

**Town of Needham  
Board of Selectmen  
Minutes for February 11, 2014  
Needham Town Hall**

6:30 p.m. Informal Meeting with Citizens: No activity.

6:30 p.m. Call to Order:  
A meeting of the Board of Selectmen was convened by Chairman Daniel P. Matthews. Those present were John A. Bulian, Maurice P. Handel, Matthew D. Borrelli, Marianne B. Cooley, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. Proclamation - American Heart Association's Go Red For Women:  
Mr. Handel read a proclamation recognizing the American Heart Association's Go Red For Women movement and its effort to address heart disease among women.

**Motion by Mr. Handel that the Board of Selectmen vote to sign a proclamation recognizing Friday, February 14, 2014 to be "WEAR RED DAY" in Needham. Second: Mr. Bulian. Unanimously approved: 5-0.**

7:00 p.m. Proclamation - Village Club 100th Anniversary:  
Mr. Borrelli read a proclamation recognizing the Village Club for its 100 years of service to the Town of Needham.

**Motion by Mr. Borrelli that the Board of Selectmen vote to sign a proclamation to congratulate the Village Club for its 100 years of service to the residents of the Town of Needham. Second: Mr. Handel. Unanimously approved 5-0.**

7:04 p.m. Appointments and Consent Agenda:  
**Motion by Mr. Bulian that the Board of Selectmen vote to approve the Appointments and Consent Agenda as presented.**

**APPOINTMENTS: There were no appointments this meeting.**

**CONSENT AGENDA**

- 1. Accept the following donation made to the Community Revitalization Trust Fund from: \$50 from Anisa Mehdi & Peter Zimmermann**
- 2. Approve a request from Michelle Harris, of PLGA Foundation d/b/a A Kids' Brain Tumor Cure, to ride a portion of its "Geared Up for Kids 2014" bike ride through Needham. The bike ride will be starting and ending at PTC, 140 Kendrick Street. Riders will take a right out of the parking lot and proceed into Newton where the ride will primarily take place. A Needham Police detail has been hired for the Needham portion of the event.**

3. **Grant permission for the Needham Business Association to use the Town Common and surrounding area for its Street Fair on Saturday, June 7, 2014. Permission includes: utilizing the parking lot behind Town Hall for pony rides and for two portable toilets; closing Chapel Street from corner of Great Plain Avenue to the Chapel Street parking lot for food court and booths; NBA member business to have items for sale on sidewalk in front of their own stores; a trolley ride that will run from Highland Avenue by the Town Common and loop back around the town to the Town Common; and any changes as recommended by the Needham Police Department.**
4. **Grant permission for free meter parking in the downtown area on Saturday, June 7, 2014 so that residents may enjoy the Street Fair.**
5. **Accept the following donations made to the Off Leash Dog Area Account : \$ 100 from Anthony Trase; \$50 from Tamara & George Takoudes; \$25 from Dana & Mark Braun; \$100 from Carol & Edward De Lemos; \$100 from Mark & Brenda Curran; \$50 from Adam & Jane Brand; \$50 from Shanna Deng; \$50 from Holle & Allen Forbes; \$100 from Kathleen & Burr Johnson; \$2,000 from an anonymous donor; \$10 from Tracy Belval; \$50 from Susan & Marc Wexler; \$50 from Timothy and Donna Mulrenan**
6. **Accept a \$25 donation made to Needham Youth Services from Robert and Mira Spiegel of Needham. The monies are to be used to sponsor Needham Youth Services “Sibshops” program.**
7. **Accept a \$250 donation made to Needham Youth Services from the Patrick C. Forde Memorial Fund. The monies are to be used to sponsor Needham Youth Services Patrick C. Forde “Good Person” program.**
8. **Approve a Special One Day Wines and Malt Beverages License for Carol Stento of the Needham Women’s Club to host its Grand Wine Tasting event on April 6, 2014 from 3:00 p.m. to 6:00 p.m. The event will be held in Powers Hall at Needham Town Hall, 1471 Highland Avenue, Needham.**
9. **Approve a Special One Day Wines and Malt Beverages License for Sheila Eisenstadt of the Broadmeadow PTC to host its Spring Thing event on April 4, 2014 from 6:00 p.m. to 12:00 a.m. The event will be held in Powers Hall at Needham Town Hall, 1471 Highland Avenue, Needham.**
10. **Approve minutes from January 14, 2014, (open), January 28, 2014 (open), and January 14, 2014 (Executive Session) minutes,**
11. **Water & Sewer Abatement Order #1174**
12. **Approve a Special One Day All Alcoholic Beverages License for Stephen Pitocchelli of the Village Club to hold its 100th Anniversary event on February 15, 2014 from 7:00 p.m. to 12:00 p.m. The event will be held at the Village Club, 83 Morton Street, Needham.**
13. **Approve a Special One Day All Alcoholic Beverages License for Stephen Pitocchelli of the Village Club to host a Survivor Premiere Party on February 26, 2014 from 8:00 p.m. to 11:00 p.m. The event will be held at the Village Club, 83 Morton Street, Needham.**
14. **Accept the following donations made to the Park and Recreation Commission: Items donated by Needham resident Caren Carpenter- 124 hard/soft cover children’s books, 5 puzzles, 9 games, and 7 sets of arts and craft supplies to be**

