, to be expended under the direction of the Permanent Public Building Committee and the Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: This article will fund the construction phase of the Eliot School boiler replacement project. The new boilers will be high efficiency condensing boilers and replace older units suffering increasingly frequent and expensive repairs.

ARTICLE 29: APPROPRIATE FOR LIBRARY RENOVATION

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$2,386,000, for the purpose of renovating the young adult area at the Needham Public Library, including all costs incidental or related thereto; said amount to be expended under the direction of the Permanent Public Building Committee and the Town Manager, and to meet this appropriation that the Treasurer, with the approval of the Select Board, is authorized to borrow said sum under Massachusetts General Law Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: This article will fund the construction phase of the Young Adult Area redesign. The construction would implement the results of the design phase, which was funded in FY2025. This project will create an expanded and enclosed young adult area on the second floor, which will provide a more appropriate space for Needham's teen population, while supporting other patrons' seeking quiet spaces.

ARTICLE 30: APPROPRIATE FOR NEEDHAM HIGH SCHOOL STAIR REPAIR

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,040,000, for Needham High School stair repairs, to be expended under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: This article will fund the construction phase of the Needham High School stair repair project. This project would include a comprehensive repair of the exterior staircase at the High School,

closing gaps between the risers and treads, restoring the structural integrity of the brick railings with new masonry, patching holes and/or spreading new concrete across the apron, and generally restoring the structure to its original specification and safe functionality.

**ARTICLE 31: APPROPRIATE FOR NEWMAN SCHOOL THEATRICAL LIGHTING,
SOUND, AND RIGGING REPAIRS**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,812,820 for the purpose of upgrading the Newman School theatrical lighting, sound and rigging equipment, including all costs incidental or related thereto; said amount to be expended under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: This article will fund repairs at the Newman School Auditorium, including items ranging from electrical safety improvements, updated microphone systems, orchestra inputs, improved speaker system, updated AV inputs, replacement of lighting systems with LED infrastructure, and modernized rigging.

**ARTICLE 32: APPROPRIATE FOR CENTER AT THE HEIGHTS RENOVATION
DESIGN**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$395,000 for Center at the Heights Renovation Design, to be expended under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: This article will fund the design of three projects at the Center at the Heights: the expansion of the kitchen, expansion of fitness facilities, and modification of the rear entrance to an accessible entrance way. The kitchen renovation will allow the CATH to produce a higher volume of meals to augment current and future programming for seniors and, if necessary, to support the Traveling Meals program. The fitness room expansion, accomplished by swapping the current fitness room with the existing game room, will allow the CATH to meet current fitness programming and service demand that is not met by the existing set-up. The rear entry modifications will add accessibility features to the doorway most proximate to a majority of handicapped accessible parking spaces.

**ARTICLE 33: APPROPRIATE FOR PUBLIC WORKS FACILITIES
IMPROVEMENTS/COGSWELL BUILDING**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$19,600,000 for Public Works Facility Improvements and the Cogswell Building Expansion, including all costs incidental or related thereto; said amount to be expended under the direction of the Permanent Public Building

Committee and Town Manager, and to meet this appropriation the Treasurer, with the approval of the Select Board, is authorized to borrow said sum under Massachusetts General Law Chapter 44, Section 7; that the Town Manager is authorized to apply for, accept and expend any federal or state aid, utility energy efficiency, renewable energy and electrification rebates, incentives, tax credits or any other available aid for the project, which shall be expended in addition to the amount appropriated by this vote; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: This article will fund the continued phased plan to upgrade DPW facilities Townwide. This phase includes the construction of a new fleet maintenance facility as an expansion of the Jack Cogswell Building to house the Fleet Maintenance Division, including fleet storage and the equipment and facilities needed for their daily operations.

ARTICLE 34: APPROPRIATE FOR PUBLIC WORKS INFRASTRUCTURE

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$5,069,000 for the Public Works Infrastructure Program, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: This request is for the Public Works Infrastructure Program which allows the Department of Public Works to make improvements and repairs to Town infrastructure, including but not limited to roads, bridges, sidewalks, intersections, drains, brooks, and culverts.

Street Resurfacing

The Town aims to resurface 17 lane miles (or 120,000 square yards) per year, either through traditional milling and paving, micro surfacing, or rubber chip seal surface treatments, as appropriate. The cost per lane mile for resurfacing is currently \$134,000 or more per lane mile. A basic overlay at 1.5 inches with asphalt berm curb and casting adjustments is \$110,000 per lane mile. The cost of micro surfacing treatments and rubber chip seal surfacing treatments are approximately \$6.19 per square yard. Target funding for street resurfacing in FY2026 is [amount].

Sidewalk Program

Contract pricing to reconstruct one mile of asphalt sidewalk with incidental costs is estimated to be \$469,500, and contract pricing to install a mile of granite curb with minor drainage improvements and incidental costs is estimated to be \$505,190. These costs do not include engineering, design, tree removal and replacement, major drainage improvements, or major public or private property adjustments. Target funding for the sidewalk program in FY2026 is [amount].

ADA Ramp Upgrades

The Town is mandated by federal law to install new or upgrade existing curb ramps to Americans with Disabilities Act (ADA) standards whenever making a significant alteration to the roadway. On average, a curb ramp upgrade costs \$9,000, with some streets having as many as 10-15 ramp locations. These costs include granite curbing, sidewalk rehabilitation of the adjacent area, and incidentals, such as the relocation of existing drainage features. In a typical year the Resurfacing Program's projects impact approximately 50 curb ramps. This funding will be used to ensure compliance with state and federal disability laws and

improve access across the Town's sidewalk network. Target funding for the ADA Ramp Upgrades in FY2026 is [amount].

Intersection Improvements

This request is for improvements at the Central Avenue and Great Plain Avenue intersection. There have been challenges with maintaining an appropriate traffic flow through this intersection since it was constructed in the 1990s, mainly due to property size limitations. There is a historic property on one corner that limits the design. The existing intersection design also does not provide the ideal traffic patterns for multiple modes of transportation. This project would include geometric improvements and a replacement/improvement of the traffic signal system. The new traffic signal system would feature modern technology that is better able to control the flow of traffic through the intersection, reducing traffic back-ups. This request is for the construction phase of the project – the design phase was funded in FY2023. Target funding for Intersection Improvements for FY2026 is [amount].

ARTICLE 35: APPROPRIATE FOR QUIET ZONE CONSTRUCTION

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$3,500,000, for the purpose of quiet zone construction, including all costs incidental or related thereto; said amount to be expended under the direction of the Town Manager, and to meet this appropriation that the Treasurer, with the approval of the Select Board, is authorized to borrow said sum under Massachusetts General Law Chapter 44, Section 7; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: This article will fund the construction phase of the Quiet Zone project, involving the installation of Supplemental Safety Measures at five at-grade crossings (Oak Street, Great Plain Avenue, May Street, Rosemary Street, and West Street) to establish a Quiet Zone for Needham. Funding for the design phase of this project was approved in FY2025.

ARTICLE 36: APPROPRIATE FOR SEWER ENTERPRISE FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$195,000 for Sewer Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, and to meet this appropriation that \$161,615 be transferred from Article 8 of the October 2021 Special Town Meeting and that \$33,385 be transferred from Sewer Enterprise Fund Retained Earnings; or take any other action relative thereto.

Group	Description	Recommended	Amendment
Sewer	Cook's Bridge Sewer Pump Station Replacement	\$195,000	
Total		\$195,000	

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: The existing steel canister-style pump station at Milo's-Cook's Bridge is beyond its designed life cycle. Pump and mechanical failures are leading to emergency shutoffs more frequently, and replacement parts are no longer made in the existing sizes and shapes. The capacity of the pumps and the sewer force main needs to be re-evaluated to determine current flow and system capacity upgrades to handle the current volume of sewage flowing to this location. This article is to fund the design and construction of a new sewer pump station and force main that will be more efficient to operate and require less maintenance.

ARTICLE 37: APPROPRIATE FOR INFILTRATION AND INFLOW PROGRAM

To see if the Town will vote to raise, appropriate and/or transfer the sum of \$1,000,000 for sewer system rehabilitation, to be spent under the direction of the Select Board, including without limitation all costs thereof as defined in Section 1 of M.G.L. Chapter 29C, that to meet this appropriation the Treasurer, with the approval of the Select Board, is authorized to borrow said sum under M.G.L. Chapter 44, Section 7, M.G.L. Chapter 29C or any other enabling authority; that the Treasurer, with the approval of the Select Board, is authorized to borrow all or a portion of the amount from the Massachusetts Water Pollution Abatement Trust (MWPAT) established pursuant to M.G.L. Chapter 29C and/or the Massachusetts Water Resources Authority (MWRA) and in connection therewith, to enter into a loan agreement and/or security agreement with the MWPAT and/or loan agreement and financial assistance agreement with the MWRA with respect to such loan; that the Select Board be authorized to contract with the MWPAT, the MWRA and the Department of Environmental Protection with respect to such loan and for any federal, state or other aid available for the project or for the financing thereof; that the Select Board or other appropriate local official is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; and that the Select Board is authorized to expend all funds available for the project and take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: This article will fund an Infiltration and Inflow (I/I) conditions assessment, and the development and initial implementation of DPW's mitigation program. The Town of Needham is under Administrative Orders from the DEP to identify and remove I/I in its existing sewer systems. To do so, the Department of Public Works requires the services of an engineering consultant to collect and analyze existing data and I/I mitigation efforts, perform location testing, monitor flows, map and prioritize sections of the wastewater network, and assist with securing supplementary funding from the MWRA.

ARTICLE 38: APPROPRIATE FOR WATER ENTERPRISE FUND CASH CAPITAL

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$977,985 for Water Enterprise Fund Cash Capital, to be spent under the direction of the Town Manager, and to meet this appropriation that said sum be transferred from Water Enterprise Fund Retained Earnings; or take any other action relative thereto.

Group	Description	Recommended	Amendment
Water	Charles River Water Treatment Plan HVAC Upgrades	\$405,000	

Water	Water Distribution System Improvement Master Plan	\$250,000	
Water	Water Distribution System Improvements Design	\$49,500	
Water	Water Core Fleet	273,485	
Total		\$977,985	

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information:

Charles River Water Treatment Plan HVAC Upgrades

This funding will allow for the upgrade of the dehumidification systems at the Water Treatment Plant. Future phases will be requested next year to complete these upgrades. The Charles River Water Treatment Plant is over 20 years old. The heating, ventilation, and air conditioning (HVAC) controls are at the end of their useful life. This article will be used to implement the designed options for a dehumidification system and additional electrification of the HVAC systems. The Water Treatment Plant is the second highest user of energy in Town and so any upgrades will include increased energy efficiency modifications.

