

# BOARD OF SELECTMEN

## March 28, 2017

### Needham Town Hall

### Agenda

*Note: Agenda subject to revision, start times are approximate and agenda items may be discussed at earlier or later times.*

<b>1.</b>	<b>5:30</b>	Executive Session 3 & 6
	<b>6:45</b>	<p>Informal Meeting with Citizens</p> <p><i>One or more members of the Board of Selectmen will be available between 6:45 and 7:00 p.m. for informal discussion with citizens. While not required, citizens are encouraged to call the Selectmen's Office at (781) 455-7500 extension 204 in advance to arrange for an appointment. This enables the Board to better assure opportunities for participation and respond to citizen concerns.</i></p>
<b>2.</b>	<b>7:00</b>	<p>Public Hearing- Lighttower Fiber Networks 77 A Street (2)</p> <ul style="list-style-type: none"> <li>• Robert Walls, Lighttower Fiber Networks</li> <li>• Bill Conway, Axis Engineering</li> </ul>
<b>3.</b>	<b>7:00</b>	<p>Change of Manager- Residence Inn by Marriott Needham</p> <ul style="list-style-type: none"> <li>• Thomas Riley, Proposed Manager</li> </ul>
<b>4.</b>	<b>7:05</b>	<p>Babson College Scholarships</p> <ul style="list-style-type: none"> <li>• Melissa Shaak, Babson College</li> </ul>
<b>5.</b>	<b>7:10</b>	<p>Rotary Club Carnival Proposal</p> <ul style="list-style-type: none"> <li>• Ted Shaughnessy, Rotary Club</li> </ul>
<b>6.</b>	<b>7:15</b>	<p>Open Space &amp; Recreation Plan All Boards Meeting</p> <ul style="list-style-type: none"> <li>• Tracy Adamski, Tighe &amp; Bond</li> </ul>
<b>7.</b>	<b>8:15</b>	<p>Public Hearing- Verizon Wireless</p> <ul style="list-style-type: none"> <li>• Joshua Lanzetta, McLane Middleton</li> </ul>
<b>8.</b>	<b>8:25</b>	<p>Request to Locate Farmers Market on Garrity Way</p> <ul style="list-style-type: none"> <li>• Jeff Friedman, President, Needham Farmers Market Inc.</li> </ul>
<b>9.</b>	<b>8:40</b>	<p>Town Manager</p> <ul style="list-style-type: none"> <li>• Non-Essential Outdoor Water Use Restriction</li> <li>• Tax Increment Financing Proposal</li> <li>• Food Truck Regulation Provisions</li> <li>• FY2018 Capital, Reserves &amp; Financing Consultation</li> <li>• Positions on Warrant Articles</li> </ul>
<b>10.</b>	<b>9:00</b>	<p>Board Discussion</p> <ul style="list-style-type: none"> <li>• Needham High School Expansion</li> <li>• Committee Reports</li> </ul>

### APPOINTMENTS

1.	Community Preservation Committee	Robert Dermody (term expires 6/30/2020)
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## CONSENT AGENDA      \*=Backup attached

1.*	Approve One Day Special Wine & Malt Beverages License for Caroline Christiano, of The Bulfinch Group to host an event called, Improv Andy: Answering “What do you do?” on April 25, 2017 from 5:00 p.m. to 7:30 p.m. The event will be held at The Bulfinch Group’s office at 160 Gould Street, Suite 310, Needham.
2.*	Water and Sewer Abatement Order #1234.
3.	Accept a \$700 donation made to the Park and Recreation Commission’s Arts in the Parks Summer Concert Series from the Dedham Savings Bank.
4.	Accept a \$700 donation made to Needham Youth Services from the Needham Community Council, Inc. They would like the monies to be used to sponsor Needham Youth Services Project Van program.
5.	Accept donations made to the Needham Health Department’s INTERFACE Referral Service Program from the following: \$6,000 from Beth Israel Deaconess Hospital-Needham, and \$6,000 from the Kyle W. Shapiro Foundation.



**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

**MEETING DATE: 03/28/2017**

<b>Agenda Item</b>	Public Hearing- Lighttower Fiber Networks: 77 A Street
<b>Presenter(s)</b>	Robert Walls, Lighttower Fiber Networks representative Bill Conway, Axis Engineering representative

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
	<p>Lighttower Fiber Networks requests permission to lay and maintain underground conduit, with cables placed therein under the surface of the following public way or private ways: 1) install approximately 8 feet of (1) 4 inch PVC communication conduit and other supporting and protecting equipment from existing Utility Pole #148/17 in the easement off Second Avenue to Electric MH#21829; and 2) install approximately 108 feet of (1) 4 inch PVC communication conduit and other supporting and protecting equipment from existing Electric MH#27240 on the north side of A Street to Proposed 17"x30" Lighttower Handhole, and continuing to the building at 77A Street. The conduit will be installed by Lighttower and will serve to provide telecommunication service to the business at 77A Street, Needham from the Lighttower network.</p> <p>The Department of Public Works has approved this petition, based on Lighttower Fiber Network's commitment to adhere to the Town's regulation that <b>all conduit installed must be 3" schedule 40 minimum; and, that when buried, the conduit must be placed at 24" below grade to the top of the conduit.</b></p>
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
	<p><b><u>Suggested Motion:</u></b></p> <p>Move that the Board of Selectmen approve and sign a petition from Lighttower Fiber Networks to lay and maintain underground conduit, with cables placed therein under the surface of the following public way or private ways: 1) install approximately 8 feet of (1) 4 inch PVC communication conduit and other supporting and protecting equipment from existing Utility Pole #148/17 in the easement off Second Avenue to Electric MH#21829; and 2) install approximately 108 feet of (1) 4 inch PVC communication conduit and other supporting and protecting equipment from existing Electric MH#27240 on the north side of A Street to Proposed 17"x30" Lighttower Handhole, and continuing to the building at 77A Street. The conduit will be installed by Lighttower and will serve to provide telecommunication service to the business at 77A Street, Needham from the Lighttower network.</p>
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>



**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

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**(Describe backup below)**

- a. Letter of Application
- b. Order
- c. Petition Plan
- d. Notice Sent to Abutters
- e. List of Abutters



RECEIVED  
TOWN OF NEEDHAM  
BOARD OF SELECTMEN  
2017 FEB 17 P 2:10

February 17, 2017

Board of Selectmen  
Town of Needham  
1471 Highland Avenue  
Needham, MA 02492

C: Dpw via interoffice  
mail 2/17/17  
3/6/17

RE: Grant of Location Fiber Optic Cable Installation  
77 A Street, Needham, MA

Dear Member of the Board of Selectmen:

Lighttower Fiber Networks, LLC respectfully submits the enclosed documents for proposed work at 77 A Street for review and approval by the Board of Selectmen. The project involves the installation of approximately 8 feet of (1) 4 inch PVC communication conduit and other supporting and protecting equipment from existing Utility Pole #148/17 in the easement off Second Avenue to Electric MH#21829. The conduit will be installed by Lighttower and will serve to provide telecommunication service to the business at 77 A Street from the Lighttower network.

As requested by the Board, for consideration of the grant of location for the conduit placement, please find enclosed three (3) copies of the "Proposed Conduit Installation at 77 A St (EMH21829 to P. 148/17) in Needham, MA" for your review.

If you have any questions or concerns, please feel free to contact me at (508)-769-2924.

Regards,

*Bob Walls*

Bob Walls  
Fiber Construction Engineer

OK to proceed  
Meyers, DPW Engr  
3/8/17  
OK R.P. Mansson  
DPW Director  
3/8/17

PETITION OF  
LIGHTOWER FIBER NETWORKS LLC,  
FOR LOCATION OF CONDUIT

February 17, 2017

**To the Board of Selectmen of the Town of Needham, MA:**

*The undersigned respectfully petitions*

That permission be granted to Lightower Fiber Networks, LLC of 80 Central Street, Boxborough, MA 01719, for lead company status to install approximately 8 feet of underground conduit, with necessary wires/cable therein, in the easement off Second Ave. from Utility Pole # 148/17 to Electric MH#21829. The proposed conduit installation is indicated on the attached plan "Proposed Conduit Installation at 77 A St (EMH21829 To P.148/17) in Needham, MA" Said plan has been placed on file at the office of the Board of Selectmen. The purpose of the proposed installation is to provide utility service for the business located at 77 A Street.

LIGHTOWER FIBER NETWORKS, LLC

Petitioner: Bob Walls, Fiber Construction Engineer

Signature: Bob Walls

Address: 80 Central Street

Boxborough, MA 01719

Telephone: (508)-769-2924

I hereby certify the foregoing petition was adopted at a meeting of the Board of Selectmen of the Town of Needham, MA held on this the \_\_\_\_ day of \_\_\_\_\_ 2017

Signature: \_\_\_\_\_

Board of Selectmen, Chair



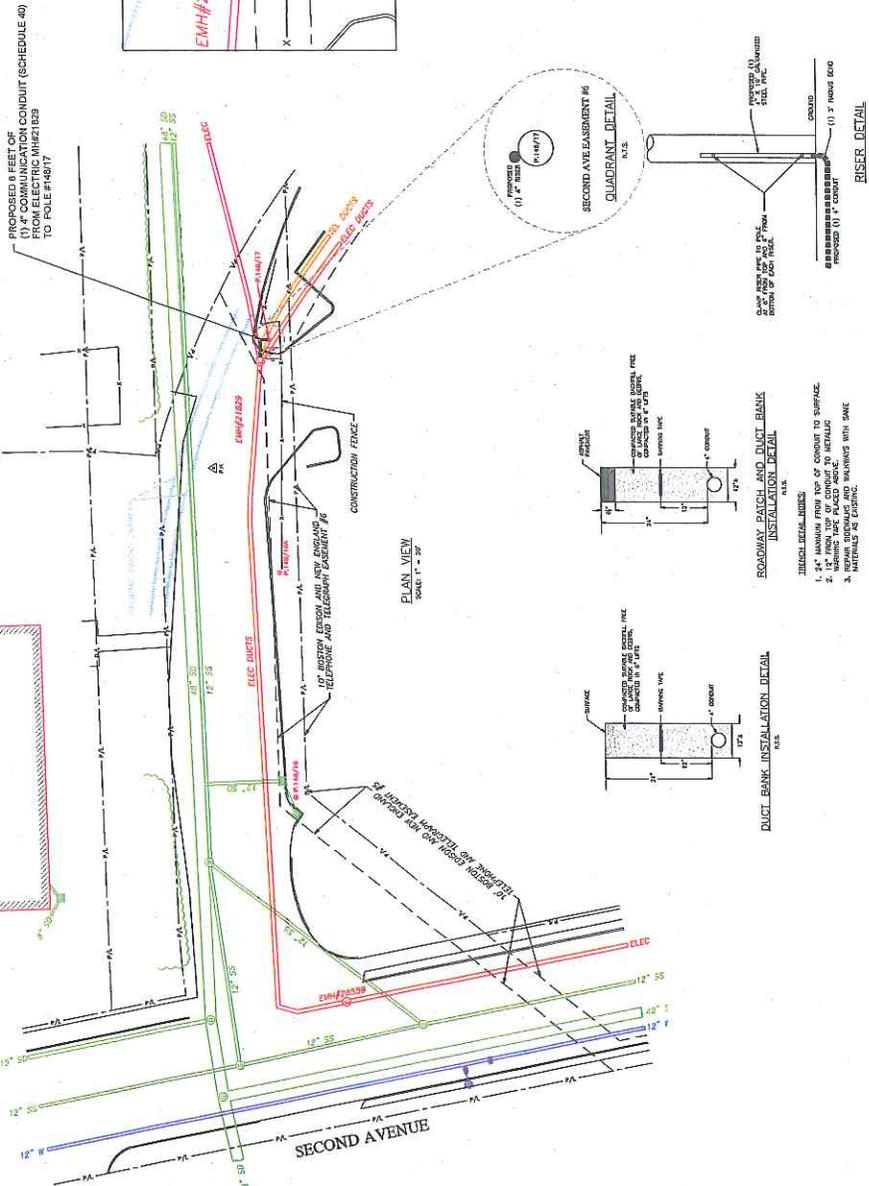
**PROPOSED CONDUIT INSTALLATION**  
**AT**  
**77 A ST (EMH21829 TO P.148/17)**  
**IN**  
**NEEDHAM, MA**

**INDEX OF DRAWING**

SHT NO.	DESCRIPTION
01	PROPOSED PLAN



PROPOSED 8 FEET OF  
(1) 4" COMMUNICATION CONDUIT (SCHEDULE 40)  
FROM ELECTRIC #148/17  
TO POLE #148/17



PLAN VIEW  
SCALE 1" = 20'

PLAN VIEW DETAIL  
SCALE 1" = 10'



DUCT BANK INSTALLATION DETAIL  
N.E.C.



ROADWAY PATCH AND DUCT BANK  
INSTALLATION DETAIL  
N.E.C.



QUADRANT DETAIL  
N.E.C.



RISER DETAIL  
N.E.C.

**GENERAL NOTES**

1. THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN BY A DASHED LINE. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES BY THE OWNER OR THEIR REPRESENTATIVE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL UTILITIES.
2. IF AN EXISTING UTILITY IS FOUND TO HAVE CAUSED A CONFLICT WITH THE PROPOSED UTILITY, THE CONTRACTOR SHALL NOTIFY THE OWNER AND THE UTILITY COMPANY IMMEDIATELY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL UTILITIES.
3. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES AND FACILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL UTILITIES.
4. THE CONTRACTOR SHALL MAKE ALL OF THE ARRANGEMENTS FOR THE PROTECTION OF ALL UTILITIES, PRIVATE AND PUBLIC.
5. THE CONTRACTOR SHALL NOT DISTURB PUBLIC TREES AND SHRUBS.
6. AREAS OUTSIDE THE LIMITS OF THE CONTRACT SHALL BE RESTORED TO ORIGINAL CONDITION OR BETTER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL UTILITIES.
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8. JOINTS BETWEEN NEW BITUMINOUS CONCRETE ROADWAY PAVEMENT AND EXISTING PAVEMENT SHALL BE SEALED WITH BITUMEN AND PROTECTED WITH CURB AND GUTTER.
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12. THE CONTRACTOR SHALL REPLACE ALL PAVEMENT MARKINGS IN THEIR ORIGINAL LOCATION AND OPERATIONS SHALL BE MAINTAINED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL UTILITIES.

DATE	APPROVED	REVISION

**PROPOSED PLAN**

NO. DRAWING	77A.37A (REVISED 10-2-1977)
PROJECT	RECONSTRUCTION OF SECOND AVENUE, NEWTON, MA
DESIGNED BY	
CHECKED BY	
APPROVED BY	
SCALE	AS SHOWN
DATE	10-2-1977
DRAWN BY	



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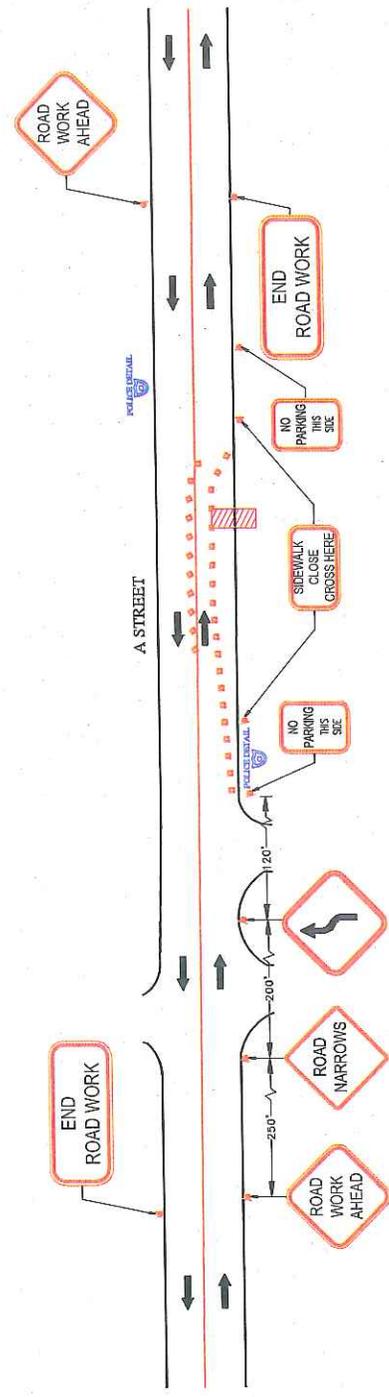
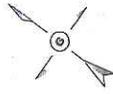
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**TRAFFIC MANAGEMENT PLANS  
FOR  
PROPOSED CONDUIT INSTALLATION  
AT  
77 A ST  
IN  
NEEDHAM, MA**

**INDEX OF DRAWING**

SHT NO.	DESCRIPTION
01-03	TRAFFIC MANAGEMENT PLANS
04	TRAFFIC MANAGEMENT DETAILS



**Traffic Management Notes:**

1. Place all safety devices and construction signing before actual construction work begins.
2. Use flags on advanced warning signs. Flags shall be at least 16" x 16".
3. Distances are a guide and may be adjusted based on field conditions.
4. No traffic control devices shall remain on the roadway at the end of each workday, cover signs as necessary when not in use.
5. All warning signs shall be back legend on a reflective orange.
6. All drums shall be placed appropriately or moved as necessary to maintain adequate abutler access at all times.

DATE	APPEND	REVISION																												
<b>TRAFFIC MANAGEMENT PLAN</b>																														
<p>THE LOCATION OF EXISTING UTILITIES SHOWN ON THIS PLAN IS APPROXIMATE AND NOT TO BE CONSIDERED AS A GUARANTEE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UTILITIES TO BE MAINTAINED OR MOVED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.</p>																														
<p>PROJECT: 77A ST, NEEDHAM, MA</p> <p>DATE: 11/15/2017</p> <p>SCALE: 1" = 30'</p> <p>DESIGNER: IGH TOWER</p>																														
<p><b>LEGEND</b></p> <table border="0"> <tr> <td>EXISTING TRAFFIC FLOW</td> <td>URINROW MANHOLE</td> <td>TRAFFIC SIGNAL</td> <td>TRAFFIC BOX</td> <td>URINROW MANHOLE</td> <td>URINROW GATE</td> <td>URINROW BUSH</td> </tr> <tr> <td>PROPOSED TRAFFIC FLOW</td> <td>TRAFFIC SIGNAL</td> <td>TRAFFIC BOX</td> <td>URINROW MANHOLE</td> <td>URINROW GATE</td> <td>URINROW BUSH</td> <td>TRAFFIC SIGNAL</td> </tr> <tr> <td>TRAFFIC DRUM</td> <td>TRAFFIC CONE</td> <td>WORK AREA</td> <td>URINROW MANHOLE</td> <td>URINROW GATE</td> <td>URINROW BUSH</td> <td>TRAFFIC SIGNAL</td> </tr> <tr> <td>TRAFFIC CONE</td> <td>WORK AREA</td> <td>URINROW MANHOLE</td> <td>URINROW GATE</td> <td>URINROW BUSH</td> <td>TRAFFIC SIGNAL</td> <td>TRAFFIC BOX</td> </tr> </table>			EXISTING TRAFFIC FLOW	URINROW MANHOLE	TRAFFIC SIGNAL	TRAFFIC BOX	URINROW MANHOLE	URINROW GATE	URINROW BUSH	PROPOSED TRAFFIC FLOW	TRAFFIC SIGNAL	TRAFFIC BOX	URINROW MANHOLE	URINROW GATE	URINROW BUSH	TRAFFIC SIGNAL	TRAFFIC DRUM	TRAFFIC CONE	WORK AREA	URINROW MANHOLE	URINROW GATE	URINROW BUSH	TRAFFIC SIGNAL	TRAFFIC CONE	WORK AREA	URINROW MANHOLE	URINROW GATE	URINROW BUSH	TRAFFIC SIGNAL	TRAFFIC BOX
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<p><b>UTILITY MARKERS</b></p> <table border="0"> <tr> <td>8" W</td> <td>WATER PIPE</td> <td>8" T</td> <td>TELEPHONE POLE</td> </tr> <tr> <td>8" D</td> <td>DRINK PIPE</td> <td>8" E</td> <td>ELECTRIC POLE</td> </tr> <tr> <td>8" T</td> <td>TELEPHONE POLE</td> <td>8" C</td> <td>GAS PIPE</td> </tr> <tr> <td>8" E</td> <td>ELECTRIC POLE</td> <td>8" S</td> <td>STEAM PIPE</td> </tr> <tr> <td>8" C</td> <td>GAS PIPE</td> <td>8" S</td> <td>STEAM PIPE</td> </tr> </table>			8" W	WATER PIPE	8" T	TELEPHONE POLE	8" D	DRINK PIPE	8" E	ELECTRIC POLE	8" T	TELEPHONE POLE	8" C	GAS PIPE	8" E	ELECTRIC POLE	8" S	STEAM PIPE	8" C	GAS PIPE	8" S	STEAM PIPE								
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<p><b>TRAFFIC MANAGEMENT PLAN</b></p> <p>DATE: 11/15/2017</p> <p>APPEND: 1</p> <p>REVISION: 1</p>																														









RECEIVED  
TOWN OF NEEDHAM  
2017 FEB 17 P 3:10

February 17, 2017

Board of Selectmen  
Town of Needham  
1471 Highland Avenue  
Needham, MA 02492

C: DPW via interoffice  
mail 2/17/17  
3/6/17

RE: Grant of Location Fiber Optic Cable Installation  
77 A Street, Needham, MA

Dear Member of the Board of Selectmen:

Lighttower Fiber Networks, LLC respectfully submits the enclosed documents for proposed work at 77 A Street for review and approval by the Board of Selectmen. The project involves the installation of approximately 108 feet of (1) 4 inch PVC communication conduit and other supporting and protecting equipment from existing Electric MH#27240 on the north side of A Street to Proposed 17"x30" Lighttower Handhole, and continuing to the building at 77 A Street. The conduit will be installed by Lighttower and will serve to provide telecommunication service to the business at 77 A Street from the Lighttower network.

As requested by the Board, for consideration of the grant of location for the conduit placement, please find enclosed three (3) copies of the "Proposed Conduit Installation at 77 A St in Needham, MA" for your review.

If you have any questions or concerns, please feel free to contact me at (508)-769-2924.

Regards,

*Bob Walls*

Bob Walls  
Fiber Construction Engineer

OK to proceed  
TWP DPW Engr.  
3/8/17  
OK R P [unclear]  
DPW Director 3/8/17

PETITION OF  
LIGHTOWER FIBER NETWORKS LLC,  
FOR LOCATION OF CONDUIT

February 17, 2017

**To the Board of Selectmen of the Town of Needham, MA:**

*The undersigned respectfully petitions*

That permission be granted to Lightower Fiber Networks, LLC of 80 Central Street, Boxborough, MA 01719, for lead company status to install approximately 108 feet of underground conduit, with necessary wires/cable therein, on A St. from Electric MH # 27240 to Proposed 17"x30" Lightower Handhole, and continuing approximately 27 feet to the building located at 77 A Street. The proposed conduit installation is indicated on the attached plan "Proposed Conduit Installation at 77 A St in Needham, MA" Said plan has been placed on file at the office of the Board of Selectmen. The purpose of the proposed installation is to provide utility service for the business located at 77 A Street.

LIGHTOWER FIBER NETWORKS, LLC

Petitioner: Bob Walls, Fiber Construction Engineer

Signature: Bob Walls

Address: 80 Central Street

Boxborough, MA 01719

Telephone:(508)-769-2924

I hereby certify the foregoing petition was adopted at a meeting of the Board of Selectmen of the Town of Needham, MA held on this the \_\_\_\_ day of \_\_\_\_\_ 2017

Signature: \_\_\_\_\_

Board of Selectmen, Chair



**PROPOSED CONDUIT INSTALLATION**

**AT**

**77 A ST**

**IN**

**NEEDHAM, MA**

**INDEX OF DRAWING**

SHT NO.

DESCRIPTION

01

PROPOSED PLAN





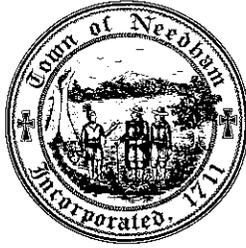
**TRAFFIC MANAGEMENT PLANS  
FOR  
PROPOSED CONDUIT INSTALLATION  
AT  
77 A ST (EMH21829 TO P.148/17)  
IN  
NEEDHAM, MA**

**INDEX OF DRAWING**

SHT NO.	DESCRIPTION
01	TRAFFIC MANAGEMENT PLAN
02	TRAFFIC MANAGEMENT DETAILS







## NOTICE

To the Record

You are hereby notified that public hearings will be held at the **Needham Town Hall, 1471 Highland Avenue, at 7:00 p.m. on March 28, 2017** upon petitions of Lighttower Fiber Networks dated **February 17, 2017** to 1) install approximately 8 feet of (1) 4 inch PVC communication conduit and other supporting and protecting equipment from existing Utility Pole #148/17 in the easement off Second Avenue to Electric MH#21829; and 2) install approximately 108 feet of (1) 4 inch PVC communication conduit and other supporting and protecting equipment from existing Electric MH#27240 on the north side of A Street to Proposed 17"x30" Lighttower Handhole, and continuing to the building at 77A Street.

The conduit will be installed by Lighttower and will serve to provide telecommunication service to the business at 77A Street, Needham from the Lighttower network.

A public hearing is required and abutters should be notified.

If you have any questions regarding this petition, please contact Lighttower Fiber Networks representative, Bob Walls at 508-769-2924.

Matthew D. Borrelli  
Marianne Cooley  
Daniel P. Matthews  
Maurice P. Handel  
John A. Bulian

BOARD OF SELECTMEN

Dated: March 10, 2017

77 A STREET

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	STATE	ZIP	PARCEL ID	PROPERTY ADDRESS
GCP SECOND AVENUE LLC		303 CONGRESS ST - 5TH FLOOR	BOSTON	MA	02210	1993000002600000	254 SECOND AVE
15-FOUR REALTY LLC	C/O ELIZABETH CACCIATORE	61 DRABBINGTON WAY	WESTON	MA	02493	1993000002300000	15 FOURTH AVE
BLAKELEY, LINNELL ET AL, TRS	C/O BLAKELEY INVESTMENT CO	1 INTERNATIONAL PLACE STE 3250	BOSTON	MA	02110	199300000068000000	0 FOURTH AVE
BLAKELEY, LINNELL ET AL, TRS	C/O BLAKELEY INVESTMENT CO	1 INTERNATIONAL PLACE STE 3250	BOSTON	MA	02110	199300000069000000	0 FOURTH AVE
NEEDHAM NINE OWNER LLC	C/O NORMANDY REAL ESTATE PARTNERS	53 MAPLE AVE	MORRISTOWN	NJ	07960	1993000001700000	156 B ST
SHULKIN, IRWIN & SHELJA, TRS.	C/O WARREN G MILLER, ESQUIRE	15 COURT SQUARE, STE 250	BOSTON	MA	02108	199300000220000000	33 FOURTH AVE
ECLIPSE REALTY MANAGEMENT, LLC.		BOX 920757	NEEDHAM	MA	02492	199300000370000000	206 A ST
HATOUN, ANTOINE G, TRUSTEE	THE INTEX REALTY TRUST	110 A STREET	NEEDHAM	MA	02494	199300000340000000	110 A ST
150A #1 LIMITED PARTNERSHIP		100 GALEN ST SUITE 301	WATERTOWN	MA	02472	199300000350000000	130 A ST
SXC NEEDHAM INN LLC	C/O NANCY COADY-CARROLL	PO BOX 4430	MANCHESTER	NH	03108	19930000028000010	80 B ST
NORMANDY GAP-V DEVELOPMENT	NEEDHAM, LLC	53 MAPLE AVE	MORRISTOWN	NJ	07960-5219	19930000028000030	360 FIRST AVE
NORMANDY GAP-V DEVELOPMENT	NEEDHAM, LLC	53 MAPLE AVE	MORRISTOWN	NJ	07960-5219	19930000028000040	37 A ST
PARTNERS HEALTHCARE SYSTEM, INC.		PRUDENTIAL TOWER 800 BOYLSTON ST. - STE 1 BOSTON	BOSTON	MA	02119	19930000033000020	128 FIRST AVE
NEEDHAM NINE OWNER LLC	C/O NORMANDY REAL ESTATE PARTNERS	53 MAPLE AVE	MORRISTOWN	NJ	07960	199300000018000000	189 B ST
NEEDHAM NINE OWNER LLC	C/O NORMANDY REAL ESTATE PARTNERS	53 MAPLE AVE	MORRISTOWN	NJ	07960	199300000270000000	77 A ST
GENERAL DYNAMICS C4 SYSTEMS INC	GENERAL DYNAMICS NETWORK SYSTEMS	8201 E MCDOWELL RD H3172	SCOTTSDALE	AZ	85257	199300000019000000	0 A ST
IC 45 FOURTH AVE LLC		60 WELLS AVE SUITE 100	NEWTON	MA	02459	199300000020000000	45 FOURTH AVE
NEEDHAM TRAVEL PROPERTY LLC		400 FIRST AVE ATTN: NRE - MS. BOVA	NEEDHAM	MA	02494	199300000028000020	400 FIRST AVE
DIGITAL 128 FIRST AVENUE, LLC		128 FIRST AVENUE	NEEDHAM	MA	02494	199300000033000010	72 A ST
FOKTY A LIMITED PARTNERSHIP		P.O. BOX 95	WESTWOOD	MA	02090	199300000032000000	40 A ST

Certified as list of parties in interest under Mass. General Laws and Needham Zoning By-Law, to the Best of our knowledge for the Needham Board of Assessors...



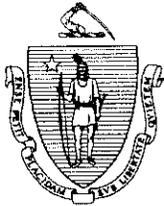
**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

---

**MEETING DATE: 3/28/2017**

<b>Agenda Item</b>	Change of Manager – Residence Inn by Marriott Needham
<b>Presenter(s)</b>	Thomas Riley, Proposed Manager

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
	Cowlen Management, Inc., d/b/a Residence Inn by Marriott Needham, 80 B Street, has submitted an application for a change in manager. Our review indicates that Mr. Riley meets the statutory requirements to serve as a manager of a facility licensed to dispense alcohol. The additional filing materials seem in order.
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
	<b>Suggested Motion:</b> <i>Move that the Board of Selectmen approve and sign an application for a Change in Manager to Thomas Riley for the Residence Inn by Marriott Needham, 80 B Street, Needham and to forward this application to the ABCC for approval.</i>
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
	<ol style="list-style-type: none"><li>1. Amendment Application for a Change of Manager</li><li>2. Applicant's Statement</li><li>3. Vote of the Corporate Board</li></ol> <p>All other documents related to these transactions are on file in the Town Manager's Office</p>



The Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
239 Causeway Street  
Boston, MA 02114  
[www.mass.gov/abcc](http://www.mass.gov/abcc)

**AMENDEMENT APPLICATION FOR A CHANGE OF MANAGER**

Please complete this entire application, leaving no fields blank. If field does not apply to your situation, please write N/A.

<b>1. NAME OF LICENSEE</b> (Business Contact)	Colwen Management, Inc.
<b>ABCC License Number</b>	00035-HT-0770
<b>City/Town of Licensee</b>	Needham Needham

**2. APPLICATION CONTACT**

The application contact is required and is the person who will be contacted with any questions regarding this application.

<b>First Name:</b>	Karen	<b>Middle:</b>	D.	<b>Last Name:</b>	Simao
<b>Title:</b>	Attorney	<b>Primary Phone:</b>	(617) 946-4600		
<b>Email:</b>	ksimao@mqmlp.com				

**3. BUSINESS CONTACT**

Please complete this section ONLY if there are changes to the Licensee phone number, business address (corporate headquarters), or mailing address.

<b>Entity Name:</b>					
<b>Primary Phone:</b>		<b>Fax Number:</b>			
<b>Alternative Phone:</b>		<b>Email:</b>			

**Business Address (Corporate Headquarters)**

<b>Street Number:</b>		<b>Street Name:</b>			
<b>City/Town:</b>		<b>State:</b>			
<b>Zip Code:</b>		<b>Country:</b>			

**Mailing Address**  Check here if your Mailing Address is the same as your Business Address

<b>Street Number:</b>		<b>Street Name:</b>			
<b>City/Town:</b>		<b>State:</b>			
<b>Zip Code:</b>		<b>Country:</b>			

## APPLICATION FOR A NEW RETAIL ALCOHOLIC BEVERAGES LICENSE

### 4. MANAGER CONTACT

The Manager Contact is required and is the individual who will have day-to-day, operational control over the liquor license.

Salutation  First Name  Middle Name  Last Name  Suffix

Social Security Number  Date of Birth

Primary Phone:  Email:

Mobile Phone:  Place of Employment

Alternative Phone:  Fax Number

### Citizenship / Residency / Background Information of Proposed Manager

Are you a U.S. Citizen?  Yes  No

Do you have direct, indirect, or financial interest in this license?  Yes  No

Have you ever been convicted of a state, federal, or military crime?  Yes  No  
If yes, attach an affidavit that lists your convictions with an explanation for each

If yes, percentage of interest

If yes, please indicate type of Interest (check all that apply):

Officer  Sole Proprietor  
 Stockholder  LLC Manager  
 LLC Member  Director  
 Partner  Landlord  
 Contractual  Revenue Sharing  
 Management Agreement  Other

Have you ever been Manager of Record of a license to sell alcoholic beverages?  Yes  No

If yes, please list the licenses for which you are the current or proposed manager:

Please indicate how many hours per week you intend to be on the licensed premises

### Employment Information of Proposed Manager

Please provide your employment history for the *past 10 years*

Date(s)	Position	Employer	Address	Phone
4/2013-Present	Assistant GM	Residence Inn Needham	80 B Street, Needham, MA	(603) 897-6100
1/2011 - 4/2013	Director of Sales	TownePlace Suites	55 Gate Road, North Kingston, RI	(401) 667-7500
2/2010 - 1/2011	Director of Sales	Residence Inn	725 Central Blvd, W. Greenwich, RI	(401) 828-1170
1/2009 - 1/2010	Sales Coordinator	Residence Inn	500 Kilver Street, Warwick, RI	(401) 737-7100
1/2006 - 1/2009	Customer Service	Kohls	371 Putnam Pike, Smithfield, RI	(401) 232-9013

### Prior Disciplinary Action of Proposed Manager

Have you ever been involved directly or indirectly in an alcoholic beverages license that was subject to disciplinary action? If yes, please complete the following:

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation
N/A	N/A	N/A	N/A	N/A

**APPLICANT'S STATEMENT**

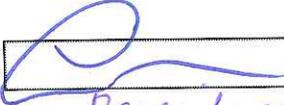
I, Leo Xarras the:  sole proprietor;  partner;  corporate principal;  LLC/LLP member  
Authorized Signatory

of Colwen Management, Inc., hereby submit this application for Change of Manager  
Name of the Entity/Corporation Transaction(s) you are applying for

(hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statement and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises does not violate any requirement of the ABCC or other state law or local ordinances;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the Application information as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of, the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.

Signature: 

Date: 2/6/17

Title: President,  
Chairman & CEO

COLWEN MANAGEMENT, INC.

CORPORATE VOTE

February 16 2017

At a meeting of the Board of Directors of Colwen Management, Inc. d/b/a Residence Inn by Marriott Needham (the "Corporation") a New Hampshire Corporation, with a principal place of business located at 889 Elm Street, 6<sup>th</sup> floor, Manchester, NH 03101.

"Voted: that the Corporation applies to the Town of Needham Board of Selectman for a Change of Manager of Record amendment to the current Inn holder All Alcoholic Beverages License for the year 2017, to be exercised at the premises located at Residence Inn by Marriott Needham, 80 B Street, Needham MA 02494

"Vote: to authorize Leo Xarras or Terrance Bickhardt, Sr. Vice President, to sign the application for the license in the name Colwen Management, Inc. d/b/a Residence Inn by Marriott Needham and to execute on its behalf any necessary papers, and to do all things required relative to the granting of the license."

"Voted: to appoint Thomas Reilly of Pawtucket, RI as its Manager of Record, with as full authority and control of the premises described therein relative to alcoholic beverages as the licensee itself could in any way have and exercise if it were a natural person resident in the Commonwealth of Massachusetts and that a copy of this vote duly certified by a Director of the Corporation and delivered to said Director or principal representative shall constitute the written authority required by M.G.L. c. 138 § 26.

This is to certify that all the directors of Colwen Management, Inc., a corporation duly organized under the laws of the State of New Hampshire and registered with the Commonwealth of Massachusetts, are citizens of the United States.

This Corporation has NOT been dissolved.

A true copy attest,

  
\_\_\_\_\_  
Leo Xarras  
President  
Its: Chairman and CEO  
Duly Authorized



**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

**MEETING DATE: 3/28/2017**

<b>Agenda Item</b>	Babson College Scholarships
<b>Presenter(s)</b>	Melissa Shaak, Director of Financial Aid, Babson College

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>																
	<p>The Board of Selectmen awards scholarships to local residents from a fund made available to the Town from Babson College. The number of scholarships and their size is determined by the Board of Selectmen and the Financial Aid Office of Babson College. Melissa Shaak and Matt Borrelli met recently and reviewed all the applications.</p>																
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>																
	<p><i>Suggested Motion:</i> That the Board of Selectmen votes to award the Town of Needham Babson Scholarships to the following applicants:</p> <table><thead><tr><th><u>Current Recipients</u></th><th><u>Status</u></th></tr></thead><tbody><tr><td>Alicia Calcagni</td><td>Current first-year student</td></tr><tr><td>John Farquharson</td><td>Current Evening MBA Student</td></tr><tr><td>Zachary Kohl</td><td>Current Junior</td></tr><tr><th colspan="2"><u>New Applicants</u></th></tr><tr><td>Heinz Brinkhaus</td><td>Current Evening MBA Student</td></tr><tr><td>Caitlin Cheng</td><td>Admitted to the Undergraduate Program</td></tr><tr><td>Richard Tamkin</td><td>Admitted to the Undergraduate Program</td></tr></tbody></table>	<u>Current Recipients</u>	<u>Status</u>	Alicia Calcagni	Current first-year student	John Farquharson	Current Evening MBA Student	Zachary Kohl	Current Junior	<u>New Applicants</u>		Heinz Brinkhaus	Current Evening MBA Student	Caitlin Cheng	Admitted to the Undergraduate Program	Richard Tamkin	Admitted to the Undergraduate Program
<u>Current Recipients</u>	<u>Status</u>																
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Richard Tamkin	Admitted to the Undergraduate Program																
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>																
	<p>a. Listing of Awards (confidential)</p>																



**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

---

**MEETING DATE: 3/28/2017**

<b>Agenda Item</b>	Rotary Club Carnival
<b>Presenter(s)</b>	Ted Shaughnessy, Rotary Club

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
	Mr. Shaughnessy will seek the Board's support and endorsement of the Rotary Club's proposal to sponsor a carnival at Needham High School in July, 2017.
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
	<i>Suggested Motion:</i> That the Board vote to endorse the Rotary Club's proposal to sponsor a carnival at Needham High School in July, 2017.
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
	a. Description of the Carnival provided by the Rotary Club

## Proposal for Rotary Club of Needham Carnival at Needham High School July 7-July 9, 2017

Equipment arrives and Set up starts Weds July 5, 2017

MA State safety inspection Fri July 7

Carnival operating Fri 6-10pm July 7, Sat 12-10pm July 8, Sun 12-6pm July 9, nightly clean up

Breakdown, clean up, departure Sun night July 9. Cushing Amusements leaves property as good as or better than when they arrived. Rotary Club personnel check property Monday am.

