

**Town of Needham
Board of Selectmen
Minutes for October 27, 2015
Selectmen's Chamber
Needham Town Hall**

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

7:00 p.m. Call to Order:
A meeting of the Board of Selectmen was convened by Chairman 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. Proclamation - Needham League of Women Voters:
Mr. Bulian read a proclamation congratulating the Needham League of Women Voters on the occasion of its 75th anniversary.

**Motion by Mr. Bulian that the Needham Board of Selectmen, and the people of Needham extend their warmest congratulations to the Needham League of Women Voters on the occasion of its 75th anniversary.
Second: Ms. Cooley. Unanimously approved 5-0.**

7:02 p.m. Joint Meeting with the Planning Board:
Lee Newman, Director of Planning & Community Development, Karen Sunnarborg, Community Housing Specialist, and members of the Planning Board including Jeanne McKnight, Chairman, Paul Alpert, Bruce Eisenhut, and Elizabeth Grimes appeared before the Board to discuss housing strategies, zoning articles contained in the Special Town Meeting Warrant, and pending legislation.

1. Housing Strategies

Ms. Newman gave a brief overview of housing progress made over the last decade. She spoke about the first community housing plan and grant in 2003, affordable housing goals filed in 2007, and the development of the Town's Chapter 40B guidelines that provide recommendations for developers in the context of the Town's goals and objectives. Ms. Newman commented on the Housing Needs Assessment completed in 2013 for Linden Chambers, which was used as a foundation to develop a draft housing production plan. She noted a 2015 application for a "LIP" filed for the New England Business Center (Needham Crossing) will take the Town of Needham over its 10% affordable housing goals under Chapter 40B. She said surpassing the 10% affordable housing goal caused the Town to rethink its Strategic Housing Plan.

Ms. Sunnarborg presented a Powerpoint presentation titled "Needham Housing Strategies" dated October 27, 2015. She said the Town has been very effective in utilizing incentives from Chapter 40B, which speaks to the State's desire to have

multi-family rental housing throughout the Commonwealth. As a result, she said, the units in multi-tenant family developments that include a comprehensive permit can be counted even though 25% of the units are actually considered affordable. She said within several months, Needham will be in a position of having a 'subsidized housing inventory' which includes all of the State's affordable housing units at 1,374 (12.4% of the Town's year round housing stock). She noted a little more than half of the units are actually affordable. Ms. Sunnarborg said adding rental housing fills an important local need in diversifying the housing stock and options for people within the community. Ms. Sunnarborg referred to the Powerpoint presentation and discussed the Demographic & Economic Status, Housing Trends-Ownership, Housing Trends-Rental, Priority Initiatives, and Other Initiatives.

Mr. Matthews said he had an opportunity to participate in some of the drafting of the Town's housing strategy. He said the basic irony involved in all housing in the suburbs, is that for most homeowners their home is their principal asset. He noted the Town is managed in a way that hopefully values increase, and that people get a return over time. Mr. Matthews said however, it is difficult to develop new housing in the region due to zoning and economic forces. He noted that as Needham has succeeded real estate values have risen to a point where unless some affirmative action is taken by the Town, it will become harder and harder for people of various incomes to have a range of opportunity. He said within the past decade the Board has been committed to achieving the 10% subsidized housing inventory. He said the Town must maintain the 10% level or better, remain inclusive, and craft policy that builds community support. Mr. Matthews said it is important to have agreement between the Board of Selectmen, Planning Board, and the Housing Authority on a housing strategy so the public, developers, and prospective homeowners know the policy. He said there is an overall focus in the strategy on the development of permanent affordable housing, both subsidized and rental at moderate prices. He said the best area to focus on and add to is rental housing. He said the Town must do its part in a way that works well for the region, the community, and for the people who live in Needham.

Mr. Bulian commented exceeding 10% housing under 40B guidelines is extraordinary for the Town of Needham. He said however, he has been troubled over the years when asked about the number of school children coming in as a result of 40B housing. He said the Town met its State requirement. He said there are many budgetary and school construction pressures, as well as dealing with enrollments and rebuilding. He commented on the approval of 526 units of additional housing, which will produce 2%-3% more people in Needham. He said the Town should proceed very slowly with any further housing, other than Linden Chambers, as the Town needs time to digest the new housing developments in a post-40B environment. He said he is concerned additional housing adds to the need for more services and financially burdens people already living in Town. He said the housing strategy must exist as part of the overall community. Mr. Bulian commented Linden Chambers is badly in need of rebuilding and that he is fine to

increase the number of units, as they are all affordable and will add to the Town's current affordability count of roughly 12.5%. He said the housing strategy is a long term initiative and he can not agree to any additional large scale developments at this time.