Water Distribution System Improvement Master Plan

This article will fund a master plan to study and prioritize potential water distribution system improvements. The existing master plan is outdated and does not reflect current needs, priorities or federal and state regulations. The Town is now obligated to develop and maintain Risk and Resilience Assessments (RRAs) to safeguard public water infrastructure from natural or human-caused hazards such as floods, hurricanes, or contamination events.

Water Distribution System Improvements Design

This article will fund the design phase of replacing approximately 500 linear feet of 8-inch water main on Mills Road from Sachem Road to Davenport Road and Mayo Avenue from Harris Avenue to Great Plain Avenue.

Water Core Fleet

Unit	Existing	Division	Year	Replacement	Amount
160	Wach Utility	DPW Water	2013	Specialty Equipment Trailer	\$96,717
26	Ford F250 Super Duty XL	DPW Water	2018	Work Truck Class 3	\$92,503
27	Ford F150 Super Duty XL	DPW Water	2018	Pickup (Electric)	\$84,265

ARTICLE 39: APPROPRIATE FOR WATER SERVICE CONNECTIONS

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$500,000 for the water service connection program to be spent under the direction of the Town Manager and to meet this appropriation that said sum will be transferred from [source]; or take any other action relative thereto.

Article Information: This request is for funding to develop a plan to document and identify all known and unknown water service pipe materials and their locations, confirm the unknown services through test pit excavation, and remove old lead or plastic service connections wherever they exist, replacing them with new copper service piping. Services identified for replacement could range from supply mains into residential homes just prior to the water meters.

ARTICLE 40: RESCIND DEBT AUTHORIZATION

To see if the Town will vote to rescind a portion of certain authorizations to borrow, which were approved at prior town meetings, where the purposes of the borrowing have been completed, and/or it was unnecessary to borrow the full authorization:

Project	Town Meeting	Article	Authorized	Rescind
Public Works Storage Facility	2018 ATM	35	\$3,503,000	\$35,000
Public Safety Buildings Construction	2021 STM (May)	37	\$1,400,000	\$1,324,900
Total				\$1,359,900

or take any other action relative thereto.

INSERTED BY: Select Board
FINANCE COMMITTEE RECOMMENDS THAT:

Article Information: When a project is financed by borrowing, the project has been completed, and the bills have been paid, the balance of the authorization that was not borrowed and not reserved for other project obligations may be rescinded. A Town Meeting vote to rescind prevents the Town from borrowing the amount rescinded and frees up borrowing capacity. In some cases, the full appropriation for a project is not required, due to changes in scope, cost saving measures, or favorable bids.

GENERAL & COMMITTEE ARTICLES

ARTICLE 41: AMEND GENERAL BY-LAWS – CONTRACT PROCEDURES

To see if the Town will vote to amend Section 2.1.3 (Contract Procedures) of the General By-Laws by:

1. Deleting the line that reads “Purchase of oil and fuel 5” and inserting in its place “Purchase of energy resources, electricity, fuel, propane and natural gas, and oil 5”; and
2. Deleting the line that reads “Software License and/or Maintenance Agreements . . . 10” and inserting in its place “Software license, maintenance and/or hosting agreements . . . 10”;

or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: The General Bylaws of the Town allow the length of a contract for the purchase of oil and fuel to run for five years. The proposed amendment would allow the expansion of the purchase of oil and fuel to include all energy resources including electricity, fuel, propane and natural gas as well as oil. This change will allow the Town to consider the most favorable bids for these commodities. The General Bylaws also provide for a ten year contract for software licenses and maintenance agreements. The information technology world is evolving, and this amendment would extend the longer contract period to hosting agreements as well. The Town has found that hosting agreements are increasingly a part of its IT-related contracts, and believes it helpful to make express in this section of the General Bylaws that these agreements are also subject to the ten year term, just like software license and maintenance agreements.

ARTICLE 42: ACCEPT M.G.L. c.59, §5 CLAUSES 22I AND 22J (VETERANS PROPERTY TAX EXEMPTIONS)

To see if the Town will vote to accept the provisions of M.G.L. c.59, §5 clause Twenty-second I, to allow abatements granted to those qualifying pursuant to clause Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second E or Twenty-second F to be increased annually by an amount equal to the increase in the cost of living as determined by the Consumer Price Index for such year; and to accept the provisions of M.G.L. c.59, §5 clause Twenty-second J and to grant an additional exemption of [100] per cent to those qualifying for an exemption pursuant to clause Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second E or Twenty-second F; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: In August, 2024 the Legislature passed and the Governor signed the HERO Act. The Act adds two new local options that increase certain veteran exemption amounts in M.G.L. c.59, §5 which is the statute that establishes local property tax exemptions for individuals and organizations. Clause 22I would increase the amount of the tax exemption granted to veterans on their domiciles under other clauses of Section 5 by a cost-of-living adjustment (COLA) determined by the Department of Revenue (DOR) based on the consumer price index (CPI). This would work like the annual COLA adjustment determined by DOR that was already adopted in Needham for certain senior exemption amounts and financial means standards. For example, if a Clause 22 recipient will receive a \$400 exemption and the CPI increases by 5%, the total exemption amount would increase to \$420.

Clause 22J provides an additional exemption up to 100% of the amount of the tax exemption granted to veterans on their domiciles under other clauses of Section 5. This would work like the optional additional exemption that was already adopted in Needham for all persons granted exemptions on their domiciles as veterans, seniors, blind persons, and surviving spouses. As with the general additional exemption, the application of the Clause 22J exemption cannot reduce the tax owed below what the taxpayer would owe on 10% of the current assessed valuation of the domicile. However, unlike the general additional exemption, the exemption granted to veterans can result in the taxpayer paying less than the taxes paid in the preceding fiscal year.

ARTICLE 43: INCREASE CONTRIBUTORY RETIREMENT COLA ALLOWANCE

To see if the Town will vote to increase the maximum base upon which the retiree cost of living (COLA) is calculated from \$16,000 per year to \$18,000 per year in accordance with Chapter 32, Section 103(j) and Section 19 of Chapter 188 of the Acts of 2010; or take any other action relative thereto.

Article Information: The purpose of this article is to increase the base amount upon which the retiree Cost-of-Living Adjustment is paid. MGL, Chapter 32, Section 103(j) and Section 19 of Chapter 188 of the Acts of 2010 allows a Contributory Retirement Board, with the approval of Town Meeting, to increase the base amount upon which the Cost-of-Living adjustment paid to retirees is calculated. An increase of the base from \$12,000 to \$14,000 was approved at the 2015 Annual Town Meeting, and an increase from \$14,000 to \$16,000 was approved at the 2022 Annual Town Meeting. If approved, this article would increase the maximum COLA a retiree can receive from \$480 per year to \$540 per year even if their pension exceeds \$18,000. The decision to grant a COLA and at what amount is made annually by vote of the Needham Contributory Retirement Board and, absent legislative action, is capped at 3% per year.

INSERTED BY: Retirement Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

TOWN RESERVE ARTICLES

ARTICLE 44: APPROPRIATE TO ATHLETIC FACILITY IMPROVEMENT FUND

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$23,725 to the Athletic Facility Improvement Fund, as provided under the provisions of Massachusetts General Law Chapter 40, Section 5B, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: Massachusetts General Law Chapter 40, Section 5B, allows the Town to create one or more stabilization funds for different purposes. A stabilization fund is a special reserve fund into which monies may be appropriated and reserved for later appropriation for any lawful municipal purpose. Monies accumulated in a stabilization fund carry forward from one fiscal year to another. Interest earned from the investment of monies in the stabilization fund remains with that fund. Town Meeting by majority vote may appropriate into the fund and by a two-thirds vote appropriate from the fund. The 2012 Annual Town Meeting approved the creation of the Athletic Facility Improvement Fund to set aside capital funds for renovation and reconstruction of the Town's athletic facilities and associated structures, particularly at Memorial Park and DeFazio Park. The balance in the fund as of January 1, 2025 was \$202,706.

ARTICLE 45: APPROPRIATE TO CAPITAL FACILITY FUND

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$435,138 to the Capital Facility Fund, as provided under the provisions of Massachusetts General Law Chapter 40, Section 5B, and

to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Select Board

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information: Massachusetts General Law Chapter 40, Section 5B, allows the Town to create one or more stabilization funds for different purposes. A stabilization fund is a special reserve fund into which monies may be appropriated and reserved for later appropriation for any lawful municipal purpose. Monies accumulated in a stabilization fund carry forward from one fiscal year to another. Interest earned from the investment of monies in the stabilization fund remains with that fund. Use of the monies in the Fund may only be approved by Town Meeting appropriation. Over time, as the fund grows and is supported, it will be one of the tools in the overall financial plan of the Town. Maintaining and supporting such funds is looked upon favorably by the credit rating industry. The balance in the fund as of January 1, 2025 was \$2,176,406.

CITIZENS PETITIONS

ARTICLE 46: CITIZENS' PETITION – LEAF BLOWERS

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

1. Adding a new Section 3.14 to read as follows:

Section 3.14 LEAF BLOWER CONTROL

3.14.1 Purpose. The reduction of noise caused by gas-powered leaf blowers is the primary purpose of this Leaf Blower Control By-law. Reduction of air pollution due to combustion of gasoline and oil-based fuels is a secondary benefit.

3.14.2 Definitions.

“Leaf Blower”- Any powered machine used to blow leaves, dirt, and other debris by forced air for landscape maintenance, including cleaning of downspouts and gutters.

“Gas-powered leaf blower” – A leaf blower powered by gas or gas and oil.

“Electric-powered leaf blower” – A leaf blower powered by attaching a cord to an electricity source or rechargeable batteries.

“Commercial landscaper” – A person or entity that receives compensation to utilize landscaping equipment on another’s property.

“Resident” – The legal owner of record of real property operating on their own property; tenants operating on the property for which they hold a lease; and condominium associations operating on condominium property.

“Property Manager” shall mean any tenant in possession or person or entity in control of real property, including, but not limited to, a condominium association.

“Town” shall mean the Town of Needham, Massachusetts.