Carnival equipment and operation will be contained to the lower of the 2 upper parking lots on NHS hill at end of Admiral Gracy drive. So the first lot at top of the hill not the lot right at the Gyms.

Parking for carnival visitors/patrons will be at NHS other lots, near Gym, (MAYBE on Admiral Gracy Dr – being considered by NPD), lot between Admiral Gracy Dr and Webster st and Webster St lot. This is more parking than the carnival has anywhere else and should be more than adequate. We will also meet with the Trustees of Memorial Park and may have additional parking there too. The carnival people clean their area and every parking lot that is used every night.

This location is fantastic since it keeps all people contained on NHS property without anyone, especially children crossing any streets (just Admiral Gracy Dr).

Cushing Amusements, family owned and run business since 1908. Many locations are 40 year repeat annual visits (City of Newton, Andover, Marblehead, West Tisbury, Woburn). City of Newton has done 2 carnivals per year with Cushing for over 30 years. Reference letters have been reviewed and Newton Mayors office consulted. All employees are CORI checked every year.

Cushing Amusements adds The Town Of Needham and The Rotary Club of Needham to their \$2,000,000 Liability insurance.

Needham Rotary Club adds The Town Of Needham to the Rotary International \$5,000,000 Liability Insurance pool

This will be a Fantastic fun FAMILY event for people of Needham, and surrounding towns. The kids and families will love it.



Google Earth

feet  
meters





**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

---

**MEETING DATE: 3/28/2017**

<b>Agenda Item</b>	Open Space & Recreation Plan All Boards Meeting
<b>Presenter(s)</b>	Tracy Adamski, Tighe & Bond

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
	<p>Ms. Adamski from Tighe &amp; Bond, the Town's Open Space Plan consultant, will provide an update to the members of the boards and committees in attendance, and will seek input into the final development of the plan.</p> <p>Boards, committees, and commissions invited include: Board of Selectmen, Conservation Commission, Park &amp; Recreation Commission, School Committee, Trustees of Memorial Park, Planning Board, Board of Health, and Zoning Board of Appeals.</p>
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
	<p>Discussion Only.</p>
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
	<p>a. Meeting Agenda b. Open Space &amp; Recreation Plan Draft Goals &amp; Objectives</p>

---

## Meeting Agenda – All Boards Meeting on OSRP

**ATTENDEES:** Needham Boards  
**LOCATION:** Powers Hall, Needham Town Hall  
**DATE:** Tuesday March 28, 2017  
**START TIME:** 7:15 PM to 8:15 PM

---

This meeting is to discuss the 2017 Update to the Needham Open Space & Recreation Plan.

1. Introduction (20 minutes)
  - a. What is an OSRP and why do we need to update it?
    - i. Roadmap for prioritizing open space and recreation projects and expenditures
    - ii. Pre-Requirement for MA Division of Conservation Services grants
    - iii. OSRP Components
  - b. Public Process
    - i. Advisory Group
    - ii. Survey
    - iii. Forums
  - c. Proposed goals and objectives
  - d. Review and approval process and schedule
2. Discussion and questions (40 minutes)

## Section 9 Five-Year Action Plan

The Action Plan presented in the following tables represents both short- and long-term strategies for achieving the stated goals (see Section 6) over the period 2018 to 2022. Many of the action items are assigned to the "Plan Sponsors" a group that includes the Board of Selectmen, the Park & Recreation Commission, the Conservation Commission, and the Planning Board. For such action items, the plan sponsors will be asked to designate a representative from their Board to undertake the steps necessary to bring the goal to fruition. In order to centralize the process, actions assigned to "Plan Sponsors" will be coordinated through the office of the Town Manager. Other items have been assigned to the Steering Committee/Plan Sponsors, a group comprised of the Town Manager, Park & Recreation Director, Planning Director, Parks & Forestry Superintendent and Conservation Officer who have been involved in plan update process since its inception. A legend defining each of the boards or committees listed below as well as their membership as of the publication date of this plan can be found in Appendix B.

See Action Plan Map at the end of this section for a summary of the following.

### GOAL I: ACQUIRE / PROTECT ADDITIONAL OPEN SPACE

<b>Objective I-A. Acquire/Protect Open Space with Multiple Conservation Values</b>			
<b>Action Item</b>	<b>Funding</b>	<b>Responsible Party</b>	<b>Year (calendar)</b>
Seek funding for intern or retain Senior Corps member to update and prioritize private and Town-owned parcels that might be appropriate for conservation and/or recreational purposes.	Department appropriation, Senior Corps funding	Conservation, Plan Sponsors	Ongoing
Work with property owners to protect priority parcels with multiple conservation values through conservation restrictions, easements, purchase, and other possible options.		Plan Sponsors	Ongoing
Seek a permanent conservation restriction on property adjacent to Town Forest owned by the Boston Council of the Boy Scouts of America.	CPA, Conservation Fund	Conservation, Parks and Forestry	2020
Develop and maintain tracking system to follow status of Chapter 61 and 61A lands and other priority parcels.		Assessors	Ongoing
Conduct regular inspections of properties with Conservation Restrictions held by the Town.		Conservation	Ongoing

<b>Objective I-A. Acquire/Protect Open Space with Multiple Conservation Values</b>			
<b>Action Item</b>	<b>Funding</b>	<b>Responsible Party</b>	<b>Year (calendar)</b>
Place a permanent conservation restriction on Greendale Greenway.		Conservation	2019

<b>Objective I-B. Acquire/Protect Open Space in the More Densely Developed Residential Areas of Town</b>			
<b>Action Item</b>	<b>Funding</b>	<b>Responsible Party</b>	<b>Year (calendar)</b>
Identify parcels adjacent to centrally located open space, such as McCracken Camp Property, Sweet Reserve, for potential acquisition/protection.		Conservation, Park & Recreation	Ongoing
Work with private sector to encourage inclusion of parks, picnic areas, walking opportunities as part of proposed development/redevelopment in densely populated areas, and growing areas (e.g., N2 corridor and Wexford St.) of Town.		Plan Sponsors	Ongoing
Identify parcels with potential to serve as neighborhood parks, totlots, or green spaces and create pocket parks and open spaces in densely developed neighborhoods.	CPA	Park & Recreation	Ongoing

<b>Objective I-C. Explore All Approaches to Protecting, and Providing Linkages and Access to, Open Space</b>			
<b>Action Item</b>	<b>Funding</b>	<b>Responsible Party</b>	<b>Year (calendar)</b>
Develop and submit to Town Meeting new zoning bylaws that will encourage the protection of natural areas and expansion of or connections to existing open spaces where appropriate.		Planning Board	2022
Encourage land use boards to work with developers to permanently protect open space and natural resources.		Planning Board, Conservation, ZBA	Ongoing

Review the costs and benefits of offering additional tax incentives for conservation restrictions and/or easements.		Town Manager	2021
Explore the options for protecting land in agricultural use, such as permanent conservation restrictions or transfer of development rights.		Conservation, Planning Board	2020
Pursue public and/or private funding to contribute to the Conservation Fund.	CPA	Conservation, Selectmen	2022
Review current access to passive recreation areas and trails and propose improvements if appropriate.		Conservation	
Establish protocol and clarify legal process for evaluating/accepting land donations and conservation easements and/or restrictions.		Conservation	Ongoing
Explore accessible linkage from north end of Ridge Hill to adjacent neighbors.	Donation	Conservation, Selectmen	2019

<b>Objective I-D. Preserve Unique Features</b>			
<b>Action Item</b>	<b>Funding</b>	<b>Responsible Party</b>	<b>Year (calendar)</b>
Work with City of Newton, MWRA, state agencies and private organizations to rehabilitate Echo Bridge at Hemlock Gorge.	CPA	Plan Sponsors	Ongoing
Establish clear access and develop a maintenance plan for <i>High Rock</i> in the Town Forest.		Park & Recreation	Ongoing
Create and maintain a list of unique natural features and habitats in the Town.		Conservation	Ongoing
Identify and certify vernal pools throughout Town.		Conservation	Ongoing

**GOAL II: MAINTAIN, PRESERVE, ENHANCE & EXPAND RECREATIONAL FACILITIES**

<b>Objective II-A. Maintain, Preserve and Improve Existing Athletic Fields &amp; Facilities</b>			
<b>Action Item</b>	<b>Funding</b>	<b>Responsible Party</b>	<b>Year (calendar)</b>
Implement Field Study recommendations including investigation of synthetic turf options at Memorial and DeFazio Parks.	Athletic facility improvement fund	Park & Recreation, Selectmen, DPW, Memorial Park Trustees	2018
Review use of pesticides on fields to address hazardous conditions created by weeds and grubs.		IPM Committee	Bi-annually
Develop a five year action plan for all recreational facilities, including an inventory of playgrounds, and prioritize improvements. Items for inclusion include playground upgrades at DeFazio Park and Perry Park, field upgrades at Hillside, and improvements at Cricket Field	Existing capital improvement plan appropriation	Park & Recreation	Ongoing
Collaborate with community sports associations to leverage funds for athletic field improvements.	Private funding	Park & Recreation	Ongoing
Replace bleachers at DeFazio Park.	Capital improvement plan appropriation	DPW, Park & Recreation	2022
Assess the need and feasibility of additional tennis courts	Capital improvement plan appropriation, grant (ex. Land & Water Conservation Fund)	Park & Recreation, School	2019
Explore the feasibility of an outdoor basketball court at DeFazio Park.	Department appropriation	Park & Recreation	2022
Explore the feasibility of additional bathroom facilities at all parks and fields.	Partnerships with Sports Leagues	DPW, Park & Recreation, Sports Leagues	Ongoing
Improve the parking lot at DeFazio Park.		DPW, Park & Recreation	2018

<b>Objective II-A. Maintain, Preserve and Improve Existing Athletic Fields &amp; Facilities</b>			
<b>Action Item</b>	<b>Funding</b>	<b>Responsible Party</b>	<b>Year (calendar)</b>
Add shade areas at playgrounds.		DPW, Park & Recreation	Ongoing
Assess and prioritize field upgrades at neighborhood parks such as Broadmeadow, Hillside, and Eliot			

<b>Objective II-B. Expand "Active" Recreational Resources to Meet Residents' Needs</b>			
<b>Action Item</b>	<b>Funding</b>	<b>Responsible Party</b>	<b>Year (calendar)</b>
Explore the feasibility of future active and/or passive recreational use of the Nike Site as part of a community campus including the portion of Ridge Hill under the jurisdiction of the BoS.		Selectmen, Conservation	2019
Identify potential funding for replacement of fitness trail at Ridge Hill and/or locate fitness equipment at another park.	Donations	Conservation, Park & Recreation	2018
Identify potential private-public partnerships for forming "Friends of" park organizations to coordinate active programming at individual park locations and raising funds to upgrade facilities.		Conservation, Park & Recreation	2020
Explore possibility of reuse/rehabilitation of existing Ridge Hill buildings for indoor programming space/ranger's office and/or as a setting for events .	CPA	Selectmen	2019
Explore feasibility of constructing a Skateboard Park.	Donations	Park & Recreation	2020
Pursue options for possible location and funding for an indoor pool.	Donations	Park & Recreation	2020
Conduct evaluation of potential for adding basketball court or street hockey court lines to parking lots.		School	2018
Expand Bay Colony Rail Trail to Chestnut Street.		Selectmen, Park & Recreation, Town Manager	2019

Create parking for the Bay Colony Rail Trail between Charles River Street and Fisher Street.		Selectmen, Park & Recreation, Town Manager	2018
Determine the demand, sponsor, and possible location for an indoor skating/hockey facility.		Park & Recreation	2021
Research designated parking spaces for Aqueduct Trail		Selectmen, Park & Recreation, Town Manager	2019
Research options for increasing opportunities for connectivity and signage to close gap in Aqueduct Trails (e.g., providing signage and markings for trail detour around Rt. 95/128; crosswalk at Reservoir St, markings along Reservoir, Central, and St Mary St., crosswalks, sidewalks, pathways from Cedar St to rear of Eliot School).		Selectmen, Park & Recreation, Town Manager	2018
Create temporary outdoor ice rink(s) at park location(s).		Park & Recreation, DPW	2020
Create skate park or temporary "pop-up" skate park options.		Park & Recreation	2019
Study possibility of outdoor ropes course.		Park & Recreation	2020
Create location for tent camping with facilities.		Park & Recreation, Conservation	2019

**Objective II-C. Improve Handicap Accessibility**

Action Item	Funding	Responsible Party	Year (calendar)
Install new or improved accessible paved pathways for wheelchairs from the paved parking area to the playground structures and the bleachers at the two baseball diamonds at Claxton Field.	Donations, Disabilities Commission grant	Park & Recreation	2019
Improve handicapped access to fields and facilities at recreational properties as necessary.	Donations, Capital improvement plan appropriation	Park & Recreation, DPW, Memorial Park Trustees	Ongoing

<b>Objective II-C. Improve Handicap Accessibility</b>			
<b>Action Item</b>	<b>Funding</b>	<b>Responsible Party</b>	<b>Year (calendar)</b>
Work with Charles River Landing to create handicapped parking and accessible link to the Barnes Path.		Selectmen, Park & Recreation, Town Manager	2019
Finalize accessible trail at Needham Reservoir.		Park & Recreation	2018
Create handicapped parking for the Bike Trail.		Selectmen, Park & Recreation, Town Manager	2019

**GOAL III: EXPAND ACCESS, PROMOTE AWARENESS AND SUPPORT RESPONSIBLE STEWARDSHIP OF NEEDHAM'S NATURAL RESOURCES.**

<b>Objective III-A. Expand Access To and Along the Charles River</b>			
<b>Action Item</b>	<b>Funding</b>	<b>Responsible Party</b>	<b>Year (calendar)</b>
Identify and evaluate potential walking routes along Charles River.		Conservation, Park & Recreation	Ongoing
Work with private property owners to expand trail network along Charles River through pedestrian easements, and other options.	CPA, Conservation Fund	Plan Sponsors	Ongoing
Identify additional public access points and signage along the Charles River for activities such as fishing, canoeing and kayaking.		Conservation, Park & Recreation	Ongoing
Work with State Department of Conservation and Recreation and The Trustees of Reservations to identify opportunities to provide increased pedestrian access and boating opportunities on the Charles River.		Conservation, Park & Recreation	Ongoing
Work with project proponent for the Charles River Landing Complex to develop and implement walking trail along Charles River.	Donation	Plan Sponsors	Ongoing
Provide more information about existing access to Charles River through brochures, web-site, and other opportunities.	Department appropriation	Conservation, Park & Recreation	2008

Organize community involvement activities that incorporate the river (e.g., adult education, clean-up days, school activities, etc.)		Park & Recreation, Conservation	Ongoing
Establish annual canoe race.		Park & Recreation	2020
Reinstall slalom gates on Charles River downstream of Cochrane Dam.		Park & Recreation, Conservation	2022
Explore system (such as website or kiosk QR code system) to increase public awareness of water quality at Charles River access points.		Conservation, GRWA, Girls Who Code	2020

**Objective III-B. Provide and Maintain Linkages To and Between Open Space and Recreation Areas and with Points of Interest such as Schools, Town Center, etc.**

Action Item	Funding	Responsible Party	Year (calendar)
Develop inventory of easements that allow access over private property to recreational and conservation sites.	CPA	Selectmen, Steering Committee	Ongoing
Establish connections between existing conservation land and other open space areas to form loops or greenbelts, some with paths, throughout Town and to neighboring towns.	Department appropriations	Plan Sponsors	Ongoing
Develop a Town-wide pathway system including sidewalks and bike lanes that will link neighborhoods to open spaces, recreation facilities, schools, and shopping centers.	Department appropriations	Plan Sponsors	Ongoing
Cooperate with agencies/organizations in the development of regional bike trails through Needham and pursue funding for same.		Selectmen	Ongoing
Connect Bay Colony Rail Trail to neighboring communities (in conjunction with multimodal pathways as appropriate).		Selectmen	Ongoing

Work with future project proponents to establish a cross walk and signage for linkage between Cutler Park and Barnes Path.		Park & Recreation, Conservation, Planning	2019
Establish a sidewalk along Kendrick Street to the Charles River Bridge for linkage between Cutler Park, Barnes Path and the Charles River Path in Newton.		DPW	2022
Provide crosswalk and signage at 4 <sup>th</sup> Ave to mark trailhead to picnic table and Barnes Dedication Stone on Barnes Path.		DPW	2019
Extend trail at Ridge Hill to the Charles River.		Conservation	2021
Improve access to Volante conservation areas from neighboring residential areas.		Conservation	2021
Improve access to rail trail from High Rock Street.		Conservation	2020
Implement Sidewalk Master Plan to improve and expand sidewalk systems.		DPW	Ongoing
Incorporate "Complete Streets" concepts as streets are improved.		DPW	Ongoing
Create subcommittee to study making South Street one-way (to open up a lane for a multi-modal path).		DPW	2022

<b>Objective III- C. Improve and Expand "Passive" Recreational Opportunities</b>			
<b>Action Item</b>	<b>Funding</b>	<b>Responsible Party</b>	<b>Year (calendar)</b>
Implement recommendations from Comprehensive Master Trails Plan.	CPA, department appropriations, seek grants	Conservation, Park & Recreation	Ongoing
Explore possibility of improving skating conditions at all Town ponds.		Conservation	2021
Collaborate with private sector to institute "clean-up" days at different areas throughout Town.	Donations, department appropriations	Plan Sponsors	Ongoing
Establish a gift fund and solicit donations, and continue to work with volunteer groups to maintain and improve trails and other facilities on Town-owned land.	Donations, department appropriations	Plan Sponsors	Ongoing
Maintain trail and sign system at conservation properties in accordance with recommendations from Trails Plan.	CPA	Conservation	Ongoing
Evaluate alternative methods for managing invasive species and improving water quality at Walker Pond.	\$10,000	Conservation, Park & Recreation	Ongoing
Hire part-time Trails Coordinator to implement trails projects, work with Trail Stewards.	Department Appropriation	Conservation	2018
Develop a consolidated list of maintenance and improvement priorities for open space facilities.		Conservation	2018
Celebrate Arbor Day. Team up schools to promote Arbor Day.		DPW, Schools	Ongoing
Evaluate feasibility of constructing boardwalks in the Sweet Wildlife Preserve.		Conservation	2022
Develop a study for a town "Arboretum".		Conservation, DPW	2019
Construct new walking trail at Nike Site, connecting with Ridge Hill.		Conservation	2020

Develop the Greendale Greenway into a mountain biking trail loop and organize annual event for its use.		Park & Recreation	2019
Improve dog park at Nike Site.		Park & Recreation	2018

<b>Objective III- D. Market to, Educate and Inform the Public About Existing Open Space and Natural Resources, Including Their Value and Threats</b>			
<b>Action Item</b>	<b>Funding</b>	<b>Responsible Party</b>	<b>Year (calendar)</b>
Improve trail maps and lists, make available at highly-trafficked areas such as Library and Town Hall and on-line.		Park & Recreation, Conservation	Ongoing
Collaborate with local newspaper and Needham cable regarding a regular feature highlighting Things to Do in Needham's open spaces and recreational facilities.		Park & Recreation, Conservation	2018
Work with local civic associations and government agencies to fund the purchase and installation of signs.	Donations	Plan Sponsors	2018
Design, install, monitor and maintain consistent signs/kiosks at designated trail access points, including QR codes.	CPA	Plan Sponsors, Girls Who Code	Ongoing
Provide additional information about Needham's Natural Resources on the Town website.		Conservation	Ongoing
Organize guided trail walks. Subject matter can range from flora and fauna to geology and environmental concerns.		Conservation	Ongoing
Collaborate with Science Center to increase public knowledge about trails in Eastman Conservation Area.		Conservation, School Department	Ongoing
Coordinate a wildlife photo exhibit for temporary installation at a location in the Town.		Conservation	2018
Use an app or social media to develop a park passport or scavenger hunt program, to identify activities or sights to encourage use of open space and recreation facilities.		Park & Recreation, Conservation	2019

Develop a user-friendly interactive on-line map with descriptions for trails using existing apps such as AllTrails.		Park & Recreation, Conservation	2020
Develop a marketing plan for use of Needham Trails: "Trail Map" booklet, updated kiosks, monthly/weekly activities, school programming, social media marketing.		Conservation	2019
Work with local businesses to establish themed walks and/or bike rides (e.g., a bike route that shows local attractions).		Park & Recreation, Conservation	2018

**Objective III- E. Promote Volunteer Groups to Assist in the Management and Protection of Needham's Open Spaces**

Action Item	Funding	Responsible Party	Year (calendar)
Make presentation at Rotary, Exchange, and church groups to raise awareness of volunteer and funding opportunities for their constituents and missions		Park & Recreation, Conservation	2018
Update and continue to implement Trail Steward program; offer training events for stewards. Consider development of complementary "land steward"/"Friends of" volunteer program for both active and passive recreational areas.		Park & Recreation, Conservation	Ongoing
Work with Needham Land Trust to identify and conserve key properties		Park & Recreation, Conservation	Ongoing
Develop a list of volunteer projects.		Conservation	Ongoing

**Objective III- F. Understand and Appropriately Manage Large Tracts of Open Space for Environmental Protection and Wildlife Habitat**

Action Item	Funding	Responsible Party	Year (calendar)
Develop ecological inventory and management plans for each of the Town's major natural areas to assure good stewardship of resources.		Conservation	Ongoing

Maintain Tree City USA designation.	Department appropriation	DPW	Ongoing
Complete Forest / Watershed Management Plan.	Department appropriation	DPW	Ongoing
Implement recommendations from Forest / Watershed Management Plan.	Department appropriation, seek grants	DPW	Ongoing
Update GIS system with information on trails and wildlife habitat.		Conservation, Technology	Ongoing
Conduct and maintain a street tree inventory.		DPW	Ongoing
Maple Syrup Study: Conduct a study to determine if there are adequate "Maple Trees" within the town to create a maple sugaring program. Involving Needham School System, Boy/Girl Scouts/, Local volunteers. In addition, (Cost analysis, study of neighboring towns who have similar sugaring programing).		DPW, School	2022
Evaluate town-owned open space for invasive species and undertake control measures as appropriate. Develop volunteer program to remove water chestnut ( <i>Trapa natans</i> ) from Charles River downriver from Charles River Street.		Conservation	Ongoing

**GOAL IV: PROTECT WATER RESOURCES.**

<b>Objective IV-A. Minimize Contamination of Ground and Surface Waters</b>			
<b>Action Item</b>	<b>Funding</b>	<b>Responsible Party</b>	<b>Year (calendar)</b>
Continue to implement Stormwater Best Management Practices.	Department appropriation, seek grants	DPW	Ongoing
Strategically identify parts of road network as low- or no-salt areas, and minimize, to the extent practical, the salting of roads.		DPW	Ongoing
Work with Charles River Watershed Association to identify and remedy "hot spots" and sources of contamination.	Department appropriation	Board of Health	Ongoing

<b>Objective IV-A. Minimize Contamination of Ground and Surface Waters</b>			
<b>Action Item</b>	<b>Funding</b>	<b>Responsible Party</b>	<b>Year (calendar)</b>
Continue monitoring stormwater outfalls in accordance with NPDES Phase II requirements.	Department appropriation	DPW	Ongoing
Label catchbasins throughout Needham – "Do not dump, discharges to Charles River".		DPW, Volunteer Organizations	2022

<b>Objective IV-B. Educate the Public on Their Impact on the Environment and on Environmentally Sensitive Ways to Manage Their Properties</b>			
<b>Action Item</b>	<b>Funding</b>	<b>Responsible Party</b>	<b>Year (calendar)</b>
Conduct series of educations presentations/workshops on xeriscapes, wildlife, invasive species management, vector (tick, mosquito) management and habitats including trees.		Conservation	Ongoing
Leverage state, local and private organizations to encourage ecologically sound management of privately-held open space.		Conservation	Ongoing
Enact a tree bylaw to require replacement of trees or contribution to tree fund for trees removed on private property, and to encourage proper stewardship of trees.		DPW	2019
Educate private property owners on how best to protect conservation lands, open spaces, trees and other sensitive habitats.		DPW, Conservation, Park & Recreation	2020
Support tree planting by the Town for private citizens.		DPW	Ongoing

<b>Objective IV-C. Discourage Use of Synthetic Fertilizers and Pesticides</b>			
<b>Action Item</b>	<b>Funding</b>	<b>Responsible Party</b>	<b>Year (calendar)</b>
Continue Integrated Pest Management Program on publicly-owned lands. Pursue effective natural alternatives where practical.		IPM Committee	Ongoing

Work with large landholders to encourage responsible use of pesticides, herbicides and fertilizer.		Board of Health	Ongoing
Educate public about impacts of and alternatives to conventional fertilizers, pesticides and herbicides.		Board of Health	2019

**Objective IV-D. Encourage Water Conservation**

Action Item	Funding	Responsible Party	Year (calendar)
Educate residents and the private sector about measures to advance water conservation.		Selectmen, DPW	2020
Educate local land owners, sprinkler installers, landscapers and contractors on design alternatives to encourage water conservation, including alternatives to traditional lawns and educational materials on installation of rain gardens		DPW	2018

**Objective IV-E. Promote BMPs under the Municipal Separate Storm Sewer System (MS4) Permit**

Action Item	Funding	Responsible Party	Year (calendar)
Enact a stormwater bylaw to address illicit discharges and pre- and post-construction stormwater runoff.		DPW, Planning, Conservation	2019
Review existing street design and parking lot guidelines and bylaws and assess ability to support low impact design.		DPW, Planning, Conservation	2021

**Objective IV-F. Promote and Incorporate Climate Resiliency into Land Use Design and Decisions**

Action Item	Funding	Responsible Party	Year (calendar)
Plan for future redevelopment of downtown parking lots to plant trees.		DPW	Ongoing
Track impervious increases/decreases.		Planning, Technology	2022
Consider stormwater regulations that take climate change conditions into account in design requirements.		DPW, Planning, Conservation	2019

Consider implementation of strategies from MAPC's <b>Regional Climate Adaptation Change Strategy</b> to address impacts of climate change, such as more frequent or intense precipitation and related flooding impacts.		DPW, Planning, Conservation	2019
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DRAFT



**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

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**MEETING DATE: 03/28/2017**

<b>Agenda Item</b>	Public Hearing- Verizon Wireless
<b>Presenter(s)</b>	Joshua Lanzetta, McLane Middleton

**1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED**

Cellco Partnership d/b/a Verizon Wireless requests permission to install two (2) separate wireless small cell antennas ("antennas") and supporting equipment on existing electrical distribution poles ("utility poles") in the Town of Needham. The antennas are camouflaged so that they will be indistinguishable from typical electric transformers commonly seen on utility poles in Needham and municipalities throughout the Commonwealth, and their installation will remedy the existing wireless coverage and capacity gaps that Verizon Wireless has identified in its wireless network in the Needham area. The following are the public ways or parts of ways along which the cell antennas above referred to may be installed: 1) install one (1) antenna on Verizon Site Name Needham SCo8 MA, Utility Pole Number 250 on Great Plain Avenue, adjacent to 251 Great Plain Avenue, Needham; and 2) install one (1) antenna on Verizon Site Name Needham SC11 MA, Utility Pole #136 on Greendale Avenue, adjacent to 1166 Greendale Avenue, Needham.

**2. VOTE REQUIRED BY BOARD OF SELECTMEN**

**Suggested Motion:**

Move that the Board of Selectmen approve and sign a petition from Cellco Partnership d/b/a Verizon Wireless to install two (2) separate wireless small cell antennas ("antennas") and supporting equipment on existing electrical distribution poles ("utility poles") in the Town of Needham. The following are the public ways or parts of ways along which the cell antennas above referred to may be installed: 1) install one (1) antenna on Verizon Site Name Needham SCo8 MA, Utility Pole Number 250 on Great Plain Avenue, adjacent to 251 Great Plain Avenue, Needham; and 2) install one (1) antenna on Verizon Site Name Needham SC11 MA, Utility Pole #136 on Greendale Avenue, adjacent to 1166 Greendale Avenue, Needham.

**3. BACK UP INFORMATION ATTACHED**

**(Describe backup below)**

- a. Letter of Application
- b. Order
- c. Petition Plan
- d. Notice Sent to Abutters



**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

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e. List of Abutters

*\*Please note that a full application is on file in the Office of the Town Manager.*

# MCLANE MIDDLETON

JOSHUA P. LANZETTA  
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Email: joshua.lanzetta@mclane.com  
Admitted in NH and CO  
900 Elm Street, P.O. Box 326  
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February 21, 2017

Town of Needham  
500 Dedham Ave  
Needham, MA 02492  
Attn: David Roche, Building Commissioner

**Re: Building Permit Applications to Install Wireless Small Cell Antennas and Supporting Equipment to Existing Non-Municipal Utility Poles**

**Applicant: Cellco Partnership d/b/a Verizon Wireless ("Verizon Wireless")**

**Address: Utility Pole #250 in public right of way on Great Plain Avenue (adjacent to 251 Great Plain Avenue), Needham**

**Utility Pole #136 in public right of way on Greendale Road (adjacent to 1166 Greendale <sup>Ave</sup> Road), Needham**

Dear Mr. Roche:

This purpose of this letter is to deliver the enclosed Building Permit Applications for installation of two (2) separate wireless small cell antennas ("antennas") and supporting equipment on existing electrical distribution poles ("utility poles") in the Town of Needham. The antennas are camouflaged so that they will be indistinguishable from typical electric transformers commonly seen on utility poles in Needham and municipalities throughout the Commonwealth, and their installation will remedy the existing wireless coverage and capacity gaps that Verizon Wireless has identified in its wireless network in the Needham area.

Verizon Wireless seeks to install one (1) antenna on each utility pole listed below:

Verizon Site Name	Utility Pole Number	Approximate Address
Needham SC08 MA	250	251 Great Plain Avenue
Needham SC11 MA	136	1166 Greendale Road

McLane Middleton, Professional Association  
Manchester, Concord, Portsmouth, NH | Woburn, Boston, MA

OK to proceed  
DDW Engr at Mclane  
3/20/17  
OK R.P. Meerson  
DDW Director 3/20/17  
Mclane.com

## I. APPLICATION MATERIALS

Verizon Wireless respectfully submits ten (10) copies of the following materials for each utility pole:

### A. Needham SC08 MA:

- 1) One (1) Building Permit Application;
- 2) One (1) set of Photo Simulations;
- 3) One (1) Radio Frequency Affidavit;
- 4) One (1) Federal Communication Commission ("FCC") license issued to Verizon Wireless;
- 5) One (1) Letter of Authorization from pole owner Eversource Energy ("Eversource");
- 6) One (1) plan set.

### B. Needham SC11 MA:

- 1) One (1) Building Permit Application;
- 2) One (1) set of Photo Simulations;
- 3) One (1) Radio Frequency Affidavit;
- 4) One (1) FCC license issued to Verizon Wireless;
- 5) One (1) Letter of Authorization from Eversource;
- 6) One (1) plan set.

## II. ANTENNAS ATTACHED TO EXISTING UTILITY POLES ARE PERMITTED BY RIGHT.

Section 6.7.3.1(D) of the Town of Needham's Zoning Bylaws ("NZB") specifically permits by right the installation of wireless antennas to existing utility poles, stating:

**The following wireless communication equipment is allowed as-of-right...  
Antennas attached to an existing utility pole** or utility structure, such as the support for an electrical transmission tower **or electrical distribution pole**, but

no higher than ten (10) feet above the existing structure, provided that the total height from the ground to the top of the antenna does not exceed fifty-five (55) feet and provided that all control and operating equipment associated with the antenna shall be camouflaged or completely screened from view in some other manner. Antennas shall be placed on any structure so as to minimize the visual impacts off-site. This provision shall not apply within 150 feet of the right-of-way of any scenic roadway where such use shall not be permitted. NZB § 6.7.3.1(D) (emphasis supplied).

Here, as depicted in the plan sets submitted as part of Verizon Wireless's applications, in each case the proposed wireless communications equipment complies with the NZB because (1) the antenna will be installed to the side of the existing utility pole—below the top of the pole—and the pole is not close to 55' in height; (2) the equipment supporting the antenna, which will also be mounted to the side of the pole, will be camouflaged by color and size; (3) the antenna will be camouflaged to resemble a common pole-mounted electric transformer; and (4) the proposed equipment will be located outside of the NZB's one hundred and fifty foot (150') scenic roadway limitation.

**III. VERIZON WIRELESS'S APPLICATION SUBSTANTIALLY COMPLIES WITH NEEDHAM'S SUBMITTAL REQUIREMENTS.**

NZB section 6.7.4 outlines 10 criteria for submission. Verizon Wireless provides (*italicized*) and addresses each criteria below.

- a) *Name, address and telephone number of applicant and any co-applicants as well as any agents for the applicant or co-applicant with original signatures.*

Please see the enclosed applications.

- b) *A locus plan at a scale of 1" = 200' which shall show all property lines, the exact location of the proposed structure(s), street landscape features, dwellings and other structures within one-hundred (100) feet of the property line.*

Please see the enclosed plan sets.

- c) *Equipment brochures for the proposed wireless communication facility such as manufacturer's specifications or trade journal reprints shall be provided for the antennas, mounts, equipment shelters, cables as well as cable runs, and security barrier, if any.*

Please see the enclosed plan sets.

- d) *Materials of the proposed wireless communication facility specified by generic type and specific treatment (e.g., anodized aluminum, stained wood, painted fiberglass, etc.).*

*These shall be provided for antennas, mounts, equipment shelters, cables as well as cable runs, and security barrier, if any.*

Please see the enclosed plan sets.

- e) *Colors of the proposed personal wireless facility showing actual color proposed on a color board. Colors shall be provided for the antennas, mounts, equipment shelters, cables, as well as cable runs, and security barrier, if any.*

Verizon Wireless respectfully requests the Town of Needham waive this requirement.

- f) *Dimensions of the proposed wireless service facility specified for all three directions: height, width and breadth. These shall be provided for the antennas, mounts, equipment shelters and security barrier, if any.*

Please see the enclosed plan sets.

- g) *Appearance shown by at least two photographic superimpositions of the wireless communication facility with its antennas and/or panels presented to scale. For satellite dishes or antennas, a color photographic imposition illustrating the dish or antenna at the proposed location is required. A color photographic imposition shall also be prepared illustrating a view of the tower, dish or antenna from the nearest street or streets.*

Please see the enclosed photographic simulations.

- h) *The following information must be prepared and signed by a registered professional engineer:*

- i. *A description of the facility and the technical, economic and other reasons for the proposed location, height and design.*

Please see the enclosed Radio Frequency Affidavit.

- ii. *Confirmation that the facility complies with all applicable Federal and State standards.*

Please see the enclosed Federal Communications Commission ("FCC") license and Radio Frequency Affidavit.

- iii. *A description of the capacity of the facility including the number and type of panels, antennas and/or transmitter receivers that it can accommodate and the basis for these calculations.*

Each utility pole designated herein will house one (1) canister antenna.

- iv. *If applicable, a written statement that the proposed facility complies with, or is exempt from, applicable regulations administered by the Federal Aviation Administration (FAA), Federal Communications Commission (FCC), Massachusetts Aeronautics Commission and the Massachusetts Department of Public Health.*

The proposed facilities comply with all applicable FCC regulations. Please see the enclosed FCC license.

- v. *A schedule for periodic (at least annually) maintenance.*

Verizon Wireless performs bi-monthly inspections and conducts maintenance as needed.

- i) *In the case of a special permit application, an application for Site Plan Review as outlined in section 7.4.4.*

Not applicable.

#### IV. CONCLUSION

For the aforementioned reasons, Verizon Wireless respectfully requests the Needham Building Department issue building permits for the projects proposed herein. Please contact me with questions or concerns at 603-628-1362 or [joshua.lanzetta@mclane.com](mailto:joshua.lanzetta@mclane.com).

Sincerely,



Joshua P. Lanzetta

JPL

Enclosures

**ORDER FOR PLACEMENT OF TWO (2) SMALL CELL ANTENNAS & SUPPORTING EQUIPMENT ON EXISTING NON-MUNICIPAL UTILITY POLES**

To Town of Needham/Board of Selectmen:

**ORDERED that CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS** be hereby granted permission to install and maintain two (2) separate wireless small cell antennas and supporting equipment to existing non-municipal utility poles as said Companies may deem necessary in the public way or ways hereinafter referred to, as requested in petition by McLane Middleton on behalf of said Companies dated the 21<sup>st</sup> day of February 21, 2017.

All construction under this order shall be in accordance with applicable provisions of law and ordinances of the Town of Needham. The antennas are camouflaged so that they will be indistinguishable from typical electric transformers commonly seen on utility poles in Needham and municipalities throughout the Commonwealth and their installation will remedy the existing wireless coverage and capacity gaps that Verizon Wireless has identified in its wireless network in the Needham Area.

The following are the public ways or parts of ways along which the cell antennas above referred to may be installed:

**Install one (1) antenna on Verizon Site Name NeedhamSC08 MA, Utility Pole Number 250 on Great Plain Ave, adjacent to 251 Great Plain Avenue, Needham**

**And**

**Install one (1) antenna on Verizon Site Name Needham SC11 MA, Utility Pole #136 on Greendale Ave, adjacent to 1166 Greendale Avenue, Needham.**

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen of the Town of Needham, Massachusetts, held on the \_\_\_\_\_ day of \_\_\_\_\_ 2017.