Mr. Borrelli concurred with much of Mr. Bulian's comments. He reiterated affordable housing means people over 65 years of age can get market affordable units and remain in Needham. He said existing 2-family housing over 50 years should be grandfathered as of right. He said condominium units, instead of rental housing, should be also considered, as people want to downsize and still want the benefit of homeownership. He commented it is important the Town consider housing, other than luxury condominiums that people really can't afford. He suggested housing for people 55 years or older. He agrees Linden Chambers must be rebuilt.

Ms. Cooley supports the comments already made, as well as inclusionary zoning as a provision to maintain the 10% threshold. She agrees with Mr. Bulian's comments that the Town needs to absorb the big projects, but not "demonize" large projects for school children. She said evidence does not show school children as a big outcome from larger projects. Ms. Cooley asked about the reduction of approximately 392 units of rental housing and asked where they were located. Ms. Sonnerborg said it appears the reduction is from the conversion of small multi-family housing stock, either to condominiums or to single family homes. She said the reduction is not from losing a large rental development. Ms. Cooley said it is a large number of units.

Mr. Handel summarized comments agreeing with Mr. Matthew's statement when he said housing is a contentious and complicated issue. He said there are concerns about the implication of development when promoted. He said the Economic Advisory Council has done a lot of work on other aspects of housing, noting the Highland Avenue Mixed-Use 128 housing overlay zoning area. He said when issues are discussed, the implication is not as grave as it may seem when viewed on a statistical basis.

Mr. Handel invited comments from the Planning Board.

Jeanne McKnight, Chairman, Planning Board said the Planning Board reviewed the proposed housing strategy at its meeting on September 1, 2015. She said certain areas in Town might have further re-zoning including Mixed-Use 128 which will allow for multi-family housing and Bertucci's Plaza. She commented on the role of the Council of Economic Advisors, Planning Board, and the Zoning Board of Appeals in the development of affordable housing. She commented on the loss of some accessory apartments, and how other towns allow accessory apartments within existing single family homes through special permit arrangements. She commented the Planning Board is interested in exploring the concept and the

establishment of a housing trust. She commented on buydown programs and promoting housing ownership for seniors looking to downsize.

Mr. Handel said the Board of Selectmen will take the comments under advisement.

2. Special Town Meeting Zoning

Lee Newman, Director of Planning & Community Development outlined the three zoning articles contained in the warrant for the November 2, 2015 Special Town Meeting.

Ms. Newman said Articles 6 and 7 create the Mixed Use Overlay District in the area of Mixed Use Route 128 and Highland Avenue commercial district. She said the Articles are due to the work by the Council of Economic Advisors as a strategy to create additional work-force housing to service developments in Needham Crossing. She said the zoning creates an overlay district where the Planning Board can issue a special permit to allow for multiple family housing, with a maximum of 250 units being allowed in the district. She said it creates a process for a master special permit, which is unique to Needham and encourages developers to come up with a plan which shows schematics for the drawings before they are actually processed through a special permit process. She said it respects the underlying zoning in the district in terms of its dimensional standards, but provides for the additional use, and encourages the use to be done in a single environment or in the context of mixed use development. Ms. Newman said the zoning creates a larger minimal lot size with the objective of encouraging larger scale developments, and not allowing for small scale developments. She said the goal was to have one larger project of approximately 250 units or 2 smaller projects of 100 to 125 units in the district.

Ms. Newman said Article 6 - Zoning By-law Mixed Use 128 creates the regulatory framework encompassing the density, goals, and the special permit process allowed in the district through the Planning Board to process the application.

Ms. Newman said Article 7 - Zoning By-law Mixed Use 128/Map Change amends the zoning map to identify the areas where development is allowed, which is the Mixed Use 128 zoning district north of Route 128 on the north side of Highland Avenue and encompasses the Highland Avenue commercial district.

Ms. Newman said Article 8 Zoning By-law - Historic Preservation seeks to create flexibility for people who own historic homes and who are interested in doing restoration when there is a setback constraint.

Mr. Handel asked the Board if it had any comments or questions.

Mr. Borrelli asked for clarification as to whether the zoning articles are for either condominium or rental units. He asked about 1 bedroom and 3 bedroom units and the State mandated requirement of 10% affordability.

Ms. Newman said zoning only relates to density, not ownership. Ms. Newman said it is not clear whether the 10% affordability will be required on 3 bedroom units, as it is not currently a requirement in this context.