3.14.3 Limitations on Use.

- a. Effective January 1, 2026, the use of gas-powered leaf blowers is prohibited between May 15 and September 30. This prohibition applies to commercial landscapers, residents and property managers. Electric-powered leaf blowers may be operated during this time.
- b. The provisions of this bylaw shall not apply to the Department of Public Works or its agents performing work on Town property.

3.14.4 Penalties and Enforcement.

- a. The Director of Health and Human Services and any designated agent within the Public Health Division shall be responsible for enforcing this bylaw. The Public Health Division may take notice of any date- and time-stamped photo or video submitted by a Needham resident, accompanied by a sworn statement attesting to the authenticity of such photo or video, showing a violation of this bylaw.
- b. Non-criminal dispositions as provided for in Section 8.2.2 shall be assessed against the owner of the property on which the violation occurs.

3.14.5 Regulations.

- a. The Director of Public Works shall have the authority to waive temporarily any of the limitations on the use of Leaf Blowers set forth in this bylaw in order to aid in emergency operations or clean-up associated with storms. In the event of issuing a temporary waiver, the Director of Public Works shall post a notice on the Town of Needham’s internet home page and make other good faith efforts to notify the public.

3.14.6 Severability.

Each separate provision of this section shall be deemed independent of all other provisions herein, and if any provision of this section be declared to be invalid by the Attorney General or a court of competent jurisdiction, the remaining provisions of this section shall remain valid and enforceable.

2. Inserting in the table contained in Section 8.2.2 (Non-Criminal Disposition), in appropriate numerical order, a new row to read as follows:

3.14_	Leaf Blower Control	Warning – 1st Offense \$100 – each subsequent	Per Offense	Director of Health and Human Services or Designee
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INSERTED BY: David Rudolph, et. al.
FINANCE COMMITTEE RECOMMENDS THAT:

ARTICLE 47: CITIZENS' PETITION – NUCLEAR DISARMAMENT

Moved, that Town Meeting adopt the following Resolution, or take any other action in relation thereto:

WHEREAS, the May, 2019 Needham Town Meeting passed an article calling upon our federal leaders and our nation to make nuclear disarmament the centerpiece of U.S. national security policy and to implement the national "Back from the Brink" platform, which calls on our federal leaders to work toward the goal of signing the Treaty on the Prohibition of Nuclear Weapons and to take immediate steps to prevent nuclear war by actively pursuing a verifiable agreement among nuclear-armed states to eliminate their nuclear arsenals, renouncing the option of using nuclear weapons first, ending the President's sole, unchecked authority to launch a nuclear attack, taking U.S. nuclear weapons off hair-trigger alert, and canceling the plan to replace its entire arsenal with enhanced weapons; and

WHEREAS, there are now specific bills filed in the Massachusetts Senate and the U.S House of Representatives that make the same proposals as the article passed by the May, 2019 Needham Town Meeting; and

WHEREAS, nuclear war would directly kill hundreds of millions of people and cause unimaginable environmental damage; and

WHEREAS, there is a high probability that a nuclear war would lead to catastrophic climate disruption dropping temperatures across the planet to levels not seen since the last ice age, thus resulting in the starvation of the vast majority of the human race, quite possibly leading to our extinction and the extinction of multiple other species; and

WHEREAS, even the use of a tiny fraction of the more than 12,000 weapons currently in existence would cause worldwide climate disruption and global famine; e.g., as few as a 100 Hiroshima-sized bombs (small by modern standards) would put at least 5 million tons of soot into the upper atmosphere and cause climate disruption across the planet, decimating food production and putting 2 billion people at risk of starvation; and

WHEREAS, despite the notion that these arsenals exist solely to guarantee they will never be used, on multiple occasions nuclear-armed states have proceeded to the brink of using these weapons, and their use was narrowly averted; and

WHEREAS, the Russian invasion of Ukraine, the repeated threats to use nuclear weapons and Communist China's plans to increase its arsenal have dramatically increased the danger of nuclear war; and

WHEREAS, although it is the federal government and not the state or municipal governments which have jurisdiction over matters relating to nuclear weapons, it has been shown that local policies can lead the way to important and necessary changes at the federal level and even internationally; and

WHEREAS, the Commonwealth of Massachusetts played a leading role in ending the nuclear arms race with the Soviet Union in the 1980s, by adopting a Nuclear Freeze resolution and encouraging other states to follow our example; and

WHEREAS, over 40 years later it is not a "freeze" of nuclear weapons that is needed to save the Commonwealth, and the world, from the unthinkable catastrophe of a nuclear war or a nuclear accident but

the complete elimination of these weapons_, in line with the Treaty on the Prohibition of Nuclear Weapons, which entered into force as international law on January 22, 2021; and

WHEREAS, Twenty other cities and towns in Massachusetts, the legislatures of California and Oregon, the Maine State Senate, the New Jersey Assembly, and the Rhode Island Assembly and Senate have passed resolutions similar to Needham's to take action to protect their citizens from the existential threat of nuclear war.

Be it RESOLVED, that Needham Town Meeting urges our State Senator, Rebecca Rausch and our State Representative, Josh Tarsky, to cosponsor Senate Resolution [SD. 669] (number to be replaced with permanent # to be assigned in February), which states that it shall henceforth be the policy of the General Court of the Commonwealth of Massachusetts to pursue whatever measures may be found necessary and appropriate to protect the citizens of the Commonwealth from the existential threat posed by nuclear weapons and to contribute in whatever ways it can, as a Commonwealth, towards the total elimination of these weapons from all countries, in line with the Treaty on the Prohibition of Nuclear Weapons. Resolution [SD. 669] urges all Massachusetts members of the House of Representatives to co-sponsor [the bill which will soon be filed by Massachusetts Congressman Jim McGovern in place of last session's H.Res. 77] (words in brackets to be replaced by new bill # after it has been filed), which calls upon the United States federal government to adopt the policy provisions of the "Back from the Brink" platform. [Resolution SD. 669] also calls on the US Senators from Massachusetts to introduce a companion resolution in the United States Senate; and

Be it further RESOLVED that Needham Town Meeting urges our representative in the US House, Jake Auchincloss, to cosponsor [Congressman McGovern's bill to be filed in place of last session's H.Res. 77,] and

Be it further RESOLVED that copies of this article be transmitted by the Needham Town Clerk with a request for reply to our state senator and state representative, to our US Representative and Senators, the President and Vice President of the United States, the Speaker and Minority Leader of the United States House of Representatives, the Majority and Minority Leaders of the United States Senate, and the Governor of the Commonwealth.

INSERTED BY: Joseph McCabe, et. al.

FINANCE COMMITTEE RECOMMENDS THAT: No Position Taken

Article Information:

ARTICLE 48: OMNIBUS

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

INSERTED BY: Select Board

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 seven (7) days before said meeting.

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

Given into our hands at Needham aforesaid this 11th day of February 2025.

Kevin Keane, Chair

Heidi Frail, Vice Chair

Catherine Dowd, Clerk

Marianne Cooley, Member

Joshua Levy, Member

SELECT BOARD OF NEEDHAM

A TRUE COPY

Attest:

Constable:

TOWN MEETING
Status of Articles 3/25/2025

#	Article	Status	SB Position	FC Position	SB	FC	CPC	Planning
	ANNUAL TOWN MEETING							
1	ANNUAL TOWN ELECTION							
2	COMMITTEE AND OFFICER REPORTS							
3	ESTABLISH ELECTED OFFICIALS' SALARIES			Adopt				
4	APPROVE COLLECTIVE BARGAINING AGREEMENT – NEEDHAM POLICE UNION							
5	FUND COLLECTIVE BARGAINING AGREEMENT – POLICE SUPERIOR OFFICERS ASSOCIATION							
6	APPROPRIATE FOR CLASSIFICATION AND COMPENSATION STUDY			Adopt				
7	APPROPRIATE FOR NEEDHAM PROPERTY TAX ASSISTANCE PROGRAM			Adopt				
8	APPROPRIATE FOR PUBLIC FACILITIES MAINTENANCE PROGRAM			Adopt				
9	APPROPRIATE FOR FORESTRY MANAGEMENT			Adopt				
10	APPROPRIATE FOR CLIMATE ACTION PROGRAM INITIATIVES							

TOWN MEETING
Status of Articles 3/25/2025

#	Article	Status	SB Position	FC Position	SB	FC	CPC	Planning
11	APPROPRIATE FOR FINANCIAL APPLICATIONS							
12	APPROPRIATE FOR OPIOID PROGRAMMING			Adopt				
13	APPROPRIATE THE FY2026 OPERATING BUDGET							
14	APPROPRIATE THE FY2026 SEWER ENTERPRISE FUND BUDGET			Adopt				
15	APPROPRIATE THE FY2026 WATER ENTERPRISE FUND BUDGET			Adopt				
16	SET THE ANNUAL DEPARTMENT REVOLVING FUND SPENDING LIMITS			Adopt				
17	AUTHORIZATION TO EXPEND STATE FUNDS FOR PUBLIC WAYS			Adopt				
18	AMEND ZONING BY-LAW – MULTI-FAMILY OVERLAY DISTRICT (THE “BASE COMPLIANCE PLAN)			Adopt				
19	AMEND ZONING BY-LAW – MAP CHANGE FOR MULTI-FAMILY OVERLAY DISTRICT (THE “BASE COMPLIANCE PLAN”)			Adopt				
20	APPROPRIATE FOR ON-GOING COLLECTIONS STORAGE UPGRADES/NEEDHAM HISTORY CENTER & MUSEUM							

TOWN MEETING
Status of Articles 3/25/2025

#	Article	Status	SB Position	FC Position	SB	FC	CPC	Planning
21	NEEDHAM TRAIL SIGNAGE IMPROVEMENTS							
22	APPROPRIATE FOR EAST MILITIA HEIGHTS DEVELOPMENT - CHARLES RIVER CENTER							
23	APPROPRIATE FOR PRESERVATION OF SEABEDS WAY & CAPTAIN ROBERT COOK DRIVE							
24	ACTION PARK & PICKLEBALL COURTS DESIGN							
25	APPROPRIATE FOR ELIOT SCHOOL GROUNDS RENOVATION (DESIGN)							
26	APPROPRIATE FY2026 CPA BUDGET AND RESERVES							
27	APPROPRIATE FOR GENERAL FUND CASH CAPITAL							
28	APPROPRIATE FOR ELIOT SCHOOL BOILER REPLACEMENT			Adopt				
29	APPROPRIATE FOR LIBRARY RENOVATION							
30	APPROPRIATE FOR NEEDHAM HIGH SCHOOL STAIR REPAIR							
31	NEWMAN SCHOOL THEATRICAL LIGHTING, SOUND, AND RIGGING REPAIRS							