\_\_\_\_\_  
Clerk of Board of Selectmen

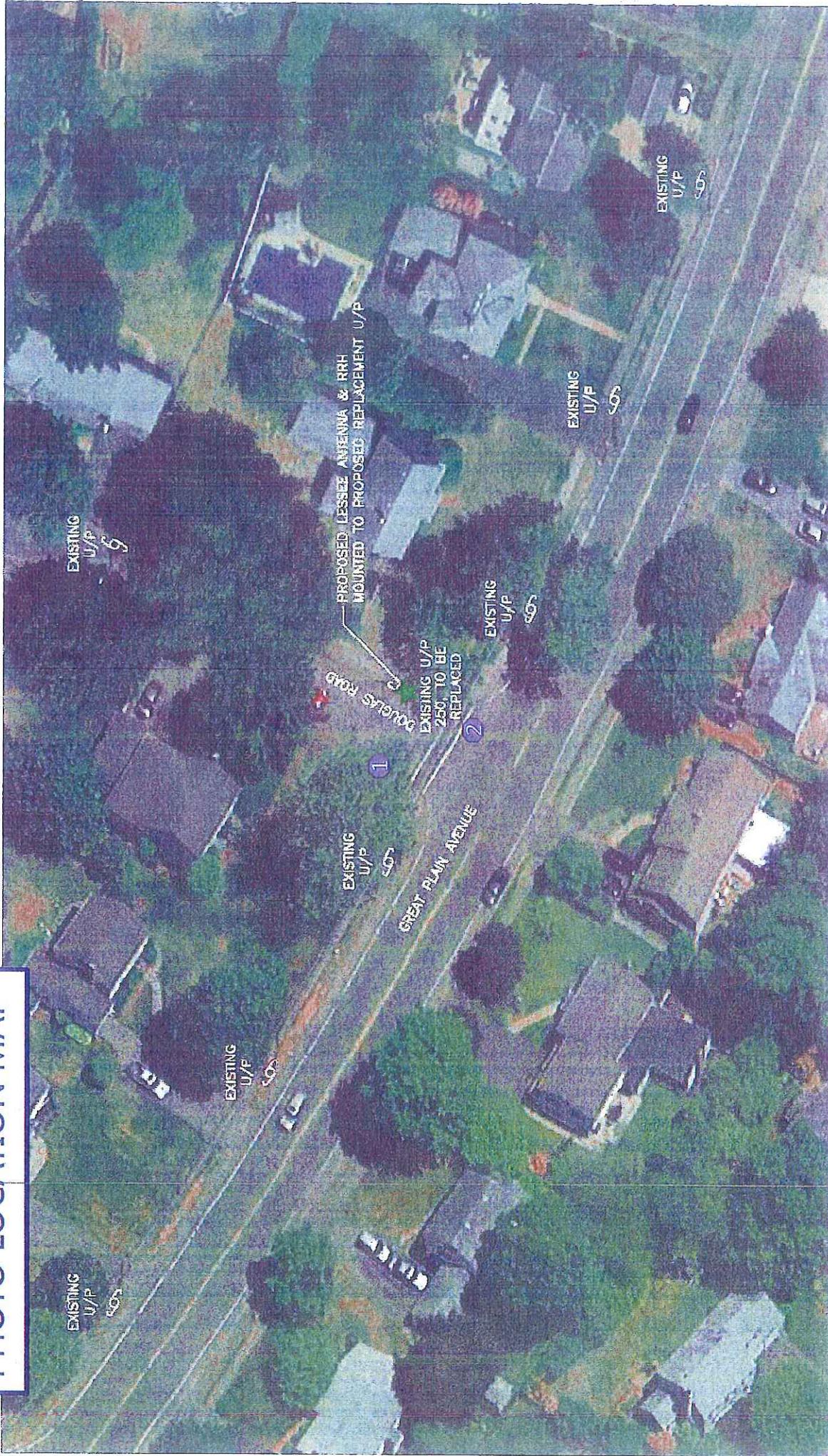
I hereby certify that the foregoing order was duly adopted at a meeting of the Board of Selectmen of the Town of Needham, Massachusetts, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Received and entered in the records of location of the Town of Needham

Book: \_\_\_\_\_ Page: \_\_\_\_\_

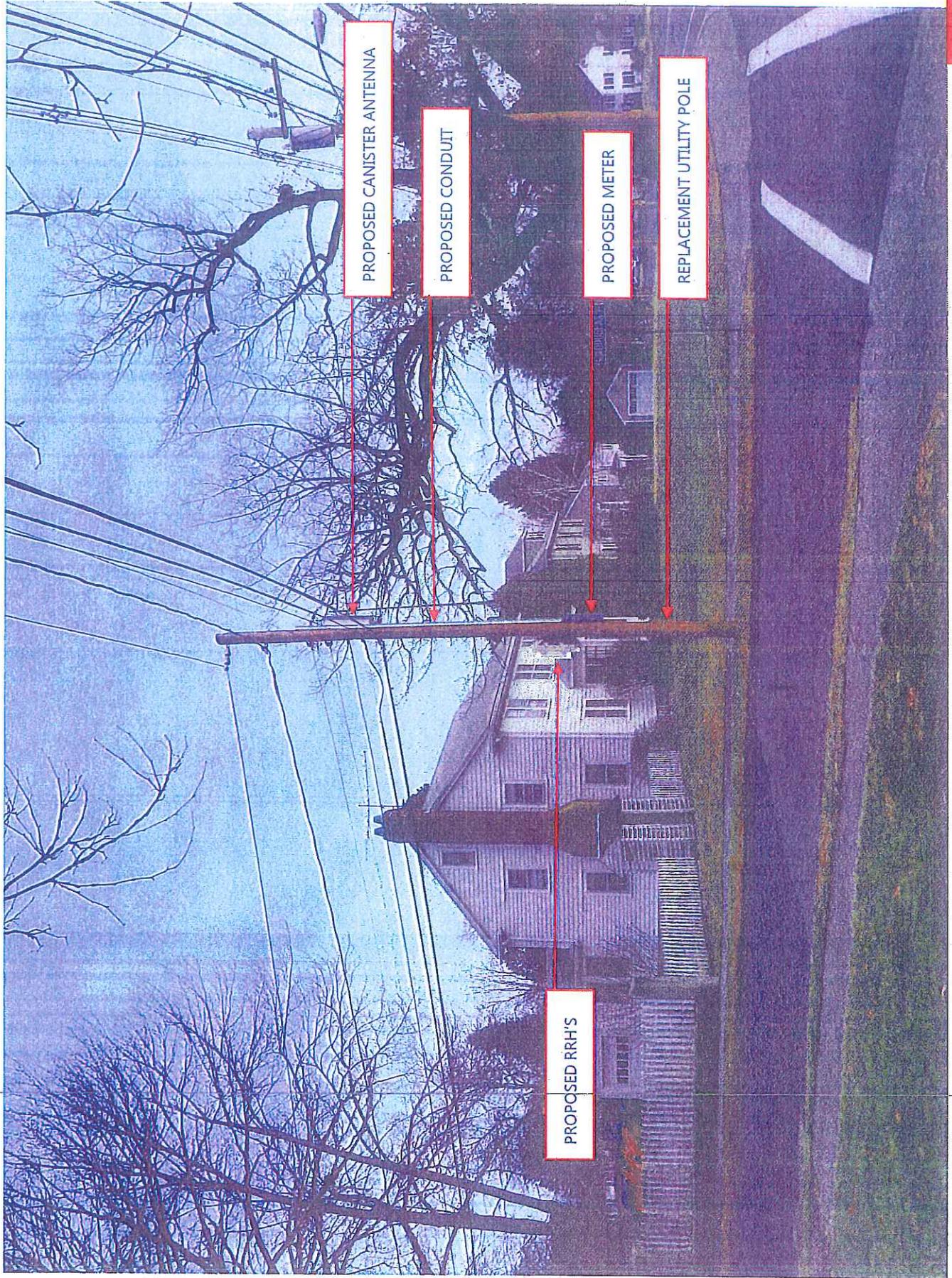
Attest: \_\_\_\_\_  
Town Clerk

# PHOTO LOCATION MAP



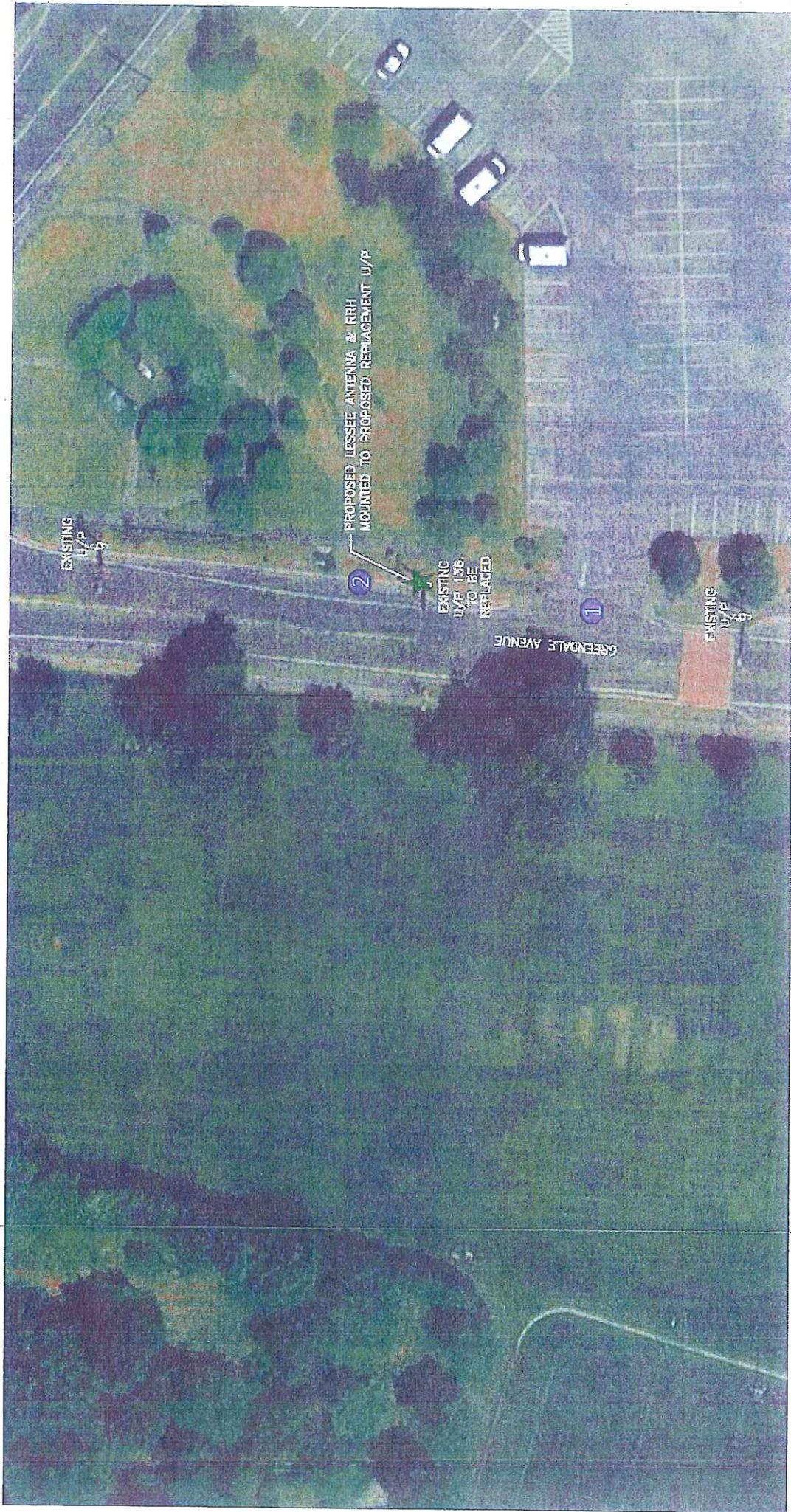
★ SUBJECT SITE  
● VISIBLE VIEWS  
● NON-VISIBLE VIEWS





VIEW 1- PROPOSED INSTALLATION: LOOKING SOUTHEAST AT SUBJECT SITE

# PHOTO LOCATION MAP



★	SUBJECT SITE	↖
●	VISIBLE VIEWS	↗
●	NON-VISIBLE VIEWS	



VIEW 1- PROPOSED INSTALLATION: LOOKING NORTH AT SUBJECT SITE



## NOTICE

To the Record

You are hereby notified that a public hearing will be held at the **Needham Town Hall, 1471 Highland Avenue, at 8:15 p.m. on March 28, 2017** upon petition of Cellco Partnership d/b/a Verizon Wireless dated **February 21, 2017** to install two (2) separate wireless small cell antennas (“antennas”) and supporting equipment on existing electrical distribution poles (“utility poles”) in the Town of Needham. The antennas are camouflaged so that they will be indistinguishable from typical electric transformers commonly seen on utility poles in Needham and municipalities throughout the Commonwealth, and their installation will remedy the existing wireless coverage and capacity gaps that Verizon Wireless has identified in its wireless network in the Needham area. The following are the public ways or parts of ways along which the cell antennas above referred to may be installed: 1) install one (1) antenna on Verizon Site Name Needham SC08 MA, Utility Pole Number 250 on Great Plain Avenue, adjacent to 251 Great Plain Avenue, Needham; and 2) install one (1) antenna on Verizon Site Name Needham SC11 MA, Utility Pole #136 on Greendale Avenue, adjacent to 1166 Greendale Avenue, Needham.

A public hearing is required and abutters should be notified.

If you have any questions regarding this petition, please contact Joshua Lanzetta of McLane Middleton, at 603-628-1362.

Matthew D. Borrelli  
Marianne B. Cooley  
Daniel P. Matthews  
John A. Bulian  
Maurice P. Handel

BOARD OF SELECTMEN

Dated: March 21, 2017

1166 GREENDALE AVE

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP	PARCEL ID	PROPERTY ADDRESS
DIORIO, LOUIS A. & ST SEBASTIAN'S COUNTRY DAY SCHOOL	DIORIO, ELIZABETH M.	1208 GREENDALE AVE, UNIT 225	NEEDHAM	MA	02492	199200000102250	1208 GREENDALE AVE
DIFAZIO, BRUNO TR. & POBYWAJO, SUSAN M. TR. & WAJDA, PATRICIA K. TR.	DIFAZIO, LINDA J. TR. WAJDA, PATRICIA K. TR.	56 WINCHESTER ST 1204 GREENDALE AVE, UNIT 116	NEEDHAM NEEDHAM	MA MA	02492 02492	199200000160000 199200000101160	1191 GREENDALE AVE 97 GREAT PLAIN AVE
ST. SEBASTIAN'S COUNTRY DAY SCHOOL, INC.	HEALEY FAMILY REVOCABLE TRUST	1191 GREENDALE AVE	NEEDHAM	MA	02492	199200000400000	146 GREAT PLAIN AVE
HEALEY, DAVID J. & MARIE A. TRS.	MORAHAN, CHRISTOPHER R & BYRNE, CATHERINE D	35 STERLING RD 47 STERLING RD	NEEDHAM NEEDHAM	MA MA	02492 02492	199001000320000 199001000350000	35 STERLING RD 104 PEACEDALE RD
OBRIEN, EDWARD P. & COSTELLO, JOHN J., TR & ESPERIAN, LEO M +	MORAHAN, CHRISTOPHER R & BYRNE, CATHERINE D	104 PEACEDALE ROAD 125 GREAT PLAIN AV	NEEDHAM NEEDHAM	MA MA	02492 02492	199001000460000 199001000470000	99 PEACEDALE RD 125 GREAT PLAIN AVE
NGUYEN, TOAN HUU	COSTELLO, ELLEN P., TR ESPERIAN, MARY +	135 GREAT PLAIN AVE	NEEDHAM	MA	02492	199001000480000	135 GREAT PLAIN AVE
GOOMAN, PATRICK T., TR	PAPANTONIOU, MARIA B.	1112 GREENDALE AVE	NEEDHAM	MA	02492	199200000101020	1112 GREENDALE AVE
PAPANTONIOU, HERCULES D. & ABBOTT, ELIZABETH M.	WEL, MONICA J.	1202 GREENDALE AVE, UNIT 102 1202 GREENDALE AVE, UNIT 103	NEEDHAM NEEDHAM	MA MA	02492 02492	199200000101030 199200000101040	1202 GREENDALE AVE 1202 GREENDALE AVE
CAREY, PATRICIA M.	WEL, MICHAEL E. & TOBIN, KATHLEEN M. TR	1202 GREENDALE AVE BLD 1	NEEDHAM	MA	02492	199200000101060	1202 GREENDALE AVE
GILLES, BARBARA A. & KALMAN, JEAN A.	KIRBY, MARIANNE F.	1202 GREENDALE AVE UNIT 106 1202 GREENDALE AVE UNIT 107	NEEDHAM NEEDHAM	MA MA	02492 02492	199200000101070 199200000101080	1202 GREENDALE AVE 1202 GREENDALE AVE
WASHKE, JOSEPH J. TR.	NEMET, FRANK S. & GRADY, MARK	1202 GREENDALE AVE BLD 1	NEEDHAM	MA	02492	199200000101090	1202 GREENDALE AVE
NICKERSON, JOY D & PARKS, WILLIAM & HE, YANLI	GUILLET, MARGARET A.	1204 GREENDALE AVE UNIT 109 PO BOX 1222	NEEDHAM W. CHATHAM	MA MA	02492 02669	199200000101100 199200000101110	1204 GREENDALE AVE 1204 GREENDALE AVE
FLEMING, EDWARD B. TR	C/O DRONEY, ALBERT P. JR & NANCY A. TRS.	1204 GREENDALE AVE, #111	NEEDHAM	MA	02492	199200000101120	1204 GREENDALE AVE
ZIZI, VENIERO	C/O IDELSON, NINA	1204 GREENDALE AVE UNIT 112 1204 GREENDALE AVE UNIT 115	NEEDHAM NEEDHAM	MA MA	02492 02492	199200000101170 199200000101170	1204 GREENDALE AVE 1204 GREENDALE AVE
LERENTRACHT, LINA TR.	NEMET, CYNTHIA H.	1202 GREENDALE AVE BLD 1	NEEDHAM	MA	02492	199200000101180	1202 GREENDALE AVE
ELLIS, SHIRLEY TR.	DONALD, JO-ANN M	23 HIGHLAND CT	NEEDHAM	MA	02492	199200000101190	1202 GREENDALE AVE
LUSTKMAN, NATASHA	PARKS, KATHLEEN M.	1202 GREENDALE AVE, UNIT 119	NEEDHAM	MA	02492	199200000101190	1202 GREENDALE AVE
KAHR, LUCILLE	PARKS, JOY D & PARKS, WILLIAM & HE, YANLI	1202 GREENDALE AVE, UNIT 120 1202 GREENDALE AVE, BL 1	NEEDHAM NEEDHAM	MA MA	02492 02492	199200000101200 199200000101210	1202 GREENDALE AVE 1202 GREENDALE AVE
MAHONEY, ABIGAIL M	VENDITTI, ROBERT A.	1202 GREENDALE AVENUE, Unit 122	NEEDHAM	MA	02492	199200000101220	1202 GREENDALE AVE
SULLIVAN, CAROLE M.	BARNES, CAROL C	1202 GREENDALE AVE - UNIT 123	NEEDHAM	MA	02492	199200000101240	1202 GREENDALE AVE
BARNES, ELIZABETH A.	ELLIS, SHIRLEY TR.	1202 GREENDALE AVE UNIT 124	NEEDHAM	MA	02492	199200000101250	1202 GREENDALE AVE
GODINO, JUDITH E.	FLEMING, EDWARD B. TR	1202 GREENDALE AVE UNIT 124	NEEDHAM	MA	02492	199200000101260	1202 GREENDALE AVE
SHMUSHKIS, ELENA	ZIZI, VENIERO	2 TUDOR CITY PLACE, APT 11C	NEW YORK	NY	10017	199200000001250	1204 GREENDALE AVE
GORDON, DEBORAH	LERENTRACHT, LINA TR.	1204 GREENDALE AVE BLDG1 UNIT 126	NEEDHAM	MA	02492	199200000101270	1204 GREENDALE AVE
HADDAD, FRANCES E. TR & GRIENBAUM, SAMUEL	C/O OWEN, JERALD J.	1204 GREENDALE AVE #127 13 GAY ST	NEEDHAM WESTWOOD	MA MA	02492 02090	199200000101280 199200000101280	1204 GREENDALE AVE 1204 GREENDALE AVE
POWERS, ROBERT A.	C/O EFREMOVA, GALINA	1204 GREENDALE AVE UNIT 129	NEEDHAM	MA	02492	199200000101300	1204 GREENDALE AVE
WASSERMAN, MARION LEE, TR	C/O BARNES, DAWN E	1204 GREENDALE AVE BLD 1	NEEDHAM	MA	02492	199200000101310	1204 GREENDALE AVE
ANDERSON, JOAN G.	C/O LEARY, KAREN M.	11 COTTAGE LN	EAST HAMPSTEAD	NH	03826	199200000101320	1202 GREENDALE AVE
SALVUCCI, DONALD A. & DONOHUE, T. GREGORY	SABINO, SALLY ANN. TR	1202 GREENDALE AVE, #132 1202 GREENDALE AVE	NEEDHAM NEEDHAM	MA MA	02492 02492	199200000101330 199200000101340	1202 GREENDALE AVE 1202 GREENDALE AVE
QUINTER, MARY ELLEN	ASSAD FAMILY REALTY TRUST	1202 GREENDALE AVE, UNIT 134 1202 GREENDALE AVE #135	NEEDHAM NEEDHAM	MA MA	02492 02492	199200000101350 199200000101360	1202 GREENDALE AVE 1202 GREENDALE AVE
SEMASHKA, ANASTASIYA	ASSAD FAMILY REALTY TRUST	58 VOLK RD	DEDHAM	MA	02026	199200000101370	1202 GREENDALE AVE
WRIGHT, CATHERINE M	C/O MOORE, ROBERT J. JR. & NANCY A.	237 BISHOPS FOREST DR.	WALTHAM	MA	02452	199200000101370	1204 GREENDALE AVE
ALON, SHOSHANA	SALVUCCI, LINDA M.	1204 GREENDALE AVE	NEEDHAM	MA	02492	199200000101380	1204 GREENDALE AVE
WILLIAMS, BRUCE R & LYNCH, BRUCE TR. & CUMMINGS, RITA J	ASSAD FAMILY REALTY TRUST	1 MOSSDALE ROAD 1204 GREENDALE AVE	NEEDHAM NEEDHAM	MA MA	02130 02492	199200000101380 199200000101400	1204 GREENDALE AVE 1204 GREENDALE AVE
MCLEANEY, ANNETTE WRIGHT, LINDA A.	WASSERMAN, MARGARET R.	1204 GREENDALE AVE - UNIT 142 103 FALCON ST	NEEDHAM NEEDHAM	MA MA	02492 02492	199200000101420 199200000101430	1204 GREENDALE AVE 1204 GREENDALE AVE
	ANDERSON, JOAN G.	1206 GREENDALE AVE BLD 1 1206 GREENDALE AVENUE, 200	NEEDHAM NEEDHAM	MA MA	02492 02492	199200000102000 199200000102020	1206 GREENDALE AVE 1206 GREENDALE AVE
	WILLIAMS, REGINA T	396 MAY ST APT # 2	WORCESTER	MA	01602	199200000102020	1206 GREENDALE AVE
	LYNCH, CHRISTINA TR.	1206 GREENDALE AVE, #205 1206 GREENDALE AVE BLDG2	NEEDHAM NEEDHAM	MA MA	02492 02492	199200000102040 199200000102050	1206 GREENDALE AVE 1206 GREENDALE AVE
		78 VALLEY RD	NEEDHAM	MA	02492	199200000102060	1208 GREENDALE AVE
		1208 GREENDALE AVE UNIT 207 1208 GREENDALE AVE, #208	NEEDHAM NEEDHAM	MA MA	02492 02492	199200000102070 199200000102080	1208 GREENDALE AVE 1208 GREENDALE AVE
		168 WOODSIDE RD	SUDBURY	MA	01776	199200000102090	1208 GREENDALE AVE

Certified as list of parties in interest under Mass. General Laws and Needham Zoning By-Law, to the Best of our knowledge for the Needham Board of Assessors.

1166 GREENDALE AVE

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP	PARCEL ID	PROPERTY ADDRESS
LOBACHOVA, SWETLANA & ET AL	C/O MANN, YEHOSHUA & SHANI	1208 GREENDALE AVE, # 210	NEEDHAM	MA	02492	1992000000102100	1208 GREENDALE AVE
HARRISON, SUSAN C		1208 GREENDALE AVE BLD 2	NEEDHAM	MA	02492	1992000000102110	1208 GREENDALE AVE
FRAWLEY, WENDY C. &	FRAWLEY, DAVID M.	1206 GREENDALE AVE, UNIT 214	NEEDHAM	MA	02492	1992000000102140	1206 GREENDALE AVE
MORGANTI, SANTINA M., TR	C/O HARDY, MARY ANN	1206 GREENDALE AVENUE - UNIT 215	NEEDHAM	MA	02492	1992000000102150	1206 GREENDALE AVE
O'BRIEN, JULIE A.		1206 GREENDALE AVE, UNIT 216	NEEDHAM	MA	02492	1992000000102160	1206 GREENDALE AVE
GRAYFER, ALECA		1206 GREENDALE AVE, #217	NEEDHAM	MA	02492	1992000000102170	1206 GREENDALE AVE
CROWLEY, DONALD P &	CROWLEY, LORETTA J.	1206 GREENDALE AVE- UNIT 218	NEEDHAM	MA	02492	1992000000102180	1206 GREENDALE AVE
ABDELLA, RAYMOND & ABDELLA, RITA M. &	LYNCH, JUDITH M.	1206 GREENDALE AVE UNIT 219	NEEDHAM	MA	02492	1992000000102190	1206 GREENDALE AVE
DEVINO, GARY		1208 GREENDALE AVE - UNIT 220	NEEDHAM	MA	02492	1992000000102200	1208 GREENDALE AVE
KHALAFYAN, LIANA &	BELVAL, JOSEPHINE A.	1208 GREENDALE AVE - UNIT 221	NEEDHAM	MA	02492	1992000000102210	1208 GREENDALE AVE
WELCH, JAMES P	MKRTYCHEV, VLADISLAV	1208 GREENDALE AVE - UNIT 222	NEEDHAM	MA	02492	1992000000102220	1208 GREENDALE AVE
HEALY, JAMES G. &	HEALY, ELIZABETH D.	1208 GREENDALE AVE, UNIT 223	NEEDHAM	MA	02492	1992000000102230	1208 GREENDALE AVE
VAN DAM, GERALD, TR		1208 GREENDALE AVE, #226	NEEDHAM	MA	02492	1992000000102260	1208 GREENDALE AVE
LURIE, ARON		1206 GREENDALE AVE, UNIT 227	NEEDHAM	MA	02492	1992000000102270	1206 GREENDALE AVE
PITTS, JOSEPH M. & GRACE B.	C/O ROSE, DAVID J. & MARY M.	1206 GREENDALE AVE UNIT 228	NEEDHAM	MA	02492	1992000000102280	1206 GREENDALE AVE
ERLICHMAN, LEONARD		1206 GREENDALE AVE BLD 2	NEEDHAM	MA	02492	1992000000102290	1206 GREENDALE AVE
MANGINI, ROBERT F. & PALMIRA TRS.	MANCINI FAMILY IRREVOCABLE TRUST	1206 GREENDALE AVE - UNIT 230	NEEDHAM	MA	02492	1992000000102300	1206 GREENDALE AVE
REID, ELENA V.		1206 GREENDALE AVE UNIT 231	NEEDHAM	MA	02492	1992000000102310	1206 GREENDALE AVE
SHNEYDER, MARK &	SHNEYDER, MARCY B.	1208 GREENDALE AVE UNIT 232	NEEDHAM	MA	02492	1992000000102320	1208 GREENDALE AVE
RIZZO, STEPHEN W. &	RIZZO, PATRICIA G.	1208 GREENDALE AVE	NEEDHAM	MA	02492	1992000000102330	1208 GREENDALE AVE
LAURENDEAU, MARC		1208 GREENDALE AVE #234	NEEDHAM	MA	02492	1992000000102340	1208 GREENDALE AVE
NICHOLSON, MARGARET A.		1208 GREENDALE AVE UNIT 235	NEEDHAM	MA	02492	1992000000102350	1208 GREENDALE AVE
NERBONNE, MICHAEL P		1208 GREENDALE AVE, #236	NEEDHAM	MA	02492	1992000000102360	1208 GREENDALE AVE
KULSHRESHTHA, MEEANAKSHI		1208 GREENDALE AVE UNIT 237	NEEDHAM	MA	02492	1992000000102370	1208 GREENDALE AVE
TIFFANY, CAROL		1208 GREENDALE AVE UNIT 232	NEEDHAM	MA	02492	1992000000102320	1208 GREENDALE AVE
HEWITT, JOHN H. & THELMA K., TRS.	HEWITT REALTY TRUST	P. O. BOX 2333	NEW LONDON	NH	03257	1992000000103000	1212 GREENDALE AVE
ADAMSON, CLARA B., TR.	C/O KEOHANE, DENIS & COLLEEN	1212 GREENDALE AVE UNIT 302	NEEDHAM	MA	02492	1992000000103020	1212 GREENDALE AVE
RULL, SHAUN P.		1212 GREENDALE AVE, UNIT 303	NEEDHAM	MA	02492	1992000000103030	1212 GREENDALE AVE
MULDOON, MICHELLE		1212 GREENDALE AVE BLDG3 #304	NEEDHAM	MA	02492	1992000000103040	1212 GREENDALE AVE
DOYLE, BARBARA B.		1212 GREENDALE AVE UNIT 305	NEEDHAM	MA	02492	1992000000103050	1212 GREENDALE AVE
BONDAR, FELIX &	BONDAR, SVETLANA	1212 GREENDALE AVE, UNIT 306	NEEDHAM	MA	02492	1992000000103060	1212 GREENDALE AVE
COOK, JAMES CARSON		1212 GREENDALE AVE UNIT 307	NEEDHAM	MA	02492	1992000000103070	1212 GREENDALE AVE
NOWELL, EUGENE F.		1210 GREENDALE AVE UNIT 308	NEEDHAM	MA	02492	1992000000103080	1210 GREENDALE AVE
HYDE, USA M.		44 MORaine ST	MARSHFIELD	MA	02060	1992000000103090	1210 GREENDALE AVE
NOLAN, MARCELLE L.		1210 GREENDALE AVE	NEEDHAM	MA	02492	1992000000103100	1210 GREENDALE AVE
ZIMBONE, MICHAEL &		1210 GREENDALE AVE, #311	NEEDHAM	MA	02492	1992000000103110	1210 GREENDALE AVE
HORAN, WILLIAM T &	VARLEY-HORAN, ELIZABETH	1210 GREENDALE AVE, UNIT 312	NEEDHAM	MA	02492	1992000000103120	1210 GREENDALE AVE
SULLIVAN, MARGARET R.	C/O SULLIVAN, KERRY A., EXEC	1212 GREENDALE AVE UNIT 314	NEEDHAM	MA	02492	1992000000103140	1212 GREENDALE AVE
CLEARY, CHARLES F., JR &	CLEARY, GERALDINE E.	1212 GREENDALE AVE, UNIT 315	NEEDHAM	MA	02492	1992000000103150	1212 GREENDALE AVE
LOVEZZOLA, NANCY J., TR	NANCY J. LOVEZZOLA NOMINEE TRUST	1212 GREENDALE AVE - #316	NEEDHAM	MA	02492	1992000000103160	1212 GREENDALE AVE
WALLACE, S. SUSAN &	MATHASEL, BRYAN F.	211 POND ST	WESTWOOD	MA	02090	1992000000103170	1212 GREENDALE AVE
BRENNAN, ANNE M., TR &	FLINN, CELINE M., TR	1212 GREENDALE AVE BLDG3	NEEDHAM	MA	02492	1992000000103180	1212 GREENDALE AVE
BLAKENEY, JEFFANE F		1212 GREENDALE AVE #319	NEEDHAM	MA	02492	1992000000103190	1212 GREENDALE AVE
MCLAUGHLIN, ROBERT J. &	MCLAUGHLIN, ELEANOR S.	1210 GREENDALE AVE BLDG3	NEEDHAM	MA	02492	1992000000103200	1210 GREENDALE AVE
CAREY, ROBERT W. & ANNE E TRS.	CAREY 321 REALTY TRUST	1210 GREENDALE AVE UNIT 321	NEEDHAM	MA	02492	1992000000103210	1210 GREENDALE AVE
STOJAR, ARKADY &	STOJAR, NATALYA	3 ENGLEWOOD AVE - APT 4	BROOKLINE	MA	02445	1992000000103220	1210 GREENDALE AVE
CAREY, JOSEPH P., TR		1210 GREENDALE AVE, #323	NEEDHAM	MA	02492	1992000000103230	1210 GREENDALE AVE
MCCULLOUGH, MARGARET M.		1210 GREENDALE AVE, UNIT 324	NEEDHAM	MA	02492	1992000000103240	1210 GREENDALE AVE
SCHOFIELD, PAUL		1210 GREENDALE AVE - UNIT 325	NEEDHAM	MA	02492	1992000000103250	1210 GREENDALE AVE
BOYD, RUTH A. TR.	C/O DUFF, DOROTHY	53 MAYNARD RD	DEDHAM	MA	02026	1992000000103260	1210 GREENDALE AVE
CONNORS, BRENDA J.		1210 GREENDALE AVE #327	NEEDHAM	MA	02492	1992000000103270	1210 GREENDALE AVE
YARNELL, KRISTEN M &	GALLAGHER, JOHN P., JR	1212 GREENDALE AVE #328	NEEDHAM	MA	02492	1992000000103280	1212 GREENDALE AVE
SHNAYDERMAN, MARINA		1212 GREENDALE AVE, # 329	NEEDHAM	MA	02492	1992000000103290	1212 GREENDALE AVE
VAYDMAN, YELENA		1212 GREENDALE AVE, #330	NEEDHAM	MA	02492	1992000000103300	1212 GREENDALE AVE
FISCHER, WILLIAM L. & NANCY H. &	LUBY, JENNIFER A.	1212 GREENDALE AVE, #331	NEEDHAM	MA	02492	1992000000103310	1212 GREENDALE AVE
GALEN, JOHN E. & BRENDA		1212 GREENDALE AVE, #332	NEEDHAM	MA	02492	1992000000103320	1212 GREENDALE AVE
SOO HOO, STACEY, ERIC & DAVID		1212 GREENDALE AVE	NEEDHAM	MA	02492	1992000000103330	1212 GREENDALE AVE
GREEN, TAMARAH R.		1210 GREENDALE AVE UNIT 334	NEEDHAM	MA	02492	1992000000103340	1210 GREENDALE AVE
DOSS, LYDIA T.		1210 GREENDALE AVE #335	NEEDHAM	MA	02492	1992000000103350	1210 GREENDALE AVE
		1210 GREENDALE AVENUE UNIT 336	NEEDHAM	MA	02492	1992000000103360	1210 GREENDALE AVE

Certified as list of parties in interest under Mass. General Laws and Needham Zoning By-Law, to the Best of our knowledge for the Needham Board of Assessors.....

1166 GREENDALE AVE

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP	PARCEL ID	PROPERTY ADDRESS
SHARP, JOHN R. JR.		1210 GREENDALE AVE BLD 3	NEEDHAM	MA	02492	1992000000103370	1210 GREENDALE AVE
TALLY, MARGARET A.		1210 GREENDALE AVE #338	NEEDHAM	MA	02492	1992000000103380	1210 GREENDALE AVE
WILDE, E ANDREW JR.		1210 GREENDALE AVE BLD 3	NEEDHAM	MA	02492	1992000000103390	1210 GREENDALE AVE
TOMPKINS, RICHARD F. & SANDLER, LOUIS B.	TOMPKINS, MARY E. SANDLER, LOUIS B.	1210 GREENDALE AVE UNIT 341	NEEDHAM	MA	02492	1992000000103410	1210 GREENDALE AVE
ROMAN CATHOLIC ARCHDIOCESE OF BOSTON		1180 GREENDALE AVE	NEEDHAM	MA	02492	1992000000200000	1186 GREENDALE AVE
ST. SEBASTIAN'S COUNTRY DAY SCHOOL		1191 GREENDALE AVE	NEEDHAM	MA	02492	1992000000300000	1157 GREENDALE AVE
ISSNER-GOODMAN, FAYE M.		31 HAMLIN LN UNIT A11	NEEDHAM	MA	02492	1992000003100010	31 HAMLIN LN - UNIT A11
DIKE, MARY T TR		29 NORTH SHORE RD	WESTMINSTER	MA	01473	1992000003100020	31 HAMLIN LN - UNIT 12
FELLEMAN, SYDNEY L		14 BEECH ST	NEEDHAM	MA	02494	1992000003100030	31 HAMLIN LN - UNIT A14
NORTON, ANNE		31 HAMLIN LN, UNIT B11	NEEDHAM	MA	02492	1992000003100040	31 HAMLIN LN - UNIT B11
YU, KAM CHOW & KEANE, PATRICIA A.	YU, RAINLY YUM CHAN	31 HAMLIN LN B12	NEEDHAM	MA	02492	1992000003100050	31 HAMLIN LN - UNIT B12
DIKE, MARY I. TR		31 HAMLIN LN #B14	NEEDHAM	MA	02492	1992000003100060	31 HAMLIN LN - UNIT B14
SADOK ENTERPRISES, LLC		31 HAMLIN WAY #A21	NEEDHAM	MA	02492	1992000003100070	31 HAMLIN LN - UNIT A21
RAKITA, LEO & RAKITA YURIY & MEYER, YELENA	LI, ZHONGLING RAKITA, NONNA	29 NORTH SHORE RD.	WESTMINSTER	MA	01473	1992000003100080	31 HAMLIN LN
MCCARTHY, NANCY E. & IGO, KERRY A. TRS.	IGO, KERRY A., TRS.	41 EDWARDEL RD	NEEDHAM	MA	02492	1992000003100090	31 HAMLIN LN - UNIT A23
DNP REALTY INC.		52 STARR RIDGE	NEEDHAM	MA	02492	1992000003100100	31 HAMLIN LN - UNIT A24
ALEKSEYEV, ALEKSANDR		36 JACQUELINE RD # B	WALTHAM	MA	02021	1992000003100110	31 HAMLIN LN - UNIT B21
DIBONAVENTURA, LISA M.		17 HILLSVIEW ST	CANTON	MA	02492	1992000003100120	31 HAMLIN LN - UNIT B22
ROWLANDS, WILLETT		22 STERLING RD	NEEDHAM	MA	02492	1992000003100130	31 HAMLIN LN
HENYARD INTERNATIONAL LLC		333 WASHINGTON ST STE 215	BOSTON	MA	02108	1992000003100140	31 HAMLIN LN - UNIT B24
PAGANO, PATRICIA A. TRUSTEE	AKA-ALEX N. ALEXEYEV	31 HAMLIN LN, UNIT A31	NEEDHAM	MA	02492	1992000003100150	31 HAMLIN LN - UNIT A31
MCCARTHY, NANCY E.		377 LOWELL AVE	NEEDHAM	MA	02460	1992000003100160	31 HAMLIN LN
SOLOVYOV, DMITRY		31 HAMLIN LANE, UNIT A33	NEEDHAM	MA	02492	1992000003100170	31 HAMLIN LN - UNIT A33
IGO, GREGORY P. & KERRY A. TRS		319 HIGH ROCK ST	NEEDHAM	MA	02492	1992000003100180	31 HAMLIN LN - UNIT A34
		31 HAMLIN LN, # B31	NEEDHAM	MA	02492	1992000003100190	31 HAMLIN LN - UNIT B31
		29 STERLING RD	NEEDHAM	MA	02492	1992000003100200	31 HAMLIN LN
		31 HAMLIN LN, UNIT B-33	NEEDHAM	MA	02492	1992000003100210	31 HAMLIN LN
		22 STERLING RD	NEEDHAM	MA	02492	1992000003100220	31 HAMLIN LN - UNIT B34

Certified as list of parties in interest under Mass. General Laws and Needham Zoning By-Law, to the Best of our knowledge for the Needham Board of Assessors.....  