**used at children's programs. The value is approximately \$500; and tennis equipment and nets valued at \$675 from the United States Tennis Association equipment grant program. The equipment will be used at youth tennis programs.**

**Second: Mr. Borrelli. Unanimously approved 5-0.**

7:05 p.m.

Introduction of Director of Conservation:

Lee Newman, Director of Planning and Community Development appeared before the Board to introduce newly appointed Director of Conservation Matt Varrell. Ms. Newman said Mr. Varrell is a professional wetlands scientist with twenty years experience in wetland biology, and is well suited for the position.

The Board congratulated and welcomed Mr. Varrell to the Town of Needham.

7:08 p.m.

9/11 Memorial:

Detective Joe O'Brien, Firefighter Mark McCullough, Cindy Chaston, and Charlie Wright appeared before the Board to present their concept for a memorial dedicated to the response of Fire and Police personnel on September 11, 2001.

Detective O'Brien gave a historical account of the efforts by the Town of Needham to assist in the days after the attack on the World Trade Center in New York. He noted that within hours of the attack, four Needham firefighters were dispatched to Ground Zero. He commented that it means a great deal to first responders that the Board of Selectmen would consider the proposed memorial.

Detective O'Brien presented copies of a powerpoint presentation and showed the Board a replica of the proposed memorial at the corner of Chestnut Street and School Street. He described the proposed memorial as a six-sided pentagon style platform, with granite towers and a pedestal holding a piece of steel girder from the World Trade Center. He noted the memorial commemorates the service of first responders, and would contain a plaque for the firefighters and a plaque for the police. He estimated the total cost of the memorial between \$20,000 and \$30,000, all of which will be collected from donations, and at no cost to the Town. He said fundraising is slated to start in March 2014, with construction in August 2014.

Mr. Handel commented he is concerned about placement of the memorial and maintaining flexibility for possible reconstruction of the public safety building.

Mr. Borrelli said he is part of the committee designing the memorial and commented location was a consideration, but recognizes Mr. Handel's point. He said he is proud of the committee and the hard work they have done.

Mr. Matthews asked about the design and commented the memorial must be built to stand the test of time. He said he hopes the monument conveys the proper message

to the general public, about those who died, and those who continue to serve. He said the Board of Selectmen will take the matter under advisement.

7:32 p.m. Proposed Sign By-law Revision - Electronic Billboards:  
Roy Cramer, Attorney, and Andrew Goldberg, Logan Communications appeared before the Board to outline a proposal for amending the Town's Sign By-law for electronic billboards in Needham along the Interstate Highway.

Mr. Cramer explained billboards are currently not allowed in Needham. He commented the State finalized regulations last year allowing electronic billboards, after a pilot program was implemented in some communities. He noted one of the components in getting a state permit includes local approval, and therefore he is proposing to amend Needham's Sign By-law. He explained some of the proposed changes to the Sign By-law regulations, and the "impact fee" that has been required by some towns in connection with the permitting process and related issues. Mr. Cramer explained the upcoming deadline for matters to be placed on the spring 2014 Annual Town Meeting warrant, and commented the MBTA is exempt from local regulation. He suggested the Town be pre-emptive on the matter.

Mr. Borrelli said he is not opposed to the idea of digital billboards, but is concerned the Town may cut-off potential revenue. He said the concept needs to be fully vetted and not rushed for the benefit of some or to the detriment of others.

Mr. Handel asked how wide is the billboard. He commented the timeline is aggressive. He said he is not adverse to Town Meeting considering the issue, but feels more public discussion is needed.