TOWN MEETING
Status of Articles 3/25/2025

#	Article	Status	SB Position	FC Position	SB	FC	CPC	Planning
32	CENTER AT THE HEIGHTS RENOVATION DESIGN							
33	APPROPRIATE FOR PUBLIC WORKS FACILITEIS IMPROVEMENTS/COGSWELL BUILDING							
34	APPROPRIATE FOR PUBLIC WORKS INFRASTRUCTURE			Adopt				
35	APPROPRIATE FOR QUIET ZONE CONSTRUCTION							
36	APPROPRIATE FOR SEWER ENTERPRISE FUND CASH CAPITAL							
37	APPROPRIATE FOR INFILTRATION AND INFLOW							
38	APPROPRIATE FOR WATER ENTERPRISE FUND CASH CAPITAL							
39	APPROPRIATE FOR WATER SERVICE CONNECTIONS							
40	RESCIND DEBT AUTHORIZATIONS							
41	AMEND GENERAL BY-LAWS – CONTRACT PROCEDURES							
42	ACCEPT M.G.L. c.59, §5 CLAUSES TWENTY-SECOND I AND TWENTY-SECOND J (VETERANS'PROPERTY TAX EXEMPTIONS)			Adopt				

TOWN MEETING
Status of Articles 3/25/2025

#	Article	Status	SB Position	FC Position	SB	FC	CPC	Planning
43	INCREASE CONTRIBUTORY RETIREMENT COLA ALLOWANCE			Adopt				
44	APPROPRIATE TO ATHLETIC FACILITY IMPROVEMENT FUND			Adopt				
45	APPROPRIATE TO CAPITAL FACILITY FUND			Adopt				
46	CITIZENS' PETITION – LEAF BLOWERS							
47	CITIZENS' PETITION – NUCLEAR DISARMAMENT			No Position				
48	OMNIBUS							
	SPECIAL TOWN MEETING							
1	APPROPRIATE FOR PEG PROGRAMMING							
2	APPROPRIATE FOR INTERSECTION IMPROVEMENTS							
3	AMEND SEWER ENTERPRISE FUND BUDGET							
4	AMEND WATER ENTERPRISE FUND BUDGET							
5	AMEND ZONING BYLAW FLOOD PLAIN							
6	AMEND ZONING BYLAW FLOOD PLAIN MAP							

TOWN MEETING
Status of Articles 3/25/2025

#	Article	Status	SB Position	FC Position	SB	FC	CPC	Planning
7	RESCIND MGL TOWN HALL SATURDAY HOURS							
8	ACCEPT MGL SENIOR TAX WORK OFF							
9	ACCEPT MGL VETERANS TAX WORK OFF							
10	AMEND REVOLVING FUNDS – ENERGY EFFICIENCY & CLEAN ENERGY							
11	AMEND GENERAL BY-LAWS – PLASTIC FOOD AND BEVERAGE SERVICEWARE AND SINGLE-USE ITEMS							
12	AMEND GENERAL BY-LAWS – BLASTIC PLASTIC KITCHENWARE							
13	APPROPRIATE TO CAPITAL EQUIPMENT FUND							
14	APPROPRIATE TO ATHLETIC FACILITY IMPROVEMENT FUND							



**Select Board
TOWN OF NEEDHAM
AGENDA FACT SHEET**

MEETING DATE: 3/25/2025

Agenda Item	Town Manager Search Process Introduction
Presenter(s)	Bernie Lynch, Community Paradigm Associates

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
Mr. Lynch will provide the Board with an introduction to the interview process and the candidates.	
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: 3/25/2025

Agenda Item	Town Manager Interviews
Presenter(s)	Bernie Lynch, Community Paradigm Associates

1.	BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED
The Board will interview three candidates for the Town Manager position: Candidate #1: Benjamin Branyan Candidate #2: Katie King Candidate #3: Carys Lustig	
2.	VOTE REQUIRED BY SELECT BOARD
N/A – Discussion Only	
3.	BACK UP INFORMATION ATTACHED
a. Resume for Benjamin Branyan b. Resume for Katie King c. Resume for Carys Lustig	

Benjamin Boyd Branyan

Operations Management Executive

Highly experienced strategic leader with proven expertise in operations management, process improvement, program development, project execution, and budget administration.

Adept at monitoring and evaluating operational performance to achieve business goals. Well-established ability to direct interdisciplinary teams to complete projects within time and budget constraints. Committed to delivering high quality services through cross-functional collaboration, leading by example, and implementing innovative solutions for complex and challenging issues. Articulate communicator with proven interpersonal, leadership, negotiation, analytical, and problem-solving skills.

Areas of Expertise

- Strategic Planning & Execution
 - Operations Management
 - Process Redesign & Structure
- Board Relations
 - Talent Acquisition & Development
 - Complex Issues Resolution
- Employee Engagement
 - Budget Development
 - Cross-functional Collaboration

Career Experience

University of Connecticut, CT2024 – Present

Adjunct Professor

Teach in-person course for the School of Public Policy on Local Government Management and Leadership (5363/3098).

Greenwich Public Schools, CT2024 – Present

Chief Financial & Administrative Officer (CFAO)

Directly lead finance, payroll, budgeting, purchasing, facilities, food services, safety and security, and transportation teams for district with over 8,500 students across 15 sites with an operating budget of \$193M.

Town of Greenwich, CT2015 – 2024

Town Administrator & Chief Operating Officer (COO)

Performed overall day-to-day operations in reliable and cost-effective way by offering strategic and administrative leadership. Led control and management of essential general government services, such as law enforcement, firefighting, public works, parks and recreation, human resources, fleet, transportation, and administration of grants and community development programs. Direct union contract negotiations for six bargaining units and labor relations.

- Developed \$1.5B 15-year capital plan and annual operational budget.
- Coordinated departmental implementation of Lean Six Sigma approach for reducing waste and increasing service value.
- Saved \$250K through integration of print shop operations with the Board of Education.
- Decreased headcount by 2.5% while maintaining high quality services.

Executed all functions of operational departments allowing educators to focus on education of students by delivering beneficial and efficient services as well as offering strategic direction. Supervised safety and security program for schools covering 1.5M square feet of space to ensure proper learning environment for students.

- Boosted academic success for all students by initiating and overseeing a \$17M district-wide effort for digital learning with the goal of transforming teaching and learning process.
- Headed administration and supervision of departments of finances, facilities, information technology, safety and security, transportation, continuing education, and food services by showcasing top-notch managerial abilities.

School Business Administrator (2010 – 2011)

Orchestrated financial operations, including designing capital and operational budgets for streamlining organizational workflow. Executed all finance related activities, including preparing and presenting monthly financial reports to the board of education. Directed grants for administering grant offers by categorizing, ranking, and finalizing applications.

- Improved communication with schools and parents by developing/employing customer service plans for central office.

Additional Experience

Chief Operating Officer (COO), Stratford Public Schools, Stratford, CT	2007 – 2010
School Business Administrator, Stratford Public Schools, Stratford, CT	2006 – 2007
Chief Administrative Officer (CAO), Town of Stratford, CT	2005 – 2006
Town Manager, Town of Stratford, CT	2004 – 2005
Assistant Town Manager, Town of Stratford, CT	2002 – 2004
Assistant To City Manager, City of East Grand Rapids, MI	1997 – 2002

Education

Master of Public Administration (MPA)
Western Michigan University, Grand Rapids, MI

Bachelor of Arts in Political Science
Calvin College, Grand Rapids, MI

Certifications

Lean Six Sigma - Green Belt

Volunteer Experience

Vice-Chair of the Board of nOURish Bridgeport, Inc.
Member of Stratford Board of Education Finance Committee

KATHLEEN A. KING

[REDACTED], Boston, MA 02131
[REDACTED]

PROFESSIONAL SUMMARY

- 18 years of public and non-profit sector experience focused on municipal management, government operations and finance, public policy, advocacy and community engagement.
 - Collaborative consensus builder with strong interpersonal, communication and leadership skills.
 - Effective leader who fosters a culture of high-performing teamwork and trust in complex organizations and changing environments.
 - Demonstrated achievement through sound judgement, strategic thinking, and professionalism.
 - Passionate about local government and our shared responsibility and ability to grapple with today's challenges, while charting a vision for tomorrow.
-

EXPERIENCE

Town of Needham

Needham, MA

Deputy Town Manager

June 2020 - present

- Oversees Town administration of over 400 employees, with the Town Manager and Deputy Town Manager/Director of Finance, to ensure effective and efficient municipal operations.
- Navigates complex, unanticipated issues and serves as Acting Town Manager as needed.
- Directly manages the Building Department, Economic Development, Health and Human Services, Public Library, Park & Recreation, and Planning and Community Development.
- Empowers and equips staff to cultivate a highly productive work environment and a culture of mutual trust, respect, professionalism, and continuous improvement.
- Leads Town efforts to accomplish a subset of Select Board goals each year. For example: adoption of the opt-in specialized energy code, zoning for multi-family housing, establishment of a Board and Committee orientation, updating Board policies to support outdoor dining and breweries, regionalization of weights and measures inspections, creation of a discrimination complaint process and vision statement for racial equity, and more.
- Liaises with the Select Board and other elected and appointed boards and committees.
- Recommends and staffs new committees to address evolving priorities and governance needs including the Town-Financed Community Housing Oversight Committee, Housing Needham Advisory Group, Tree Preservation Planning Committee, Needham Unite Against Racism Initiative, and Active Recreation Assets Working Group.
- Advises the Town Manager throughout the annual capital and operating budget process.
- Provides strong fiscal stewardship and management of Town funds through the oversight of opioid settlement funds, Children's Hospital host agreement funds, ARPA funds, and more.
- Serves on the Town's collective bargaining team negotiating with all municipal unions.
- Engages regularly with community members to answer questions, address concerns and complaints, engage in committee work, and support third-party community events.
- Pivots the Town's organizational approaches and structures to meet challenges and create opportunities for improvement, including continuity of operations and return to work initiatives during the COVID-19 pandemic and the consolidation of the Town and School IT departments.