251 GREAT PLAIN AVE

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP	PARCEL ID	PROPERTY ADDRESS
HASENFUS, RICHARD W & LAURA J &	MCDONALD, FRANCIS J & JANE E.	256 GREAT PLAIN AVE	NEEDHAM	MA	02492	19900900063000000	256 GREAT PLAIN AVE
SPAULDING, JOHN C & LORETTA M., TRS.	DOUGLAS ROAD REALTY TRUST	18 DOUGLAS RD	NEEDHAM	MA	02492	19900600033000000	18 DOUGLAS RD
RONAYNE, JOSEPH S, TR &	RONAYNE, JOAN B., TR	15 DOUGLAS RD	NEEDHAM	MA	02492	19900600032000000	15 DOUGLAS RD
COSENTINO, MICHAEL B. &	COSENTINO, JULIA SATTI	265 GREAT PLAIN AVE	NEEDHAM	MA	02492	19900600066000000	265 GREAT PLAIN AVE
BARTZOKIS, ELENIE CONSTANTINOS, TR	DAVIS, LINDA R. TR	243 GREAT PLAIN AVE	NEEDHAM	MA	02492	19900600068000000	243 GREAT PLAIN AVE
DAVIS, JOHN H. TR. &	BUSA, MARY MARGARET	244 GREAT PLAIN AVE	NEEDHAM	MA	02492	19900800009000000	244 GREAT PLAIN AVE
BUSA, MARK S. &	VOLPE, ELLEN H.	264 GREAT PLAIN AVE	NEEDHAM	MA	02492	19900900062000000	264 GREAT PLAIN AVE
VOLPE, ROBERT C. &		250 GREAT PLAIN AVE	NEEDHAM	MA	02492	19900900064000000	250 GREAT PLAIN AVE

Certified as list of parties in interest under Mass. General Laws and Needham Zoning By-Law, to the Best of our knowledge for the Needham Board of Assessors...



**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

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**MEETING DATE: 3/28/2017**

<b>Agenda Item</b>	Request to Locate Farmers Market on Garrity Way
<b>Presenter(s)</b>	Jeff Friedman, President, Needham Farmers Market Inc.

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
	Representatives of the Needham Farmers Market, Inc. will ask the Board for permission to use Garrity Way as a location of the market for the 2017 season.
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
	<i>Suggested Motion:</i> That the Board vote to authorize the Town Manager to enter into a license agreement with the Needham Farmers Market, Inc. to allow the market to be located on Garrity Way for the 2017 season.
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
	a. Memoranda in Support of an application for a special permit to allow the Farmers Market to location on Garrity Way, dated March 8, 2017 and March 9, 2017

VIA HAND DELIVERY

March 8, 2017

Needham Planning Board  
500 Dedham Avenue  
PSAB Bldg.  
Needham, MA 02492

Re: Application for Major Site Plan Review Special Permit by Needham Farmers Market, Inc.  
Application for Major Site Plan Review Special Permit Amendment by Town of Needham  
Garrity Way, Needham Center

Dear Planning Board Members:

The purpose of this letter is to provide the Planning Board with additional information in connection with the above-referenced, joint application by Needham Farmers Market ("NFM" or the "Market") and the Town of Needham (the "Town"). This letter conforms to the review criteria for site plan review, as set forth in Section 7.4.6 of the Zoning By-Law.

The proposed new location for NFM, applied for herein, is solely on Garrity Way in Needham Center. See attached Site Plan, Proposed NFM area on Garrity Way -DPW (Engineering Div.), and NFM layout of Garrity Way (prototype). This location is in the Center Business and Chestnut Business Districts. The Market will relocate from its current location on Eaton Square Parking Lot, behind Needham Bank, where it has operated for the last three years, 2014-2016. The relocation is necessitated due to the loss of many customers and vendors due to the lack of visibility at its current location from a main street, i.e. Great Plain Avenue. At Garrity Way, the Market will be clearly visible from these streets.

NFM will operate on Garrity Way, pursuant to a License Agreement with the Town of Needham. No construction is contemplated in connection with the Farmers Market. The Town of Needham is applying to amend its Major Project Site Plan Review Special Permit No. 2009-06, dated November 17, 2009 and amended March 2, 2010, November 16, 2010, June 21, 2011 and May 1, 2012.

The Market will be in operation on Sunday afternoons, May 28, 2017 to November 19, 2017, inclusive. The public hours of Market operation will be from 12:00 p.m. to 4:00 p.m., with a two hour Market setup before business hours and a two hour breakdown afterwards.

**I. Site Plan Review Criteria.**

The following are the criteria for the Planning Board to consider during the site plan review process pursuant to Section 7.4.6 of the Zoning By-Law, and the description of how the Application meets those criteria.

a) "Protection of adjoining premises against seriously detrimental uses by provision for surface water drainage, sound and sight buffers and preservation of views, light and air."

NFM will not cause any serious detrimental uses when it operates on Garrity Way on Sunday afternoons. The public will access the Market by motor vehicle, bicycle or by foot at the entrances on Chapel Street, Highland Avenue, and at Great Plain Avenue through the Town Common.

There will not be any water drainage issues, and there will be no effect on views, light and air.

NFM will have free, musical entertainment from individuals or a small group, e.g. flute, fiddle, guitar. Low sound from musicians at Garrity may be amplified as long as it is reasonable and not loud and disruptive to neighbors and nearby businesses. NFM may have Market announcements as well. NFM will obtain an entertainment permit from the Town Manager's Office. For the last three without problems, NFM had Market announcements and music with low amplification at the Eaton Square Municipal Parking Lot location behind Needham Bank.

b). "Convenience and safety of vehicular and pedestrian movement within the site and on adjacent streets, the location of driveway openings in relation to traffic or to adjacent streets and, when necessary, compliance with other regulations for the handicapped, minors and the elderly."

During the operation of the Market, parking for motor vehicles will be at the Chapel Street, Eaton Square, and Chestnut Street Municipal Parking Lots. The vendors will park at the Chapel Street Lot. Any additional traffic due to the Market on surrounding streets will be marginally increased, thus no traffic congestion. When NFM was previously located at the front lawn of First Parish at Dedham and Great Plain Avenues and later at the Eaton Square Municipal Parking Lot, there was no traffic congestion due to the operation of the Market.

The Market will be solely located on Garrity Way. During Market hours, this road will be blocked to vehicular traffic at Chapel Street and Highland Avenue. Town Hall is closed on Sundays.

This location is centrally located in Needham and thus very accessible and convenient to go to by vehicle, walking, jogging, or bicycling. This location is convenient for residents already shopping at Downtown stores. The Market will stimulate retail business. Market shoppers can also eat at local restaurants in the Downtown. Residents out for a walk with their family or dog, jogging, relaxing at the Town Common, bicycling, or shopping can stop at the Market.

The handicapped and the elderly can access the Market from the surrounding main arteries, i.e. Chapel Street, Highland Avenue, Great Plain Avenue, and from the Town Common. Bagel's Best and the Center Cafe will allow vendors to use their bathrooms.

**c) "Adequacy of the arrangement of parking and loading spaces in relation to the proposed use of the premises."**

Since the total area in use by NFM is 4,767 square feet, the parking demand is 14 parking spaces.  $(4,767/1,000 \times 3 = 14)$ . See attached DPW diagram of Garrity Way for square footage. The parking demand is based on a formula used in Special Permit Applications and Decisions for prior NFM locations at the front lawn of First Parish in Needham and later at the Eaton Square Municipal Parking Lot. Town Engineer Anthony L. Del Gaizo recommended this formula to the Planning Board.

The Farmers Market will occur on Sunday afternoons from 12:00 p.m. to 4:00 p.m. The three nearby municipal parking lots are more than adequate for the parking needs of vendors and shoppers at the Market. The Chapel Street Municipal Parking Lot has 127 parking spaces. The Chestnut Street Municipal Parking Lot has 197 parking spaces, and the Eaton Square Parking Lot has 124 parking spaces.

**d) "Adequacy of the methods of disposal of refuse and other wastes resulting from the uses permitted on the site."**

All trash and waste will be confined by NFM and its vendors as required under the License Agreement. NFM and its vendors will provide for adequate methods for disposal of refuse and waste. The NFM vendors and NFM staff will remove all trash and waste and clean up before the end of the breakdown period. Vendors may use the bathrooms at Bagel's Best and the Center Café. The waste water system for these restaurants is connected to the municipal sewer system.

**e) "Relationship of structures and open spaces to the natural landscape, existing buildings and other community assets in the area and compliance with other requirements of this By-Law."**

Any canopies, tables and equipment brought to the Market by NFM and its vendors will be removed by them by the end of the breakdown period. NFM and its vendors will not permit the Market area to be overloaded, damaged, stripped or defaced, or suffer any waste. NFM and its vendors shall not make any holes in Garrity Way. See License Agreement.

**f) "Mitigation of adverse impacts on the Town's resources including the effect on the Town's water supply and distribution system, sewer collection and treatment, fire protection, and streets."**

NFM's use of Garrity Way will not have any adverse impacts on the Town's resources, including the Town's water supply and distribution system, sewer collection and treatment, fire protection and streets.

## II. Conclusion.

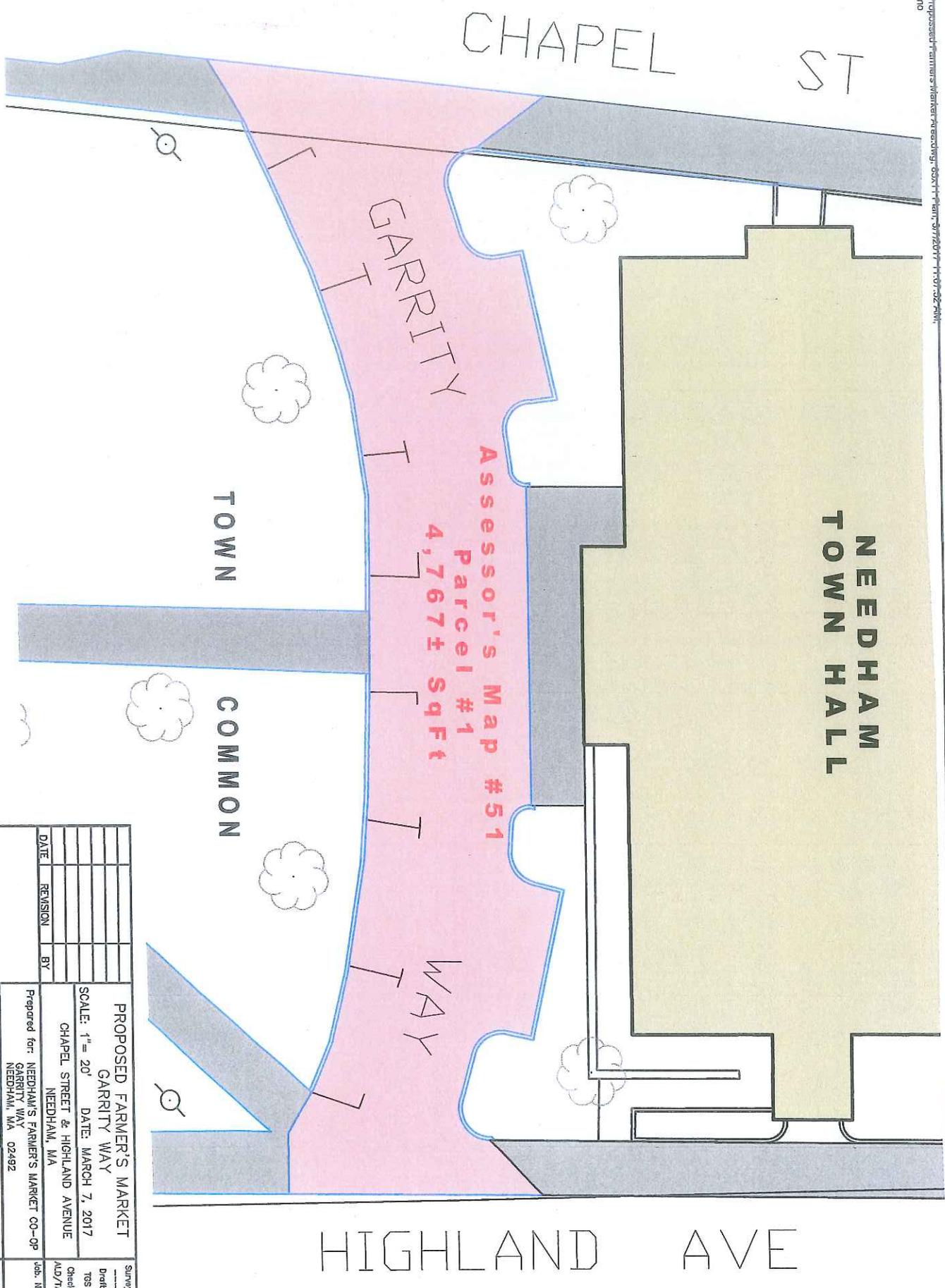
Needham Farmers Market will continue to be a source of fresh, locally grown or made food, which is very important for a healthy diet for all Needham residents, and especially for children. It is an opportunity under sunny skies for residents to meet friends and neighbors and to make new ones, which is a source of community and positive values for Needham. Residents can also chat about business, local events, where to shop and eat in the Downtown, etc.

Local Needham musicians will continue to entertain our shoppers, many with young children, including by Needham's own Plugged In Teen Band. During the prior five years that NFM has been in operation, many Needham nonprofits, such as the YMCA, Needham Community Council, BID-Needham Hospital, Parent Talk, Boy Scouts, bicycle organizations, etc., had an opportunity to meet the public at NFM's nonprofit table without any fee for its use. Needham artists and artisans can display their works, and engage in casual conversation with the public.

Sincerely,



Jeffrey M. Friedman  
President, Needham Farmers Market, Inc.  
28 Perrault Road, Apt. #1  
Needham, MA 02494  
[friedmanesq@aol.com](mailto:friedmanesq@aol.com)  
781.400.1036



NEEDHAM  
TOWN HALL

CHAPEL ST

HIGHLAND AVE

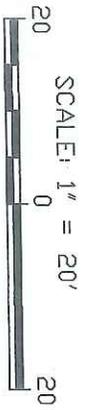
Assessor's Map #51  
Parcel #1  
4,767± Sq Ft

GARRITY

WAY

TOWN

COMMON



DATE	REVISION	BY

PROPOSED FARMER'S MARKET  
 GARRITY WAY  
 SCALE: 1" = 20' DATE: MARCH 7, 2017  
 CHAPEL STREET & HIGHLAND AVENUE  
 NEEDHAM, MA  
 Prepared for: NEEDHAM'S FARMER'S MARKET CO-OP  
 GARRITY WAY  
 NEEDHAM, MA 02492

NEEDHAM DEPARTMENT OF PUBLIC WORKS  
 ENGINEERING DIVISION  
 500 Dedham Avenue, Needham, MA 02492  
 (781) 455-2520

Sheet  
1 of 1  
Dwg. No.

Survey  
Dwg.  
TOS  
Check  
A/LD/TMR  
Job. No.

CHAPEL STREET

(PUBLIC - 50 FT. WIDE)

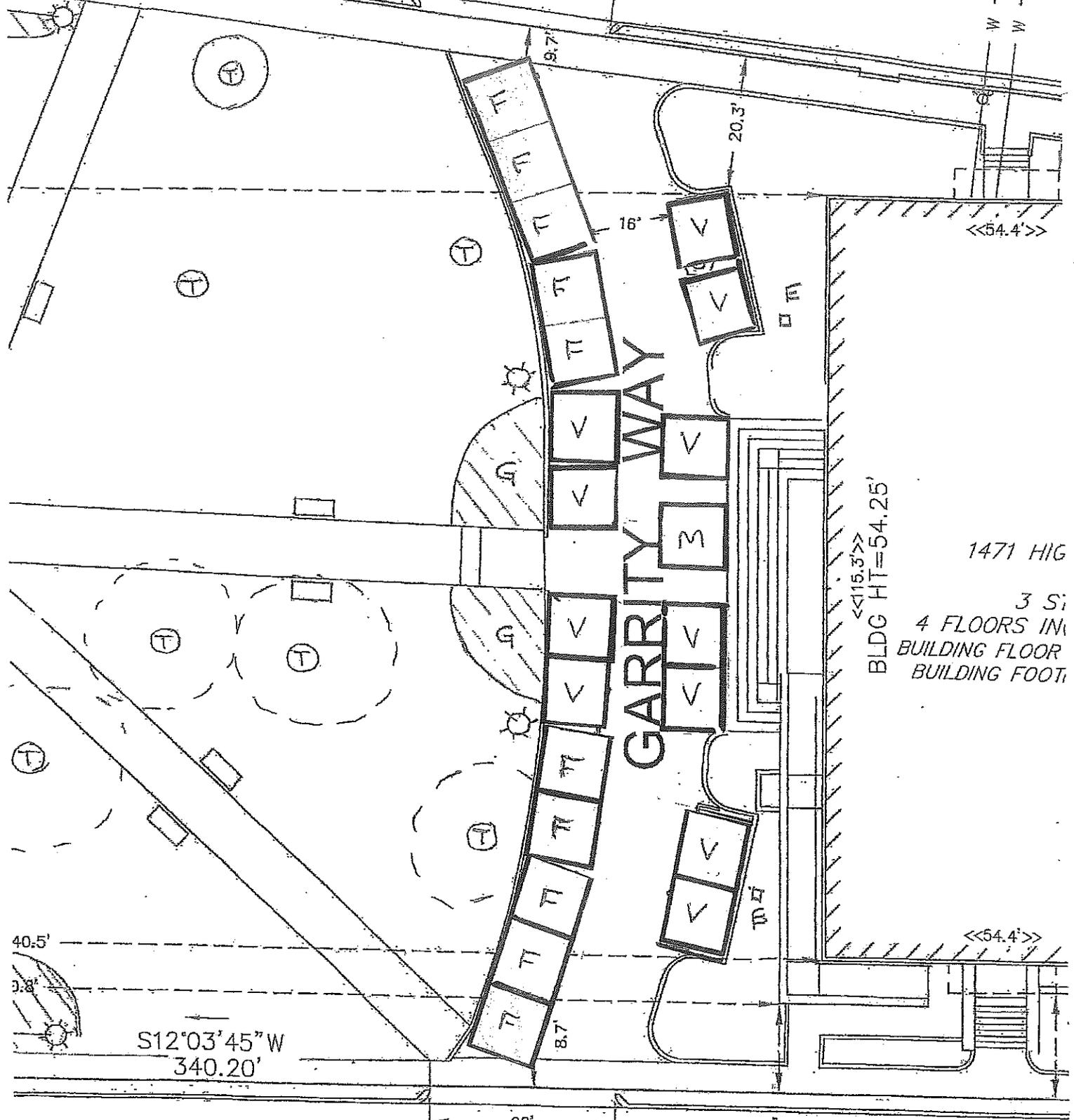
ADDITIONAL UTILITY LOCATIONS SEE SHEET 2 OF 2

8°47'30"E  
334.67'

28'

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2" COPPER  
6" CUI



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GARRITY WAY

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BLDG HT=54.25'

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4 FLOORS IN  
BUILDING FLOOR  
BUILDING FOOT

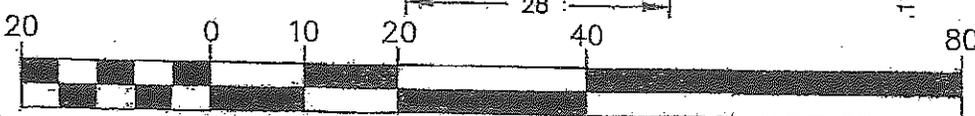
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3.8'

S12°03'45"W  
340.20'

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AND

AVENUE

VIA HAND DELIVERY

March 9, 2017

Needham Planning Board  
500 Dedham Avenue  
PSAB Bldg.  
Needham, MA 02492

Re: Application for Further Site Plan Review Special Permit by Needham Farmers Market, Inc.  
Application for Further Site Plan Review & to Amend Special Permit by Town of Needham  
Garrity Way, Needham Center

Dear Planning Board Members:

This is a joint application by Petitioner Needham Farmers Market ("NFM" or the "Market") and Petitioner Town of Needham (the "Town"). NFM is submitting its Application for Further Site Plan Review Special Permit, pursuant to Chapter 40A of the Massachusetts General Laws, the Needham Zoning By-Law, and the Needham Planning Board Rules. The Town is applying for Further site Plan Review and to amend its Major Project Special Permit No. 2009-06, dated November 17, 2009 and amended March 2, 2010, November 16, 2010, June 21, 2011 and May 1, 2012, pursuant to the same legal authority.

NFM is a 501(c) (3) Massachusetts nonprofit corporation and civic organization. It is Needham based with the purposes of operating the Farmers Market and advancing community goals to promote healthy food and diet, especially for children, and to provide a meeting place for Needham residents. Additionally, NFM wants to help stimulate and increase business at the local stores and restaurants in the Downtown area where the Market is located. As its president, I represent NFM.

The Town of Needham, the landowner, has agreed to allow NFM to use Garrity Way for the operation of a farmers market on Sunday afternoons for four hours from 12:00 p.m. to 4:00 p.m. from May 28, 2017 to November 19, 2017, inclusive. Set-up time is for two hours before business hours and breakdown is for two hours afterwards. The terms and conditions for use of Garrity Way are stated in the License Agreement between the Town of Needham and NFM.

Garrity Way is a one-way road, with parking spaces, in front of Town Hall. The Town Common is adjacent to Garrity Way. It is centrally located on three of Needham's main arteries: Great Plain Avenue stretches to Dedham in one direction and to Wellesley in the other direction. Great Plain Ave. intersects with Highland Avenue, which extends to Newton. The third artery is Chapel Street/Chestnut Street, which extend south to Dover and Westwood.

Many retail stores and restaurants in the Downtown surround this proposed location for the Market. It is in the center of the main commercial district and residential neighborhoods of Needham. Many churches, banks, real estate offices, BID-Needham Hospital, and the YMCA are nearby.

The entrance for motor vehicles is from Chapel Street and the exit is at Highland Avenue. Posted on a sign at the entrance to Garrity Way is the following: "Town Hall Business Only Parking (Monday – Friday)". Town Hall is closed on Sundays, and then Garrity Way has no or very infrequent use by motor vehicles. See attached Site Plan, Proposed NFM area on Garrity Way - DPW (Engineering Div.), and NFM layout of Garrity Way (prototype).

NFM will have a maximum of approximately thirteen (13) vendors for each Market day, located solely on Garrity Way. They will use booths, tables, canopies, or other temporary structures on the site. In addition to the vendors, on Garrity Way the Market will have tables, booths or canopies (which might be shared) on Garrity Way for Needham nonprofit organizations, two artists, musicians, and NFM's Market Manager. Nothing from the Market will be located on the Town Common itself.

The Application addresses the following relief:

1. Needham Farmers Market - Major Site Plan Review Special Permit.
2. Town of Needham – Further Site Plan Review and Special Permit, pursuant to Zoning By-Law Section 7.4 and Article 2 of the Planning Board Rules.
3. Special Permit pursuant to Section 3.2.2 of the Zoning By-Law to operate a farmers market in the Center Business District.
4. Special Permit pursuant to Section 5.1.1.6 of the Zoning By-Law to waive strict adherence to the off-street parking requirements as set forth in Sections 5.1.2 and 5.1.3 of the Zoning By-Law.
5. Special Permit pursuant to Section 3.2.2 of the Zoning By-Law for more than one use on road with parking areas.

NFM hereby certifies, pursuant to the Zoning By-Law Section 7.4.4, that the proposed use can be commenced without the need for the issuance of any variance from any provisions of the Zoning By-Law.

NFM will not operate on the Town Common. If the Town requires use of Garrity Way on a Market Sunday, NFM will not operate thereon for the specified date(s). In this situation, the Town will give NFM two weeks written notice of required use.

All food vendors will obtain required food permits from the Needham Board of Health. NFM and its vendors will have general liability and motor vehicle insurance as required in the License Agreement with the Town of Needham.

During Market hours, the vendors will be parked in the Chestnut Street Municipal Parking Lot. During NFM's use of Garrity Way, it will be blocked off with yellow tape, traffic cones, or by other means.

In 2012 and 2013, under a two year agreement without renewal, Needham Farmers Market operated on Sunday afternoons on the front lawn of First Parish in Needham, Unitarian Universalist, at 23 Dedham Avenue (adjacent to the Great Plain Avenue intersection) This was pursuant to a Major Project Site Plan Review Special Permit No. 2007-06 (2012). Garrity Way is visible from this location.

From 2014 to 2016, under a License Agreement with the Town of Needham and Needham Bank (both landowners), NFM operated on part of Eaton Square Parking Lot (behind Needham Bank), pursuant to a Major Project Site Plan Review Special Permit No. 2012-04 (April 16, 2014).

At the Eaton Square lot, the Market lost many customers and vendors due to the lack of visibility from a main street, e.g. Great Plain Avenue, Chapel Street, Dedham Avenue, and Highland Avenue. The Garrity Way location will provide NFM with much greater visibility from these streets to motorists, pedestrians, bicyclists, and Downtown shoppers.

Needham residents could walk, bike, or drive to Garrity Way and shop in the Downtown stores. It will enhance and draw Needham residents to the Town Common and Needham Center. It would serve as a community meeting place. Residents could relax and enjoy the live music from the Market. By having a visible event at Garrity Way, the Market will increase foot traffic in the Downtown area on Sunday afternoons, which is usually quiet, especially during the summer. The Market will promote community values and stimulate local businesses.

The Applications for Site Plan Review Special Permits include the following information:

1. Application for Further Site Plan Review.
2. Site Plan (8 full size copies and 6 reduced size copies).
3. License Agreement between NFM and the Town of Needham (will be timely filed)

4. Proposed NFM area on Garrity Way -DPW (Engineering Div.).
5. NFM layout of Garrity Way (prototype).

The Applicants request, pursuant to Zoning By-Law Section 7.4.4, that the Planning Board waive the submission by the Applicants of any of the required information not submitted herewith.

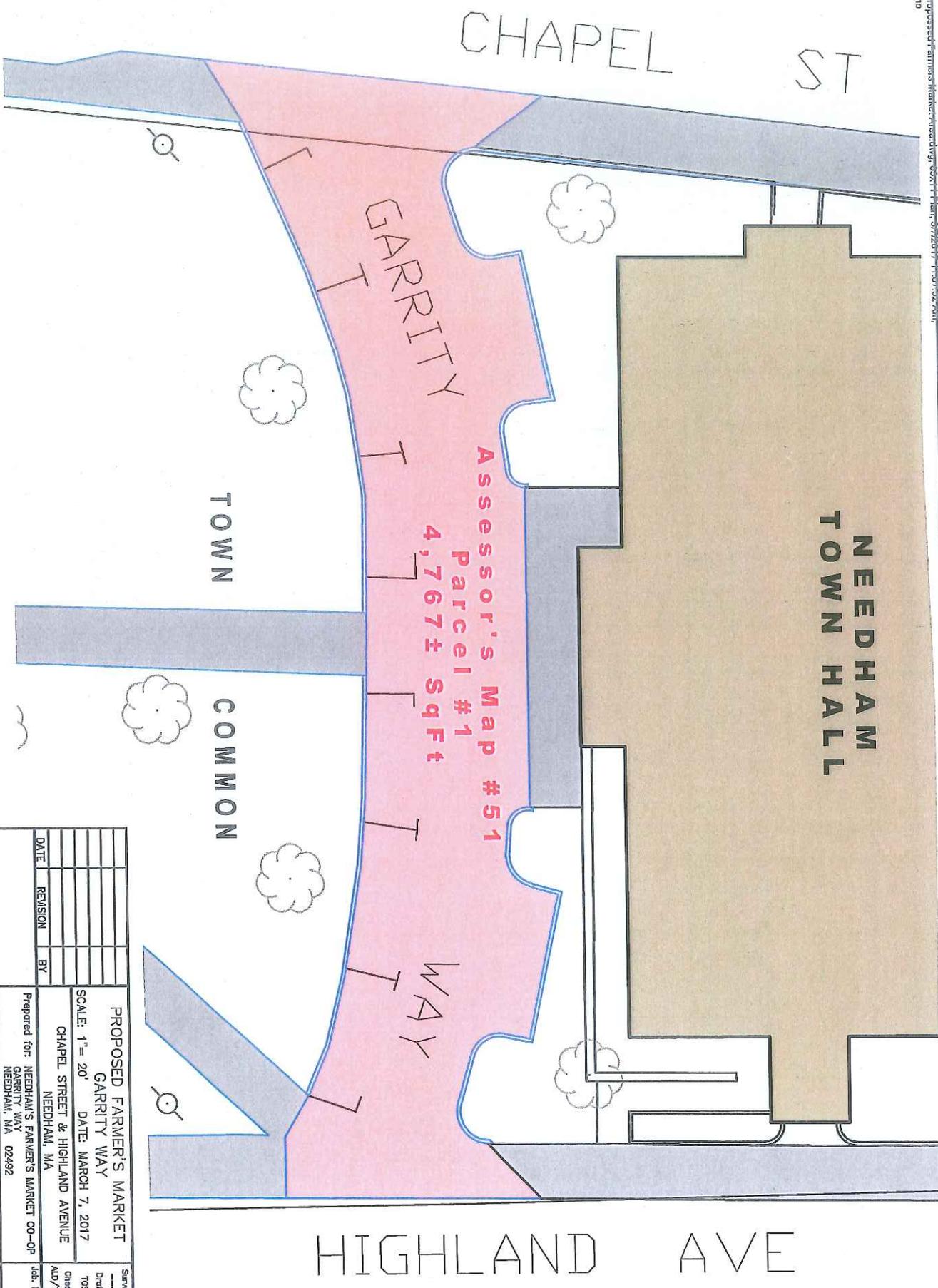
NFM also requests that the application fee of \$1,000 be waived. It is a 501(c) (3) nonprofit, and its financial resources are used for operating purposes.

I would appreciate your scheduling this matter for hearing as soon as possible. Thank you.

Sincerely,



Jeffrey M. Friedman  
President, Needham Farmers Market, Inc.  
28 Perrault Road, Apt. #1  
Needham, MA 02494  
[friedmanesq@aol.com](mailto:friedmanesq@aol.com)  
781.400.1036



SCALE: 1" = 20'  
 0 20 20

DATE	REVISION	BY

PROPOSED FARMER'S MARKET  
 GARRITY WAY  
 SCALE: 1" = 20' DATE: MARCH 7, 2017  
 CHAPEL STREET & HIGHLAND AVENUE  
 NEEDHAM, MA  
 Prepared for: NEEDHAM'S FARMER'S MARKET CO-OP  
 GARRITY WAY  
 NEEDHAM, MA 02492

NEEDHAM DEPARTMENT OF PUBLIC WORKS  
 ENGINEERING DIVISION  
 500 Dedham Avenue, Needham, MA 02492  
 (781) 455-7800

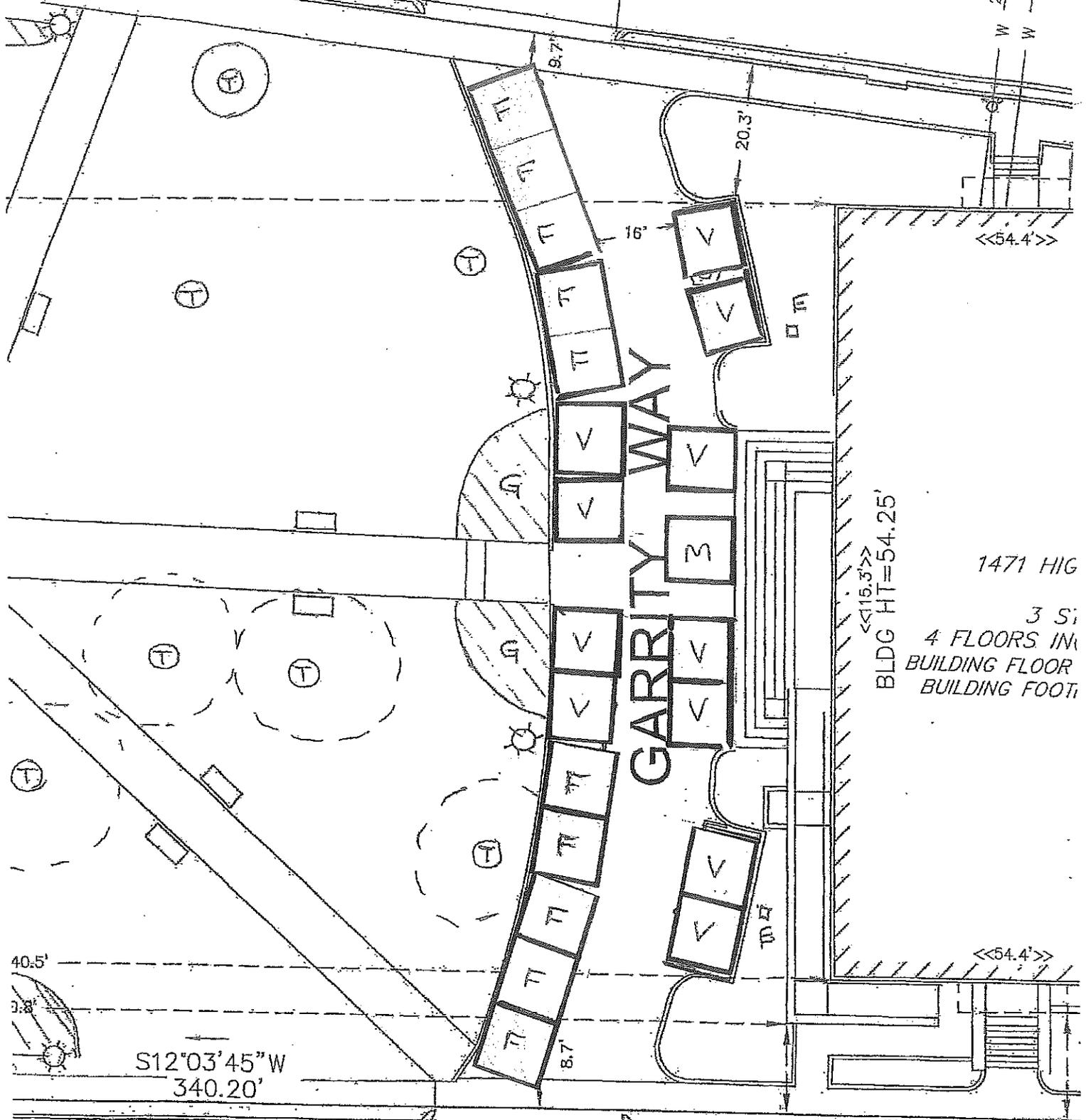
Sheet  
 1 of 1  
 Dwg. No.

HIGHLAND AVE

ADDITIONAL UTILITY LOCATIONS SEE SHEET 2 OF 2

CHAPEL STREET (PUBLIC - 50 FT. WIDE)

8°47'30"E  
334.67'



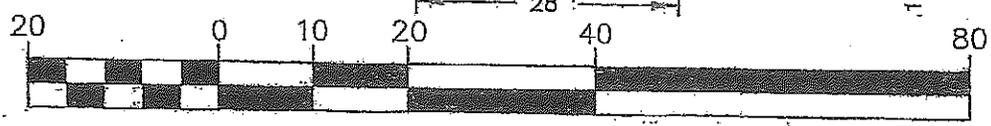
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1471 HIG  
3 S;  
4 FLOORS IN  
BUILDING FLOOR  
BUILDING FOOT

<<15.3>>

<<54.4'>>

S12°03'45"W  
340.20'



AND

AVENUE



**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

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**MEETING DATE: 3/28/2016**

<b>Agenda Item</b>	Non-essential Outdoor Water Use Restriction – Calendar Year 2017
<b>Presenter(s)</b>	Kate Fitzpatrick, Town Manager Rick Merson, Director of Public Works

**1. BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED**

The Town Manager and Director of Public Works will recommend that the Board vote to maintain the calendar-triggered non-essential water use restriction for calendar year 2017.

As an alternative approach this year, we suggest that the Board consider adopting the following:

When **one** day per week watering is mandated, **red** signs will be posted and the designated day will be **Sunday**. (The Town is currently under drought advisory which mandates the one day per week restriction).

When two day per week watering is allowed, **blue** signs will be posted and the two days will be those used in the past several years.

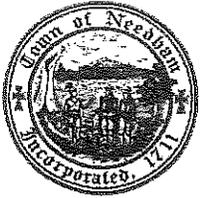
When no outdoor watering is allowed, **yellow** signs will be posted.

Properties with **even** street numbers may water lawns (and perform other allowed non-essential outdoor water uses) only before 9:00 a.m. or after 5:00 p.m. on **Mondays and Thursdays**.

Properties with **odd** street numbers may water lawns (and perform other non-essential outdoor water uses) only before 9:00 a.m. or after 5:00 p.m. on **Tuesdays and Fridays**.

**2. VOTE REQUIRED BY BOARD OF SELECTMEN**

**Suggested Motion:** that the Board vote to maintain the calendar-triggered non-essential water use restriction for calendar year 2017.



**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

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<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
<ul style="list-style-type: none"><li>a. Draft Public Notice, Mandatory Odd/Even Non-essential Outdoor Water Use Restriction for Residential and Commercial Customers - Calendar Year 2017</li><li>b. Draft Press Release</li><li>c. Information on Training Session for Landscapers &amp; Irrigation Companies</li><li>d. March, 2017 Massachusetts Drought Status</li><li>e. Calendar Year 2016 Stream Gauge Report</li></ul>	



## Public Notice

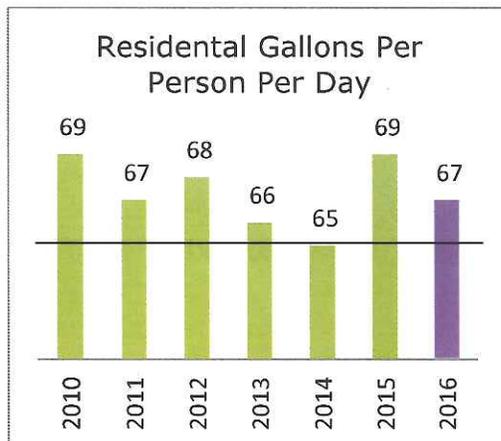
### Mandatory ODD/EVEN Non-Essential Outdoor Water Use Restriction

#### For Residential & Commercial Customers

The Water Division of the Department of Public Works would like to thank all residents and business owners in the Town of Needham for complying with the 2016 mandatory odd/even non-essential outdoor water use restriction. Whether it was a restriction for conservation purposes or in reaction to drought conditions, the efforts undertaken resulted in a reduction in the residential gallons per person, per day (rg/pd). While the Town was unable to get below the mandated 65 rg/pd, we were able to reduce the water consumption from the prior calendar year. We appreciate your assistance over the upcoming watering season in complying with the restriction and other efforts in reducing water consumption. The Water Division will be working with the community to increase awareness of the water restriction and other water conservation efforts.

The Town of Needham's mandatory non-essential outdoor water use restriction is effective May 1, 2017 through September 30, 2017. The standard two day water restriction allows non-essential outdoor water use on designated days before 9:00 a.m. and after 5:00 p.m. In the event that the Massachusetts Drought Management Task Force declares a drought advisory (or higher), non-essential outdoor water use will be allowed only one day per week before 9:00 a.m. and after 5:00 p.m. or may be banned entirely.

Due to climate conditions, the Town is implementing a blue/red/yellow water restriction. On days where signs, the Town's website and other public forums indicate **blue**, there will be a **two day** water restriction. On days where signs, the Town's website and other public forums indicate **red**, there will be a **one day** water restriction. On days where signs, the Town's website and other public forums indicate **yellow**, there will be **no outdoor watering allowed**. This restriction is in accordance with the Town's Department of Environmental Protection (DEP) Water Management Act Permit, and is in keeping with regional water conservation efforts.



