

**Town of Needham  
Board of Selectmen  
Minutes for May 26, 2015  
Selectmen's Chamber  
Needham Town Hall**

6:45 p.m. Informal Meeting with Citizens: Doug Fox, 43 Marked Tree Road spoke with the Board about food trucks in Needham. He said food trucks are an emerging trend that do not compete with “brick and mortar” businesses. He commented on the website [www.nlc.org](http://www.nlc.org) and an article titled “Food on Wheels: Best Practices for Integrating Food Trucks into City Life.”

7:00 p.m. Call to Order:  
A meeting of the Board of Selectmen was convened by Chairman Maurice P. Handel. Those present were Matthew D. Borrelli, Marianne B. Cooley, Daniel P. Matthews, John A. Bulian, Town Manager Kate Fitzpatrick, and Recording Secretary Mary Hunt.

7:00 p.m. Certificate of Appreciation - Ron Sockol:  
Mr. Handel read a Certificate of Appreciation recognizing Ron Sockol on his 31 years of service to the Town of Needham. He noted the attendance of the Trustees of Memorial Park.

Mr. Bulian commented on Mr. Sockol's work over the years, particularly the care and interest he showed in maintaining Memorial Park.

Mr. Handel acknowledged the monetary donation made by Ron and Lois Sockol to Memorial Park and the Town of Needham.

Jim Healy, member of the Trustees of Memorial Park thanked Mr. Sockol for his service to the Town of Needham, as well as his service to the country.

7:05 p.m. Public Hearing - Transfer of All Alcoholic Beverages Hotel License - Sheraton Needham:  
Brian Smith, Proposed Manager and Andrew Upton, Attorney appeared before the Board requesting a transfer of license to sell All Alcoholic Beverages as a hotel located at 100 Cabot Street from HST Lessee Needham, LLC d/b/a Sheraton Needham to Needham Cabot Concessions, LLC d/b/a Sheraton Needham.

Ms. Fitzpatrick indicated all paperwork is in order.

Mr. Handel asked for Board comment. No comments were made.

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

**Motion by Mr. Bulian that the Board of Selectmen vote to approve the application for a transfer of an All Alcohol Hotel License under the Town of Needham Regulations Applicable to The Sale of Alcoholic Beverages by Innholders to Cabot Concessions, LLC d/b/a Sheraton Needham, Brian Smith, Manager and to forward the approved Alcohol License Transfer application to the ABCC for approval.**

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

Mr. Matthews reminded Mr. Smith of the alcohol laws in Needham. He commented the rules must be followed and that the Town will be strict about enforcement.

Mr. Borrelli asked Mr. Smith for a synopsis of his experience in the hotel industry.

7:10 p.m. Public Hearing - Transfer of All Alcoholic Beverages License - Fuji Steak House: Zhong Wen Huang, Proposed Manager and Christopher E. Coleman, Esq., appeared before the Board requesting a transfer of license to sell All Alcoholic beverages as a restaurant located at 1430 Highland Avenue from Tian Long, Inc., Ying Zhang, Manager, to Fu Yuan, Inc. Mr. Wen Huang also seeks a waiver of Town of Needham Regulations for the Sale of Alcoholic Beverages: Section 3.1 Service Bar/Waiting Area.

Ms. Fitzpatrick indicated all paperwork is in order.

Mr. Handel asked for Board comment.

Mr. Matthews reminded the Mr. Huang of the alcohol laws in Needham.

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

**Motion by Mr. Bulian that the Board of Selectmen vote to approve the application for a transfer of an All Alcohol License under the Town of Needham Regulations Applicable to The Sale of Alcoholic Beverages in Restaurants and Function Rooms to Fu Yuan, Inc., d/b/a Fuji Steak House, Zhong Wen Huang, Manager, including a waiver of the Town of Needham Regulations for the Sale of Alcoholic Beverages, Section 3.1 and to forward the approved Alcohol License Transfer application to the ABCC for approval.**  
**Second: Mr. Borrelli. Unanimously approved 5-0.**

7:12 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**

- 1. Human Rights Committee                      Zahra Haghghatjoo (term expires 6/30/18)**