Mr. Borrelli said he supports bringing residential housing to the area and reiterated his desire to have housing for people who wish to downsize, instead of expensive condominium projects.

3. Pending Legislation

Mr. Matthews commented on Senate Bill 122, An Act Promoting the Planning and Development of Sustainable Communities currently under consideration in the legislature that could have some potentially significant impact on the Town of Needham. He also said he would like to know the status of the Large House study. He suggested scheduling a meeting to discuss both issues.

Mr. Handel agreed and asked the Planning Board if it had any additional comments to make.

Elizabeth Grimes, Planning Board member said a small committee has been working on the Large House Review to further its goals. She said the entire committee plans to meet in the next few weeks to discuss various topics.

Ms. McKnight said sometimes issues arise that are not strictly within the purview of the Planning Board. She said occasionally the Planning Board may wish to send a letter to the Board of Selectmen asking that they consider a particular issue. Mr. Handel said the Board welcomes having an issue brought to their attention.

Mr. Handel thanked the Planning Board for its work.

8:05 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: No Appointments were made at this meeting.

CONSENT AGENDA *=Backup attached

- 1. Accept a \$500 donation from the Congregational Church of Needham made to Needham Youth Services VIP program.**
- 2. Ratify a request from the Sheraton Needham to extend the liquor license for a function on October 23, 2015 until 1:00 a.m. for the New England Association of Columbian Children Gala. This request was approved by the Chief of Police.**
- 3. Accept a \$100 donation from the Community Center of Needham, Inc. made to the Needham Community Revitalization Trust Fund Committee for Needham Light Banners.**

4. **Accept a donation of \$35 made to the Needham Police Department's Car Safety Seat Installation Program from Vivian Bendix, a Framingham resident.**
- 5.* **Ratify a Special One Day All Alcoholic Beverages license from Stephen Pitocchelli, of The Village Club, who held its MDA fundraiser on October 10, 2015 from 11:00 a.m. to 8:00 p.m. at The Village Club, 83 Morton Street, Needham.**
- 6.* **Approve a Special One Day All Alcoholic Beverages License for Stephen Pitocchelli of the Village Club to host the Class of 1990's Reunion event on November 27, 2015 from 6:00 p.m. to 11:00 p.m. The event will be held at the Village Club, 83 Morton Street, Needham.**
- 7.* **Approve a Special One Day All Alcoholic Beverages License for Stephen Pitocchelli of the Village Club to host the Class of 1985's Reunion event on November 28, 2015 from 6:00 p.m. to 11:00 p.m. The event will be held at the Village Club, 83 Morton Street, Needham.**
- 8.* **Ratify a Special One Day All Alcoholic Beverages License for Mary Grace Summergrad, of Needham Community Education who held its Whiskey Tasting event on October 25, 2015 from 2:30 p.m. to 5:30 p.m. at the Needham Historical Society, 1147 Central Avenue, Needham.**
- 9.* **Approve minutes from September 21, 2015 (open and executive session).**

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

Mr. Handel suggested going out of order on the agenda and discuss Article 10 on the November 2, 2015 Special Town Meeting Warrant.

Article 10 - Appropriate for Fire Station 2 Feasibility

Dennis Condon, Needham Fire Chief appeared before the Board to discuss needed improvements to Fire Station 2 in Needham Heights.

Ms. Fitzpatrick noted Article 10 on the warrant is an appropriation for a feasibility study for renovation and improvements to Fire Station 2. She commented on the discussion concerning housing strategies and that a significant grant of more than \$1 million from Normandy Partners was part of the development agreement. She asked Chief Condon to discuss deficiencies, concerns, and options for the fire station.

Chief Condon said development in Needham Heights is a burden on fire and emergency services. He said call volume has risen over the years, with more EMS runs today than total runs in the 1980's. He said development and serving the people in the Heights effectively is of concern, without burdening the rest of the Town. He said it appears fire and EMS service will often be on the other side of Route 128. He said a second full time ambulance is needed at fire station 2, but there is no space in the building. He asked for the Board's support on the feasibility study.

Ms. Fitzpatrick noted several options are being considered.

Mr. Bulian said he supports the feasibility study as it is not just about residential population, but a growing business district and 2 hotels.

Ms. Cooley noted the need and speculated on age of people requiring ambulance service, rather than the number of people needing service.

Chief Condon said the development of Wingate and other proposed development will generate more public safety calls.

The Board thanked Chief Condon for his comments.

8:05 p.m.

Siting for new Hillside School

Daniel Gutekanst, Superintendent of Schools, Steve Popper, Director of Design & Construction, Connie Barr, School Committee Chair, and Susan Neckes, School Committee member appeared before the Board with an update on the votes of the School Committee and PPBC relative to the reconstruction of the Hillside School.