The policy of the Commonwealth is to reduce residential water use to 65 gallons per person per day to ensure a sustainable drinking water supply and to protect natural resources and stream flow for aquatic life. Needham has been unable to consistently meet this requirement and residential use in Needham was 67 gallons in 2016. While this is a reduction from the prior year, the Town is still falling short of its' required goal. Accordingly, the Town is seeking the cooperation of all residents in achieving the required standard. Failure to comply with the provisions of the mandatory restriction may

result in a fine in accordance with Section 2.2.5.5 of the General By-laws.

April 1, 2017

## Two Day Odd/Even Outdoor Water Use Restriction

**Town of Needham**



**Mandatory  
Outdoor Water  
Use Restriction  
in Effect**

Properties with even street numbers may water lawns (and perform other allowed non-essential outdoor water uses) only before 9:00 a.m. or after 5:00 p.m. on Mondays and Thursdays.

Properties with odd street numbers may water lawns (and perform other non-essential outdoor water uses) only before 9:00 a.m. or after 5:00 p.m. on Tuesdays and Fridays.

No lawn watering via sprinklers or automatic irrigations system is allowed on Saturday, Sunday or Wednesday.

Watering of lawns, gardens, flowers and ornamental plants by means of a hand held hose is allowed at all hours during the restricted period.

New lawn exemption may be allowed.

## One Day Outdoor Water Use Restriction

**Town of Needham**



**Drought  
Water  
Restriction  
In Effect**

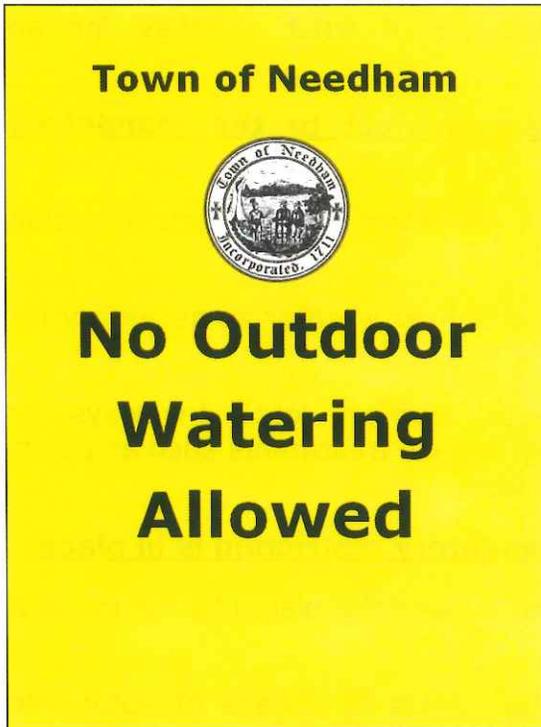
All properties may water lawns (and perform other non-essential outdoor water uses) only before 9:00 a.m. or after 5:00 p.m. on Sundays ONLY.

No lawn watering via sprinklers or automatic irrigations system is allowed on Monday, Tuesday, Wednesday, Thursday, Friday and Saturday.

Watering of lawns, gardens, flowers and ornamental plants by means of a hand held hose is allowed at all hours during the restricted period.

New lawn exemption is not allowed.

**No Outdoor Watering Allowing**



No lawn watering via sprinklers or automatic irrigations system is allowed on Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday.

Watering of lawns, gardens, flowers and ornamental plants by means of a hand held hose is allowed at all hours during the restricted period.

New lawn exemption is not allowed.

## **New Lawn Exemption Procedure**

Irrigation to establish a new lawn and new plantings are allowed to receive an exemption during the months of May and September ONLY during the blue water use restriction category. No exemptions will be allowed during the months of June, July and August. Please contact the Town prior to establishing a new lawn or new plantings, if you intend to apply for an exemption, so that we may ensure you do not receive an enforcement notice. Determination of what qualifies for an exemption will be made by the Water Division.

### **Non-essential outdoor water uses that are subject to the mandatory Odd/Even restriction are:**

- Irrigation of lawns and landscaping via sprinklers or automatic irrigation systems;
- Washing of vehicles, except in a commercial car wash or as necessary for operator safety; and
- Washing of exterior building surfaces, parking lots, driveways or sidewalks, except as necessary to apply surface treatments such as paint, preservatives, stucco, pavement or cement.

### **The following uses are allowed while the mandatory restriction is in place:**

- Watering of lawns, gardens, flowers and ornamental plants by means of a hand-held hose.
- Irrigation of public parks and recreation fields by means of automatic sprinklers outside the hours of 9:00 a.m. and 5:00 p.m.

Water uses NOT subject to the mandatory restrictions are those required for health or safety reasons, by regulation, for the production of food and fiber, for the maintenance of livestock, or to meet the core functions of a business (e.g. irrigation by golf courses as necessary to maintain tees, greens, and limited fairway watering, or irrigation by plant nurseries as necessary to maintain stock).

Under typical weather conditions, lawns require only one inch of water per week to remain healthy. Further information about the mandatory water use restriction and on efforts to reduce outdoor water use is available at <http://needhamma.gov/waterrestriction>. Questions about the mandatory non-essential outdoor water restriction should be directed to the Department of Public Works, Water & Sewer Division at (781) 455-7550 - select option 2 then 1 on the automated telephone system - between 8:30 a.m. and 5:00 p.m., Monday - Friday or by email at [dpwadmin@needhamma.gov](mailto:dpwadmin@needhamma.gov).

The Town of Needham thanks you for your cooperation.

## Press Release

Needham Board of Selectmen

March 28, 2017

As Spring begins, and with it, increased outdoor water use, the Board of Selectmen is issuing this statement to provide information to the public and encourage conservation and careful use of water by residents.

Drought conditions prevailed in most of Massachusetts during 2016. Notwithstanding rain and snow over the winter, the Town remains under a drought advisory because of very low rainfall last year.

The Town is required by the State to continue to limit outdoor water use to one day per week. But that limit does not by itself assure reduced water use.

During the summer of 2016, even while complying with the one day per week limit, a significant number of Needham homeowners used *more* total outdoor water than the year before.

At the end of the 2016 summer season, the Town received a number of resident inquiries about unexpectedly high water bills. Although every household's situation is different, in the overwhelming majority of cases that the Town reviewed, the higher charges resulted from increased outdoor water use by the homeowner.

With low rainfall, it is expected that many residents will use more water outdoors for lawns and other irrigation than during wetter years. Needham's water billing rates are based on usage, with higher per cubic foot charges for higher volume users. That increasing block rate system is based on State regulations intended to promote conservation. It is also necessary to fully recover the cost of additional water purchases by the Town from the Massachusetts Water Resource Authority (MWRA) during the summer months.

The State's long-term environmental goal is to reduce household water use to 65 gallons (approximately 8.6 cubic feet) per person per day over the course of the year. Needham's residential use has been above that level for many years, and outdoor water use is a principal contributor.

The Town believes the majority of residences using more than the 65 gallon goal have reasonable options to reduce that amount, particularly in the area of outdoor use.

The Town is required by law to comply with the State policy, and strives to assure a safe, adequate water supply for all residents. The Town's rate and water management policies are part of that effort.

It is hoped that this information is helpful. For any question or concern about this subject, including questions about your own water bill, please contact the Department of Public Works at 781-455-7550 extension 306.



## Mandatory Non-Essential Outdoor Water Use Restriction

### INFORMATION FOR LANDSCAPE & IRRIGATION COMPANIES

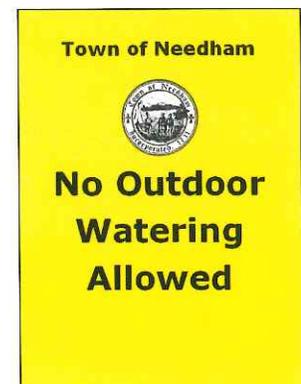
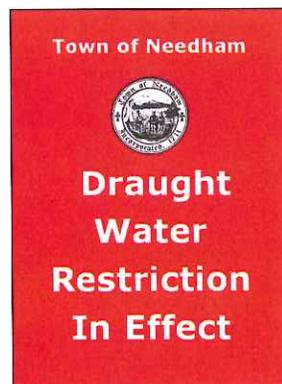
In an effort to increase awareness of the water restriction and other water conservation efforts, the Town of Needham Department of Public Works Water Division is hosting an informational session for landscape and irrigation companies that have clients in Needham or may be working in town while the mandatory non-essential outdoor water use restriction is in effect from May 1, 2017 through September 30, 2017.

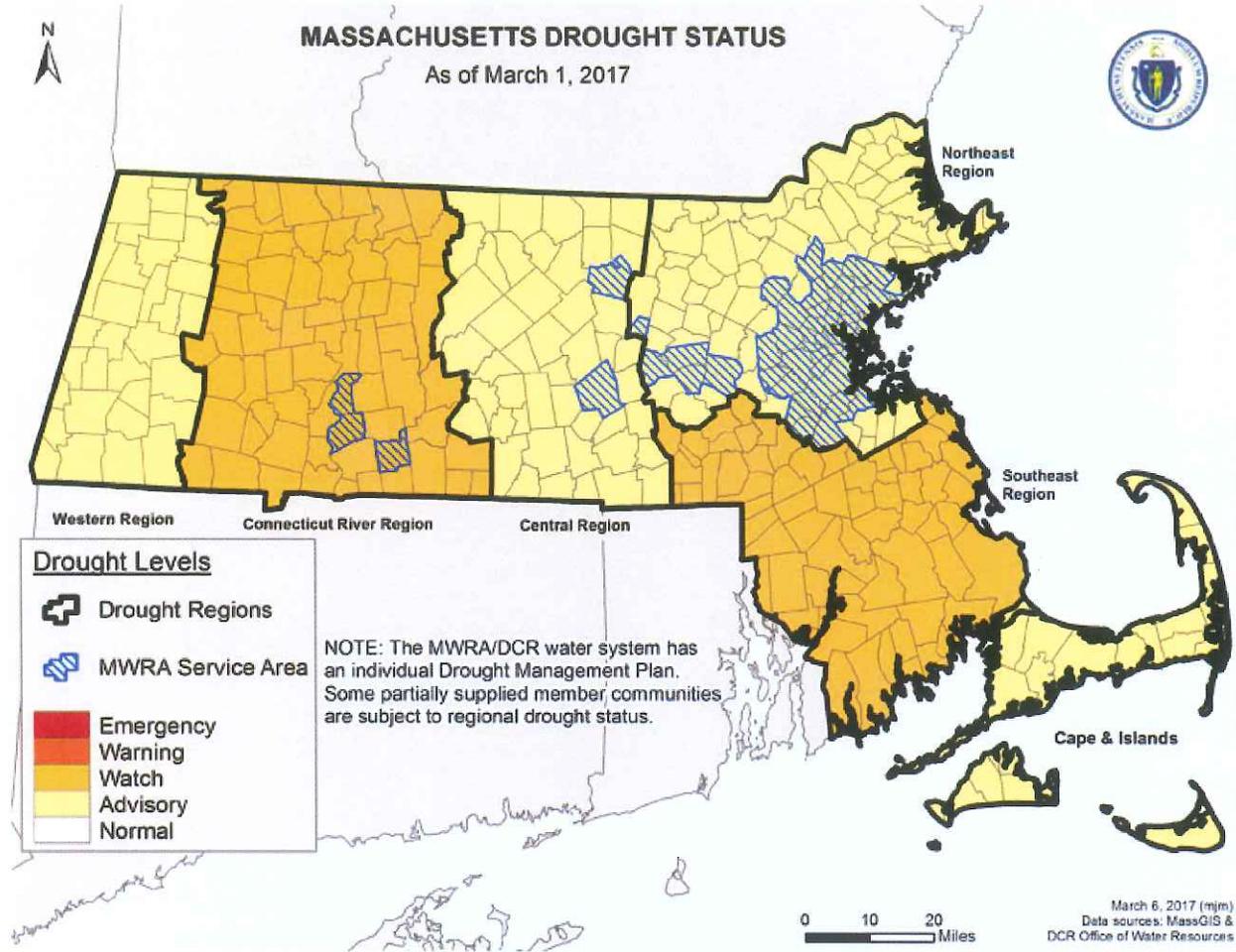
Please join us on **Thursday, April 6, 2017 at 4:00pm** in the Charles River Room at the Public Services Administration Building, 500 Dedham Avenue, Needham, Massachusetts 02492 to learn more about the mandatory non-essential outdoor water use restriction and the red/blue/yellow program the Town will be implementing this year.

This restriction is in accordance with the Town's Department of Environmental Protection (DEP) Water Management Act Permit, and is in keeping with regional water conservation efforts. The policy of the Commonwealth is to reduce residential water use to 65 gallons per person per day to ensure a sustainable drinking water supply and to protect natural resources and stream flow for aquatic life. The Town is seeking the cooperation of all residents in achieving the required standard. Failure to comply with the provisions of the mandatory restriction may result in a fine in accordance with Section 2.2.5.5 of the General By-laws.

Questions about the mandatory non-essential outdoor water restriction should be directed to the Department of Public Works, Water & Sewer Division at (781) 455-7550 - select option 2 then 1 on the automated telephone system - between 8:30 a.m. and 5:00 p.m., Monday - Friday or by email at [dpwadmin@needhamma.gov](mailto:dpwadmin@needhamma.gov).

The Town of Needham thanks you for your cooperation.





2016

USGS 01104500 Charles River at Waltham, MA

Date	May	June	July	August	Sept
1	144	108	27	8.8	
2	151	105	34	9.3	
3	156	106	29	9.4	
4	158	101	25	9.4	
5	194	104	24	9.4	
6	239	142	27	10	
7	250	114	25	12	
8	254	119	23	11	
9	243	114	22	9.3	
10	233	118	23	8.7	
11	220	123	22	9	
12	202	114	21	9.4	
13	196	101	20	9.8	
14	186	92	17	11	
15	162	84	12	11	
16	140	69	8.8	11	
17	132	56	9.4	10	
18	125	46	9.3	10	
19	119	44	9.3	9.7	
20	116	39	9.1	9.4	
21	113	35	8.8	9	
22	108	30	8.2	11	
23	104	28	8.1	10	
24	101	32	8.1	11	
25	99	35	8.2	7.5	
26	94	35	8.2	5	
27	91	33	8.2	5.3	
28	87	27	8.2	5.4	
29	81	28	8.3	5.4	
30	110	28	8.2	5.4	
31	124		8.6	5.8	

**NOTE: May and June cannot fall below 279 cfs for 3 consecutive days.**

**NOTE: July, August and Sept cannot fall below 98 cfs for 3 consec day**

**Key =  Fell below threshold**



**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

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**MEETING DATE: 3/28/2017**

<b>Agenda Item</b>	Tax Increment Financing Proposal – NBC Universal
<b>Presenter(s)</b>	Kate Fitzpatrick, Town Manager

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
<p>The Town Manager will present and recommend that the Board approve a TIF agreement between the Town and NBC Universal, which is proposing to consolidate operations in new facility in Needham Crossing.</p>	
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
<p>Suggested Motion:</p> <p><b>MOVE</b> that, subject to ratification by Town Meeting, the Board of Selectmen vote to approve a portion of Parcel 74 on the Town of Needham Assessor's Map No. 300, as shown on a Plan entitled "NBCUniversal Media Economic Opportunity Area," dated March 22, 2017 and prepared by the Town of Needham Engineering Division, with a street address of 189 B Street and which comprises approximately 7.81 acres, as the 'NBCUniversal Media Economic Opportunity Area' (the "NBCUniversal Media EOA") for a period of 10 years, pursuant to M.G.L. c. 23A, §3E, and to approve the submission of an application of the NBCUniversal Media EOA to the Massachusetts Economic Assistance Coordinating Council (EACC) for approval.</p> <p><b>MOVE</b> that, subject to ratification by Town Meeting, the Board of Selectmen vote to execute a 10-year Tax Increment Financing (TIF) Plan and Agreement, pursuant to M.G.L. c. 40, §59, between NBCUniversal and the Town of Needham for property located as delineated by the NBCUniversal Media EOA and authorize the submission of the TIF Plan and Agreement to the EACC for approval.</p> <p><b>MOVE</b> that the Board of Selectmen vote to execute and authorize the Chairman to sign the Host Community Agreement between NBC Universal and the Town of Needham.</p>	



**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

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**3.**

**BACK UP INFORMATION ATTACHED**

- a. Board of Selectmen TIF criteria
- b. Economic Opportunity Area (EOA) Designation Application
- c. Tax Increment Financing Agreement
- d. Host Community Agreement
- e. Local Incentive Only Application

**Town of Needham**  
**Criteria for Determining Whether to Utilize Tax Increment Financing**  
**Options**  
**Adopted by the Board of Selectmen 11.14.12**

The Town of Needham applied for and received designation as a Regional Technology Center – one of the types of Economic Target Areas available to communities to enable tax increment financing (TIF) options – in 2007.

In its application for the designation, the Town set forth certain economic development goals that would serve as the basis for evaluation of requests for tax increment financing (TIF) agreements. The following is a proposed set of criteria, in priority order, to guide the decision making when the Town is presented with requests for TIF agreements

1. The project is of a size, scope, and industry that will expedite the redevelopment of the NEBC (i.e. is seen as a “game changer.”)
2. The project creates synergy by attracting other high technology firms to locate in the NEBC.
3. The project will help leverage private and/or State funds for infrastructure or other local improvements.
4. The project will facilitate the redevelopment of greyfield or brownfield sites.
5. But for the possibility of a TIF Agreement, the opportunity for redevelopment is low.
6. The project will promote the utilization and expansion of regional workforce skills, and provide attractive job opportunities for Needham residents.
7. The project encourages the development of businesses which will improve the economic viability of other businesses within the proposed area.
8. The project will facilitate the reduction of commercial vacancies.
9. The TIF Agreement should enable the project to receive State economic development funds.



COMMONWEALTH OF MASSACHUSETTS  
 ECONOMIC ASSISTANCE COORDINATING COUNCIL  
 MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

**Economic Development Incentive Program (EDIP)**  
**ECONOMIC OPPORTUNITY AREA (EOA) DESIGNATION APPLICATION**

A complete application with all required attachments must be submitted in electronic form to your MOBD Regional Director by 5:00 P.M. on the [application deadline date](#). A hardcopy with original signatures and attachments must be postmarked no later than 1 day after the submission deadline and mailed to: EDIP Manager, MOBD, 10 Park Plaza, Suite 3730, Boston, MA 02116. **Applications that are incomplete or submitted after the deadline will not be considered at the scheduled Economic Assistance Coordinating Council (EACC) meeting, without exception.**

<b>PART I. PROPOSED EOA</b>	
<b>1. DESIGNATION OVERVIEW</b>	
<b>Name of Proposed EOA:</b>	NBCUniversal Media
<b>Municipality:</b>	Town of Needham
<b>EOA Designation is for:</b>	<input checked="" type="checkbox"/> New EOA within a previously approved Economic Target Area <input type="checkbox"/> Amendment to a previously approved EOA
The area is being proposed for designation as the applicable parcels meet the eligibility criteria (see definitions as defined in M.G.L. Chapter 121A, §1 and M.G.L. Chapter 23A §3E):	<input checked="" type="checkbox"/> Blighted Open Area <input type="checkbox"/> Decadent Area <input type="checkbox"/> Substandard Area <input type="checkbox"/> Cumulative Job Loss
<b>Effective Time Period for EOA Designation</b> (Designation must remain in effect for a minimum of 5 Years and Maximum of 20 Years)	<b>10 Years</b>
<b>2. EOA BOUNDARIES</b>	
<b>(a) Attachment A: Map of Proposed EOA</b> Please attach a detailed map of the proposed EOA, indicating the existing streets, highways, waterways, natural boundaries and other physical features.	<input checked="" type="checkbox"/> <b>Attached</b>
<b>(i)</b> Please provide a detailed description of the EOA boundaries including parcel numbers and how said area conforms to the definition of either “Blighted Open Area”, “Decadent Area”, “Substandard Area and/or “Cumulative Job Loss” as marked in section 1.	
See attached continuation pages.	

### 3. REASON FOR DESIGNATION

**(a) Please describe the reason for the proposed EOA Designation. Please include:**

- (i) A brief narrative of why the EOA designation is important to the community.
- (ii) If a business has indicated an intention to locate or expand within the proposed EOA, please provide the name and brief description of the company. If applicable, attach the letter of intent.

See attached continuation pages.

**(b) Please describe the economic development goals for the proposed EOA during the first five years of EOA designation.**

See attached continuation pages.

## PART II. MUNICIPAL DESIGNATION PROCESS

### 1. MUNICIPAL AUTHORITATIVE REVIEW

EOA Authoritative Review Municipal Official or Board/Council/Etc.	Town Manager				
Municipal Contact:	Full Name:	Kate Fitzpatrick	Title:	Town Manager	
Contact Address:	Street Address:	1471 Highland Avenue			
	City:	Needham	MA	Zip Code:	02492
Telephone Number:	781-455-7500				
Email Address:	KFitzpatrick@needhamma.gov				

**(a) Indicate the local standards and procedures for review of project proposals including:**

- (i) the application procedures,
- (ii) the timeframe for review and determination
- (iii) and the criteria and process for approval of project proposals
- (iv) Attachments of any additional documentation required (if applicable)

See attached continuation pages.

### 2. LOCAL APPROVAL STREAMLINING

**(a) Provide a proposal and plan (or attach existing plan) to increase the ease of doing business by streamlining delivery of local services within the EOA such as the municipality's permit, approval and license procedures. See: "[Best Practice Model for Streamlined Local Permitting](#)"**

See attached continuation pages.

COMMONWEALTH OF MASSACHUSETTS  
ECONOMIC ASSISTANCE COORDINATING COUNCIL  
MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

<p><b>(b) Compliance with Community Reinvestment Act:</b> Include a copy of a municipal plan or policy, if any exists, which links the municipality's choice of banking institutions to the bank's compliance with the requirements of the Community Reinvestment Act.</p>	<p><input type="checkbox"/> Attached</p> <p><input checked="" type="checkbox"/> N/A</p>
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**PART III. SPECIAL REQUIREMENTS FOR LARGE MUNICIPALITIES**

This section must be completed by any municipality or member of a regional ETA with a population that exceeds fifty thousand (50,000) people. The population threshold should be calculated based on the most recent statistics available from the U.S. Bureau of the Census.

**Please check appropriate selection:**

Municipality or regional ETA population exceeds 50,000 people (if checked, please complete the below Part III.)

Municipality or regional ETA population is less than 50,000 people (if checked, Part III. is not required, please skip to Part IV.)

**1. MUNICIPAL INFRASTRUCTURE SUPPORT**

Provide an analysis of the existing infrastructure support and municipal services, including transportation access, water and sewer hook-ups, lighting, and fire and police protection to and for certified projects within the proposed EOA(s). Indicate if the existing level of services and infrastructure is adequate to support the anticipated development in the proposed EOA(s).

Provide a proposal for meeting additional demand for municipal services and infrastructure improvement, including costs and funding sources available for these improvements.

N/A

**2. JOB TRAINING PROGRAMS**

Describe the municipality's plans to secure access to publicly or privately sponsored training programs for employees of certified projects and for residents of the municipality/ETA.

N/A

**3. LOCAL COMMUNITY INVOLVEMENT**

Describe the municipality's plans to increase the level of private sector involvement and the level of involvement by community development organizations in the economic revitalization of the area proposed for designation. For example, local involvement could include commitments from private persons to provide jobs and job training to residents or to employees who for certified projects in the proposed EOA(s).

N/A

COMMONWEALTH OF MASSACHUSETTS  
ECONOMIC ASSISTANCE COORDINATING COUNCIL  
MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

**PART IV. MUNICIPAL BINDING WRITTEN OFFER**

The municipality completing this application must provide a **binding written offer** to provide either tax increment financing or a special tax assessment to each certified project located within the proposed EOA(s).

Please attach a copy of the municipality's binding written offer.

- (i) **In cities**, this shall be in the form of a City Council Order or Resolution, along with a Certified Vote by the City Clerk.
- (ii) **In towns with Town Meeting form of government**, this shall be in the form of a Town Meeting Motion, along with a Certified Vote by the Town Clerk.
- (iii) **In towns with Town Council form of government**, this shall be in the form of a Town Council Order or Resolution, along with a Certified Vote by the Town Clerk.

**Attached**

**PART V. APPLICATION AUTHORIZATION, CERTIFICATION & ACKNOWLEDGEMENT**

*I/We \_\_\_\_\_ (fill in name and title) of the applicant municipality applying for "Economic Opportunity Area" Designation from the Commonwealth of Massachusetts, Economic Assistance Coordinating Council hereby certify that I/we have been authorized to file this application and to provide the information within and accompanying this application and that the information provided herein is true and complete. I/we understand that the information provided with this application will be relied upon by the Commonwealth in deciding whether to approve "Economic Opportunity Area" Designation and that the Commonwealth reserves the right to take action against the applicant or any other beneficiary of the Economic Opportunity Area if the Commonwealth discovers that the applicant intentionally provided misleading, inaccurate, or false information. I/we make this certification under the pains and penalties of perjury.*

*The signatories also hereby acknowledge that, under the Public Records law of the Commonwealth of Massachusetts, this application and all documents submitted in support thereof are public records under the provisions of Massachusetts G. L., Ch. 4, sec. 7 (26).*

**Signed:**

*Select mm/dd/yyyy*

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Name	Title	Date
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*Select mm/dd/yyyy*

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Name	Title	Date
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# **The Massachusetts Economic Development Incentive Program**

## **APPLICATION FOR DESIGNATION OF ECONOMIC OPPORTUNITY AREA(S)**

### **PART I**

#### **SECTION I(2)(a)(i)**

A copy of the Plan entitled "NBCUniversal Media Economic Opportunity Area," dated March 22, 2017, and prepared by the Town of Needham Engineering Department is attached. The proposed NBCUniversal Media Economic Opportunity Area ("EOA") is located on a portion of Parcel 74 on the Town of Needham Assessor's Map No. 300, as shown on the attached plan as "NBCUniversal Media Economic Opportunity Area," with a street address of 189 B Street and which comprises approximately 7.81 acres.

The proposed NBCUniversal Media EOA is a "blighted open area" as that term is defined in *M.G.L. c.121A, §1*, because the Property is costly to redevelop by the ordinary operations of private enterprise. In particular, challenging conditions such as expensive excavation, drainage, and flood prevention measures, faulty platting, deterioration of site improvements and inadequate transportation facilities, require a high level of investment. In addition, The Town of Needham has identified the Property as an area that is vacant and underutilized. The area meets the requirement for designation of an EOA as described in the application for Economic Target Area designation.

#### **SECTION I(3)(a)**

The proposed EOA includes an abandoned building on property, the rights of which are to be acquired by NBCUniversal Media, LLC and its subsidiaries and affiliates ("the Company") for a project as described below. The proposed project consists of the Company acquiring the rights to the existing building at 189 B Street and rehabilitating it within the new EOA for use as a state-of-the-art media center. The project will take a presently abandoned building of an estimated 171,000 gross square feet of area of little or no value, and redevelop it into a New England Regional Media Center facility of approximately 165,000 square feet, with approximately \$63,400,000.00 in acquisition and soft and hard construction and development costs, and \$61,600,000.00 in personal property investments. The Company's total investment in the property will be approximately \$125,000,000.00.

The Company will retain and relocate 375 permanent full-time jobs to Needham from its offices in other municipalities and, in doing so, create a media cluster in Needham Crossing to enhance the attraction of other high-tech and technology support businesses.

**Town of Needham**  
EOA Application Continuation Pages

A copy of the Company's letter of intent is attached.

**PART I(3)(b)**

Needham's Application for ETA designation states that the Town intends to designate an EOA within the New England Business Center ("NEBC") zoning district because it is close to regional transportation facilities and highway routes, has underutilized commercial land, and is home to many high-tech and life science businesses, thereby best suited to accepting similar or complimentary businesses.

Other criteria met by the proposed EOA include:

1. Seek commercial development that offers high-paying jobs for residents of both Needham and the region;
2. Create a cluster of innovative industry within the NEBC, in this case making the NEBC a major New England media cluster;
3. Reuse existing vacant commercial space to increase tax revenues;
4. Encourage the expansion of existing or attraction of new high-tech companies;
5. Promote the effective reuse of obsolete industrial buildings;
6. Facilitate reduction of commercial and industrial vacancies;
7. Encourage the development or expansion of businesses which will improve the economic viability of other businesses within the proposed EOA;
8. Encourage the use of public transportation; and
9. Promote the utilization and expansion of regional workforce skills.

The EOA also addresses the following economic goals of the ETA:

1. **Create substantial enclave of innovative industry and research within the NEBC by building upon the many technological enterprises already in the NEBC.**

The development planned by the Company will, together with the presence of WVCB and Gatehouse Media already in Needham Crossing, create a media cluster that will establish Needham Crossing as a major New England media cluster. Together with other high-tech companies and support businesses, this media cluster will lead, the Town believes, to further development as more technology and media-related businesses opt to expand or relocate to the NEBC.

2. **Promote commercial/industrial/technical development that offers high-paying jobs for residents available to residents of both Needham and the region.**

The Company's proposed plan to consolidate its Massachusetts operations into a regional center for its operations will result in the relocation of 375 jobs to the NEBC. Given the extra approximately 50,000 square feet of excess capacity that the Company is considering acquiring the rights to beyond this project, there is also the opportunity for long-term growth in terms of jobs and additional development.

**3. Reuse existing vacant and underutilized commercial/industrial space to increase tax revenues and produce environmental benefits.**

The Company will acquire the rights to a currently vacant building with minimal value and invest approximately \$63,400,000.00 in acquisition, development and construction costs, including improvements relating to drainage and other environmental benefits. The increased value of the property, together with the substantial increase in personal property proposed by the Company to be located at the property, will result in substantial tax revenues to the Town.

**4. Increase the use of public transit in connection with traveling to and from work working the local TMA, the 128 Business Council, which serves the local community.**

The Company will work with the Town, as well as other businesses and owners in Needham Crossing, to increase the availability of the 128 Business Council's shuttle service from Newton Highlands T-stop. It will also create, in conjunction with the aforementioned, a plan to expand shuttle services between Needham Crossing and the Needham Heights commuter rail train station.

**5. Identify high quality enterprises and actively encourage them to relocate to Needham.**

The Company is a national leader in the media business and its presence in the NEBC is likely to promote the area as a media cluster, bringing other related companies and supporting businesses into Needham Crossing.

**6. Have the ability to structure TIF incentives so that the infrastructure that makes development possible becomes financially feasible for the Company and the Town.**

The proposed tax incentives would help offset project investment costs. The Company's proposed project will increase total tax revenues to the Town and help the Town fund infrastructure improvements in Needham Crossing.

**7. Have the ability to offer both State and local tax incentives to make such development attractive to quality companies.**

The proposed tax incentives would help offset project investment costs. The Company's proposed project will increase total tax revenues to the Town and help the Town fund infrastructure improvements in Needham Crossing.

**8. Grow the tax base further in order to cushion it from economic downturns.**

The proposed project would generate significant new revenue to the Town.

**9. Support principles of smart growth, mixed use development and transit orient development where appropriate.**

See item 4 above. In addition, this project will be located within the redevelopment now known as Founders Park, which includes 395 units of multi-family housing.

**10. Market Needham's economic development opportunities by utilizing a local web site and by taking advantage of existing State marketing resources.**

Because the Company is in the media business and has agreed to promote Needham Crossing as part of its Host Community Agreement with the Town, the Town will benefit from the media exposure of Needham Crossing as a place to locate or expand businesses.

**PART II**

**SECTION II(1)(a)**

The Town Manager, with the assistance of Town staff, including the Economic Development Director, Planning Director, Assistant Town Manager for Finance, Personnel Director, Town Counsel, and Town Assessor, will review project proposals for and on behalf of the Town.

Businesses seeking EDIP incentives within the proposed EOA will be required to submit a proposal to the Town of Needham. Town staff will negotiate an agreement with the proponent of the proposal for property tax relief and present it to the Board of Selectmen for its recommendation to Town Meeting. Because Needham has a representative Town Meeting form of government, the Town Meeting will have final local approval of all projects. If the project is approved by Town Meeting, the application will be presented to the Economic Assistance Coordinating Council for final approval.

**SECTION II(2)(a)**

The level of public utility services within the EOA is adequate to meet the needs of development in the proposed EOA.

The Planning Board is the Special Permit Granting Authority for large scale commercial developments. Findings and recommendation of police, fire and public works that fall within the purview of the permit are coordinated through the Planning Board. The Design Review Board also recommends to the Planning Board through this process.

COMMONWEALTH OF MASSACHUSETTS  
ECONOMIC ASSISTANCE COORDINATING COUNCIL  
MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

**EDIP Local Incentive Only Application Exhibit 1: Local Incentive Valuation**

FY	Municipal Tax Rate Per Thousand	Incremental Assessed Value	Projected Annual RE Property Tax Bill for Incremental Assessed Value	TIF Yearly Exemption %	Exempted Annual RE Property Taxes	Exempted Annual Personal Property Taxes	Total Yearly Value of Local Tax Incentives
<b>FY 2019</b>	\$23.63	\$30,000,000.00	\$708,900.00	70%	\$496,230.00	\$0.00	\$496,230.00
<b>FY 2020</b>	\$23.63	\$30,000,000.00	\$708,900.00	70%	\$496,230.00	\$0.00	\$496,230.00
<b>FY 2021</b>	\$23.63	\$30,000,000.00	\$708,900.00	70%	\$496,230.00	\$0.00	\$496,230.00
<b>FY 2022</b>	\$23.63	\$30,000,000.00	\$708,900.00	70%	\$496,230.00	\$0.00	\$496,230.00
<b>FY 2023</b>	\$23.63	\$30,000,000.00	\$708,900.00	5%	\$35,445.00	\$0.00	\$35,445.00
<b>FY 2024</b>	\$23.63	\$30,000,000.00	\$708,900.00	1%	\$7,089.00	\$0.00	\$7,089.00
<b>FY 2025</b>	\$23.63	\$30,000,000.00	\$708,900.00	1%	\$7,089.00	\$0.00	\$7,089.00
<b>FY 2026</b>	\$23.63	\$30,000,000.00	\$708,900.00	1%	\$7,089.00	\$0.00	\$7,089.00
<b>FY 2027</b>	\$23.63	\$30,000,000.00	\$708,900.00	1%	\$7,089.00	\$0.00	\$7,089.00
<b>FY 2028</b>	\$23.63	\$30,000,000.00	\$708,900.00	1%	\$7,089.00	\$0.00	\$7,089.00
				<b>TOTALS</b>	<b>\$2,055,810.00</b>	<b>\$0.00</b>	<b>\$2,055,810.00</b>

Note: In Massachusetts, Proposition 2½ operates at the level of a municipality's total tax levy. Due to Proposition 2½, it is impossible to make reliable projections for individual parcels, whose taxes may increase much more or much less than the municipal

Total Yearly Value of Local Tax Incentives minus PILOT = \$205,581

Notes:

- 1) The Town of Needham Fiscal Year is from July 1 through June 30.
- 2) The Municipal Tax Rate for purposes of this Exhibit is the most recent Tax Rate available (FY 17). The Exhibit does not account for potential changes to the Tax Rate throughout the term of the TIF.
- 3) The Incremental Assessed Value in this Exhibit does not account for annual changes in the assessment or an inflation factor throughout the term of the TIF.
- 4) The Local Incentive Valuation is "Proposed - Subject to Approval" by the Town of Needham Board of Selectman and subject to Town Meeting Approval, currently scheduled for May 8, 2017.



**TAX INCREMENT FINANCING AGREEMENT  
BY AND BETWEEN  
THE TOWN OF NEEDHAM  
and  
NBCUNIVERSAL MEDIA, LLC**

This AGREEMENT is made this \_\_\_ day of \_\_\_\_\_, 2017 by and between the TOWN OF NEEDHAM, a municipal corporation duly organized under the laws of the Commonwealth of Massachusetts, with a principal place of business at Town Hall, 1471 Highland Avenue, Needham, MA 02492 (the "TOWN") and NBCUniversal Media, LLC, a Delaware limited liability company authorized to do business in Massachusetts with a principal office at 30 Rockefeller Plaza, New York, New York 10112, and its subsidiaries or affiliates (the "COMPANY").

**WITNESSETH**

WHEREAS Needham Nine Owner, LLC (the "PROPERTY OWNER") owns approximately 22.12 acres (approximately 963,000 square feet) of land in Needham, Massachusetts consisting of Units 1, 2 and 3 of that certain Condominium known as Center 128 East Condominium, together with declarant's rights (including Development and Phasing Rights) in and to the said Center 128 East Condominium, situated at 77 A Street, 156 B Street, A Street (Rear), and 189 B Street, in the Town of Needham, County of Norfolk and Commonwealth of Massachusetts, together with an undivided percentage in the common elements therein as established by Master Deed of Center 128 East Condominium, dated July 5, 2016, and recorded with the Norfolk County Registry of Deeds on July 7, 2016 recorded at Book 34247, Page 1, in the related By-Laws, in the Declaration of Trust of Center 128 East Condominium Trust, dated July 5, 2016, and recorded on July 7, 2016 at Book 34247, Page 44, and/or Site Plans and Floor Plans as recorded at Plan Book 650, Page 23 and 24, ("DEVELOPMENT"); and

WHEREAS the DEVELOPMENT includes, inter alia, a building which is currently approximately 171,000 square feet, having a street address of 189 B Street, Needham, Massachusetts (herein "CONDO UNIT 2"); and

WHEREAS CONDO UNIT 2 is located on a portion of Parcel 74 on the Town of Needham Assessor's Map No. 300, as shown on a Plan entitled "NBCUniversal Media Economic Opportunity Area," dated March 22, 2017 and prepared by the Town of Needham Engineering Division, with a street address of 189 B Street and which comprises approximately 7.81 acres ("the PROPERTY"); and

WHEREAS the PROPERTY OWNER intends to sell rights to CONDO UNIT 2, together with its appurtenant and related rights, to the COMPANY, and the COMPANY then intends to make improvements to CONDO UNIT 2, to approximately 165,000 square feet, in order to make it suitable for use as a media and television broadcast facility, serving corporate functions, digital media broadcast and production, including cable news, sports and Spanish-speaking channels ("the PROJECT"); and

WHEREAS, the PROPERTY is located within the boundaries of the Needham Economic Target Area (the "ETA") as designated by the Massachusetts Economic Assistance Coordinating Council (the "EACC") pursuant to Chapter 23A, Section 3D(a)(ii)(J) of the Massachusetts General Laws;

WHEREAS, through the PROJECT, the COMPANY is expected to create 375 new, permanent, full-time jobs ("NEW JOBS") in the TOWN, and retain these 375 permanent full-time jobs as part of the PROJECT ("JOBS RETAINED");

WHEREAS the PROJECT is expected to result in an estimated capital investment of approximately \$125 million, including an estimated \$63.4 million paid for by the COMPANY for acquisition and soft and hard construction and development costs and an estimated \$61.6 million paid for by the COMPANY for personal property and other investment expenses;

WHEREAS the COMPANY is seeking a Tax Increment Financing Exemption from the TOWN for all development related to the PROJECT, in accordance with the Massachusetts Economic Development Incentive Program and Chapter 23A of the Massachusetts General Laws;

WHEREAS, the COMPANY intends to apply for status as a Certified Project under the Massachusetts Economic Development Incentive Program;

WHEREAS the PROPERTY is currently substantially vacant;

WHEREAS the COMPANY intends to apply to the Commonwealth for an Abandoned Building Renovation Deduction;

WHEREAS the TOWN strongly supports increased economic development in the TOWN, to expand commercial and industrial activity within the TOWN, and to develop a healthy economy and stronger tax base;

WHEREAS the PROJECT furthers the economic development goals and the criteria established for the ETA; and

WHEREAS, the TOWN intends to place on the warrant for its May 2017 Annual Town Meeting, for consideration by its members, an article requesting authorization for the Board of Selectmen of the Town of Needham to enter into a Tax Increment Financing Agreement for the PROPERTY.