Mr. Bulian commented it is reasonable to bring the issue to Town Meeting, but more dialogue is needed.

Ms. Cooley said the fact the MBTA could supersede the Town lends some urgency to the matter, but feels more dialogue is critical.

Mr. Matthews said the Board could vote to put the issue on the warrant tonight, or wait until the next meeting on February 25, 2014.

**Motion by Mr. Handel that the Board of Selectmen vote to request the Council of Economic Advisors review the matter at its meeting on February 12, 2014 and provide its input to the Board of Selectmen.**

The Board decided it was not necessary to vote on the motion, and it was withdrawn. Mr. Borrelli confirmed he will attend the Council of Economic Advisors meeting on Wednesday, February 12, 2014 at 7:30 a.m.

7:55 p.m. Town Manager Report:  
Kate Fitzpatrick, Town Manager appeared before the Board to report on 3 items:

She told the Board there has been approximately 55 inches of snow so far this winter, with more snow forecast.

She reported the MBTA has approved the lease of the rail trail and that the project is moving forward.

Ms. Fitzpatrick noted the tragic incident in Natick last week when DPW employee Michael McDaniel was killed in a backhoe accident while fixing a water main break. She said it is also important to recognize DPW employees as first responders, and commented Town of Needham DPW employees assisted Natick with sanding and salting roadways.

8:00 p.m.

Board Discussion:

1. Medical Marijuana Zoning

The Board discussed zoning for medical marijuana dispensaries and the information presented at the Planning Board hearing on February 4th. Mr. Matthews noted that no licenses were awarded by the State for any dispensary in Needham, and commented it may be a good time to consider long term zoning implications for a possible future dispensary in the Town. He said the issue of hardship and home cultivation must also be considered.

Mr. Bulian asked about the State process for issuing remaining licenses.

Ms. Fitzpatrick said there is no conversation about another round of licenses being issued, but commented it is in the interest of the Town to be ready when that happens.

Mr. Handel reiterated voters expressed a desire that medicinal marijuana be available to people. He noted the expense of the application process and that a business must serve a regional population. He said the location being discussed by the Board of Selectmen makes the most sense for accessibility and for the broader region.

Ms. Cooley said she supports the decision to move forward with zoning at this time.

Mr. Borrelli said he supports moving forward and agrees the location being discussed by the Board is the wisest for the area.

2. Zoning Provisions Relating to Residential Construction

The Board reviewed its goal of evaluating zoning provisions relating to residential construction, and the discussion on this subject with the Planning Board in December, 2013. Mr. Matthews said the Planning Board has decided to create a committee to study possible changes to zoning concerning large replacement homes.

Mr. Borrelli said he favors minor changes, and feels the Board of Selectmen should be involved in the process so the issue is fully vetted before Town Meeting.

Mr. Matthews recognized change can be upsetting, especially in ones own neighborhood. He noted however, change is “part of what we do” and the Town needs to make sure any change works out for the best over time. He said he is concerned about acrimony in some discussion. Mr. Matthews said it is important any proposal is simple and understandable for all residents.

Mr. Bulian said drainage issues must be addressed.

Ms. Cooley commented that selling a house with a history of flooding must be disclosed.

Mr. Matthews commented the Town requires a drainage plan for every sub-division with 2 lots or more, but a single lot has no requirement. He said there must be a way to require planning without being unfair. He also noted the number of new homes that had flooding because the developer did not observe design principles, i.e. below grade garages.

Ms. Fitzpatrick commented the storm water plan for the Town is under the jurisdiction of the Board of Selectmen, and recommendations are forthcoming.

Mr. Borrelli noted builders are not adverse to changes, but any change must be simple, easy to understand, with predictable enforcement.

Mr. Handel suggested Needham’s building inspector be involved in the process.

8:25 p.m. Committee Reports:  
No Reports were made.

8:30 p.m. Executive Session - Exception 3 (potential litigation):  
**Motion by Mr. Bulian that the Board of Selectmen vote to enter into Executive Session.**  
**Exception 3 - To discuss strategy with respect to collective bargaining or litigation, if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. Not to return to open session prior to adjournment.**  
**Second: Mr. Borrelli. Mr. Matthews polled the Board. Unanimously approved 5-0.**

A list of all documents used at this Board of Selectmen meeting are available at:

<http://www.needhamma.gov/Archive.aspx?AMID=99&Type=&ADID=>

Note: The meeting adjourned at 8:45 p.m.