Boston University Metropolitan College, City Planning & Urban Affairs

Boston, MA

Part Time Faculty

Spring 2024

- Taught a graduate-level finance course, *UA509: Public Finance and Urban Infrastructure*.

City of Boston

Boston, MA

Director, Mayor's Office of Intergovernmental Relations

June 2016 – June 2019

Director & Deputy Director, State Relations

April 2013 – June 2016

- Advised the Mayor of Boston on critical policy initiatives and urban affairs.
- Managed all aspects of the department including eight employees and a \$1.2 million budget.
- Led the planning process to create the City's annual policy and budget priorities and the advocacy effort to advance those priorities at the federal, state, and local levels.
- Secured passage of legislation including education finance reforms, expansion of voter access, gun violence reduction, lowering of speed limits, regulation of transportation network companies and short-term rentals, 75 additional liquor licenses to support small businesses, and more.
- Facilitated communication and coordination across 43 City Departments to address policy opportunities, reach consensus, and collaboratively manage complex external relationships.
- Built and maintained strong and productive working relationships with all levels of government as the mayor's liaison to the Boston City Council, State Legislature, Constitutional Officers, Congressional Delegation, White House, and U.S. Mayors.
- Represented the City of Boston on the Massachusetts Municipal Association Board of Directors and MAPC's Metro Mayors Coalition, a collaboration of 15 Greater Boston municipal CEOs.
- Proactively contributed to ensuring a smooth transition to Boston's first new mayor in 20 years.

American Lung Association of the Northeast

Waltham, MA

Director, Public Policy

October 2009 – April 2013

American Cancer Society

Boston, MA

State Grassroots Advocacy Coordinator

December 2007 – August 2009

EDUCATION

Harvard University, John F. Kennedy School of Government

Cambridge, MA

Master in Public Administration

May 2020

- Jerome L. Rappaport, Sr./Boston Urban Fellowship, a full-tuition scholarship for candidates who "demonstrate an interest in urban and metropolitan issues, a capacity for leadership, and a continuing commitment to contribute to the well-being of the greater Boston area."

Boston University School of Public Health

Boston, MA

Master of Public Health, Health Policy and Management

May 2013

- Community Scholar, 2010-2013, a half tuition scholarship "designed to honor working professionals who possess valuable experience in the field of public health."

Boston University College of Arts and Sciences

Boston, MA

Bachelor of Arts, Sociology, Magna Cum Laude

May 2006

PROFESSIONAL AFFILIATIONS

- International City/County Management Association (ICMA) Credentialed Manager Candidate, *approved 07/2024, eligible for Credentialed Manager status 01/01/2026*
- Current member: Massachusetts Municipal Association (MMA) Personnel and Labor Relations Committee, MA Municipal Managers Association Future Managers Committee
- Former member: Governor Baker's Local Government Advisory Commission, MMA Board of Directors, MMA Fiscal Policy Committee, Metropolitan Area Planning Council (MAPC) Metro Mayors Coalition, MAPC Legislative Committee

Carys Lustig

Versatile and passionate public manager with over 15 years of experience in both operations and administrative roles within municipal environments searching for an opportunity to provide leadership within local government.

EXPERIENCE

Town of Needham, Department of Public Works— *Director of Public Works*

October 2020 - Present

Lead and craft the Town's infrastructure agenda with the Town Manager and Select Board with a team of divisional managers. Services provided including Parks & Forestry; Streets & Transportation; Water, Sewer & Drains; Recycling & Solid Waste; Building Maintenance including schools; Fleet; Engineering; and Administration.

Town of Needham, Department of Public Works— *Director of Finance and Administration for Public Services*

December 2017 - October 2020

As a member of the senior leadership team, provide financial and administrative leadership for the department in the areas of procurement, capital and operating budgeting, accounting, human resources administration, union contract administration, customer service, and general management.

Town of Needham – *Liaison to the Community Preservation Committee*

August 2017 - May 2021

Provide professional staff assistance and management.

Town of Needham – *Acting Director of Building Maintenance*

August 2016 - December 2017

Provided management for all building maintenance duties conducted within Town and School owned buildings.

Town of Needham, Department of Public Works – *Supervisor of Administration*

August 2012 - December 2017

Provided supervision for all administrative, financial, and customer service activities.

Town of Needham, Department of Public Facilities – *Administrative Analyst*

July 2008 - August 2012

Provided support to the Director of Public Facilities on all financial and administrative decisions.

Norwood, MA 02062

EDUCATION

Suffolk University, Sawyer Business School, Boston, MA — *Master of Public Administration*

Goucher College, Baltimore, MD — *Bachelor of Arts, Political Science – Magna Cum Laude & Phi Beta Kappa*

SKILLS

Honest and open communications

Complex problem solving

Team leadership in both formal and informal roles

Ability to follow through and close out projects

Customer service

PROFESSIONAL QUALIFICATIONS

Massachusetts Certified Public Purchasing Official

Leadership ICMA 2017-2019, International City Managers Association

Emerging Leadership Academy 2014-2015, American Public Works Association (APWA)

Certificate in Local Government Leadership & Management 2012, Massachusetts Municipal Association (MMA)

PROFESSIONAL EXPERIENCE

Leadership & Strategic Planning

- Created a culture of transparency, clarity, respect, and integrity throughout the organization that demands excellence from staff.
- Increased construction workload volumes to respond to demand and funding increases by empowering staff to make strategic decisions at every level, maintaining communications throughout the organization, mediating through internal problem solving, and working to establish work limitations and how to manage them appropriately.
- Participated in a regional network of Public Works managers to share ideas and concerns to strengthen profession in the region.
- Lobbied state government to amend certain regulations to benefit the Public Works industry.
- Demonstrated ability to identify and grow talent.
- Filled multiple roles with the Emergency Operations Center during local and national public emergency operations.
- Negotiated with two collective bargaining unions and maintained strong union relationships.
- Crafted and implemented a succession planning program to grow internal talent and identify areas where additional training and recruitment is necessary.

Community Engagement and Public Outreach

- Established a culture of strong outreach and communication on issues impacting the community while still establishing clear boundaries between professional guidance and management and political decision making.
- Interviewed by several regional news agencies of issues of importance in the area of Public Works.
- Lead creative approaches to managing a high volume workload and resident expectations with construction realities and limitations by engaging the community through the Select Board and appropriate committees to enhance public service and communications.
- Utilized multiple high and low technology communications methods to engage the public.

Program Administration & Management

- Developed a competitive process for redesigning the Downtown corridor where multiple firms were provided a small amount of seed money to develop more complex conceptual drawings as part of the selection process.
- Implemented Complete Streets program including drafting policy, managing prioritization plan, and implementing program in all projects.
- Coordinated a socially distanced outdoor Town Meeting, the first in a 300 year history.
- Developed a Work From Home implemented Town-wide and Flexible Work program implemented department-wide.

PRESENTATIONS & PUBLICATIONS

Small Cities/Rural Communities Perspective on DEI - Panel - April 2024 - American Public Works Association online

First Time Managers - Panel March 2023 - Women Leading Government MMA Annual Conference

Public Works Pipeline Interview - Construction Outlook, UCANE, January 2023, pg. 55

Transportation Issues Pavement Management July 2017 - Massachusetts Municipal Managers Association (MMA) Monthly Meeting

Automation of Snow Operations Paperwork with Web-Based Tools May 2016 & November 2015 - APWA, NE Regional Conference & North American Snow Conference

New Technology in Pavement Management in Snow & Ice Operations January 2016, Panelist - MMA Annual Trade Show

Emerging Leaders are a presence at the 2015 Congress - APWA Reporter Magazine, November 2015, p. 44-45

Trends and Innovation in Public Works April 2015 - MMA Monthly Meeting

Procurement, Contract, & Financial Management

- Demonstrated success in navigating the municipal funding process by using creativity and data to continue to receive funding and service expansions requested by the community for enhanced operations.
- Managed operating and capital budgets in a collaborative process.
- Managed all purchases for horizontal construction and building maintenance.
- Established contracts for on-call service to reduce emergency procurements.

Diversity, Equity, & Inclusion

- Member of American Public Works Association's DEI Committee's Action Network.
- Participated in year long management training on DEI with William James College to better contextualize issues and determine how leadership within the community can make progress.
- Developed DEI goals with all Public Works staff to improve service to the public and employees.
- Required training for all employees within the Department on Respect in the Workplace.
- Implemented DEI questions in the hiring process to ensure that all new staff are open and receptive to conversation about providing improved services to the entire community and are respectful of differing experiences and points of view.

AWARDS

Public Works Manager of the Year Award, Administrative Management 2017, APWA

Young Leader Award, Public Sector 2016, New England APWA

**Town of Needham
Select Board
Minutes for Tuesday, February 25, 2025
Select Board Chambers and
Via ZOOM
<https://us02web.zoom.us/j/89068374046>**

- 6:01 p.m. Call to Order
A meeting of the Select Board was convened by Chair Kevin Keane. Those present were Vice Chair Heidi Frail, Marianne Cooley, Cathy Dowd, Joshua Levy, and Town Manager Kate Fitzpatrick. David Davison, Deputy Town Manager/Director of Finance and Katie King, Deputy Town Manager were also in attendance.
- 6:02 p.m. Statement from Chair Keane

Chair Keane noted that there have been concerns within the community regarding racial equity. He restated Article 48 from May 2021 Town Meeting, emphasizing that Needham will be a community free of racism, racial bias, prejudice, and discrimination.
- 6:04 p.m. Public Comment Period

Ross Donald, 25H Chambers Street, commented as President of the Linden Chambers Residents Association that the Association has spent two years reestablishing the group. Mr. Donald noted that without a Local Tenant Organization (LTO), the Housing Authority is the only entity contacting every resident. Therefore, a LTO can act as an intermediary for resident involvement. Mr. Donald clarified who and what the LTA is in relation to the Town. Mr. Donald asked on behalf of the Linden Chambers Residents Association that it be recognized as a party in standing.
- 6:07 p.m. Close Public Hearing: Verizon Cable License Ascertainment
Presenter: Myles Tucker, Support Services Manager

Mr. Tucker reported that there were no public comments heard in person, by email, or by phone. He recommended the Board close the public hearing. The Board can expect to see a memo in the coming days describing the rest of the licensing process.

Motion by Ms. Dowd that the Board close the public hearing relative to the ascertainment process for the potential renewal of the Verizon New England Inc cable license.
Second: Ms. Frail. Unanimously approved 5-0.
- 6:09 p.m. Appointment Calendar and Consent Agenda
Motion by Ms. Cooley that the Board vote to approve the Appointment Calendar and Consent Agenda.