**CONSENT AGENDA**

1. **Accept donation in the amount of \$7,914.67 from Ron and Lois Sockol. The funds are to be used for the maintenance of Memorial Park Garden.**
2. **Accept a \$700 donation made to the Needham Youth Services from the Needham Community Council. They would like the monies to be used to sponsor Needham Youth Services Project Van program.**
3. **Approve a Special One Day Wines and Malt Beverages License for Jennifer Sullivan, of Needham Pool & Racquet Club to hold its New Member Reception on Friday, June 5, 2015 from 6:00 p.m. to 9:00 p.m. The event will be held at Needham Pool & Racquet Club, 1550 Central Avenue, Needham.**
4. **Approve a Special One Day Wines and Malt Beverages License for Jennifer Sullivan, of Needham Pool & Racquet Club to hold its “Summerfest Party” on Thursday, July 30, 2015 from 6:00 p.m. to 9:00 p.m. The event will be held at Needham Pool & Racquet Club, 1550 Central Avenue, Needham.**
5. **Disband with thanks the Solar Energy Exploratory Committee.**
6. **Accept a \$2,500 donation made to the Needham Health Department’s Coalition for Youth Substance Abuse Prevention from Beth Israel Deaconess Hospital.**
7. **Approve a Special One Day Wines and Malt Beverages License for David Volante, of Volante Farms to hold a wedding event on Saturday, June 27, 2015 from 5:00 p.m. to 10:00 p.m. The event will be held at Volante Farms, 292 Forest Street, Needham.**
8. **Approve a request from Gary Briere of River’s Edge Cycling to ride a portion of its Boston Women’s Bike Ride and Festival bike event through Needham on July 18, 2015. The event will come through Needham at 8:30 am and the latest time they will be in Needham is 2:00 pm. The applicant is aware of the on-going construction on Kendrick Street and will obey the rules of the road. The route of the race has been approved by the following departments: DPW, Police, Fire, and Park & Recreation.**
9. **Approve a request from Greg Jundanian, of Three Squares New England, who is organizing a fundraiser bike ride to benefit food pantries in numerous communities including Needham, to have a portion of its ride to go through Needham. The event is scheduled for September 20, 2015 from 7:30 a.m. to 1:00 p.m. The route of the race has been approved by the following departments, DPW, Police, Fire, and Park and Recreation.**
10. **Water & Sewer Abatement Order 1199.**
11. **Approve minutes from April 28, 2015, May 4, 2015, May 6, 2015, May 11, 2015, and May 12, 2015; and April 28, 2015 Executive Session minutes.**
12. **Grant Permission for the following residents to hold a block party:**

Name	Address	Party Location	Party Date	Party Rain Date	Party Time
Jerome Kassel	174 Parker Rd.	153-159 Parker Rd.	Sept. 12	Sept. 13	3PM-7PM

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

Mr. Bulian noted the accepted donation of \$7,914.67 from Ron and Lois Sockol for the maintenance of Memorial Park Garden.

7:15 p.m. Public Hearing - Teleport Communications America - Kendrick Street:  
David Edgar, Siena Engineering Group, Inc., appeared before the Board requesting permission to lay, maintain, and operate fiber optic cables along the public way on Kendrick Street. Mr. Edgar stated Teleport Communications America, a wholly owned subsidiary of AT&T, is being forced to relocate its existing aerial fiber optic cable that crosses I-95/Rt. 128 at Kendrick Street, due to the MassDOT “Add-A-Lane” project.

Mr. Handel asked for Board comment.

Mr. Borrelli asked about timing and whether the project will impact the “Add-A-Lane” project.

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

**Motion by Mr. Bulian that the Board vote to approve on behalf of Teleport Communications America, Siena Engineering Group’s request for permission to lay, maintain, and operate fiber optic cables along the public way on Kendrick Street. MassDOT/MassDOT’s contractor will be installing one (1) 4-inch PVC conduit for Teleport, from existing pole #14 on the easterly side of the highway, to existing pole #35/5 on the westerly side of the highway.**

**From pole #14, heading east on Kendrick Street, Teleport will remain in its current location on the existing pole line. From pole #35/5, heading west on Kendrick Street, Teleport will now be attaching fiber optic cable to two (2) additional poles on Kendrick Street (35/3A &35/3) to connect back to its existing location at pole #26, on the corner of Kendrick Street and Hunting Road.**

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

7:20 p.m. ADA Trail at the Needham Reservoir:  
Patty Carey, Director of Park & Recreation and Matt Varrell, Director of Conservation appeared before the Board with an update on the status of the ADA Trail at the Needham Reservoir which is currently under design through CPA funding.

Mr. Varrell gave a brief outline stating the new trail will upgrade the existing trail. He said 3 public hearings were held in which the public had an opportunity to voice concerns and/or ideas. He said the hearings were positive and productive. He reviewed the concept plan for the area, referring to the general trail, specific areas, and enhancements. He said the trail will be fully accessible and include access to the water’s edge and a fishing dock.

Mr. Handel said it is a very nice project for everyone in the Town.

Mr. Borrelli said the reservoir is an underused resource in Town, and will be terrific when finished.

Ms. Carey commented helical piles will be used in the project.

Ms. Cooley asked for clarification on the helical piles, based upon feedback from the DEP on other Town projects.

Mr. Varrell said he will follow up with the DEP to find out when helical piles are required and when other options can be considered.

Ms. Fitzpatrick said one of the Board's goals is to expand access to fishing.

The Board thanked Ms. Carey and Mr. Varrell for their work.

7:35 p.m.

Mixed Use - 128 Residential Overlay Zoning Proposal:

Matt Talcoff, Chairman, Council of Economic Advisors and Devra Bailin, Director of Economic Development appeared before the Board with an update on the work of the Council of Economic Advisors (CEA) to prepare a proposal for a zoning overlay district that would allow residential use in the Mixed Use - 128 District.