NOW THEREFORE, in consideration of the mutual promises of the parties contained herein and other good and valuable consideration, each to the other paid, the receipt of which is hereby acknowledged, the parties hereby agree as follows:

1. The Board of Selectmen of the Town of Needham intends to execute this AGREEMENT on behalf of the TOWN. Should the AGREEMENT fail to be

approved by the Massachusetts Economic Assistance Coordinating Council, it will not be binding on any of the parties.

2. This AGREEMENT provides a 10-year Tax Increment Financing Exemption (the "EXEMPTION"), to commence on July 1, 2018 and to end on June 30, 2028, which shall be applicable to the new incremental value of real property associated with the PROJECT. At the election of the COMPANY, the 10-year term can be shifted forward in time to begin on July 1 of the year immediately following the issuance of a permanent certificate of occupancy for the PROJECT if such certificate has not been issued by July 1, 2018 provided also that the COMPANY has taken possession of the PROPERTY.
3. The EXEMPTION formula for the PROPERTY shall be calculated as prescribed by Chapter 23A, Section 3E; Chapter 40, Section 59 and Chapter 59, Section 5, Clause Fifty-first, of the Massachusetts General Laws. The EXEMPTION formula shall apply to the incremental increase in the assessed valuation of the PROPERTY due to the PROJECT, excluding parking, landscaping and accessory facilities associated therewith (the "REAL ESTATE INCREMENT").
  - a. The parties hereby agree that the base valuation for the PROPERTY shall be \$15,232,000.
  - b. The base valuation shall be adjusted annually by an adjustment factor, which reflects increased commercial and industrial property values within the community, as provided in Chapter 40, Section 59 of the Massachusetts General Laws. The adjustment factor for each fiscal year shall be equal to the product of the inflation factors for each fiscal year after the PROPERTY first becomes eligible for the EXEMPTION, provided that the inflation factor for each fiscal year shall be a ratio:
    - i. The numerator of which shall be the total assessed value of all parcels of commercial and industrial real estate that are assessed at full and fair cash value from the current fiscal year minus the new growth adjustment for the current fiscal year attributable to the commercial and industrial real estate as determined by the Commissioner of Revenue under Chapter 59, Section 21C(f) of the Massachusetts General Laws; and,
    - ii. The denominator of which shall be the total assessed value for the preceding fiscal year of all the parcels included in the numeratorprovided, however, that the ratio shall not be less than 1.
  - c. The annual revaluation of the PROPERTY shall be performed in accordance with the methodology described in Exhibit A, attached hereto.
  - d. The REAL ESTATE INCREMENT created by the PROJECT is the amount eligible for exemption from real estate taxation.

- e. This AGREEMENT provides an EXEMPTION from real estate taxation on only the REAL ESTATE INCREMENT, subject to the requirements described below, commencing on July 1, 2018 (or July 1 of the year immediately following the issuance of a permanent certificate of occupancy if such certificate has not been issued by July 1, 2018) according to the following "TIF SCHEDULE":

Fiscal Year 1	70% exemption from real estate taxation
Fiscal Year 2	70% exemption from real estate taxation
Fiscal Year 3	70% exemption from real estate taxation
Fiscal Year 4	70% exemption from real estate taxation
Fiscal Year 5	5% exemption from real estate taxation
Fiscal Year 6	1% exemption from real estate taxation
Fiscal Year 7	1% exemption from real estate taxation
Fiscal Year 8	1% exemption from real estate taxation
Fiscal Year 9	1% exemption from real estate taxation
Fiscal Year 10	1% exemption from real estate taxation

4. The TOWN is granting the EXEMPTION in consideration of the respective agreement by the COMPANY to:
- create a minimum of 375 NEW JOBS within one (1) year after the commencement date described in Section 2 of this Agreement. For the purposes of this AGREEMENT, a NEW JOB shall be defined to include only permanent, full-time jobs newly created in the Town of Needham;
  - give priority, in its hiring of new employees, subject to applicable law and assuming equal qualification, to the hiring of qualified residents of the TOWN; develop and submit to the TOWN for approval, within thirty (30) days of execution of this Agreement, a plan reasonably designed to facilitate such employment; and thereafter implement all applicable measures called for in the plan as approved by the Town. At a minimum, the COMPANY shall advertise in local newspapers and online job sites encouraging such qualified residents to apply for employment with the COMPANY whenever advertisements are otherwise placed by the COMPANY for employment at the facility.

The COMPANY, however, will retain all authority regarding hiring decisions and recruitment activities;

- c. retain jobs as necessary to maintain a total number of employees at the PROJECT equal to the number of NEW JOBS created in the first calendar year;
- d. invest approximately \$63.4 million in acquisition and soft and hard construction and development costs;
- e. invest approximately \$61.1 million for initial personal property and other investment expenses as part of the PROJECT;
- f. give priority in its procurement practices, subject to applicable law and assuming equal qualification, to the contracting of qualified local contractors, vendors and suppliers, in connection with the construction and operation of the PROJECT; develop and submit to the TOWN for approval, within thirty (30) days of execution of this Agreement, a plan reasonably designed to facilitate such contracting; and thereafter implement all applicable measures called for in the plan as approved by the Town. At a minimum, the COMPANY shall advertise in local newspapers and online procurement sites encouraging such qualified local contractors, vendors and suppliers to submit bids and proposals to the COMPANY whenever advertisements are otherwise placed by the COMPANY for such bids and proposals. The COMPANY, however, will retain all authority regarding the contracting of contractors, vendors and suppliers;
- g. place in service \$52,000,000 of personal property by the conclusion of Fiscal Year 1 of the EXEMPTION and commit to maintaining a personal property valuation at the PROPERTY of not less than \$16,000,000 for the term of this AGREEMENT; provided, however, that the COMPANY may seek a revaluation of its personal property by the TOWN in the event of an unexpected and substantial change, not within the COMPANY's control, in the nature of the COMPANY's business activities at the PROPERTY;
- h. except as provided in Section 4.g of this Agreement, refrain from applying to the TOWN for any other abatement of property taxes during any period in which the COMPANY receives an EXEMPTION pursuant to this AGREEMENT. For purposes of this AGREEMENT, an "abatement" shall include any reduction in the amount of a committed property tax pursuant to the procedure set forth in Sections 59-69 of Chapter 59 of the Massachusetts General Laws;
- i. for the term of this AGREEMENT, the COMPANY shall refrain from seeking classification pursuant to *M.G.L. c.58, §2*, and 830 CMR 58.2.1 as a manufacturing corporation or pursuant to *M.G.L. c.58, §2*, and 830 CMR 64H.6.4 as a research and development corporation for its

operations at the PROJECT. Throughout the term of the AGREEMENT, in the event the COMPANY seeks such classification for Massachusetts operations other than the PROJECT, the COMPANY and the TOWN agree that CMR 58.2.1(4)(a) shall not be applicable for the PROJECT.

- j. build and operate the PROJECT in the Town of Needham.
5. The COMPANY commits to implement its job relocation and retention obligations set forth in this AGREEMENT, commencing on July 1, 2018 (or July 1 of the year immediately following the issuance of a permanent certificate of occupancy if such certificate has not been issued by July 1, 2018), according to the following annual schedule:

Calendar Year 1: (six-month period)	375 NEW JOBS created and 100% of JOBS RETAINED
Calendar Year 2:	100% of JOBS RETAINED
Calendar Year 3:	100% of JOBS RETAINED
Calendar Year 4:	100% of JOBS RETAINED
Calendar Year 5:	100% of JOBS RETAINED
Calendar Year 6:	100% of JOBS RETAINED
Calendar Year 7:	100% of JOBS RETAINED
Calendar Year 8:	100% of JOBS RETAINED
Calendar Year 9:	100% of JOBS RETAINED
Calendar Year 10:	100% of JOBS RETAINED
By end of term:	375 NEW JOBS created and 100% of JOBS RETAINED

For the purposes of determining if the COMPANY has met an obligation to create a certain number of NEW JOBS in a particular calendar year, the NEW JOBS created shall both be counted on a cumulative basis from the beginning of the term of the AGREEMENT.

6. The COMPANY's job retention and creation plans are outlined in the Employment and Job Creation section of the application submitted to the state by the COMPANY in connection with its request for a TIF exemption. The COMPANY agrees to submit annual reports on job creation, retention and new investment to the State Economic Assistance Coordinating Council

and to the TOWN Board of Assessors on or before February 28 of each year, with the first report due to the Town on the February 28 following the commencement date described in Section 2 of this Agreement, for the duration of the Tax Increment Financing Exemption. These reports shall include the number of NEW JOBS created at the PROJECT, the number of JOBS RETAINED to the PROJECT, the number of people hired from within the ETA, and the value of PROJECT investments for the prior calendar year and on a cumulative basis. The annual report shall also describe the COMPANY's activities pursuant to the plans required by Section 4.b and 4.g of this Agreement; and inform the Town of the COMPANY's valuation of each PROJECT investment, with the Town retaining all rights to reach an independent assessment in due course.

7. Should the COMPANY fail to submit a required annual report, or should the annual report indicate that the COMPANY has failed to meet 100% of the JOBS RETAINED requirements and 100% of the NEW JOBS created requirements listed in the schedule set forth in Section 5 of this Agreement on a cumulative basis, or should the TOWN provide a notice of default to the COMPANY pursuant to Section 8 of this Agreement, the exemption from real property taxation shall be zero percent (0%) for the subsequent fiscal year, and shall remain at 0% until the COMPANY is able to submit evidence demonstrating it has come to meet the requirements of the Section 5 schedule on a cumulative basis.
  
8. Should the COMPANY be in default of this AGREEMENT, the TOWN, acting through its Board of Selectmen, may, at its sole discretion, after providing notice to the COMPANY, together with providing the opportunity to cure as described in this Section, notify the EACC and/or take action to request decertification of the project by the EACC. Prior to any decertification proceeding, however, the COMPANY shall have the opportunity to cure, correct or remedy its default. Upon receiving written notice of such a default from the TOWN, the COMPANY shall have 30 days to respond to the Town regarding any alleged default, and shall complete any necessary cure, correction or remedy within 120 days of the receipt of such written notice, or, with respect to defaults that cannot be remedied within such 120-day period, within such additional period of time as is reasonably required to remedy such default in the exercise of due diligence. The TOWN agrees to meet with the COMPANY within (30) days of receipt of written notice in order to determine and memorialize the specific period of time to reasonably remedy such default. The specific period of time to reasonably remedy such default will be agreed to in writing by the parties within seven (7) days of such meeting. Should the COMPANY opt not to cure the default, the COMPANY agrees that it will not oppose any request for decertification prospectively, commencing with the first fiscal year in which the PROJECT is decertified, or if such benefits have already been received by the COMPANY for the fiscal year in which the PROJECT has been decertified, commencing as of the fiscal year immediately following that fiscal year. Nothing in this Section shall preclude the TOWN from also seeking recoupment from the COMPANY of

the value of prior economic benefits granted by the TOWN under this AGREEMENT, as described in 402 CMR 2.16(4).

10. This AGREEMENT is being executed simultaneously with a Host Community Agreement between the TOWN and the COMPANY (the "HCA"). Application of the tax exemptions in this AGREEMENT shall be contingent upon the COMPANY satisfying all obligations set forth in the HCA, the terms of which are incorporated herein by reference and shall be deemed to be obligations of this Agreement.
11. If and to the extent that either party is prevented from performing its obligations hereunder by an event of *force majeure*, such party shall be excused from performing hereunder and shall not be liable in damages or otherwise, and the parties instead shall negotiate in good faith with respect to appropriate modifications to the terms hereof. For purposes of this AGREEMENT, the term *force majeure* shall mean the supervening causes described here, each of which is beyond the reasonable control of the affected party: acts of God, fire, earthquake, floods, explosion, actions of the elements, war, terrorism, riots, mob violence, a general shortage of labor, equipment, facilities, materials or supplies in the open market, failure of transportation, strikes, lockouts, actions of labor unions, condemnation, laws or orders of governmental or military authorities, or any other cause similar to the foregoing, not within the control of such party obligated to perform such obligation.
12. During any period in which the COMPANY receives an EXEMPTION pursuant to this AGREEMENT, the COMPANY shall give written notice to the TOWN at least 30 days prior to any relocation of operations from the PROPERTY, or of any transfer of its leasehold on the PROPERTY or its business to any other entity; provided, however, that, if the COMPANY determines in good faith that such notice cannot be given 30 days in advance because of the requirements of securities laws or related regulations, or any contractual, regulatory, or other similar types of obligations or prohibitions, such notice shall be given promptly after such prohibitions no longer apply. Such notice shall not operate to terminate any other obligation set forth in this AGREEMENT.
13. Pursuant to 760 C.M.R. 22.05(8)(d), this AGREEMENT shall be binding upon the COMPANY, its successors and assigns.
14. If any provision of this AGREEMENT shall be found invalid for any reason, such invalidity shall be construed as narrowly as possible and the balance of the contract shall be deemed to be amended to the minimum extent necessary to provide to the parties substantially the benefits set forth in this AGREEMENT.

AGREED TO:

TOWN OF NEEDHAM  
BY ITS BOARD OF SELECTMEN

NBC UNIVERSAL MEDIA, LLC

---

Matthew Borrelli, Chairman

By: \_\_\_\_\_

Name:  
Title:

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Marianne Cooley, Vice Chairman

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Date

---

Daniel P. Matthews, Clerk

---

John A. Bulian

---

Maurice P. Handel

---

Date

## EXHIBIT A

### ANNUAL REVALUATION METHODOLOGY

For commercial office buildings, property revaluation is conducted using an income-capitalization method. For the first revaluation of the PROPERTY after issuance of a permanent certificate of occupancy for the facility, the revaluation is conducted as follows:

1. The prevailing rental rate for first-class office space in the Town of Needham (\$33.00 per square foot as of the date of this AGREEMENT) is multiplied by the number of rentable square feet contained within the facility. This produces the facility's EXPECTED GROSS INCOME.
2. The facility's EXPECTED GROSS INCOME is multiplied by .9 (based on an assumed 10% vacancy rate). This produces the facility's EXPECTED EFFECTIVE GROSS INCOME.
3. The facility's EXPECTED EFFECTIVE GROSS INCOME is multiplied by .65 (based on an assumed 35% expense allowance). This produces the facility's EXPECTED NET INCOME.
4. The facility's EXPECTED NET INCOME is divided by .11 (the Town's current standard capitalization rate). This produces the PROPERTY's assessed value.

In subsequent years, the revaluation calculation is repeated, with the presumption that the prevailing rental rate and the standard capitalization rate will remain unchanged. However, if circumstances in the real estate market so require, either of these two rates may change to reflect general market conditions within the Town (rather than specific conditions at the PROPERTY). Upon request by the COMPANY, the TOWN will provide to the COMPANY a written explanation of any changes to the specific rates noted in Exhibit A in accordance with information required to be provided to the Massachusetts Department of Revenue.

## HOST COMMUNITY AGREEMENT

This Host Community Agreement (the "HCA") is entered into by and between the Town of Needham (the "TOWN"), a municipal corporation duly organized under the laws of the Commonwealth, acting through its Board of Selectmen (the "SELECTMEN"), and NBCUniversal Media, LLC, a Delaware limited liability company authorized to do business in Massachusetts with a principal office at 30 Rockefeller Plaza, New York, New York 10112 and its subsidiaries or affiliates (the "COMPANY").

This HCA represents the understanding between the TOWN and the COMPANY (the "PARTIES") with respect to the commitments arising from the planned development of a tract of land within the New England Business Center in the Town of Needham. The tract of land (the "PROPERTY") is located on a portion of Parcel 74 on the Town of Needham Assessor's Map No. 300, as shown on a Plan entitled "NBCUniversal Media Economic Opportunity Area," dated March 22, 2017 and prepared by the Town of Needham Engineering Division, with a street address of 189 B Street and which comprises approximately 7.81 acres. The development of the PROPERTY is the subject of a Tax Increment Financing Agreement (the "TIF AGREEMENT"), entered into contemporaneously with the HCA, which is intended to provide an exemption from a portion of the real property taxes owed to the TOWN for the improvements made in the planned development of the PROPERTY.

### RECITALS

WHEREAS, the COMPANY plans to transfer its operations to a one story, approximately 165,000 square foot media center located on the PROPERTY, said building together with associated improvements (collectively, the "PROJECT") to be renovated by the COMPANY; and

WHEREAS, the PROJECT is expected to result in an estimated capital investment of approximately \$125 million including approximately \$63.4 million for acquisition and soft and hard construction and development costs, and approximately \$61.6 million for personal property paid for by the COMPANY; and

WHEREAS, the TOWN intends to place on the warrant for its May 2017 Annual Town Meeting, for consideration by its members, an article requesting authorization for the Board of Selectmen of the Town of Needham to enter into a TIF AGREEMENT; and

WHEREAS, the TIF AGREEMENT is a 10-year incentive, commencing in the later of (a) Fiscal Year 2018 or (b) the Fiscal Year in which the PROJECT is placed into service (as evidenced by a certificate of occupancy), that provides for a percentage exemption from the real estate taxes applicable to incremental increase in the value of the PROPERTY due to the PROJECT, in exchange for a commitment by the COMPANY to: (1) create 375 permanent, full-time jobs on the PROPERTY; and, thereafter, (2) retain 375 permanent, full-time jobs to the PROPERTY; and

WHEREAS, the TOWN recognizes that this development will benefit the TOWN and its citizens through increased economic development, additional employment opportunities for residents and a strengthened local tax base; and

WHEREAS, the PARTIES agree and acknowledge that the TOWN has identified certain concerns with respect to the impact of the construction of the expanded and improved facilities on the PROPERTY, as well as their subsequent operation; and

WHEREAS, the PARTIES intend to enter this HCA as a means of memorializing their obligations with respect to the mitigation of these concerns, as well as their intention to collaborate to the fullest extent possible to ensure that the proposed expansion and improvements occur efficiently;

NOW, THEREFORE, in consideration of the mutual promises of the parties contained herein and other good and valuable consideration, the receipt of which is hereby acknowledged, the PARTIES hereby agree as set forth herein.

1. Within ninety (90) days of the execution of this Agreement, the COMPANY shall develop, in cooperation with other Needham Crossing tenants and businesses, a plan to increase the availability of shuttle service between the PROJECT and the Newton Highlands public transportation station and to expand such service to include shuttle service between the PROJECT and the Needham Heights public transportation station, both during the hours of 7:00 a.m.-9:00 a.m. and 4:00-6:00 p.m. Mondays through Fridays, through utilization of the 128 Business Council Shuttle Service or other similarly constituted service. The COMPANY's plan will be consistent with successful transportation programs it has implemented in other locations throughout the United States.
2. The COMPANY shall formulate a system of locally focused internships for Needham residents, including at least four (4) for students of the Needham Public Schools (including Needham residents attending Minuteman Regional High School) and four (4) for local college students; and shall provide learning opportunities for pre-high school students from the Town of Needham—in connection with education initiatives developed in consultation with the Needham and Minuteman Superintendents or their designees. The COMPANY shall provide to the TOWN a plan for implementing such internships within six (6) months of the issuance of a certificate of occupancy for the PROJECT. The COMPANY's plan will be consistent with successful internship programs it has implemented in other locations throughout the United States.
3. The COMPANY shall formulate and implement a plan to provide on-air placement of the "Needham Crossing" logo of the New England Business Center.
4. The COMPANY shall work collaboratively with the Town and other businesses in the New England Business Center to establish a Working Collaborative designed to provide resources and space for entrepreneurial start-up businesses offering innovative technology or services of potential benefit to the COMPANY or such other businesses.

5. The PARTIES respectively represent and warrant that:
- a. Each is duly organized and existing and in good standing, has the full power, authority and legal right to enter into and perform this HCA, and the execution, delivery and performance hereof and thereof (i) will not violate any judgment, order, law, bylaw or regulation, and (ii) do not conflict with, or constitute a default under, any agreement or instrument to which either is a party or by which either party may be bound or affected; and
  - b. This HCA has been duly authorized, executed and delivered; this HCA constitutes legal, valid and binding obligations of each party, enforceable in accordance with its terms; there is no action, suit or proceeding pending or, to the knowledge of either party, threatened against or affecting either wherein an unfavorable decision, ruling or finding would materially adversely affect the performance of any obligations hereunder, except as otherwise specifically noted in this HCA.
6. All notices or requests required or permitted hereunder shall be in writing and addressed, if to the TOWN as follows:

Town Manager  
Town of Needham  
Needham Town Hall  
1471 Highland Avenue  
Needham, MA 02492

If to the COMPANY:

\_\_\_\_\_  
\_\_\_\_\_  
NBC Universal, LLC  
30 Rockefeller Center  
New York, New York 10112

Each of the PARTIES shall have the right by notice to the other to designate additional persons to whom copies of notices must be sent, and to designate changes in address.

7. Failure by the COMPANY to perform its material obligations under any provision of this HCA beyond applicable notice and cure periods shall constitute a breach of the associated TIF AGREEMENT, following which the TOWN shall be entitled to pursue all remedies available to it pursuant to the TIF AGREEMENT. In addition, the TOWN shall be entitled to seek injunctive relief to cause the COMPANY to perform the COMPANY's obligations under this HCA. Such remedies shall be the TOWN's sole and exclusive remedies with respect to breaches by the COMPANY of its obligations under this HCA.
8. If and to the extent that either party is prevented from performing its obligations hereunder by an event of *force majeure*, such party shall be excused from performing hereunder and shall not be liable in damages or otherwise, and the parties instead shall negotiate in good faith with respect to appropriate modifications to the terms hereof. For purposes of this HCA, the term *force majeure* shall mean the supervening causes described here, each of which is beyond the reasonable control of the affected party: acts of God, fire, earthquake, floods, explosion, actions of the elements, war, terrorism, riots, mob violence, a general shortage of labor, equipment, facilities, materials or supplies in the open market, failure of transportation, strikes, lockouts, actions of labor unions, condemnation, laws or orders of governmental or military authorities, or any other cause similar to the foregoing, not within the control of such party obligated to perform such obligation.
9. Failure by COMPANY to perform any term or provision of this HCA shall not constitute a default under this HCA unless COMPANY fails to commence to cure, correct or remedy such failure within thirty (30) days of the receipt of written notice of such failure from the TOWN and thereafter fails to complete such cure, correction or remedy within ninety (90) days of the receipt of such written notice, or, with respect to defaults which cannot be remedied within such ninety (90) day period, within such additional period of time as is required to reasonably remedy such default, if the COMPANY is exercising due diligence in the remedying of such default. The TOWN agrees to meet with the COMPANY within (30) days of receipt of written notice in order to determine the specific period of time to reasonably remedy such default. The specific period of time to reasonably remedy such default will be agreed to in writing by the parties within seven (7) days of such meeting.
10. This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts.
11. Except for the TIF AGREEMENT, this HCA sets forth the entire agreement of the PARTIES with respect to the subject matter thereto. The failure of any party to strictly enforce the provisions hereof shall not be construed as a waiver of any obligation hereunder. This HCA may be modified only in a written instrument signed by the SELECTMEN and COMPANY. This HCA shall be binding upon the PARTIES and their successors and assigns.

Executed under seal.

NBC UNIVERSAL, LLC

By: \_\_\_\_\_

Name:

Title:

TOWN OF NEEDHAM BOARD OF SELECTMEN

By: \_\_\_\_\_  
Town Counsel as to Form

By: \_\_\_\_\_

Its Chair

Hereunto duly authorized



COMMONWEALTH OF MASSACHUSETTS  
 ECONOMIC ASSISTANCE COORDINATING COUNCIL  
 MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

**Economic Development Incentive Program (EDIP)**  
**LOCAL INCENTIVE-ONLY APPLICATION**

A complete application with all required attachments must be submitted in electronic form to your MOBD Regional Director by 5:00 P.M. on the [application deadline date](#). A hardcopy with original signatures and attachments must be postmarked no later than 1 day after the submission deadline and mailed to: EDIP Manager, MOBD, 10 Park Plaza, Suite 3730, Boston, MA 02116. **Applications that are incomplete or submitted after the deadline will not be considered at the scheduled EACC meeting, without exception.**

For assistance with this application please work with your MOBD Regional Director, local municipal officials and refer to the [EDIP Guidelines](#) and [402 CMR 2.00](#).

PART I. COMPANY OVERVIEW					
1. COMPANY INFORMATION					
Company Name:	NBCUniversal Media LLC (dba "NBCUniversal") and its subsidiaries or affiliates				
Project Location Address:	Street Address:	189 B Street			
	City:	Needham	MA	Zip Code:	02494
FEIN # (Federal Employer Identification Number):	#14-168529 NBCUniversal / 45-3612743 NBC Boston Realty, LLC				
DUA # (Dept. of Unemployment Assistance Number):	#10-03819-4				
2. COMPANY CONTACT					
Executive Officer/ Company Designee:	Full Name:	Brian O'Leary	Title:	Sr. Vice President	
Contact (if different from above)	Full Name:	N/A	Title:	N/A	
Contact Address:	Street Address:	30 Rockefeller Plaza			
	City:	New York	State:	NY	Zip Code: 10112
Telephone Number:	212-664-2227				
Email Address:	brian.o'leary@nbcuni.com				

### 3. COMPANY DESCRIPTION & HISTORY

**Please provide a brief description and history of the company.**

NBCUniversal Media LLC (NBCU) is one of the world's leading media and entertainment companies in the development, production, and marketing of entertainment, news and information to a global audience. A subsidiary of Comcast Corporation, NBCU owns and operates a valuable portfolio of news and entertainment television networks, a premier motion picture company, significant television production operations, a leading television stations group, world-renowned theme parks, and a suite of leading Internet-based businesses.

## PART II. ECONOMIC DEVELOPMENT PROJECT

### 1. NATURE & PURPOSE OF PROPOSED PROJECT

**Please provide a description of the proposed expansion project. Additionally, please explain why the local incentives are necessary for this project to move forward.**

NBCU is considering the establishment of a world class broadcast and digital media center at 189 B Street in Needham, Massachusetts (Project Owl). As a New England Regional Media Center serving corporate functions and television, including cable news, sports and Spanish-speaking channels, Project Owl represents a unique business opportunity for the Town of Needham and the Commonwealth of Massachusetts. The project would require substantial investments in high technology equipment and infrastructure improvements that would likely not occur with another undertaking. Further, there is great potential for Needham to harness the capabilities - and of NBCU to create partnerships - that further educational and civic priorities.

NBCU is considering Project Owl due to the company's overarching strategy to cluster complimentary assets into large-scale and dynamic media centers. The regional media center strategy is based on the successful business model achieved by NBCU's consolidation of facilities in other regions of the U.S., which have encouraged the company to identify opportunities to bring multiple functions under one roof. Project Owl would represent a powerful force of attraction to Needham for other technology and support businesses, as the presence of WVCB and Gatehouse Media (as well as nearby WFXT), could make the case that Needham is the center of a major New England media cluster.

Project Owl would consist of the relocation of 375 employees to 189 B Street in Needham from the company's existing facilities in Burlington and Newton. These employees possess a range of highly technical skills in a fast evolving industry. NBCUniversal would invest approximately \$125,000,000 to acquire the rights to, renovate and equip the property at 189 B Street.

Project Owl would also provide enhanced opportunities to the Needham community, including an annual commitment to transfer skills and develop the workforce through technology internships and other training programs. Once operational, Project Owl would originate digital content and television broadcasts from Needham, which would present unique opportunities to integrate Needham's existing marketing and exposure priorities with NBCU's distribution platforms.

Transforming the existing building at 189 B Street into a broadcast and digital media facility would generate significant increases in annual real and personal property taxes for the Town of Needham. As with other investment projects undertaken by the company, a financial model has been developed to understand the project's return on investment. In order to partially offset the substantial investment required for Project Owl - particularly with respect to investments in high technology equipment to be used at the facility - and position the project for successful long-term growth, NBCU has requested Tax Increment Financing (TIF) support from the Town of Needham. The reduced real estate taxes described in the Town's TIF plan would reduce the company's upfront and ongoing costs to operate the center at its highest and best use. Additionally, as the company is considering acquiring the rights to excess capacity of approximately 50,000 square feet, the reduction of costs via local incentives could position the company financially to grow its operations in

COMMONWEALTH OF MASSACHUSETTS  
ECONOMIC ASSISTANCE COORDINATING COUNCIL  
MASSACHUSETTS OFFICE OF BUSINESS DEVELOPMENT

Needham beyond the 375 employees and \$125,000,000 currently under consideration.

By the time the certificate of occupancy would be issued for Project Owl (circa January 2019), the building at 189 B Street would be 75% or more vacant for over two years. As a result, NBCU intends to utilize the Commonwealth's Abandoned Building Deduction for costs incurred to renovate the facility.

NBCU believes Project Owl's substantial capital investment, workforce relocation, potential for expansion and opportunities for integrating the company into the Town's priorities makes the request for a partial financial offset via TIF a judicious use of a portion of the project's newly generated taxes. NBCU's history of successful partnerships with state and local governments gives the company confidence that financial support offered by the Town of Needham would result in a productive return on investment for the community and the company.

**2. PROJECT TIMELINE**

(a) Please indicate the date a Letter of Intent was sent to the municipality and cc: MOBD Regional Director:	(b) Date the applicant expects to begin the project:	(c) Date the applicant expects to complete the project:	(d) Date the applicant expects to open the facility:
<i>01/09/2017</i>	<i>07/01/2017</i>	12/31/2018	1/1/2019

**Additional Information (if necessary) on Project Timeline:**

**3. PRIVATE INVESTMENT**

Total Projected Private Investment: \$125,000,000

**Additional Information (if necessary) on Investment:**

**4. MASSACHUSETTS EMPLOYMENT**

(a) Is the applicant new to Massachusetts?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
(i) If no, where are the existing Massachusetts facilities?	Newton and Burlington	N/A <input type="checkbox"/>
(b) Will the proposed economic development project require and/or trigger the closing or consolidation of any Massachusetts facilities or the elimination of any other jobs currently in Massachusetts? If yes, please give location of facility and explain.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>  <b>If yes, please explain:</b> NBCU's project would consolidate the company's existing facilities in Newton and Burlington to Needham. NBCU plans to retain the existing Massachusetts positions and position the new facility for future growth.	

**5. EMPLOYMENT & JOB CREATION**

**(a) COMPANY NAME EXISTING EMPLOYMENT AT PROJECT LOCATION**

Please indicate the number of Permanent Full-Time Jobs to be created in total and by year. If job creation timeline exceeds five years, please complete the "Extended Job Creation Schedule" and attach as an addendum.

(i) Permanent Full-Time Employment at Project Location at Date of Application:	(ii) Permanent Full-Time Employees to be Transferred from other Massachusetts Site to Project Location:	(iii) Total Permanent Full-Time Existing Jobs to be Retained at Project Location (sum of questions 5 (a) i. & ii.):
0	375	375

**Notes (if necessary) on Current Project Location Employment:**

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<b>(b) COMPANY NAME JOB CREATION SCHEDULE AT PROJECT LOCATION</b>					
Permanent Full-Time Jobs to be Created (net new to facility and Massachusetts):	2019	2020	2021	2022	2023
375	375	0	0	0	0
<b>Notes (if necessary) on Job Creation:</b> All 375 jobs will be net new jobs to the Town of Needham.					
<b>6. FACILITY</b>					
<b>(a)</b> Will the applicant own or lease/rent the facility where the business expansion/relocation will occur?	Lease <input type="checkbox"/> Own <input checked="" type="checkbox"/>				
<b>(i)</b> If leasing/renting, identify the developer/landlord and state who will be the taxpayer of record for purpose of paying local real estate taxes?					N/A <input checked="" type="checkbox"/>
<b>(b)</b> Is the site of the facility a 43D Preferred Development Site?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, name site:				N/A <input type="checkbox"/>
<b>(c)</b> Does the applicant intend to utilize the Commonwealth's Abandoned Building Deduction? <b>Please note:</b> To be eligible for the deduction the building the applicant plans to inhabit must have been at least 75% vacant or unused for 24 months or more.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, name vacancy percentage and duration: 75 % Vacant for 24 months				N/A <input type="checkbox"/>

<b>PART III. LOCAL INCENTIVE AGREEMENT INFORMATION</b>					
<b>Please work with the local municipality and your MOBD Regional Director in completing the below section.</b>					
<b>1. MUNICIPAL CONTACT</b>					
Municipal Contact:	Full Name:	Kate Fitzpatrick	Title:	Town Manager	
Contact Address:	Street Address:	1471 Highland Avenue			
	City:	Needham	MA	Zip Code:	02492
Telephone Number:	781-455-7500 ext. 0				
Email Address:	kfitzpatrick@needhamma.gov				

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2. LOCAL INCENTIVE AGREEMENT				
<b>(a) Name of Economic Target Area (ETA) Project is Located in:</b>	Town of Needham			
<b>(b) Economic Opportunity Area (EOA):</b>	Name of EOA: NBCUniversal			
	Is this a newly designated EOA? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;"><b>(i) If yes, what is the duration of the designation?</b> 10 Years</td> <td style="width: 20%; text-align: center;">N/A <input type="checkbox"/></td> </tr> <tr> <td><b>(ii) If no, how many years are remaining on the designation?</b> Years</td> <td style="text-align: center;">N/A <input checked="" type="checkbox"/></td> </tr> </table>	<b>(i) If yes, what is the duration of the designation?</b> 10 Years	N/A <input type="checkbox"/>	<b>(ii) If no, how many years are remaining on the designation?</b> Years
<b>(i) If yes, what is the duration of the designation?</b> 10 Years	N/A <input type="checkbox"/>			
<b>(ii) If no, how many years are remaining on the designation?</b> Years	N/A <input checked="" type="checkbox"/>			
<b>(c) Type of Local Incentive:</b>	<input checked="" type="checkbox"/> <b>Tax Increment Financing (TIF) Agreement</b> <input type="checkbox"/> <b>Special Tax Assessment (STA)</b>			
<b>i) Duration of Local Incentive:</b>	10 Year Local Incentive			
<b>ii) Exemption Schedule of Local Incentive:</b>	Year 1: 70%; Year 2: 70%; Year 3: 70%; Year 4: 70%; Year 5: 5%; Year 6: 1%; Year 7: 1%; Year 8: 1%; Year 9: 1%; Year 10: 1%			
<b>iii) Start &amp; Expiration Date of Local Incentive:</b>  If Agreement commences upon certificate of occupancy please check box:	<b>Start Date:</b> 7/1/2018  <b>Expiration Date:</b> 6/30/2028  <input checked="" type="checkbox"/> Local Incentive Agreement commences upon certificate of occupancy and the dates represent best projections of the start & expiration of the local incentive based on the project timeline.			
<b>iv) Date Municipality Approved Local Tax Incentive or Date of Scheduled Vote:</b>	5/8/2017			
<b>(d) Attachment A: Economic Opportunity Area (EOA) Designation Application (for newly designated EOA's only)</b> Please attached a signed copy of the EOA Designation Application.	Attached <input checked="" type="checkbox"/>			
	N/A <input type="checkbox"/>			
<b>(e) Attachment B: Local Incentive Agreement</b> Please attach a signed copy of the TIF or STA Agreement.	Attached <input type="checkbox"/>			
<b>(f) Attachment D: Municipal Vote by Authoritative Body Approving Incentive</b> Please attach a copy of the vote approving the local incentive.	Attached <input type="checkbox"/>			
<b>(g) Attachment E: Municipal Vote by Authoritative Body Approving submission of application of the Economic Assistance Coordinating Council (EACC)</b>	Attached <input type="checkbox"/>			
<b>(h) Exhibit 1: Local Incentive Valuation</b> Please complete the attached exhibit detailing the estimated property tax exemption over the life of the agreement.	Complete <input checked="" type="checkbox"/>			

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**PART IV. LABOR AFFIRMATION & DISCLOSURES**

**1. CERTIFICATION OF STATE & FEDERAL EMPLOYMENT LAWS**

- As an applicant requesting Certified Project approval, NBCUniversal, affirms (**check box**) that this business will not unlawfully misclassify workers as self-employed or as independent contractors, and certifies compliance with applicable state and federal employment laws and regulations, including but not limited to minimum wages, unemployment insurance, workers' compensation, child labor, and the Massachusetts Health Care Reform Law, Chapter 58 of the Acts of 2006, as amended.
- As an applicant requesting Certified Project approval, NBCUniversal, affirms (**check box**) that this business will not knowingly employ developers, subcontractors, or other third parties that unlawfully misclassify workers as self-employed or as independent contractors, or that fail to comply with applicable state and federal employment laws and regulations, including but not limited to minimum wages, unemployment insurance, workers' compensation, child labor, and the Massachusetts Health Care Reform Law, Chapter 58 of the Acts of 2006, as amended.

**2. COMPANY DISCLOSURE**

Within the past five years, has the applicant or any of its officers, directors, employees, agents, or subcontractors of which the applicant has knowledge, been the subject of (if yes, please provide details):

<p>(a) an indictment, judgment, conviction, or grant of immunity, including pending actions, for any business-related conduct constituting a crime under state or federal law;</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Details:</p>
<p>(b) a government suspension or debarment, rejection of any bid or disapproval of any proposed contract subcontract, including pending actions, for lack of responsibility, denial or revocation of prequalification or a voluntary exclusion agreement; or</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Details:</p>
<p>(c) any governmental determination of a violation of any public works law or regulation, or labor law or regulation or any OSHA violation deemed "serious or willful?"</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Details:</p>

**V. AUTHORIZATION & CERTIFICATIONS**

**1. CERTIFICATE OF GOOD STANDING**

Provide proof of good tax standing in the Commonwealth of Massachusetts via a Massachusetts Department of Revenue Certificate of Good Standing for each of the businesses intending to take advantage of the state tax incentives.