Mr. Levy noted that he was not present for two of the meetings for which minutes were included.

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

APPOINTMENT CALENDAR

1.	Michael Orscheln	Golf Course Advisory Committee Term Exp: 6/30/2025
2.	Hannah Corrigan	Rail Trail Advisory Committee Term Exp: 6/30/2027
3.	William Mahoney	Council of Economic Advisors Term Exp: 6/30/2026

CONSENT AGENDA

1.	Approve Open Session Minutes of August 3, 2023; August 4, 2023; and January 28, 2025
2.	Accept the following donations made to the Needham Free Public Library: • \$50 from Randa Khuri • \$30 from Daniel Callahan
3.	Accept the following donations made to the Needham Public Health Division: • \$1,500 from the County of Norfolk for Substance Prevention Alliance of Needham • \$100 from Constance Royden for Needham's Gift of Warmth program • \$100 from Temple Aliyah, Inc. for Needham's Gift of Warmth program • \$500 from Avenue Church for Needham's Gift of Warmth program • \$1,135.50 from First Parish Church for Needham's Gift of Warmth program
4.	Accept the following donations made to the Needham Community Revitalization Trust Fund: • \$3,100 from Thomas Leary • \$3,150 from Elin Soderholm Trust
5.	Approve revision of Benefits Administration Policy #510: Travel Expense Reimbursement Policy

NOTICE OF APPROVED ONE-DAY SPECIAL ALCOHOL LICENSES

Hosting Organization	Event Title	Location	Event Date
Needham History Center & Museum	Music and Merriment at the Schoolhouse Pub	Needham History Center & Museum 1147 Central Avenue	3/01/2025
Plugged In Band Program	Dirty Water Music Festival	Powers Hall 1471 Highland Avenue	4/05/2025

6:10 p.m. WestMetro HOME Consortium Annual Action Plan – Needham

Presenter: Alison Steinfeld, Affordable Housing Specialist

Alison Steinfeld, Affordable Housing Specialist, provided a summary of the Town's responses to a questionnaire prepared by the WestMetro HOME Consortium for its 13 member communities. The Consortium, which administers federal funds to create affordable housing for low-to-moderate income households in the 13 municipalities, will incorporate these responses into its FY26 Annual Action Plan. Ms. Steinfeld reported that the focus is on the Town's support of the Housing Authority's effort to preserve and redevelopment its properties. Mr. Levy asked about the function of the action plan, which Ms. Steinfeld responded is administrative. Board members agreed that it is of high priority to the Board.

Motion by Ms. Dowd that the Board approve the Town of Needham Template for WestMetro HOME Consortium FY2026 Annual Action Plan.
Second: Ms. Cooley. Unanimously approved 5-0.

6:12 p.m. 2023 MetroWest Adolescent Health Survey Data and Updates from Substance Prevention Alliance of Needham (SPAN) and Youth & Family Services
Presenters: Julie McCarthy, Epidemiologist/Data Analyst, Karen Shannon, Substance Use Prevention Program Coordinator, Sara Shine, Director of Youth and Family Services

Staff from Needham Public Health and Youth & Family Services Divisions presented substance use and mental health data from the 2023 MetroWest Adolescent Health Survey. This survey has been administered biennially since 2006 (with the exception of 2020 due to COVID-19) and monitors trends in the 25 communities in the MetroWest region served by the MetroWest Health Foundation. In 2023, Needham High School had a 94.4% participation rate, and Needham Middle School had a 93.4% participation rate.

Substance Prevention Alliance of Needham (SPAN) Program Coordinator Karen Shannon reviewed the work of SPAN. As a community coalition, the team has fostered a culture of prevention with a broad base of support from twelve sectors represented from the community. This work includes a public health approach to prevention as part of a strategic plan:

- Prevent and reduce underage substance use
- Build community collaboration – a common message
- Change perceptions and norms regarding underage substance use – shift from a rite of passage and perception of inevitability
- Increase protective factors that support healthy choices
- Decrease risk factors that are indicated in underage substance use
- Guided by SAMHSA's Strategic Prevention Framework

All of the elements create a sustainability and culturally competent approach to prevention and reduction of substance use. Ms. McCarthy then presented overall substance use trends in middle and high school grades, highlighting decreases in

use across all substances from 2021 to 2023 for high school grades and seeing decreased use of several substances for middle school grades for the same timeframe. There is also a pattern of increased perception of the negative effects of these substances. Alcohol remains the highest reported substance used.

Ms. Shannon added that Needham High School student alcohol use is 8% higher than the MetroWest average. Ms. Shannon outlined that they have used positive community norms as a strategy for reducing use. SPAN created five messages using a positive community norms strategy to communicate to students and families that most Needham High School students do not use substances. Vinyl banners with these messages were placed around the community. The anticipated effect is that this strategy will correct these misperceptions and contribute to a decrease in youth alcohol use. Ms. McCarthy added that there is a sharp increase in alcohol use from 8th to 9th grade. There are similar increases in electronic vapor use and prescription drug use.

Ms. Shannon then presented on the protective factors that make it less likely that a youth will choose to use substances. School connectedness, peer support, and adult support are key to bolstering substance use prevention. Specific initiatives include SALSA (Student Advocating Life Without Substance Abuse), a student-led organization that provides opportunities for peer-to-peer education. Community partnerships are also essential to preventing student access to substances; these include TIPS trainings, compliance checks, parent education, Drug Take Back Days, and Overdose Awareness Day.

Finally, Ms. McCarthy presented relevant data on mental health among Needham High and Middle School students, including stress, anxiety, depression, and suicide. Ms. Shine noted that Youth & Family Services have been tracking these patterns for some time and aim to make services more accessible. These services include clinical programming, communication with Needham Public Schools, ongoing case and crisis management, and eliminating barriers to the available services.

Discussion ensued regarding phone usage in schools, how the team measures effectiveness of programs, and how information is provided to parents. Other specific questions included the rates of gambling among students and concerns about nicotine pouches.

6:58 p.m.

Community Preservation Committee (CPC) Consultation

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

The CPC held its annual consultation with the Select Board on the pending project applications for FY2026, as well as the appropriation of CPA monies.

CPC has six applications under consideration, down from an initial cohort of nine applications. A public hearing is scheduled to be held by the CPC on March 12, 2025 at 7:00 p.m. in the Charles River Room, 500 Dedham Avenue, Needham (PSAB) and via Zoom. It will also be televised on the Needham Channel.

The six applications currently under consideration are:

1. Needham History Center & Museum: Application would fund ongoing collections storage upgrades to more effectively preserve historic documents.
2. Needham Conservation Department & Conservation Commission: Application would fund trail signage improvements.
3. Charles River Center: East Militia Heights Development: Application would support the ongoing development of affordable housing at the East Militia Heights.
4. Needham Housing Authority: Preservation of Seabeds Way & Captain Robert Cook Drive: Application would support NHA's long term preservation of Seabeds.
5. Needham Park & Recreation Department: Action Park & Pickleball Courts: Application would support the creation of an action sports complex and pickleball courts, with exact locations to be determined.
6. Needham Park & Recreation Department and Department of Public Works: Eliot School Grounds Renovation: Application would support maintenance and stormwater runoff.

7:45 p.m. Needham Housing Authority Linden Street Redevelopment Project – Release of Restrictions and Agreement Regarding Local Taxes
Presenters: Kate Fitzpatrick, Town Manager, Chris Heep, Town Counsel

Chris Heep discussed the pending actions and documents related to the Needham Housing Authority's soon-to-be submitted EOHLC funding application. The NHA is seeking three documents at this time in connection with its application. Discussion ensued regarding the pending actions including:

1. Release of Restriction: Under Article 41 of the May 2024 Town Meeting, Town Meeting voted to release the restrictions previously made on the Linden Chambers properties that they would only be used for housing for the elderly. Thus, Town Meeting authorized the Select Board to enact the release of restrictions, which is now documented in this document that will be on file with the Registry of Deeds.
2. Agreement Regarding Local Taxes: This document would agree in writing that the Linden Chambers property will not be subject to local property or personal taxes as long as the property is used exclusively for affordable housing and is owned by the Housing Authority. This applies to three other entities as well: the Needham Housing Authority Development Corporation and two entities that are responsible for leasing portions of the property from the Housing Authority as part of the operation of the redevelopment project.
3. Community Preservation Act Grant Agreement: This document is typically signed by the Town Manager and discusses the manner in which payments will

be made from the Town to the Housing Authority and states that these payments will be on a reimbursement basis once the Housing Authority has submitted paid invoices for eligible costs. It requires that there will be an affordable housing restriction recorded against the property before they close on their financing.

Following questions from the Board to Mr. Heep and Katie King regarding the specifics of each document, the following motion was made:

Motion by Ms. Frail that the Board approve and sign the “Release of Restrictions” and the “Agreement Regarding Taxes and Payment in Lieu of Taxes, Linden Street and Chambers Street Properties Needham Housing Authority” to be provided to the Needham Housing Authority in connection with the Linden Street Redevelopment Project.

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

8:07 p.m. Town Manager

Sira Natural Agreement Update

The Select Board voted on January 23, 2024 to enter into an amended Community Benefit Agreement with Sira Naturals, Inc. As now required by Massachusetts law, Sira submitted this amended Community Benefit Agreement to the Cannabis Control Commission (“CCC”) for review and approval. In response, the CCC noted that one term of the amended Community Benefit Agreement—the requirement that Sira not challenge the taxability of its property or seek any exemption from such taxes—was inconsistent with new regulations.

Mr. Heep has worked with Sira’s counsel to prepare an amended agreement that addresses CCC’s comment, without making any further changes to the terms that the Board approved in January 2024.

Motion by Ms. Dowd that the Board vote to approve and sign the amended Community Benefit Agreement between the Town of Needham and Sira Naturals, Inc.