Dr. Barr said the School Committee voted unanimously in favor of using the Central Avenue site and explained the criteria used in making the decision. She said the criteria for a new school in the Hillside school district included space for full day kindergarten, a neighborhood location, transportation costs, minimal redistricting, and overall costs. Dr. Barr said public comments concerning traffic, safety, wetlands, school size, playground size, and maneuvering buses in and out of the property were taken into consideration. She said the bottom line was having a neighborhood school that provides educational programming.

Dr. Gutekanst said he is pleased with the decision of the School Committee. He said the site provides ample and appropriate space for the educational program the School Committee wants, the school staff has been working toward, and that the Town will receive reimbursement from the MSBA. He explained the planned school design saying the classroom design exceeds the current MSBA standard by 50 sq. ft. He said there will be separate classrooms for Spanish, technology, arts, special education, cafeteria with quiet zones, 6,000 sq. ft. gym, play area, playground, field space, possible walking trail, and parking. He said it is a beautiful site and safe for children.

Mr. Handel said a facilities working group study of the Town's physical assets was recently completed. He said the study clearly showed a critical shortage of land available for all uses. He said the opportunity presented by the availability of the Owen's Farm property greatly helps not just the schools, but the Town as well in all of its needs. He said he supports the solution.

Mr. Bulian said he supports the Central Avenue site. He commented the DeFazio site presented challenges due to the current location of the Department of Public Works and field complex. He explained the cost to move part of the DPW

operations would be substantial, and that he believes building a school on the DeFazio site would be more costly than the Central Avenue site.

Ms. Cooley supports siting the school on Central Avenue. She said a school that supports 4 classrooms per grade is a benchmark, and the school is the right size for Needham. She encouraged a plan with respect to extended learning space, even if not part of the MSBA rubric, as there is value in have a flexible educational program.

Mr. Matthews said it is a great plan and is in full support. He said this is the first time in several generations that the Town plans to build a school on land not currently school property. He said it is complex issue and a tremendous opportunity that delivers what the community needs for the children of Needham. He said it is important to do the project on the set schedule.

Dr. Gutekanst encouraged residents to get involved in the site planning.

Mr. Borrelli said he appreciates the FAQ that answers many questions for residents. He said it is an amazing opportunity and that he is confident in the project. He thanked the School Committee for keeping the Hillside School community in tact.

Motion by Mr. Borrelli that the Board vote to endorse the School Committee vote that the Central Avenue/Owens Farm site is the preferred site for the reconstruction of the Hillside School.

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

8:40 p.m.

RTS Rate Setting Public Hearing & Solid Waste Disposal & Recycling Advisory Committee Update:

Dave Davison, ATM/Director of Finance, Rick Merson, Director of Public Works, Greg Smith, Solid Waste Superintendent, Jeffrey Heller, Chair Solid Waste Disposal & Recycling Committee, and David Ecsedy, committee member appeared before the Board to discuss recommended changes in certain RTS rental and snow dump fees.

Mr. Handel opened the public hearing.

Mr. Davison said it is recommended to hold all general waste disposal rates flat for FY2016, and that the Hauler Sticker fee not be changed. However, it is recommended that rental fees for use of the Trommel screening machine and snow dump be increased as neither fee has been increased in a number of years, nor do the current rates reflect the increased costs associated with the activity.

Mr. Handel asked for Board comments and questions.

Mr. Bulian asked how many stickers have been given out since changing to a free sticker system and are more residents using the RTS since implementing changes a year ago.

Mr. Davison said since there is not an annual renewal process and no longer a sticker fee the number of additional stickers issued is not available. He said the number of additional stickers however, is not significant because most residents who use the facility already had a sticker. He said there was an increase in municipal solid waste and tonnage for bags, but it should not be considered a trend.

Mr. Matthews asked about operation and management of the snow dump.

Mr. Merson said the snow dump is operated by current RTS staff. Ms. Cooley asked for clarification on when commercial haulers are charged a fee.

Mr. Merson said when RTS staff are not normally scheduled, then haulers would be charged a fee. Greg Smith said he did not recall if private haulers were using the snow dump when municipal snow dump operations were not occurring. He reiterated the Town did not have municipal haulers coming in during the day, but when they were coming in they were assessed the existing fee every time. He said private haulers were discouraged from coming into the transfer station during the day to avoid conflict with normal operations. He said all of the operations managed last year with regard to private haulers utilizing the snow dump occurred in the evening, and all private haulers were assessed a fee. He commented fees associated with private haulers using the snow dump during the day should be considered and discussed.