*\*Applications will not be reviewed by the Economic Assistance Coordinating Council until a Certificate of Good Standing has been received.*

To obtain a Certificate of Good Standing visit:

<https://wfb.dor.state.ma.us/webfile/Certificate/Public/WebForms/Welcome.aspx>

Attached

Date of DOR Application for Certificate of Good Standing: 2/17/2017

Notes:

**2. APPLICATION AUTHORIZATION, CERTIFICATION & ACKNOWLEDGEMENT**

*I/We, Brian O'Leary, Senior Vice President (names and titles) of the applicant business applying for "Certified Local Incentive Only Project" status from the Commonwealth of Massachusetts, Economic Assistance Coordinating Council hereby certify that I/we have been authorized to file this application and to provide the information within and accompanying this application and that the information provided herein is true and complete and that it reflects the applicant's intentions for investment, job creation and sales to the best of my/our knowledge after having conducted reasonable inquiry. I/We understand that the information provided with this application will be relied upon by the Commonwealth in deciding whether to approve "Certified Local Incentive Only Project" status and that the Commonwealth reserves the right to take action against the applicant or any other beneficiary of the Certified Local Incentive Only Project is the Commonwealth discovers that the applicant intentionally provided misleading, inaccurate, or false information. I/We make this certification under the pains and penalties of perjury. I/we agree to submit a Calendar Year Annual Report to the Massachusetts Office of Business Development to give updates on the progress of the project.*

*The signatories also hereby acknowledge that, under the Public Records law of the Commonwealth of Massachusetts, this application and all documents submitted in support thereof are public records under the provisions of Massachusetts G. L., Ch. 4, sec. 7 (26).*

**Signed:**

March 22, 2017

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<b>Name</b>	<b>Title</b>	<b>Date</b>
-------------	--------------	-------------

*Select mm/dd/yyyy*

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<b>Name</b>	<b>Title</b>	<b>Date</b>
-------------	--------------	-------------

**3. DEPARTMENT OF UNEMPLOYMENT ASSISTANCE CONSENT FOR DISCLOSURE OF WAGE REPORTING INFORMATION**

**Consent for the Disclosure of Wage Reporting Information for Federal Employment Identification Number (FEIN): # 45-3612743**

**Division of Unemployment Assistance (DUA) Number: # 10-03819-4**

*I/We, Brian O'Leary, a duly authorized representative of NBCUniversal and of all the other businesses listed in this Local Incentive Only Application (hereinafter "Employer"), hereby releases and gives authority to the Massachusetts Department of Unemployment Assistance, pursuant to G.L. c. 151A, §46(1), to provide the Economic Assistance Coordinating Council, upon its request, with the Employer's information, including but not limited to, wage reporting information, that is (a) necessary to verify the amount and tax year in which the Employer claims any of the Tax Incentives awarded in the Economic Development Incentive Program or Employer's fulfillment of job creation and job retention commitments as indicated in the supplemental application and job chart, or (b) otherwise necessary to ensure the proper operation or enforcement of this Agreement or the Program. This authorization is effective upon date of signature and will be valid until superseded by a subsequent application or revoked in writing.*

**Signed:**

	Senior Vice President	March 22, 2017
Name	Title	Date
<i>Select mm/dd/yyyy</i>		
Name	Title	Date

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ECONOMIC ASSISTANCE COORDINATING COUNCIL  
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**EDIP Local Incentive Only Application Exhibit 1: Local Incentive Valuation**

FY	Municipal Tax Rate Per Thousand	Incremental Assessed Value	Projected Annual RE Property Tax Bill for Incremental Assessed Value	TIF Yearly Exemption %	Exempted Annual RE Property Taxes	Exempted Annual Personal Property Taxes	Total Yearly Value of Local Tax Incentives
<b>FY 2019</b>	\$23.63	\$30,000,000.00	\$708,900.00	70%	\$496,230.00	\$0.00	\$496,230.00
<b>FY 2020</b>	\$23.63	\$30,000,000.00	\$708,900.00	70%	\$496,230.00	\$0.00	\$496,230.00
<b>FY 2021</b>	\$23.63	\$30,000,000.00	\$708,900.00	70%	\$496,230.00	\$0.00	\$496,230.00
<b>FY 2022</b>	\$23.63	\$30,000,000.00	\$708,900.00	70%	\$496,230.00	\$0.00	\$496,230.00
<b>FY 2023</b>	\$23.63	\$30,000,000.00	\$708,900.00	5%	\$35,445.00	\$0.00	\$35,445.00
<b>FY 2024</b>	\$23.63	\$30,000,000.00	\$708,900.00	1%	\$7,089.00	\$0.00	\$7,089.00
<b>FY 2025</b>	\$23.63	\$30,000,000.00	\$708,900.00	1%	\$7,089.00	\$0.00	\$7,089.00
<b>FY 2026</b>	\$23.63	\$30,000,000.00	\$708,900.00	1%	\$7,089.00	\$0.00	\$7,089.00
<b>FY 2027</b>	\$23.63	\$30,000,000.00	\$708,900.00	1%	\$7,089.00	\$0.00	\$7,089.00
<b>FY 2028</b>	\$23.63	\$30,000,000.00	\$708,900.00	1%	\$7,089.00	\$0.00	\$7,089.00
				<b>TOTALS</b>	<b>\$2,055,810.00</b>	<b>\$0.00</b>	<b>\$2,055,810.00</b>

Note: In Massachusetts, Proposition 2½ operates at the level of a municipality's total tax levy. Due to Proposition 2½, it is impossible to make reliable projections for individual parcels, whose taxes may increase much more or much less than the municipi

Total Yearly Value of Local Tax Incentives minus PILOT = \$205,581

Notes:

- 1) The Town of Needham Fiscal Year is from July 1 through June 30.
- 2) The Municipal Tax Rate for purposes of this Exhibit is the most recent Tax Rate available (FY 17). The Exhibit does not account for potential changes to the Tax Rate throughout the term of the TIF.
- 3) The Incremental Assessed Value in this Exhibit does not account for annual changes in the assessment or an inflation factor throughout the term of the TIF.
- 4) The Local Incentive Valuation is "Proposed - Subject to Approval" by the Town of Needham Board of Selectman and subject to Town Meeting Approval, currently scheduled for May 8, 2017.

**DRAFT**

Friday, March 24, 2017

Mr. Richard P. Dalton  
Regional Director  
Massachusetts Office of Business Development  
10 Park Plaza, Suite 3730  
Boston, MA 02116

***RE: Letter of Due Diligence for Local Incentive Only Application for Submittal to the Economic Assistance Coordinating Council***

Dear Mr. Dalton,

We have prepared this letter to represent NBCUniversal Media LLC's and its subsidiaries and affiliates (NBCU) due diligence with respect to the attached Local Incentive Only Application, as required pursuant to the Economic Development Incentive Program (EDIP).

On January 9, 2017, NBCU, a subsidiary of Comcast Corporation, issued its Notice of Intent for the company's consideration of establishing a new world class broadcast and digital media center in the Town of Needham, Massachusetts (Project Owl). As a New England Regional Media Center serving corporate functions and television, including digital media, cable news, sports and Spanish-speaking channels, Project Owl represents a unique business opportunity for the Town of Needham and the Commonwealth of Massachusetts. The project would require substantial investments in high technology equipment and infrastructure improvements that would likely not occur with another undertaking. Further, there is great potential for Needham to harness the capabilities - and of NBCU to create partnerships - that further educational and civic priorities.

NBCU is considering Project Owl due to the company's overarching strategy to cluster its complimentary assets into large-scale and dynamic media centers. The regional media center strategy is based on the successful business model achieved by NBCU's consolidation of facilities in other regions of the U.S., which have encouraged the company to identify opportunities to bringing multiple functions under one roof. Project Owl would represent a powerful force of attraction to Needham for other technology and support businesses, as the presence of WVCB and Gatehouse Media (as well as nearby WFXT), could make the case that Needham is the center of a major New England media cluster.

**DRAFT**

Project Owl would consist of the relocation of 375 employees to 189 B Street in Needham from the company's existing facilities in Burlington and Newton. These employees possess a range of highly technical skills in a fast evolving industry. NBCUniversal would invest approximately \$125,000,000 at 189 B Street.

Project Owl would also provide enhanced opportunities to the Needham community, including an annual commitment to transfer skills and develop the workforce through technology internships and other training programs. Once operational, Project Owl would originate digital content and television broadcasts from Needham, which would present unique opportunities to integrate Needham's existing marketing and exposure priorities with NBCU's distribution platforms.

Transforming the existing building at 189 B Street into a broadcast and digital media facility would generate significant increases in annual real and personal property taxes for the Town of Needham. As with other investment projects undertaken by the company, a financial model has been developed to understand the project's return on investment. In order to partially offset the substantial investment required for Project Owl - particularly with respect to investments in high technology equipment to be used at the facility - and position the project for successful long-term growth, NBCU has requested Tax Increment Financing (TIF) support from the Town of Needham. The reduced real estate taxes described in the Town's TIF plan would reduce the company's upfront and ongoing costs to operate the center at its highest and best use. Additionally, as the company is considering purchasing excess capacity of approximately 50,000 square feet, the reduction of costs via local incentives could position the company financially to grow its operations in Needham beyond the 375 employees and \$125,000,000 currently under consideration.

By the time the Certificate of Occupancy would be issued for Project Owl (circa January 2019), the building at 189 B Street would be 75% or more vacant for over two years. As a result, NBCU intends to utilize the Commonwealth's Abandoned Building Deduction for costs incurred to renovate the facility.

NBCU believes Project Owl's substantial capital investment, workforce relocation, potential for expansion and opportunities for integrating the company into the Town's priorities makes the request for a partial financial offset via TIF a judicious use of a portion of the project's newly generated taxes. NBCU's history of successful partnerships with state and local governments gives the company confidence that financial support offered by the Town of Needham would result in a productive return on investment for the community.

March 24, 2017  
Page 3 of 3

**DRAFT**

NBCU asks that you accept this letter as evidence of its due diligence with respect to the potential consolidation of Massachusetts operations and relocation of employees to Needham. We greatly appreciate your consideration of our project for approval.

Sincerely yours,

Brian O'Leary

cc: Kate Fitzpatrick, Town Manager, Town of Needham



**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

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**MEETING DATE: 3/28/2017**

<b>Agenda Item</b>	Food Truck Regulation Provisions
<b>Presenter(s)</b>	Kate Fitzpatrick, Town Manager

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
<p>The Town Manager will discuss the on-going redrafting of the food truck regulations and will seek Board input on the following policy provisions:</p> <p><u>Public Right of Way</u></p> <ul style="list-style-type: none"><li>• Mobile Food Vendors may be located in the public right of way, as provided in Appendix 1, in areas identified by the Board of Selectmen, after consultation with the Planning Board, as not served by fixed location restaurant facilities. The areas identified as not served by fixed location restaurants will be included in Appendix 2. The Board of Selectmen may review and modify the list of areas deemed not served by fixed location restaurant facilities.</li><li>• Mobile Food Vendors may not be located in or on any portion of a designated public right of way when and where such location would prevent the safe use of the public right of way by motor vehicles, pedestrians, and/or customers. The vending location shall not otherwise interfere with the movement of motor vehicles in the area. The locations identified for use by mobile food vendors within the public right of will be listed in Appendix 1. The Board of Selectmen may review and modify the locations identified for use within the public right of way.</li></ul> <p><u>School Buildings, Parking lots and Adjacent Fields</u></p> <p>Mobile Food Vendors may operate at approved Public School Buildings, parking lots, and adjacent fields under the following conditions:</p> <ul style="list-style-type: none"><li>• When invited to operate by invitation of a person or organization with a valid permit to use the school parking lot or adjacent play areas/fields, and with approval of the permit granting authority.</li><li>• The mobile food vendor shall comply with all requirements of the permit granting authority.</li></ul>	

- The Mobile Food Vendor shall comply with all general regulations for mobile food vendors.

### Public Parks and Parking Lots

#### **Mobile Food Vendors by Invitation of Permitted Organizations**

Mobile food vendors may be permitted to operate at approved Public Parks and Parking Lots, as listed in Appendix 3, under the following conditions:

- When invited to operate by invitation of a person or organization with a valid permit for use of the park or any portion thereof, and with approval of the permit granting authority.
- The Mobile Food Vendor shall comply with all requirements of the permit granting authority.
- The Mobile Food Vendor shall comply with all general regulations for mobile food vendors.

The Board of Selectmen will develop the list of parks and parking lots on Appendix 3 after consultation with the board, committee, or commission, if any, having primary jurisdiction over the parcel.

#### **Mobile Food Vendors by Direct Permit**

The Office of the Town Manager may grant permits to Mobile Food Vendors to operate at specified locations at approved Public Parks and Parking Lots on identified times and dates, as listed in Appendix 4, under the following conditions:

- The Town Manager shall coordinate the permit application process, and may allocate available permit opportunities among qualified applicants, including by lottery or other reasonable means.
- The Mobile Food Vendor shall comply with all site specific requirements.
- The Mobile Food Vendor shall comply with all general regulations for mobile food vendors.

The Board of Selectmen will develop the list of locations, times, and dates in Appendix 4 after consultation with the board, committee, or commission, if any, having primary jurisdiction over the parcel.

### Mobile Food Vendors Operating on Private Property - Reserved

- Appendix 1 Approved Right of Way Locations
- Appendix 2 Areas Not Served by Fixed Location Restaurants
- Appendix 3 Public Parks and Parking Lots Available for use by Invitation
- Appendix 4 Public Parks and Parking Lots Available for use by Direct Permit

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<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
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Discussion Only

<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
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**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

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**MEETING DATE: 3/28/2017**

<b>Agenda Item</b>	FY2018 Capital, Reserves & Financing Consultation
<b>Presenter(s)</b>	Kate Fitzpatrick, Town Manager David Davison, Assistant Town Manager/Director of Finance

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
	The Town Manager and Assistant Town Manager/Director of Finance will update the Board on the status of the FY2018 capital and operating budgets, and will discuss financing options.
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
	<i>Discussion Only.</i>
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
	a. FY2018 Capital, Reserves & Financing Consultation Memo from David Davison dated March 24, 2017

# Memorandum

To: Board of Selectmen; Kate Fitzpatrick, Town Manager  
From: David Davison, Assistant Town Manager/Director of Finance  
CC: Christopher Coleman, Assistant Town Manager/Director of Operations  
Date: March 24, 2017  
Re: FY2018 Capital, Reserves & Financing Consultation

For the fiscal year 2018 budget projection we had assumed that Free Cash would be between \$8.6 and \$11.9 million. This increased level was anticipated for a number of reasons. First, FY2016 revenue growth was notably higher due to the continued strong real estate market, the demand for new and renovated homes, and several commercial developments, particularly in Needham Crossing, that brought in more revenue from construction related fees and charges. In addition, the Town experienced strong demand for vehicles, an overall strong local economy, positive outcomes on some pending commercial property tax challenges, and recovery of a long overdue personal property account. Finally, the Town experienced higher operating budget returns, due in part to the milder winter, and not all of the Free Cash was appropriated in the prior year and rolled over to this year. For all these reasons, the Town's unassigned fund balance increased by approximately \$6 million. However, the process to prepare and submit for Free Cash certification had not yet commenced at the time the Town Manager's budget was due, so I recommended that the 2018 budget plan be based on \$8.6 million.

The Department of Revenue (DOR) certified the Town's Free Cash this month at \$13,849,687 for FY2017. The amount was more than the range because DOR certified a much greater percentage of the Town's unassigned fund balance (66.7%) than it has in the past couple of years. For FY2016 the amount certified was equal to 45.2% of fund balance, and for FY2015 DOR certified 46.9%. The average percentage of the unassigned fund balance that has been certified over the prior 15 years was 55.5%. So, DOR certified a greater percent of a larger balance to be available for use this year.

The budget plan has \$8,650,000 already committed with \$2,689,482 allocated to the FY2018 operating budget, \$3,307,467 for capital, \$285,000 for other financial warrant articles, \$860,000 for other maintenance projects, and \$1,508,051 to reserves. As stated, any amount certified above the minimum should be directed to other one-time expenses and/or reserves.

The amount of Free Cash that was allocated to the operating budget does not exceed the two percent of the final adjusted operating budget from the most recent completed fiscal year (in this case that is FY2016) or the actual return, whichever is less recommendation. The definition for the final adjusted operating budget is the total of the appropriated departmental budgets and Townwide expenses, excluding the Reserve Fund. We do not include any transfer from the Reserve Fund line into the departmental budgets and

any return from the Reserve Fund is not considered part of the budget return when calculating the lesser of the two calculations.

Because the amount of Free Cash certified was a higher percentage of the fund balance than the average, I recommend that at minimum the difference between the certified amount and the calculation based on the 15 year average, be reserved, or otherwise not appropriated so to mitigate the draw down on fund balance.

Percent of Fund Balance Certified	66.7%
Average % of Fund Balance Certified (2001 - 2015)	55.5%
Certified Free Cash for FY2017	\$13,849,687
Free Cash if Certified at the Average	\$11,524,490
Minimum Reserve or Carried Forward	\$2,325,197

As a reminder, rating agencies become concerned when the fund balance of a community drops significantly, and this was a point noted in the most recent rating analysis done by Standard and Poor's. This would happen to Needham if the most of the certified Free Cash is appropriated for expenditures rather than for reserves, or not appropriated at all.

Presently \$8,650,000 has been allocated for funding, as previously mentioned. The unallocated balance of Free Cash is \$5,199,687. Assuming \$2,325,197 is not to be used for spending purposes, the unallocated balance would be \$2,874,490. Based on public discussions to date regarding the Town's facilities and infrastructure needs, and anticipated capital expenses coming forward in the next 12 to 36 months, I proposed that the Town amend some prior recommendations from debt financing to cash funding, set aside funds for projects reasonably anticipated to be taken up by the Town in the next 12 to 18 months, and provide stop gap funding for some issues recently identified.

The public works infrastructure program is currently proposed to be funded by cash and debt; I suggest that the Town fund the request entirely by Free Cash, releasing \$500K in debt capacity. The fuel depot project is proposed to be funded by debt, repaid by the general fund and enterprise funds. I suggest that the Town amend that request to a cash appropriation, of which \$1,056,000 would be from Free Cash. The Memorial Park design has been estimated at \$375,000 which can be funded by Free Cash. The High School chiller replacement which is identified at \$400,000 is expected to cost more based on preliminary investigation. I proposed that the Town amend the funding amount to cover design and engineering services (\$125,000) with the balance (which is overlay surplus) being transferred to the Capital Facility Fund, supplemented with an additional \$230,000 from Free Cash so that the funds are available when construction monies are needed. Two other items are included in the May 2017 Special Town Meeting for modifications to Town Hall (\$200,000) and temporary office space for 16 months for

certain functions in the Health and Human Services Department (\$136,500) which meet the test as temporary or one-time expenses to be funded by Free Cash. The remaining balance \$376,990 could be reserved in the Athletic Facility Improvement Fund for the Memorial Park Building.

Based on the current allocation and suggestions above, the use of Free Cash would be as follows:

Operating Budget	\$ 2,689,482
Capital Equipment	\$ 1,544,467
Capital Improvement	\$ 3,694,000
Other Financial Articles	\$ 1,481,500
Designated Reserves	\$ 2,115,041
Reserved	<u>\$ 2,325,197</u>
Total	\$13,849,687

FY2018 Budget Plan

Certified Free Cash

\$13,849,687

Purpose	Type	Amount
FY2018 Operating Budget	Operating Budget	-\$2,689,482
Bunker Gear	Capital Equipment	-\$167,872
Data Center Servers and Storage Units	Capital Equipment	-\$145,000
DPW Specialty Equipment	Capital Equipment	-\$30,000
Fleet Replacement	Capital Equipment	-\$646,305
School Copiers	Capital Equipment	-\$46,790
School Furniture	Capital Equipment	-\$45,000
School Technology	Capital Equipment	-\$463,500
DPW Seasonal Storage Facility	Capital Improvement	-\$150,000
Energy Efficiency Upgrade Improvements	Capital Improvement	-\$57,000
Pollard School Blue and Green Gyms	Capital Improvement	-\$45,000
Public Works Infrastructure Program	Capital Improvement	-\$1,262,000
Traffic Improvements	Capital Improvement	-\$249,000
Athletic Facility Improvement Fund	Designated Reserve	-\$1,295,000
Capital Facility Fund	Designated Reserve	\$0
Capital Improvement Fund	Designated Reserve	-\$28,051
Debt Service Stabilization Fund	Designated Reserve	-\$185,000
Classification and Compensation Study Services	SFWA	-\$80,000
Environmental Assessment of Needham Lands	SFWA	-\$35,000
Fleet Refurbishment	SFWA	-\$250,000
Full-Day Kindergarten Space Study	SFWA	-\$50,000
Matching Funds N2 Innovation District	SFWA	-\$20,000
Public Facilities Maintenance Program	SFWA	-\$610,000
Town Owned Land Surveys	SFWA	-\$100,000
Workers Compensation Fund	SFWA	\$0
<b>Uses</b>		<b>-\$8,650,000</b>
Uncommitted		\$5,199,687
Amount to Reserve		-\$2,325,197
<b>Adjusted Uncommitted Balance</b>		<b>\$2,874,490</b>
Convert Fuel Depot from debt to cash (General Fund).	Capital Improvement	-\$1,056,000
Convert Public Works Infrastructure funding from debt to cash.	Capital Improvement	-\$500,000
Memorial Park	Capital Improvement	-\$375,000
Reserve monies for the High School Chiller	Designated Reserve	-\$230,000
Reserve monies for the Memorial Park Building	Designated Reserve	-\$376,990
Temporary Office Space and Moving Costs	SFWA	-\$136,500
Town Hall Modifications	SFWA	-\$200,000
Balance		\$0



**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

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**MEETING DATE: 3/28/2017**

<b>Agenda Item</b>	Positions on Warrant Articles
<b>Presenter(s)</b>	Kate Fitzpatrick, Town Manager

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
	The Board will review articles contained in the Annual Town Meeting Warrant.
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
	<i>Suggested Motion:</i> That the Board vote to support (not to support) article _____ in the Annual Town Meeting Warrant.
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
	a. Status of Articles (3.24.17) b. 2017 Annual Town Meeting Warrant Final Draft 3.24.2017

Status of Articles 3.24.2017

#	Article	Status	BOS Position	FC Position	BOS	FC	CPC	Planning
1	Annual Town Election							
2	Committee Reports							
3	Establish Elected Officials' Salaries							
4	Fund Collective Bargaining Agreement/NIPEA							
5	Accept c. 73 Tax Exemption Limits			Adopt				
6	Appropriate for Property Tax Assistance							
7	Appropriate for Senior Corps			Adopt				
8	Appropriate for Matching Funds N <sup>2</sup> District							
9	Appropriate for Environmental Assessment			Adopt				
10	Appropriate Classification/Compensation Study			Adopt				
11	Appropriate for Town Owned Land Surveys							
12	Appropriate for Fleet Replacement			Adopt				
13	Appropriate for Public Facilities Maintenance							
14	Appropriate for Full Day Kindergarten Study			Adopt				
15	Appropriate FY2018 Operating Budget			Adopt				
16	Appropriate for FY2018 RTS Budget			Adopt				
17	Appropriate for FY2018 Sewer Budget			Adopt				
18	Appropriate for FY2018 Water Budget			Adopt				
19	Amend General By-laws Revolving Funds							
20	Authorize Revolving Funds							
21	Authorize Revolving Fund Adult/Continuing Ed.			Adopt				
22	Authorization for Public Ways			Adopt				
23	Amend Zoning By-law – Dimensional Residential							
24	Amend Zoning By-law – Side Yard Setback							
25	Amend Zoning By-law – Height Residential							

Status of Articles 3.24.2017

#	Article	Status	BOS Position	FC Position	BOS	FC	CPC	Planning
26	Amend Zoning By-law – FAR Single Res. B							
27	Amend Zoning By-law – Side Yard Setback							
28	Amend Zoning By-law – Garage Setback							
29	Amend Zoning By-Law – Definitions							
30	Amend Zoning By-law – Lot Coverage							
31	Amend Zoning By-law – Front Side SP							
32	Amend Zoning By-law Marijuana Moratorium							
33	Authorize Eminent Domain – Rosemary			Adopt				
34	Appropriate CPA Rosemary							
35	Appropriate CPA Cricket Field Renovation							
36	Appropriate CPA Elementary School Trails							
37	Appropriate CPA Reservoir Trail							
38	Appropriate to CPA Fund							
39	Appropriate GF Cash Capital					Adopt		
40	Appropriate PW Infrastructure	Amend						
41	Appropriate Public Safety Design					Adopt		
42	Appropriate Pollard School Bathrooms					Adopt		
43	Appropriate HS Chiller Replacement	Amend				Adopt		
44	Appropriate for HS Expansion	Preamble						
45	Appropriate for Fuel Island	Amend				Adopt		
46	Appropriate for DPW Storage Facility							
47	Appropriate for Memorial Park Design	Amend						
48	Appropriate for RTS Cash Capital					Adopt		
49	Appropriate for Wastewater System Rehab.					Adopt		
50	Appropriate for Water Cash Capital					Adopt		





# TOWN OF NEEDHAM



## 2017 ANNUAL TOWN MEETING WARRANT

Election: Tuesday, April 11, 2017

Business meeting: Monday, May 1, 2017

7:30 P.M.

JAMES HUGH POWERS HALL, NEEDHAM TOWN HALL

1471 HIGHLAND AVENUE

DRAFT 3.24.2017

Additional information on particular warrant articles will be made available from time to time at [www.needhamma.gov/townmeeting](http://www.needhamma.gov/townmeeting) during the weeks leading up to Annual Town Meeting.

**WARRANT FOR THE ANNUAL TOWN MEETING  
TUESDAY, APRIL 11, 2017  
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	-	The Center at the Heights
Precinct B	-	The Center at the Heights
Precinct C	-	Newman School - Gymnasium
Precinct D	-	Newman School - Gymnasium
Precinct E	-	Broadmeadow School - Performance Center
Precinct F	-	Needham High School – Gymnasium
Precinct G	-	Needham High School – Gymnasium
Precinct H	-	Broadmeadow School - Performance Center
Precinct I	-	William Mitchell School - Gymnasium
Precinct J	-	William Mitchell School - Gymnasium

on TUESDAY, THE ELEVENTH DAY OF APRIL, 2017

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:

Two Selectmen for Three Years;  
One Assessor for Three Years;  
Two Members of School Committee for Three Years;  
One Trustee of Memorial Park (trustee of soldiers' memorials – Veteran) for Three Years;  
Three Trustees of Needham Public Library for Three Years;  
One Member of Board of Health for Three Years;  
One Member of Planning Board for Five Years;  
One Commissioner of Trust Funds for Three Years;  
One Member of Park and Recreation Commission for Three Years;  
Two Constables for Three Years.

Eight Town Meeting Members from Precinct A for Three Years;  
Eight Town Meeting Members from Precinct B for Three Years;  
Eight Town Meeting Members from Precinct C for Three Years;  
Eight Town Meeting Members from Precinct D for Three Years;  
Eight Town Meeting Members from Precinct E for Three Years;  
Eight Town Meeting Members from Precinct F for Three Years;  
Eight Town Meeting Members from Precinct G for Three Years;  
One Town Meeting Member from Precinct G for One Year;  
Eight Town Meeting Members from Precinct H for Three Years;  
One Town Meeting Member from Precinct H for One Year;

Eight Town Meeting Members from Precinct I for Three Years;  
Eight Town Meeting Members from Precinct J for Three Years.

and you are also required to notify the qualified Town Meeting Members of the Town of Needham to meet in the Needham Town Hall On Monday May 1, 2017 at 7:30 p.m. in the afternoon, then and there to act upon the following articles:

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**Warrant for the Annual Town Meeting**

**Monday, May 1, 2017 at 7:30 p.m. at Needham Town Hall**

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**ARTICLE 2: COMMITTEE AND OFFICER REPORTS**

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

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**HUMAN RESOURCE ARTICLES**

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**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, 2017, as required by Massachusetts General Laws, Chapter 41, Section 108:

Town Clerk	\$79,750
Town Clerk with 6 years of service in that position	\$99,839 <sup>(1)</sup>
Selectmen, Chairman	\$1,800
Selectman, Others	\$1,500

- (1) In addition, such compensation shall also include payment of longevity in the amount of \$6,989, the accumulation of 15 days of non-occupational sick leave per fiscal year, and payment for 25% of unused sick leave at the time of retirement from Town Service in accordance with M.G.L. c. 32 or sooner, in an amount not to exceed \$58,475. The annual salary of \$99,839 includes compensation for five weeks of vacation leave, any unused portion of which will be paid at the time of separation from Town service in an amount not to exceed \$10,272. No later than the time of separation from Town service, the Town Clerk shall also be paid for seven (7) weeks of accrued, unused vacation time in an amount not to exceed \$14,381; or take any other action relative thereto.

INSERTED BY: Personnel Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

PERSONNEL BOARD RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information:* In accordance with M.G.L. Chapter 41, Section 108, the Town must annually vote to set the salary and compensation for any elected Town officials who receive compensation. The Town Clerk salary has been separated into two categories, newly elected Town Clerk, and Town Clerk with at least six years of service. This is done because Town elections are held in April and Town Meeting would not have a chance to vote on the salary of a newly elected Clerk until after the incumbent had been

receiving a higher rate of pay for several months. It has been the practice of the Personnel Board to provide the Town Clerk, the only full-time elected official, with benefits close to that of other full-time employees. Payment for longevity, as well as buy-back of sick leave and vacation no later than the time of separation from Town service, is included in the recommended salary and compensation article. This article also includes provision for a one-time distribution of accumulated and unused vacation leave as of June 30, 2000; such payment to be made no later than the time of separation from Town service.

The annual stipends for the members of the Board of Selectmen have remained unchanged since 1977.

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**ARTICLE 4: FUND COLLECTIVE BARGAINING AGREEMENT – NEEDHAM INDEPENDENT PUBLIC EMPLOYEE ASSOCIATION/DPW**

To see if the Town will vote to approve the funding of a collective bargaining agreement between the Town and the Needham Independent Public Employee Association, and to appropriate a sum of money to defray the cost of salary and wages provided for under the agreement for fiscal year 2018; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

PERSONNEL 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.

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**FINANCE ARTICLES**

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**ARTICLE 5: ACCEPT CHAPTER 73, SECTION 4 OF THE ACTS OF 1986**

To see if the Town will vote to accept, for fiscal year 2017, the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, which amends Chapter 59 of the General Laws relative to real estate property tax exemptions, and approve an increase in the amount of 100% for each eligible exemption; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:* Acceptance of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, permits the Town to grant an additional exemption to certain taxpayers who are surviving spouses, surviving minors of deceased parents, persons over the age of 70, certain veterans and disabled veterans and their surviving spouses, parents of veterans who died in wartime service and blind individuals, and who qualify for an exemption under any one of the following clauses of Section 5 of Chapter 59 of the General Laws: Clauses 17, 17C, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B, 41C, 42 or 43. The additional exemption shall be uniform for all exemptions but shall not exceed one hundred percent of a taxpayer's original exemption. No taxpayer may pay less tax than paid in the preceding year, except through the application of General Laws, Chapter 58, Section 8A or Chapter 59, Section 5,

clause 18. The taxable valuation of the taxpayer's property shall not be less than ten percent of its fair cash value. Town Meeting must approve the additional exemption on an annual basis. In fiscal year 2016, the cumulative increase above the statutory limit was 100%.

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**ARTICLE 6: APPROPRIATE FOR NEEDHAM PROPERTY TAX ASSISTANCE PROGRAM**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$25,000 for the purpose of funding the Needham Property Tax Assistance Program, to be spent under the direction of the Town Manager, said sum to be raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information:* The 2009 Annual Town Meeting voted to establish a Property Tax Assistance Program. The goal of the Board of Selectmen is to set a target annual appropriation for the fund equal to the amount of private contributions to the Town's statutory voluntary tax relief program during the preceding fiscal year, up to a maximum appropriation of \$25,000 (2008 dollars). The Board of Selectmen voted to recommend a higher amount for fiscal year 2018. The voluntary fund received \$7,292 in fiscal year 2016.

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**ARTICLE 7: APPROPRIATE FOR SENIOR CORPS**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$15,000 for the purpose of funding the Senior Corps program, to be spent under the direction of the Town Manager, said sum to be raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:* The Senior Corps is a program whereby qualified elderly and disabled property owners may work up to 100 hours for the Town. In turn, the individuals are paid up to \$1,100 per year, which is applied to their property tax bills.

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**ARTICLE 8: APPROPRIATE FOR MATCHING FUNDS N<sup>2</sup> INNOVATION DISTRICT**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$20,000 for the purpose of funding the N<sup>2</sup> Regional Innovation Organization, 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: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information:* Under the auspices of the Newton/Needham Chamber of Commerce, the N<sup>2</sup> Regional Innovation Organization is in the process of raising \$325,000 to implement the recommendations of a 2016 study to promote targeted, sustainable and well-planned development in the N<sup>2</sup> Innovation District. The plan calls for hiring a district director, creating marketing materials, and building a website to promote the district and encourage economic development. The Chamber has requested that the Town contribute a matching grant in the amount of \$20,000.

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**ARTICLE 9: APPROPRIATE FOR ENVIRONMENTAL ASSESSMENT OF NEEDHAM LANDS**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$35,000 for the purpose of funding environmental assessments at Ridge Hill Reservation, the Nike Site, and Walker Pond, 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: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:* This funding request is for two separate environmental assessment projects for the Town. The first is related to the NIKE Site and Ridge Hill Reservation. Representatives of the Board of Selectmen and the Conservation Commission have met to discuss general concepts for the potential re-use of the NIKE site and the three acre portion of Ridge Hill Reservation under the jurisdiction of the Selectmen. An initial assessment of the land is necessary to identify important ecological functions, identify existing infrastructure and constraints to installation of infrastructure (including cost premiums), analyze which portions of land are most appropriate for development/redevelopment, analyze site access and traffic movements in the vicinity of the subject property, and the preparation of a written report detailing the findings of the assessment with a presentation of the findings to Town leadership. Such an investigation and report/presentation would require the services of a qualified consultant. The second assessment is related to Walker Pond. The Town has been contacted by abutters to Walker Pond expressing concern over the health of the pond. Walker pond is co-owned by several property owners and by the Town of Needham. The primary concerns involve the large volume of weeds in the pond and shrinking area of open water. The Conservation Commission has agreed that the condition of the pond is deteriorating, and seeks this study to identify long-term measures that will improve the health of the pond.

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**ARTICLE 10: APPROPRIATE FOR CLASSIFICATION AND COMPENSATION STUDY SERVICES**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$80,000 for the purpose of funding a Town-wide employee classification and compensation study, 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: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:*

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**ARTICLE 11:     **APPROPRIATE FOR TOWN-OWNED LAND SURVEYS****

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$100,000 for the survey of Town-owned lands, 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:   Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information:*   The Town has acquired land over the years that has never been surveyed. In recent years, when the Town has begun the design process for construction on such a parcel, survey data has been unavailable or incorrect, resulting in delays and added cost to a project. This funding would allow the Town to conduct the land surveys. The survey work would include title research, field work, analysis, the installation of bounds or markers, drafting work and recording of the completed plan. The Town-owned survey project will be a multi-year project.

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**ARTICLE 12:     **APPROPRIATE FOR FLEET REFURBISHMENT****

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$250,000 for municipal fleet refurbishment, 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:   Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:*   This project will implement a refurbishment program for all large equipment that will enable the Town to extend the life-cycle of municipal vehicles. By investing additional resources into planned equipment maintenance, the Town will increase operational safety and eventually reduce reactive maintenance.

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**ARTICLE 13:     **APPROPRIATE FOR PUBLIC FACILITIES MAINTENANCE PROGRAM****

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$610,000 for the purpose of funding the Public Facilities Maintenance Program, said sum 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:   Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information:*   This warrant article will fund the annual and necessary maintenance of public buildings throughout the Town and School department, including, but not limited to, asbestos abatement, duct cleaning, painting, and other repairs and necessary upgrades. Unless circumstances require otherwise, the FY2018 program will fund duct cleaning at Town Hall and the Newman School, wood floor refinishing in multiple buildings, design and removal of the fuel tank at the DPW Garage, VCT floor replacement at the Broadmeadow, office reconfiguration at the Mitchell, and upgrades in the Pollard Lecture Hall.

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**ARTICLE 14:      APPROPRIATE FOR FULL-DAY KINDERGARTEN SPACE STUDY**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$50,000 for a Full-Day Kindergarten space study to be spent 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:    Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT:    Article be Adopted

*Article Information:*    This article will fund a space planning study for Full-Day Kindergarten. The purpose of the study is to develop a plan for accommodating the kindergarten population within the District's five elementary schools and swing space. According to a preliminary analysis completed in June 2015 (and updated in December 2015), up to five additional classrooms could be needed in the year of initial implementation, to accommodate the projected population of kindergarteners at an average class size of 20 students. These classrooms could be provided by repurposing non-traditional space at each elementary school, such as art/music/world language/technology classrooms, or by using vacant space at the Hillside School. The study would identify needed retrofits to the space, and develop a project budget and funding timeline for these improvements, which are timed with a September 2019 (FY2020) preliminary implementation date for Full Day Kindergarten in Needham.

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**ARTICLE 15:      APPROPRIATE THE FY2018 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 \$2,689,482, from the overlay surplus in the amount of \$900,000, from amounts reserved for debt exclusion offsets in the amount of \$80,807, and \$449,163 to be raised from CPA receipts; and further that the Town Manager is authorized to make transfers from line item 8 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 to be Adopted as Shown on Pages X -X

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**ARTICLE 16:      APPROPRIATE THE FY2018 RTS 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 Solid Waste and Recycling Division of the Department of Public Works during fiscal year 2018, under the provisions of M.G.L. Chapter 44, Section 53F ½:

**RTS Enterprise  
FY2018**

Line #	Description	FY2016		FY2017		FY2018		Town Meeting Amendments	
		Expended	FTE	Current Budget	FTE	Recommended	FTE		
101A	Salary & Wages	\$715,923	10.0	\$766,816	10.0	\$782,833	10.0		
101B	Expenses	\$1,146,002		\$1,278,969		\$1,369,612			
101C	Operating Capital	\$83,216		\$86,500		\$91,500			
101D	Debt Service	\$147,012		\$150,000		\$150,000			
102	Reserve Fund	Transfers Only		\$25,000		\$25,000			
<b>TOTAL</b>		<b>\$2,092,153</b>	<b>10.0</b>	<b>\$2,307,285</b>	<b>10.0</b>	<b>\$2,418,945</b>	<b>10.0</b>		
FY2018 Budget Percentage Change from FY2017 Budget							4.8%		

and to meet this appropriation that \$1,462,500 be raised from the tax levy and transferred to the RTS Enterprise Fund, and that \$72,698 be transferred from RTS Retained Earnings, or take any other action relative thereto.

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

*Article Information:* The Town of Needham provides residents with recycling and waste disposal services at the Town’s Recycling Center and Transfer Station (RTS). The RTS is a residential drop-off facility with a pay-per-throw program. To use the RTS, residents must obtain a special sticker which is affixed to the windshield of the vehicle transporting recycling and/or trash into the RTS. Residents may purchase special bags for their non-recyclable trash disposal or may haul trash into the center and have it weighed before disposing, paying a fee. These fees combined cover some of the costs for operating the RTS. The RTS is one of the most utilized facilities within the Town - approximately 75% of Needham residents directly utilize the facility. The majority of the remaining 25% of Needham residents utilize the RTS through subscription hauler services. The RTS also provides disposal and recycling services for many Town departments along with material processing and snow dump services for the Department of Public Works. Additionally, the RTS provides a variety of other specialty recycling options for residents such as books, clothing, and many others.

FY2018 will be the fourth year of the funding model for the Recycling and Transfer Station Enterprise that includes a significantly higher contribution from the General Fund to offset the loss of revenue collected through the annual sticker fee that was previously paid by residents. This payment, along with pay-per-throw bags and other rubbish disposal fees and miscellaneous revenue, provides the funds to support and operate the center. The General Fund contribution of \$1,462,500 for FY2018 is \$42,500 more than the current year. Direct financing of the facility through the tax levy expands access to the facility, and recognizes the “public good” aspect of many of the recycling, yard waste, and waste ban item disposal services. However, the General Fund contribution was able to be held at just three percent through a greater use of retained earnings. RTS revenues have increased as well, in part due to the rental income from SolarCity the operator of the solar array on RTS property, but they have not kept pace with the increasing cost to operate a solid waste and recycling operation. There is a necessity to have a solid waste disposal and recycling program in place, and as the demands and expectations on the providers of these services grow, funding the cost will be a continuing challenge in the future. The Town will examine the accounting and financing methods used for these expenses in the coming year.