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

Preliminary Discussion of May 12, 2025 Special Town Meeting Articles

Ms. Fitzpatrick updated the Board on the preliminary articles under consideration for the May 12, 2025 Special Town Meeting as follows:

Financial Articles:

- Appropriate for PEG Funding
- Appropriate for Road Improvements (Children’s Hospital)
- Amend General Bylaw – Sustainability Revolving Fund

General Articles:

- Adopt MGL: Veterans Tax Work-Off
- Adopt MGL: Senior Tax Work-Off
- Adopt MGL: Affordable Housing Property Tax Exemptions
- Rescind MGL Saturday Town Hall Hours
- Amend General Bylaw – Skip the Stuff (pending public hearing input)
- Amend General Bylaw – Black Plastics (pending public hearing input)

Reserve Articles:

- Appropriate to the Capital Equipment Fund
- Appropriate to the Athletic Facility Improvement Fund

Zoning Articles:

- Amend Zoning Bylaw – Flood Plain

2025 Annual Town Meeting Warrant Update

The Planning Board held a hearing to discuss the two Zoning Articles before the upcoming Annual Town Meeting regarding zoning to achieve full compliance with the MBTA Communities Law. The Planning Board chose to remove language calling the proposal the “Base Compliance Plan”, as it had been referred to in prior warrants and in popular discourse. Ms. Frail noted her opposition to this change in order to ensure that there was as little confusion as possible, as there were no changes made from the prior identical article and the proposed article. Each Board member followed, voicing similar opinions. Members then discussed the specific nomenclature change made by the Planning Board, asking confirmatory questions to Ms. King regarding any other changes made by the Planning Board, to which Ms. King noted that descriptions related to “workforce housing” were removed, as this term was not used in the “Base Compliance Plan”, but rather the “Neighborhood Housing Plan” that appeared before the October 21, 2024 Special Town Meeting.

Stephen Palmer Development Review Committee

The October 21, 2024 Special Town Meeting appropriate funding for a consultant to evaluate the potential redevelopment of the Stephen Palmer site. The Select Board reviewed a draft committee composition and charge at its meeting on February 11, 2025. Ms. Fitzpatrick recommended that the Board vote to adopt the Stephen Palmer Development Review Committee Composition and Charge. This a seven member committee for a three-year term.

Motion by Mr. Levy that the Board vote to adopt the Stephen Palmer Development Review Committee Composition and Charge.

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

Town Manager Report

- Ms. King reported on the potential for the State Emergency Order to extend flexibility of the Open Meeting Law since the start of the pandemic. There is pending legislation at the State House to potentially provide voluntary options

for remote access for municipal meetings. If the State law is not changed by March 31, 2025, all public bodies must have an in-person option for the public to attend. She also discussed the other implications for Board and Committee member participation in these meetings.

8:37 p.m. Board Discussion

Town Manager Search Process

Ms. Frail reported that the Committee received 13 applications and has had one meeting at which they were discussed. They anticipate a round of interviews in the next couple of weeks.

Committee Reports

Mr. Levy reported on the distribution adjustment charge for gas prices that increased by over 50% on November 1. Residents feel that the charges are unreasonable. Mr. Levy suggested writing a letter to the DPU recommending that they look into these charges again.

Ms. Dowd reported that the General Bylaw Committee met and reported several suggestions. They began with Article 8 on Non-Criminal Dispositions.

Ms. Cooley reported that the Large House Review Committee and will discuss houses on non-conforming lots at their next meeting.

Mr. Levy reported that Stormwater Working Group met and discussed definitions included in the developing bylaw and the circumstances that would trigger a consideration of the bylaw itself, including new construction or an addition such as a tennis court. There will be a public hearing at some point in the future.

8:51 p.m. Adjourn

Motion by Mr. Keane that the Select Board vote to enter into Executive Session pursuant to Exception 3: To discuss strategy with respect to collective bargaining with the Needham Police Union and to discuss strategy with respect to collective bargaining with all represented employees, where an open meeting may have a detrimental effect on the bargaining position of the public body and the Chair so declares [The Chair so declares] and not to return to Open Session prior to adjournment.

Second: Ms. Cooley. Unanimously approved 5-0 by roll call vote.

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

The next Select Board meeting is scheduled for Tuesday, March 11, 2025, at 6:00 p.m.

A video recording of the February 25, 2025 Select Board meeting can be found at https://www.youtube.com/watch?v=YPXppBzk10c&ab_channel=TownofNeedhamMA or at <https://www.needhamchannel.org/2025/02/needham-select-board-2-25-25/>.

Select Board

Policy Number:	SB-PERS-003
Policy:	Contributory Insurance Rules and Regulations
Date Approved: Date Revised:	October 13, 1998, May 11, 1999, March 24, 2009, December 4, 2012, May 2, 2017, March 20, 2018, March 12, 2019, March 9, 2021, April 12, 2023, March 25, 2025
Approved:	_____Chair, Select Board

Policy: The Town of Needham, acting by and through its duly elected Select Board, and in accordance with Section 14 of Chapter 32B of the General Laws of the Commonwealth of Massachusetts, does hereby adopt and establish the following rules and regulations governing certain eligibility and administrative guidelines for the Town's contributory insurance benefit offerings. The Select Board specifically reserves the right to add to, modify, and/or delete any and all provisions of these rules and regulations at any time.

Section 1. Divorced or Separated Spouses

In the event that a court of competent jurisdiction grants a judgment of divorce or of separate support, the divorced employee and his or her divorced/separated spouse may remain eligible for benefits under the Town's group insurance benefit program, in accordance with Section 9H of M.G.L.c. 32B, provided that each of the following conditions are met:

- (a) In the event that the employee/subscriber is not remarried:
1. The Town must be provided with a court certified version of the judgment of divorce or of separate support, which mandates that the divorced/separated spouse of the Town employee/retiree remain on a Town-offered group insurance plan.
 2. The employee/retiree must maintain a family plan (or multiple individual plans, if over 65) covering him/herself and his or her divorced/separated spouse (and any qualified dependents, if applicable).

- (b) In the event that the employee/subscriber remarries and wishes to enroll his or her new spouse as a dependent under the Town's group insurance benefit program:
1. The Town must be provided with a court certified version of the judgment of divorce or of separate support, which mandates that the divorced/separated spouse of the Town employee/retiree remain on a Town-offered group insurance plan.
 2. The Town shall have the right to require that the divorced or separated spouse enroll in a separate, individual policy, unless a rider to an employee's/retiree's family plan is authorized by the applicable insurance company.
 3. The Town of Needham employee/retiree shall be responsible to pay the full monthly premium (100% of the premium) for the plan in which the divorced/separated spouse is enrolled, or 100% of any additional cost for a rider to the employee's family plan, if authorized by the applicable insurance company.
 4. Such payments for the premium in which the divorced/separated spouse is enrolled shall be made by means of deducting the premium from the regular pay (or pension) of the eligible employee/retiree, and the employee/retiree shall be required to seek reimbursement from the divorced/separated spouse on his or her own accord. The Town Manager/designee reserves the right to waive this condition for extenuating circumstances. In the event that a waiver is granted, the divorced or separated spouse will be billed directly.

Section 2. Retiree Eligibility

Upon retirement, eligible individuals may participate in the Town's contributory group insurance program, to the extent allowed by the various insurance providers, and in accordance with Section 18 of M.G.L. c. 32B, provided that they otherwise qualify under M.G.L. c. 32B, and further provided that each of the following criteria applies:

- (a) The individual must have retired from service to the Town of Needham, and be receiving a retirement allowance in accordance with M.G.L. c. 32 from either the Town of Needham Contributory Retirement System or the State Teachers' Retirement System (except as specifically provided in M.G.L. c. 32B §9).
- (b) The individual was qualified and eligible to participate in the Town's group insurance program as an active employee of the Town of Needham.

Section 3. Part-time Teacher Eligibility

Part-time teachers classified as .5 FTE or greater shall be determined to be working 20 hours or more per week for the Town and shall therefore be considered employees in accordance with

Section 4. Temporary and Seasonal Employee Eligibility

Temporary employees working 20 hours per week or more, whose service to the Town is expected to last six months or longer, shall be eligible for benefits in accordance with M.G.L. c. 32B. Seasonal employees whose service to the Town is expected to last less than six (6) months, regardless of the number of hours worked per week, shall be ineligible for benefits in accordance with M.G.L. c. 32B

Section 5. Compensated Part-time Elected Official Eligibility

Paid elected officials earning a minimum of \$1,000 per fiscal year shall be considered eligible for insurance in accordance with M.G.L. c. 32B Section 2. Nothing in the section shall affect the eligibility for insurance of elected officials who were receiving compensation in an amount less than \$1,000 as of the date of this policy.

Section 6. Retention of Insurance While on Unpaid Leave

- (a) Employees on designated family medical leave in accordance with the Family Medical Leave Act of 1993, as amended, shall be entitled to continue their insurance contribution during the term of the leave.
- (b) Employees who are on unpaid medical leave, which is not designated as family medical leave, shall be entitled to continue their insurance contribution rate during the period that the unpaid leave is determined to be medical leave by the Director of Human Resources.
- (c) Employees on approved, unpaid leave which has not been designated as FLMA or medical leave shall be eligible for insurance if they are on the payroll (i.e. receive wages) for at least one day per calendar month.
- (d) Employees on approved, unpaid leave which has not been designated as FMLA or medical leave, and who do not receive wages for at least one day per calendar month, shall be eligible to participate in a Town-offered health plan by paying 100% of the monthly premium for that calendar month.
- (e) Employees shall be eligible to continue their group insurance while on leave of absence for no longer than two consecutive calendar years, after which time they shall cease to be considered employees for group insurance purposes.

Section 7. Employee Termination

Employee premium contributions are made one month in advance of coverage. Upon termination, employee coverage will cease approximately one month from the date of separation from the payroll.

Section 8 Health Insurance Offerings

- (a) All subscribers electing health insurance through the Town effective July 1, 2018 must convert to the Benchmark or Qualified High Deductible Plans.
- (b) The Town will offer a voluntary Qualified High Deductible plan to all eligible subscribers. Active employees enrolled in the Qualified High Deductible plan will also be eligible to enroll in a Health Savings Account, as follows:
 - 1. The Town will contribute an amount equal to 50% of the deductible to the Health Savings Account of active paid employees enrolled in any Qualified High Deductible plan offered by the Town, as long as the plan is offered by West Suburban Health Group, or for no less than five (5) years regardless of provider (the “Annual HSA Contribution”). Retirees are not eligible for the annual HSA contribution.
 - 2. In fiscal years 2020 and beyond, the annual HSA contribution will be pro-rated and paid on a per pay period basis.

Section 9. Payment of Premiums

Any eligible subscriber who does not receive a paycheck or pension check in an amount sufficient to pay his or her required health insurance monthly premium will be billed directly for that amount. Failure to pay applicable premiums in the required timeframe will result in loss of insurance coverage.