Mr. Handel said it is worth knowing whether the Town has an opportunity or not to maximize potential revenue.

Mr. Handel noted no public comments were made during the public hearing.

Motion by Mr. Borrelli that the Board approve the proposed rate changes to become effective November 1, 2015.

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

Mr. Davison clarified private contractors must obtain a snow dump permit and arrange a time with the RTS in order to use the facility.

8:55 p.m.

Department of Public Works:

Richard Merson, DPW Director appeared before the Board with 3 items to discuss:

1. Preliminary Vote Grant of Location - Eversource Energy - Bancroft Street

Mr. Merson said Eversource Energy requests permission to install 10 feet of conduit in Bond Street. This GOL, he said, is subject to final approval after a public hearing at the Board of Selectmen's November 10, 2015 meeting. Mr. Merson said

this work is necessary to provide underground electric service at 45 Bancroft Street, Needham.

Ms. Fitzpatrick noted a preliminary vote is due to a hardship situation for a Needham family.

Motion by Mr. Borrelli that the Board of Selectmen give preliminary approval for Eversource Energy to install 10 feet of conduit in Bond Street and turn on electricity to the home at 45 Bancroft Street on or before October 30, 2015. Further, that Eversource Energy appear before the Board of Selectmen to request final approval for this grant of location on November 10, 2015. Second: Ms. Cooley. Unanimously approved 5-0.

2. Sign Notice of Traffic Regulation - Brookline Street

Motion by Mr. Bulian that the Board vote to approve and sign the Notice of Traffic Regulation Permit #P15-10-27 for Brookline Street, Parking Prohibited During Certain Hours, North side from a point opposite the westerly sideline of Dell Avenue to a point opposite the westerly sideline of Holmes Street - No Parking, 7:30 - 9:00 A.M. and 2:00 - 3:30 P.M. Monday through Friday. Second: Mr. Borrelli. Unanimously approved 5-0.

3. Traffic Regulation - Damon Road & Tanglewood Road

Motion by Mr. Bulian that the Board vote to approve and sign the Notice of Traffic Regulation Permit #SS15-10-27 requiring that Damon Road northbound and southbound be designated as a stop street at the intersection of Tanglewood Road. Second: Ms. Cooley. Unanimously approved 5-0.

9:03 p.m.

Town Manager:

The Board took positions on articles contained in the November 2, 2015 Special Town Meeting Warrant:

Article 1 - Defer

Motion by Mr. Bulian that the Board vote to withdraw Article 2 - Collective Bargaining - Police Superiors in the Special Town Meeting Warrant. Second: Mr. Borrelli. Unanimously approved 5-0.

Motion by Mr. Bulian that the Board vote to withdraw Article 3 - Collective Bargaining - BCTIA/PFD in the Special Town Meeting Warrant. Second: Mr. Borrelli. Unanimously approved 5-0.

Article 4 - Defer

Motion by Mr. Bulian that the Board vote to support Article 6 - Zoning By-law - Mixed Use 128 in the Special Town Meeting Warrant.

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

Mr. Borrelli reiterated his desire to have more 55+ housing in Needham.

Motion by Mr. Borrelli that the Board vote to support Article 7 - Zoning By-law - Mixed Use 128/Map Change in the Special Town Meeting Warrant.

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

Motion by Mr. Borrelli that the Board vote to support Article 8 - Zoning By-law - Historic Preservation in the Special Town Meeting Warrant.

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

Mr. Borrelli said Article 8 is a common sense approach to fix issues that can happen to historical homes and benefits the Town. Mr. Handel stated he is a member of class of people who may potentially benefit from the article, and said he believes he is allowed to vote on the article.

Motion by Mr. Bulian that the Board vote to support Article 10 - Appropriate for Fire Station 2 Feasibility in the Special Town Meeting Warrant.

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

Motion by Mr. Bulian that the Board vote to support Article 11 - Appropriate for NHS Cafeteria Renovation as amended by deleting the words “a sum” and inserting in place thereof the sum “\$2,100,000” in the Special Town Meeting Warrant.

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

Motion by Mr. Bulian that the Board vote to support Article 13 - Appropriate for Property Acquisition in the Special Town Meeting Warrant.

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

9:10 p.m. Board Discussion:

1. Committee Reports
No Committee Reports were made.

Mr. Borrelli reported the 7 and 8 year old Little League baseball team won the “fall ball” championship game defeating Newton.

9:12 p.m. Executive Session (Exception 3 & 6)

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.

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 9:40 p.m.