Ms. Bailin said a proposed residential overlay district in the Mixed Use - 128 District dates back to 2001. She said at that time it was opposed by the neighborhood and therefore withdrawn by the Planning Board. Ms. Bailin said the climate has changed and based on meetings held by the CEA, there is now tremendous support in the business community, as many have realized it is important to have residential development to spur economic development. Ms. Bailin discussed information contained in the "128 Mixed Use District, Fiscal Profile of Multi-family Housing Option" dated March 9, 2015 as prepared by John Connery Associates and "Revised Zoning Text for the Mixed Use-128 Residential Overlay for the Zoning Districts Mixed Use-128 and the Abutting Portions of Highland Commercial-128" dated May 13, 2015 as prepared by John Connery Associates and revised by the CEA. Ms. Bailin said the CEA recommends the zoning proposal to move forward, subject to public hearing before the Planning Board. Ms. Bailin commented the zoning proposal may "jump start" the area, but cautioned development will take a very long time.

Matt Talcoff commented the fiscal benefits in the proposal do not account for all of the untapped value that will happen along with development. He clarified the Mixed Use - 128 Residential Overlay District/Highland Commercial area is in the vicinity of Staples on Highland Avenue.

Mr. Bulian asked for clarification on the affordability requirement. He said the proposal is very "forward thinking."

Mr. Borrelli agreed it is a smart proposal and the Town needs more apartments and condominiums. He asked about the affordability component of the proposal.

Mr. Handel commented on having a “cushion” above the 10% affordability requirement so the Town maintains control over its own zoning.

The Board thanked Ms. Bailin and Mr. Talcoff for their work.

7:45 p.m.

Town Manager:

Kate Fitzpatrick, Town Manager appeared before the Board with three items to discuss:

1. Boston Region MPO - Transportation Improvement Program Highway Funding  
Ms. Fitzpatrick said that at the May 7, 2015 MPO meeting, members approved changes to the staff recommendations for the FFYs 2016-2020 TIP, including advancing the Highland Avenue/Needham Street corridor project to FY2018.

Ms. Fitzpatrick recommended that the Board submit additional correspondence to the MPO in advance of its next vote.

**Motion by Mr. Bulian that the Board approve and sign a letter of support for the Highland Avenue/Needham Street corridor project to the Boston Region MPO.**

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

2. Management Fellow Report

Christopher Coleman, Assistant Town Manager/Operations and Elizabeth Dennis, Director of Human Resources appeared before the Board to introduce Chuck Murphy-Romboletti, who is completing his first year as a Management Fellow for the Town.

Mr. Coleman thanked the Town for its support with the recommendation to fund the Management Fellow position in FY2016. He gave a brief overview stating the program provides individuals interested in making a career in local government the opportunity to further their education by earning a Certificate in Public Administration from Suffolk University.

Ms. Dennis commented on the process to fill the position, saying 35 applications were received.

Chuck Murphy-Romboletti thanked the Board for the opportunity and gave an overview of the work he has been doing for the Town. He commented on projects he has been working on including health insurance, retiree health insurance reimbursements, as well as work with various committees. Mr. Murphy-Romboletti said he has attended several MMA meetings.

Mr. Handel thanked Mr. Murphy-Romboletti and stated he is making a meaningful contribution to the Town.

3. Town Manager Report

Ms. Fitzpatrick reported that Tim McDonald, Director of Public Health has been successful in getting grant funding for substance abuse prevention, as well as a sharps container, which will be located at the RTS.

7:55 p.m. Board Discussion:

1. Medical Marijuana Application Process

The Board discussed the new application process for Registered Marijuana Dispensaries and considered strategies for reviewing requests for support or non-opposition from applicants.

Mr. Matthews elaborated on the process of reviewing requests and furnishing a letter of support or non-opposition as part of the application. He said the State Department of Health re-wrote the process to award licenses, which he said is better for learning about an applicant. Mr. Matthews discussed the stages of applying, including the initial application, management review, and siting. He stated the process to file an application of intent begins on June 29, 2015. He commented there is no rush for the Board of Selectmen to make a decision, should it receive a request for a letter of support or non-opposition, because under the new 3-stage process a potential dispensary cannot advance past the first stage without an invitation from the State.

Mr. Handel clarified it is not conditional to get an invitation to have a letter of support or non-opposition.

Mr. Matthews concurred, stating that if a business receives a siting invitation, a siting application must then be filed for a specific location, at which point a letter of support or non-opposition is needed.

The Board continued discussion regarding the overall application process, furnishing letters of support or non-opposition, the public hearing process, and siting.

2. Committee Reports

No Committee Reports were made.

8:20 p.m. Executive Session (Exceptions 2, 3, & 6)

**Motion by Mr. Bulian that the Board of Selectmen vote to enter into Executive Session.**

**Exception 2 - To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel.**

**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.**

**Exception 6 - To consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. Not to return to open session prior to adjournment.**

**Second: Mr. Borrelli. Mr. Handel 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 9:20 p.m.