Section 10: Employee Health Insurance Opt-Out Incentive Program

- (a) Active employees who have been covered as the insured under the Town's health insurance program for the past twenty-four (24) consecutive months may opt-out of Town coverage.
- (b) Employees choosing to opt-out of the Town's health insurance plan must sign and submit the Opt-out Form provided by the Town, certifying that the insured and any eligible spouses and dependents have enrolled in a health insurance plan elsewhere (excluding MassHealth).
- (c) Employees may enroll in the Opt-Out Incentive Program at any time during a fiscal year as long as they certify in writing that they will be receiving health insurance elsewhere (excluding MassHealth) as of the effective date specified. Employees may not retroactively opt-out of town coverage.
- (d) Employees who opt-out of Town coverage will be paid the amount of \$2,000 per full fiscal year for an individual plan and \$4,000 per full fiscal year for a family plan.
- (e) The Incentive amount will be pro-rated by month if an employee participates in the Opt-Out Program or re-enrolls in the Town's health insurance program during the plan year.
- (f) The Opt-Out Incentive will be paid via the employee's normal payroll cycle, less any required withholdings. Payments will not be made during unpaid periods. The amount of the reimbursement will be divided equally over the plan year, which runs from July 1 to June 30.

The Opt-Out Incentive payment will not be added to the base pay for employees, will not be used in the computation of overtime, and will not be subject to retirement withholding.

- (g) Any employee who has opted-out of the Town's health insurance plan may re-enroll during the annual open-enrollment period, or within 30 days of a documented qualifying event, and the Opt-Out Incentive payment will cease.
- (h) An employee who changes from a family to individual plan, or vice versa will not be eligible to participate in the Opt-Out Program. An employee who switches coverage to a spouse or parent who is also employed by or retired from the Town, will not be eligible to participate in the Opt-Out Program.
- (i) The Opt-Out Incentive program will sunset on June 30, 2027 unless the Select Board votes to reauthorize the program.

Select Board

Policy Number:	SB-PERS-003
Policy:	Contributory Insurance Rules and Regulations
Date Approved: Date Revised:	October 13, 1998, May 11, 1999, March 24, 2009, December 4, 2012, May 2, 2017, March 20, 2018, March 12, 2019, March 9, 2021, April 12, 2023, March 25, 2025
Approved:	_____Chair, Select Board

Policy: The Town of Needham, acting by and through its duly elected Select Board , and in accordance with Section 14 of Chapter 32B of the General Laws of the Commonwealth of Massachusetts, does hereby adopt and establish the following rules and regulations governing certain eligibility and administrative guidelines for the Town's contributory insurance benefit offerings. The Select Board specifically reserves the right to add to, modify, and/or delete any and all provisions of these rules and regulations at any time.

Section 1. Divorced or Separated Spouses

In the event that a court of competent jurisdiction grants a judgment of divorce or of separate support, the divorced employee and his or her divorced/separated spouse may remain eligible for benefits under the Town's group insurance benefit program, in accordance with Section 9H of M.G.L.c. 32B, provided that each of the following conditions are met:

- (a) In the event that the employee/subscriber is not remarried:
1. The Town must be provided with a court certified version of the judgment of divorce or of separate support, which mandates that the divorced/separated spouse of the Town employee/retiree remain on a Town-offered group insurance plan.
 2. The employee/retiree must maintain a family plan (or multiple individual plans, if over 65) covering him/herself and his or her divorced/separated spouse (and any qualified dependents, if applicable).

- (b) In the event that the employee/subscriber remarries and wishes to enroll his or her new spouse as a dependent under the Town's group insurance benefit program:
1. The Town must be provided with a court certified version of the judgment of divorce or of separate support, which mandates that the divorced/separated spouse of the Town employee/retiree remain on a Town-offered group insurance plan.
 2. The Town shall have the right to require that the divorced or separated spouse enroll in a separate, individual policy, unless a rider to an employee's/retiree's family plan is authorized by the applicable insurance company.
 3. The Town of Needham employee/retiree shall be responsible to pay the full monthly premium (100% of the premium) for the plan in which the divorced/separated spouse is enrolled, or 100% of any additional cost for a rider to the employee's family plan, if authorized by the applicable insurance company.
 4. Such payments for the premium in which the divorced/separated spouse is enrolled shall be made by means of deducting the premium from the regular pay (or pension) of the eligible employee/retiree, and the employee/retiree shall be required to seek reimbursement from the divorced/separated spouse on his or her own accord. The Town Manager/designee reserves the right to waive this condition for extenuating circumstances. In the event that a waiver is granted, the divorced or separated spouse will be billed directly.

Section 2. Retiree Eligibility

Upon retirement, eligible individuals may participate in the Town's contributory group insurance program, to the extent allowed by the various insurance providers, and in accordance with Section 18 of M.G.L. c. 32B, provided that they otherwise qualify under M.G.L. c. 32B, and further provided that each of the following criteria applies:

- (a) The individual must have retired from service to the Town of Needham, and be receiving a retirement allowance in accordance with M.G.L. c. 32 from either the Town of Needham Contributory Retirement System or the State Teachers' Retirement System (except as specifically provided in M.G.L. c. 32B §9).
- (b) The individual was qualified and eligible to participate in the Town's group insurance program as an active employee of the Town of Needham.

Section 3. Part-time Teacher Eligibility

Part-time teachers classified as .5 FTE or greater shall be determined to be working 20 hours or more per week for the Town and shall therefore be considered employees in accordance with

Section 4. Temporary and Seasonal Employee Eligibility

Temporary employees working 20 hours per week or more, whose service to the Town is expected to last six months or longer, shall be eligible for benefits in accordance with M.G.L. c. 32B. Seasonal employees whose service to the Town is expected to last less than six (6) months, regardless of the number of hours worked per week, shall be ineligible for benefits in accordance with M.G.L. c. 32B

Section 5. Compensated Part-time Elected Official Eligibility

Paid elected officials earning a minimum of \$1,000 per fiscal year shall be considered eligible for insurance in accordance with M.G.L. c. 32B Section 2. Nothing in the section shall affect the eligibility for insurance of elected officials who were receiving compensation in an amount less than \$1,000 as of the date of this policy.

Section 6. Retention of Insurance While on Unpaid Leave

- (a) Employees on designated family medical leave in accordance with the Family Medical Leave Act of 1993, as amended, shall be entitled to continue their insurance contribution during the term of the leave.
- (b) Employees who are on unpaid medical leave, which is not designated as family medical leave, shall be entitled to continue their insurance contribution rate during the period that the unpaid leave is determined to be medical leave by the Director of Human Resources.
- (c) Employees on approved, unpaid leave which has not been designated as FLMA or medical leave shall be eligible for insurance if they are on the payroll (i.e. receive wages) for at least one day per calendar month.
- (d) Employees on approved, unpaid leave which has not been designated as FMLA or medical leave, and who do not receive wages for at least one day per calendar month, shall be eligible to participate in a Town-offered health plan by paying 100% of the monthly premium for that calendar month.
- (e) Employees shall be eligible to continue their group insurance while on leave of absence for no longer than two consecutive calendar years, after which time they shall cease to be considered employees for group insurance purposes.

Section 7. Employee Termination

Employee premium contributions are made one month in advance of coverage. Upon termination, employee coverage will cease approximately one month from the date of separation from the payroll.

Section 8 Health Insurance Offerings

- (a) All subscribers electing health insurance through the Town effective July 1, 2018 must convert to the Benchmark or Qualified High Deductible Plans.
- (b) The Town will offer a voluntary Qualified High Deductible plan to all eligible subscribers. Active employees enrolled in the Qualified High Deductible plan will also be eligible to enroll in a Health Savings Account, as follows:
 - 1. The Town will contribute an amount equal to 50% of the deductible to the Health Savings Account of active paid employees enrolled in any Qualified High Deductible plan offered by the Town, as long as the plan is offered by West Suburban Health Group, or for no less than five (5) years regardless of provider (the “Annual HSA Contribution”). Retirees are not eligible for the annual HSA contribution.
 - 2. In fiscal years 2020 and beyond, the annual HSA contribution will be pro-rated and paid on a per pay period basis.

Section 9. Payment of Premiums

Any eligible subscriber who does not receive a paycheck or pension check in an amount sufficient to pay his or her required health insurance monthly premium will be billed directly for that amount. Failure to pay applicable premiums in the required timeframe will result in loss of insurance coverage.

Section 10: Employee Health Insurance Opt-Out Incentive Program

- (a) Active employees who have been covered as the insured under the Town's health insurance program for the past twenty-four (24) consecutive months may opt-out of Town coverage.
- (b) Employees choosing to opt-out of the Town's health insurance plan must sign and submit the Opt-out Form provided by the Town, certifying that the insured and any eligible spouses and dependents have enrolled in a health insurance plan elsewhere (excluding MassHealth).
- (c) Employees may enroll in the Opt-Out Incentive Program at any time during a fiscal year as long as they certify in writing that they will be receiving health insurance elsewhere (excluding MassHealth) as of the effective date specified. Employees may not retroactively opt-out of town coverage.
- (d) Employees who opt-out of Town coverage will be paid the amount of \$2,000 per full fiscal year for an individual plan and \$4,000 per full fiscal year for a family plan.
- (e) The Incentive amount will be pro-rated by month if an employee participates in the Opt-Out Program or re-enrolls in the Town's health insurance program during the plan year.
- (f) The Opt-Out Incentive will be paid via the employee's normal payroll cycle, less any required withholdings. Payments will not be made during unpaid periods. The amount of the reimbursement will be divided equally over the plan year, which runs from July 1 to June 30.

The Opt-Out Incentive payment will not be added to the base pay for employees, will not be used in the computation of overtime, and will not be subject to retirement withholding.

- (g) Any employee who has opted-out of the Town's health insurance plan may re-enroll during the annual open-enrollment period, or within 30 days of a documented qualifying event, and the Opt-Out Incentive payment will cease.
- (h) An employee who changes from a family to individual plan, or vice versa will not be eligible to participate in the Opt-Out Program. An employee who switches coverage to a spouse or parent who is also employed by or retired from the Town, will not be eligible to participate in the Opt-Out Program.
- (i) The Opt-Out Incentive program will sunset on ~~June 30, 2025~~ **June 30, 2027** unless the Select Board votes to reauthorize the program.