The recommended operating budget for FY2018 is \$2,418,945 or \$111,660 (4.8%) more than the FY2017 budget. The \$16,017 (2.1%) change in salary and wages line reflects step and longevity increases for department personnel. The collective bargaining agreement with the NIPEA union expires on June 30, 2017. A successor agreement with the union had not been reached at the time of publication; any funding that may be required as a result of an agreement will be addressed at a subsequent town meeting. The RTS has 10 full-time employees, of which eight are members of the NIPEA union.

The \$90,643 (7.1%) increase in the expense line is driven by higher cost of disposal, a greater amount being disposed, and changes in the recycling market which now has a greater cost being borne by the Town than in recent years. It is estimated that an additional 1,000 tons of solid waste is being processed at the RTS annually than just a few years ago. Although the costs to the Town for recycling are less than direct disposal of waste, the margin between the two is less because of the decrease in the revenue generated from recycling. The effect of the additional waste, higher costs for disposal, and the changes in the recycling market account for approximately 76% of the increase in the expense line. The budget for maintenance and repair of equipment and the facility has increased by \$16,000. The balance of the increase is for various operational expenses that are higher due to contract prices, volume, and/or increased activity. The operating capital line is \$5,000 (5.8%) more than FY2017 and the funds are to be used to replace an open top trailer and roll-off containers. The open top trailer is used to haul trash to the waste to energy plant in Millbury. The roll-off containers are used by residents to drop off trash and recycling; these are part of an annual replacement schedule.

Debt service is level funded at \$150,000, and supports the debt capacity requirements to continue the current RTS operations. The reserve fund is level dollar as well for FY2018.

The RTS also reimburses the General Fund for costs incurred and paid by the general fund budgets, e.g., employee benefits, property and casualty insurance, financial and billing expenses, and other administrative and operational support costs.

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**ARTICLE 17: APPROPRIATE THE FY2018 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 2018, under the provisions of M.G.L. Chapter 44, Section 53F ½:

**Sewer Enterprise  
FY2018**

Line #	Description	FY2016		FY2017		FY2018		Town Meeting Amendments
		Expended	FTE	Current Budget	FTE	Recommended	FTE	
201A	Salary & Wages	\$919,582	12.0	\$1,019,922	12.0	\$938,603	11.0	
201B	Expenses	\$342,585		\$415,585		\$431,060		
201C	Capital Outlay	\$46,557		\$50,000		\$50,000		
201D	MWRA Assessment	\$5,408,445		\$5,718,107		\$5,918,642		
201E	Debt Service	\$1,054,039		\$1,500,000		\$1,500,000		
202	Reserve Fund	Transfers Only		\$35,000		\$35,000		
	<b>TOTAL</b>	<b>\$7,771,208</b>	<b>12.0</b>	<b>\$8,738,614</b>	<b>12.0</b>	<b>\$8,873,305</b>	<b>11.0</b>	
FY2018 Budget Percentage Change from FY2017 Budget							1.5%	

and to meet this appropriation that \$491,749 be raised from the tax levy and transferred to the Sewer Enterprise Fund, and \$281,556 be transferred from Sewer Enterprise Fund Retained Earnings, or take any other action relative thereto.

INSERTED BY: Board of Selectmen & 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 144 miles of collector and interceptor sewers, 3,958 sewer manholes, and nine 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 nine other public locations where subdivisions discharge to the MWRA system. Personnel maintain and operate 22 sewer pumps, motors, switchgear, gates, valves, buildings, and grounds contained in nine 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 will examine the accounting and financing methods used for these expenses in the coming year.

The operating budget of \$8,873,305 for FY2018 is \$134,691 more than the current FY2017 budget, an increase of 1.5%. This increase is primarily due to the increase in the MWRA assessment for the Town's sewerage and wastewater disposal. The assessment represents a 3.5% increase over the FY2017 budget and more than 4% over the anticipated actual expense for the current year. The administrative position in the sewer enterprise will be transferred to the water enterprise effective for FY2018. Going forward, management and administrative personnel who support the overall water and sewer operations will be centralized for a fairer distribution of cost. No new spending requests are presented with this budget. 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	FY2018 Sewer Operations	FY2018 Drains Program	FY2018 Recommended Budget	FY2017 Sewer Operations	FY2017 Drains Program	Current FY2017 Sewer Budget
Salary & Wages	\$604,816	\$333,787	\$938,603	\$650,739	\$369,183	\$1,019,922
Expenses	\$273,098	\$157,962	\$431,060	\$265,840	\$149,745	\$415,585
Capital Outlay	\$50,000	\$0	\$50,000	\$50,000	\$0	\$50,000
MWRA Assessment	\$5,918,642	\$0	\$5,918,642	\$5,718,107	\$0	\$5,718,107
Debt Service	\$1,500,000	\$0	\$1,500,000	\$1,500,000	\$0	\$1,500,000
Reserve Fund	\$35,000	\$0	\$35,000	\$35,000	\$0	\$35,000
Total	\$8,381,556	\$491,749	\$8,873,305	\$8,219,686	\$518,928	\$8,738,614
	FY2018 Sewer Operations \$ Change	FY2018 Drains Operations \$ Change	FY2018 Sewer Enterprise \$ Change	FY2018 Sewer Operations % Change	FY2018 Drains Operations % Change	FY2018 Sewer Enterprise % Change
Salary & Wages	-\$45,923	-\$35,396	-\$81,319	-7.1%	-9.6%	-8.0%
Expenses	\$7,258	\$8,217	\$15,475	2.7%	5.5%	3.7%
Capital Outlay	\$0	\$0	\$0	0.0%		0.0%
MWRA Assessment	\$200,535	\$0	\$200,535	3.5%		3.5%
Debt Service	\$0	\$0	\$0	0.0%		0.0%
Reserve Fund	\$0	\$0	\$0	0.0%		0.0%
Total	\$161,870	-\$27,179	\$134,691	2.0%	-5.2%	1.5%

The FY2018 sewer operations portion of the budget is \$161,870 higher, an increase of 2.0% over the current year. The preliminary MWRA assessment for FY2018 is \$200,535 more than the current appropriation. 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 FY2018 drains operations portion of the budget is \$27,179 (-5.2%) less than the current year.

The salary and wages line is \$938,603 for FY2018 which is a decrease of \$81,319, or 8%. Presently the sewer division has 12 full-time employees of which 11 are members of the NIPEA union. However, as noted before, one position will be shifted to the water enterprise beginning in FY2018. If the position was not moved, the salary and wage line would have shown a decrease of \$27,694 or 2.7% less than the current year. A successor agreement with the union had not been reached at the time of publication; any funding that may be required as a result of an agreement will be addressed at a subsequent town meeting.

The expense line is \$431,060 which is \$15,475 or 3.7% more than the current year. The FY2018 budget has an increase of \$15,000 for repair and maintenance of equipment and facilities, however, \$7,565 of the increase was offset with a decrease in vehicle supplies and fuel. The change is based on actual activity during the past three years. There is an increase in contracted services related to debris disposal from catch basin cleaning and sweeping (\$1,660). The balance of the increase covers costs associated with the emergency notification systems for the sewer pump stations, required police details when sewer system repairs are performed under public way, construction materials for the drains, and energy expenses to operate the sewer pump stations.

The operating capital line is level funded at \$50,000 for FY2018. This budget line pays for grinder replacements and allows the department to continue its annual \$25,000 allocation for sewer pump and small power equipment replacement. The plan for FY2018 is the replacement of the West Street pump station grinder (the #2 pump was replaced this year) and replacement of a pump at the Alden Road pump station.

The sewer debt service budget line is also level dollar at \$1,500,000 for FY2018, which is in keeping with the overall sewer capital infrastructure-funding plan for long term investments. The reserve fund is level

dollar for FY2018. The budget plan for FY2018 includes the use of \$281,556 from sewer retained earnings. The \$491,749 to be transferred from the tax levy is to pay for drains-related programs; this is a decrease of \$28,097 from FY2017.

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 18: APPROPRIATE THE FY2018 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 2018, under the provisions of M.G.L. Chapter 44, Section 53F ½:

**Water Enterprise  
FY2018**

Line #	Description	FY2016		FY2017		FY2018		Town Meeting Amendments	
		Expended	FTE	Current Budget	FTE	Recommended	FTE		
301A	Salary & Wages	\$1,059,095	16.0	\$1,134,686	16.0	\$1,226,141	17.0		
301B	Expenses	\$1,022,887		\$1,079,267		\$1,107,888			
301C	Capital Outlay	\$30,500		\$4,000					
301D	MWRA Assessment	\$1,012,962		\$1,043,468		\$1,114,185			
301E	Debt Service	\$1,543,596		\$1,550,000		\$1,550,000			
302	Reserve Fund	Transfers Only		\$75,000		\$75,000			
<b>TOTAL</b>		<b>\$4,669,040</b>	<b>16.0</b>	<b>\$4,886,421</b>	<b>16.0</b>	<b>\$5,073,214</b>	<b>17.0</b>		
FY2018 Budget Percentage Change from FY2017 Budget							3.8%		

or take any other action relative thereto.

INSERTED BY: Board of Selectmen & 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 which is able to produce up to 4.6 million gallons of water per day (the Town is registered for approximately 4.0 million gallons of water per day). The current water withdrawal permit from the Department of Environmental Protection (DEP) allows approximately 2.9 million gallons of water per day to be pumped. The Charles River 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, 3,400 water gate valves, and 10,069 water service connections. This system supports approximately 14,545 installed meters.

The overall operating budget for FY2018 is \$5,073,214 (3.8%) more than the FY2017 budget. The two contributing factors in the increase for FY2018 is the MWRA assessment for the Town's use of water and the movement of positions between the water and sewer enterprises. The MWRA bills the Town for actual water consumption in the calendar year preceding the new fiscal year; the FY2018 water assessment is based on CY2016 water use. The Town's use of MWRA water was up approximately 7.6% from the prior year. The preliminary water assessment for FY2018 is \$1,114,185 which is \$70,717 (6.8%) more than the appropriation for this year and is 7.2% higher than the anticipated actual payment to the MWRA for FY2017. The final assessment from the MWRA is not expected until the end of the State budget process. The change to the administrative assignments moves one position from the sewer enterprise (reducing the number of positions in the sewer division from 12 to 11) to the water enterprise (increasing the number of positions from 16 to 17).

Water Production	CY2014	CY2015	CY2016
Water Production*	1,235.9	1,256.8	1,217.3
Water Production from MWRA	279.0	304.1	327.1
Water Production from Town Wells	956.9	952.7	890.2
Percentage from MWRA	22.6%	24.2%	26.9%
*millions of gallons			
Water meters replaced	1,242	1,203	1,348
Percentage of the total number of water meters in place for that year	8.4%	8.3%	9.3%

The salary and wage expense line shows an increase of \$91,455 (8.1%) over the FY2017 budget. The FTE increase is due to the centralization of the managerial and administrative functions which was disclosed in the sewer enterprise explanation. There was a corresponding decrease in the number of FTEs in the sewer enterprise. The change to the salary and wage line before the move of the position would have been \$37,837, or approximately 3.3%. The change will be effective July 1, 2017. The water enterprise will have 17 full time employees of which 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 FY2017. However the NIPEA contract expires on June 30, 2017, and at the time of publication a successor agreement with the union had not been reached; any funding that may be required as a result of an agreement will be addressed at a subsequent town meeting.

The water expense line is \$28,621 higher than the FY2017 budget, approximately 2.7% more. Approximately 46% of that increase (\$13,082) is for electricity. This increase is related to the higher cost for power and the opening of the new water pump station at St Mary's last year. St Mary's is the pump station that is connected to the MWRA water feed for Needham. Professional and technical services increased by \$12,925 to pay for costs associated with meter testing, water tank inspections, water quality testing, and well and pump testing. Similar to the sewer enterprise, there is an increase for the emergency notification system (\$2,500) and for services related to water system repairs (\$11,680). Some of the cost was offset by decreases in the cost of various supplies used by the division, most notably brass fittings. There was also a reduction of \$5,000 in the governmental charges account.

*There is no request for operating capital for FY2018, a reduction of \$4,000 from FY2017. Debt service is level funded at \$1,550,000, which is based on approved projects, and is in keeping with the overall water capital infrastructure-funding plan for long term investments. The water reserve fund is level dollar for FY2018.*

*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.*

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**ARTICLE 19: AMEND GENERAL BY-LAW – ESTABLISH REVOLVING FUNDS**

To see if the Town will vote to amend the Town's General By-laws by adding the following new section:

**Section 2.2.7 Departmental Revolving Funds**

2.2.7.1 This By-law establishes and authorizes revolving funds for use by Town departments, boards, committees, agencies, or officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by General Laws Chapter 44, § 53E½.

2.2.7.2 A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this By-law without appropriation subject to the following limitations:

(a) Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.

(b) No liability shall be incurred in excess of the available balance of the fund.

(c) The total amount spent during a fiscal year shall not exceed the amount authorized by Town Meeting on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the Board of Selectmen and Finance Committee.

2.2.7.3 Interest earned on monies credited to a revolving fund established by this By-law shall be credited to the general fund.

2.2.7.4 Except as provided in General Laws Chapter 44, § 53E½ and this By-law, the laws, charter provisions, by-laws, rules, regulations, policies or procedures that govern the receipt and custody of Town monies and the expenditure and payment of Town funds shall apply to the use of a revolving fund established and authorized by this By-law. The Town shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to the fund and the balance available for expenditure in the regular report the town accountant provides the department, board, committee, agency or officer on appropriations made for its use.

2.2.7.5 Authorized Revolving Funds.

2.2.7.5.1 School Transportation Revolving Fund

Fund Name There shall be a separate fund called the School Transportation Revolving Fund authorized for use by the School Committee.

Revenues The town accountant shall establish the School Transportation Revolving Fund as a separate account and credit to the fund all of the fee-based transportation program receipts charged and received by the School Committee in connection with school transportation programs.

Purposes and Expenditures During each fiscal year, the School Committee may incur liabilities against and spend monies from the School Transportation Revolving Fund for pupil and other districtwide transportation activities in connection with school transportation programs. The costs associated for students bussed and may not be charged a fee will be funded through a regular budget appropriation or other funding source.

Fiscal Years The School Transportation Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

#### 2.2.7.5.2 Needham Transportation Revolving Fund

Fund Name There shall be a separate fund called the Needham Transportation Revolving Fund authorized for use by the Health and Human Service Department.

Revenues The town accountant shall establish the Needham Transportation Revolving Fund as a separate account and credit to the fund all of the fees the transportation program charged and received by the Health and Human Service Department in connection with the services.

Purposes and Expenditures During each fiscal year, the Health and Human Service Department may incur liabilities against and spend monies from the Needham Transportation Revolving Fund for transportation provided to seniors and other users of the service in connection with Health and Human Services transportation program

Fiscal Years The Needham Transportation Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

#### 2.2.7.5.3 Water Conservation Revolving Fund

Fund Name There shall be a separate fund called the Water Conservation Revolving Fund authorized for use by the Department of Public Works.

Revenues The town accountant shall establish the Water Conservation Revolving Fund as a separate account and credit to the fund all of the receipts from sale of water conservation devices and program fees charged and received by the Department of Public Works in connection with water conservation programs.

Purposes and Expenditures During each fiscal year, the Department of Public Works may incur liabilities against and spend monies from the Water Conservation Revolving Fund for the purchase, resale, and promotion of water conservation devices and outreach programs to encourage water conservation in connection with promotion of water conservation and sale of devices to conserve water.

Fiscal Years The Water Conservation Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

#### 2.2.7.5.4 Home Composting Revolving Fund

Fund Name There shall be a separate fund called the Home Composting Revolving Fund authorized for use by the Department of Public Works.

Revenues The town accountant shall establish the Home Composting Revolving Fund as a separate account and credit to the fund all of the receipts from sale of composting bins charged and received by the Department of Public Works in connection with the promotion of home composting.

Purposes and Expenditures During each fiscal year, Department of Public Works may incur liabilities against and spend monies from the Home Composting Revolving Fund for the purchase, resale, and promotion of home composting bins and related outreach programs.

Fiscal Years The Home Composting Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

#### 2.2.7.5.5 Youth Services Programs Revolving Fund

Fund Name There shall be a separate fund called the Youth Services Programs Revolving Fund authorized for use by the Health and Human Services Department.

Revenues The town accountant shall establish the Youth Services Programs Revolving Fund as a separate account and credit to the fund all of the program receipts charged and received by the Health and Human Services Department in connection with the related fee based programs.

Purposes and Expenditures During each fiscal year, the Health and Human Services Department may incur liabilities against and spend monies from the Youth Services Programs Revolving Fund for costs related to youth service and community program activities.

Fiscal Years The Youth Services Programs Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

#### 2.2.7.5.6 Traveling Meals Revolving Fund

Fund Name There shall be a separate fund called the Traveling Meals Revolving Fund authorized for use by the Health and Human Services Department.

Revenues The town accountant shall establish the Traveling Meals Revolving Fund as a separate account and credit to the fund all of the program receipts charged and received by the Health and Human Services Department in connection with traveling meals program.

Purposes and Expenditures During each fiscal year, the Health and Human Services Department may incur liabilities against and spend monies from the Traveling Meals Revolving Fund for the costs to provide traveling meals in connection with program.

Fiscal Years The Traveling Meals Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

#### 2.2.7.5.7 Immunization Fund Revolving Fund

Fund Name There shall be a separate fund called the Immunization Program Revolving Fund authorized for use by the Health and Human Services Department.

Revenues The town accountant shall establish the Immunization Program Revolving Fund as a separate account and credit to the fund all of the program receipts charged and received by the Health and Human Services Department in connection with the immunization and vaccination programs.

Purposes and Expenditures During each fiscal year, the Health and Human Services Department may incur liabilities against and spend monies from the Immunization Program Revolving Fund for costs associated with immunization, vaccination, and medical countermeasure distribution programs, as well as educational programs and public information efforts in support of those services.

Fiscal Years The Immunization Program Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

#### 2.2.7.5.8 Public Facility Use Revolving Fund

Fund Name There shall be a separate fund called the Public Facility Use Revolving Fund authorized for use by the Department of Public Facilities.

Revenues The town accountant shall establish the Public Facility Use Revolving Fund as a separate account and credit to the fund all of the facility use receipts charged and received by the Public Facilities Department in connection with the use of Town facilities by community groups and organizations.

Purposes and Expenditures During each fiscal year, the Public Facilities Department may incur liabilities against and spend monies from the Public Facility Use Revolving Fund for costs to operate and maintain the facility for use for conferences, programs, functions or other events in connection with the use of the facilities.

Fiscal Years The Public Facility Use Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

#### 2.2.7.5.9 Memorial Park Activities Revolving Fund

Fund Name There shall be a separate fund called the Memorial Park Activities Revolving Fund authorized for use by the Memorial Park Trustees.

Revenues The town accountant shall establish the Memorial Park Activities Revolving Fund as a separate account and credit to the fund receipts from food sales and voluntary program activities received by the Memorial Park Trustees.

Purposes and Expenditures During each fiscal year, the Memorial Park Trustees may incur liabilities against and spend monies from the Memorial Park Activities Revolving Fund to provide a food concession and to maintain and improve Memorial Park.

Fiscal Years The Memorial Park Activities Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

2.2.7.5.10 Tree Replacement Revolving Fund

Fund Name There shall be a separate fund called the Tree Replacement Revolving Fund authorized for use by the Department of Public Works.

Revenues The town accountant shall establish the Tree Replacement Revolving Fund as a separate account and credit to the fund all of the receipts accepted by the Needham Board of Selectmen for the purpose of tree plantings charged and received by the Department of Public Works in connection with tree removal approvals.

Purposes and Expenditures During each fiscal year, the Department of Public Works may incur liabilities against and spend monies from the Tree Replacement Revolving Fund for purchase, maintenance, distribution, and promotion of shade trees in the Town of Needham in connection with payments received by the Town and accepted by the Board of Selectmen for said purpose. Salary or wages of full-time staff shall be paid from the annual budget appropriation of the Department of Public Works and not from the Fund.

Fiscal Years The Tree Replacement Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information: As a result of the passage of the Municipal Modernization Act, the Town must adopt a local by-law to establish revolving fund accounts typically established on an annual basis by Town Meeting. This by-law establishes and authorizes departmental revolving funds for use by certain departments, boards, committees, or officers in connection with programs and activities that generate fees, charges for services, or other receipts to support all or some of the expenses of those programs and activities. These revolving funds will continue to be governed by Massachusetts General Laws Chapter 44, Section 53E½. The Town need only establish these funds once, and then in all subsequent years, Town Meeting will only be voting on the spending limits associated with the revolving funds. This year only, the Town is presenting both the annual table of revolving funds for FY2018 (next article) which Town Meeting has routinely acted upon, and the By-law amendment itself.*

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**ARTICLE 20: AUTHORIZE DEPARTMENTAL REVOLVING FUNDS**

To see if the Town will vote to authorize new revolving funds and to continue existing revolving funds for certain Town departments pursuant to the provisions of M.G.L. Chapter 44, Section 53E ½ for the fiscal year beginning July 1, 2017:

Revolving Fund	Spending Authority	Revenue Source	Use of Funds	FY2018 Budget
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<b>Revolving Fund</b>	<b>Spending Authority</b>	<b>Revenue Source</b>	<b>Use of Funds</b>	<b>FY2018 Budget</b>
Facility Activity Use	Department of Public Facilities	Fee-Based Facility Use	Community Facility Use	<b>\$250,000</b>
Home Composting Bin Account	Department of Public Works	Sale of Bins	Purchase of additional home Composting Bins	<b>\$3,000</b>
Immunization Fund	Health and Human Services Department	Program Receipts	Costs associated with Immunization and Educational Programs	<b>\$25,000</b>
Local Transportation	Health and Human Services Department	Grants, Program Receipts	Transportation Program for COA	<b>\$60,000</b>
Memorial Park	Memorial Park Trustees	Food Concessions	Improvements to Memorial Park	<b>\$4,100</b>
School Transportation Program	School Committee	Fee-Based Transportation Program Receipts	Pupil and Other District-wide Transportation	<b>\$819,000</b>
Traveling Meals Program	Health and Human Services Department	Program Receipts	Costs related to Traveling Meals	<b>\$75,000</b>
Tree Replacement Program	Department of Public Works	Fees and Charges for Tree Replacement	Purchase, Maintenance, Distribution, and Promotion of Shade Trees	<b>\$25,000</b>
Water Conservation	Department of Public Works	Sale of Water Conservation Devices	Encourage Residential Water Conservation	<b>\$10,000</b>
Youth Services Activities	Youth Services Director	Program Receipts	Costs related to Youth Service and Community Programs	<b>\$25,000</b>

or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information: This article will allow the Town to continue nine revolving funds and establish a new revolving fund (Tree Replacement Program) pursuant to M.G.L. Chapter 44, Section 53E½. These revolving funds are required in order to receive and disburse funds generated through programs supported by such revolving funds for FY2018 until the new revolving fund by-law takes effect (assuming passage of the prior article). Revenues will be used to offset expenses related to these programs and activities and disbursed under the direction of those indicated.*

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**ARTICLE 21:      AUTHORIZE MGL CH. 71 s71E / SCHOOL ADULT EDUCATION AND CONTINUING EDUCATION PROGRAMS**

To see if the Town will vote to accept the provisions of M.G.L. Chapter 71, Section 71E, which authorizes the School Committee to maintain separate revolving accounts for its receipts and expenditures in connection with the conduct of adult and continuing education programs including, but not limited to: adult physical fitness programs, summer school programs and enrichment programs, authorized by the school committee and in connection with the use of school property under section 71; and including parking fees; or take any other action relative thereto.

INSERTED BY: School Committee

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:* This statute authorizes the School Committee to maintain separate revolving accounts for its receipts and expenditures in connection with the conduct of adult and continuing education programs. The School Committee has operated such programs for many years. The Adult Education Program offered through Community Education provides approximately 200 course offerings annually to 2,326 Needham residents and other registrants. The Summer School Program, also offered through Community Education, provides summer education to 1,662 Needham students in 138 enrichment remedial classes. This request is to obtain formal authorization to continue these program offerings into FY2018 and beyond.

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**ARTICLE 22:      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: Board of Selectmen

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 in order 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. At the time of the printing of the warrant, the FY2018 awards amounts had not been released.

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**ZONING / LAND USE ARTICLES**

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**ARTICLE 23:      AMEND ZONING BY-LAW – DIMENSIONAL REGULATIONS FOR RESIDENTIAL DISTRICTS (TECHNICAL FORMATTING AMENDMENT)**

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

- (a) In Section 4.2, Dimensional Regulations for Rural Residence-Conservation, Single Residence A, Single Residence B, General Residence, and Institutional Districts, by replacing Section 4.2 and by replacing Section 4.2.1, Table of Regulations with new sections 4.2.1, 4.2.2, 4.2.3 4.2.4. 4.2.5, 4.2.6 and 4.2.7, so that the entire section shall now read as follows:

“4.2 Dimensional Regulations for Rural Residence-Conservation, Single Residence A, Single Residence B, General Residence, and Institutional Districts

The terms used in the Table of Regulations in Sections 4.2.1, 4.2.2 and 4.2.3 below are as defined in Section 1.3 of the By-law except as otherwise noted below.

The symbol “NR” means no requirements.

The symbol “1/2” as to maximum stories means Half-story under Story as defined in Section 1.3 of the By-Law.

The term “New Construction” means any one or any combination of the following: (a) Any construction of a structure on a vacant lot; (b) Any construction which involves demolition of more than 50% (fifty percent) of the exterior frame or exterior envelope of an existing structure; (c) Any addition to an existing one-story structure which results in a gross floor area greater than 240% (two hundred forty percent) of the gross floor area of the existing structure; (d) Any addition to an existing one and one-half story structure which results in a gross floor area greater than 220% (two hundred twenty percent) of the gross floor area of the existing structure; and (e) Any addition to an existing two-story or two and one-half story structure which results in a gross floor area greater than 175% (one hundred seventy five percent) of the gross floor area of the existing structure. Gross floor area for purposes of this definition is as defined in Section 1.3 of the Zoning By-Law under the heading “Floor Area, Gross”. For purposes of calculating the percentages of any construction, addition or demolition under this definition, all construction shall be taken into account which commenced, or could have commenced, pursuant to an issued permit within two (2) years prior to the date of any request for any permit to construct, re-construct, alter, add, extend or otherwise structurally change any structure.

4.2.1 Table of Regulations for Rural Residence-Conservation, Single Residence A, Single Residence B, and General Residence Districts, for Buildings and Structures on Lots Created by Deed or Plan Endorsed or Recorded Prior to January 9, 1986 and Not Including New Construction

Except as otherwise provided in Section 4.2.4 for public, semi-public and institutional uses, no building or structure that is not New Construction shall be constructed, altered, or relocated on any lot created by deed or plan endorsed or recorded prior to January 9, 1986 except in conformance with these regulations:

<b>District</b>	<b>Min. Lot Area (sf)</b>	<b>Min. Frontage (ft)</b>	<b>Front Setback (ft)</b>	<b>Side Setback (ft)</b>	<b>Rear Setback (ft)</b>	<b>Max. Floor Area Ratio (F.A.R.)</b>	<b>Max. % Lot Coverage</b>	<b>Max. Stories</b>	<b>Max. Height (ft)</b>
<b>Rural Residence Conser-</b>	43,560	150	50	25	25	NR	15%	2-1/2	35

<b>vation</b>									
<b>Single Residence A</b>	43,560	150	30	15 (a)	15 (a)	NR	NR	2-1/2	35
<b>Single Residence B</b>	10,000	80	20	10	10	NR	NR	2-1/2	35
<b>General Residence</b>	10,000	80	20	10	10	NR	NR	2-1/2	35

(a) Notwithstanding the foregoing, in the Single Residence A District, a change in the area, frontage or configuration of an existing improved lot created by deed or plan, endorsed or recorded before January 9, 1986, which includes a conforming structure or building shall not change the minimum side or rear line setback requirement of 15 feet provided that (i) no other dimensional violations of the By-Law are created as a result of such change in the area, frontage or configuration of such existing improved lot, (ii) such lot otherwise continues to be a conforming lot in terms of minimum lot area, frontage and build factor following such change in the area, frontage or configuration of such existing improved lot, and (iii) such change in the area, frontage or configuration of such existing improved lot does not result in the creation of any additional building lot. The deed conveying land by reference to a plan showing such change in the area, frontage or configuration of such existing improved lot shall contain a restriction affecting the land of both the grantor and the grantee prohibiting the creation of an additional building lot as a result of such conveyance.

4.2.2 Table of Regulations for Rural Residence-Conservation, Single Residence A, Single Residence B, and General Residence Districts, for Buildings and Structures, on Lots Created by Deed or Plan, Endorsed or Recorded on or After January 9, 1986 and Not Including New Construction

Except as otherwise provided in Section 4.2.4 for public, semi-public and institutional uses, no building or structure that is not New Construction shall be constructed, altered, or relocated on any lot created by deed or plan endorsed or recorded on or after January 9, 1986 except in conformance with these regulations:

<b>District</b>	<b>Min. Lot Area (sf)</b>	<b>Min. Frontage (ft)</b>	<b>Front Setback (ft)</b>	<b>Side Setback (ft)</b>	<b>Rear Setback (ft)</b>	<b>Max. Floor Area Ratio (F.A.R.)</b>	<b>Max. % Lot Coverage</b>	<b>Max. Stories</b>	<b>Max. Height (ft)</b>
<b>Rural Residence Conservation</b>	43,560	150	50	25	25	NR	15%	2-1/2	35

<b>Single Residence A</b>	43,560	150	30	25	15	NR	NR	2-1/2	35
<b>Single Residence B</b>	10,000	80	20	12.5 (a)	10	NR	NR	2-1/2	35
<b>General Residence</b>	10,000	80	20	12.5 (a)	10	NR	NR	2-1/2	35

(a) Buildings and structures shall have a minimum sideline setback requirement of 12.5 feet in the Single Residence B and General Residence Districts. A maximum of 28 linear feet of structure, as measured parallel to the side lot line at the first-floor plane, may be constructed to the minimum side setback line. For the remaining length of structure, as measured parallel to the side lot line at the first-floor plane, the minimum sideline setback distance shall be increased to 14.5 feet. Notwithstanding anything to the contrary contained herein, the minimum sideline setback requirement for all buildings and structures on any lot in a Single Residence B District or General Residence District which contains less than 10,000 square feet or has less than 80 feet of frontage shall be 10.0 feet.

4.2.3 Table of Regulations for Rural Residence-Conservation, Single Residence A, Single Residence B, and General Residence Districts, for Buildings and Structures Created Through New Construction on any Lot

Except as otherwise provided in Section 4.2.4 for public, semi-public and institutional uses, no building or structure created through New Construction shall be constructed, altered, or relocated on any lot except in conformance with these regulations:

<b>District</b>	<b>Min. Lot Area (sf)</b>	<b>Min. Frontage (ft)</b>	<b>Front Setback (ft)</b>	<b>Side Setback (ft)</b>	<b>Rear Setback (ft)</b>	<b>Max. Floor Area Ratio (F.A.R.)</b>	<b>Max. % Lot Coverage</b>	<b>Max. Stories</b>	<b>Max. Height (ft)</b>
<b>Rural Residence Conservation</b>	43,560	150	50	25	25	NR	15%	2-1/2	35
<b>Single Residence A</b>	43,560	150	30	25	15	NR	NR	2-1/2	35

<b>Single Residence B</b>	10,000	80	20	12.5 (a)(d)	20	NR	25%-30% (b)	2-1/2	35
<b>General Residence</b>	10,000	80	20	12.5 (a)(d)	20	NR	30%-35% (c)	2-1/2	35

- (a) *Buildings and structures shall have a minimum sideline setback requirement of 12.5 feet in the Single Residence B and General Residence Districts. A maximum of 28 linear feet of structure, as measured parallel to the side lot line at the first-floor plane, may be constructed to the minimum side setback line. For the remaining length of structure, as measured parallel to the side lot line at the first-floor plane, the minimum sideline setback distance shall be increased to 14.5 feet. Notwithstanding anything to the contrary contained herein, the minimum sideline setback requirement for all buildings and structures on any lot in a Single Residence B District or General Residence District which contains less than 10,000 square feet or has less than 80 feet of frontage shall be 10.0 feet.*
- (b) *Buildings and structures created on any lot shall not result in lot coverage exceeding the following specified maximum percentages of the area of such lot: For lots containing less than 5,500 square feet – 30%; For lots containing at least 5,500 square feet but less than 6,000 square feet – 29%; For lots containing at least 6,000 square feet but less than 6,500 square feet – 28%; For lots containing at least 6,500 square feet but less than 7,000 square feet – 27%; For lots containing at least 7,000 square feet but less than 7,500 square feet – 26%; and For lots containing at least 7,500 square feet – 25%. For purposes of this section lot coverage shall be defined as that portion of a lot that is covered or occupied by buildings or structures, but excluding unenclosed porches and decks, and pools.*
- (c) *Buildings and structures created on any lot shall not result in lot coverage exceeding the following specified maximum percentages of the area of such lot: For lots containing less than 7,000 square feet – 35%; For lots containing at least 7,000 square feet but less than 7,500 square feet – 34%; For lots containing at least 7,500 square feet but less than 8,000 square feet – 33%; For lots containing at least 8,000 square feet but less than 8,500 square feet – 32%; For lots containing at least 8,500 square feet but less than 9,000 square feet – 31%; For lots containing at least 9,000 square feet – 30%. For purposes of this section lot coverage shall be defined as that portion of a lot that is covered or occupied by buildings or structures, but excluding unenclosed porches and decks, and pools.*
- (d) *Any building or structure that meets current zoning requirements but is prevented from commencing New Construction because the New Construction will be within the 12.5-foot sideline setback, but not within the 10-foot sideline setback, may commence the New Construction upon receipt of a special permit from the Board of Appeals under Section 7.5.2 of the Zoning By-Law, provided: (1) the New Construction meets all other requirements of the Zoning By-Law; (2) the Board determines that such change, extension, alteration, or enlargement would not be substantially more detrimental to the neighborhood than the existing structure; and (3) no more than 50% of the exterior frame or exterior envelope of the existing structure is demolished as a function of the proposed construction activity.*

4.2.4 Table of Regulations for Public, Semi-Public and Institutional Uses in the Rural Residence Conservation, Single Residence A, Single Residence B and General Residence Districts and for the Institutional District

No building or structure for public, semi-public or institutional use, as listed in Section 3.2 Schedule of Use Regulations, shall be constructed, altered, or relocated on any lot except in conformance with these regulations:

District	Min. Lot Area (sf)	Min. Frontage (ft)	Front Setback (ft)	Side Setback (ft)	Rear Setback (ft)	Max. Floor Area Ratio (F.A.R.)	Max. % Lot Coverage	Max. Stories	Max. Height (ft)
<b>Rural Residence Conservation</b>	43,560	150	50	25	25	.30	15%	2-1/2 (g)	35
<b>Single Residence A</b>	43,560	150	35 (a)	25	25 (d)	.30	15%	2-1/2 (g)	35
<b>Single Residence B</b>	10,000	80	25 (b)	25 (c)	25 (d)	.30	15%	2-1/2 (g)	35
<b>General Residence</b>	10,000	80	25 (b)	25 (c)	25 (d)	.30	15%	2-1/2 (g)	35
<b>Institutional</b>	43,560	150	30	25 (e)	15	NR	15%	2-1/2 (f)	35 (f)

*The terms used in the Table of Regulations above are as defined in Section 1.3 of the By-Laws.*

*The symbol "NR" means no requirements.*

*(a) The setback area shall be kept open and landscaped with grass or other plant materials; such area shall be unpaved except for walks and driveways. The Board of Appeals may grant a special permit reducing the minimum front yard setback required by this footnote to no less than thirty (30) feet. (See Section 4.2.14)*

*(b) The setback area shall be kept open and landscaped with grass or other plant materials; such area shall be unpaved except for walks and driveways. The Board of Appeals may grant a special permit reducing the minimum front yard setback required by this footnote to no less than twenty (20) feet. (See Section 4.2.14)*

*(c) The Board of Appeals may grant a special permit reducing the minimum side yard setback required by this footnote to no less than twenty (20) feet. (See Section 4.2.14)*

- (d) *The Board of Appeals may grant a special permit reducing the minimum rear yard setback required by this footnote in a Single Residence A District to no less than fifteen (15) feet and the minimum rear yard setback required by this footnote in Single Residence B and General Residence Districts to no less than ten (10) feet. (See Section 4.2.14)*
- (e) *Buildings or structures on lots created by deed or plan, endorsed or recorded before January 9, 1986, shall have a minimum side line setback of 15 feet in the Institutional Districts.*
- (f) *Buildings and structures located in an Institutional District devoted to educational uses and uses accessory thereto and located at least 800 feet from any public way in the Town of Needham in existence as of September 1, 1998, shall have a maximum height in accordance with the following limitation:*

<u>Roof Type</u>	<u>Average Height (feet)</u>	<u>Maximum Height at any single point (feet)</u>
<i>Flat Roof</i>	63*	68*
<i>Sloping Roof Top of Roof</i>	85	90
<i>Wall, cornice or eave line</i>	63*	68*
<i>Gabled endwalls</i>	63*	68*

*There shall be no limit on the number of stories of such buildings. The foregoing limitations are not intended to supercede any of the requirements of the Massachusetts State Building Code.*

*\*The Board of Appeals may grant a Special Permit to allow the average height of a structure to increase as much as an additional seven (7) feet above the average height listed.*

- (g) *See the definition of Half-story, under Story in the Definitions section.*

#### 4.2.5 Build Factor Formula

In order to limit the degree to which a lot may have an irregular shape, the following **build factor formula** shall be used:

$$\frac{\text{Lot Perimeter Squared}}{\text{Actual Lot Area}} \text{ Divided By } \frac{\text{Actual Lot Area}}{\text{Required Lot Area}}$$

Lots recorded or endorsed after August 22, 1985 shall be subject to a maximum Build Factor of 20 in Single Residence B and General Residence Districts and 30 in Single Residence A and Institutional Districts. Lots recorded or endorsed prior to August 22, 1985 may not be modified such that the Build Factor of the modified lot exceeds 20 in SRB and General Residence Districts or 30 in SRA and Institutional Districts. Lots recorded or endorsed after February 16, 1995 shall be subject to a maximum Build Factor of 30 in a Rural Residence Conservation District. Lots

recorded or endorsed prior to February 16, 1995 may not be modified such that the Build Factor of the modified lot exceeds 30 in a Rural Residence Conservation District.

#### 4.2.6 Lot Area Calculation

No portion of a lot which is covered by a water body shall be counted in calculating the area of a lot for purposes of determining the respective minimum lot areas as listed in the Tables 4.2.1, 4.2.2, 4.2.3, and 4.2.4 above. Not more than a combined total of thirty (30) percent of: (a) land located in a Flood Plain District; (b) land area subject to the Wetlands Protection Act and the Inlands Wetlands Act, M.G.L., Ch. 131, S. 40 and 40A (but not including any area defined as a buffer area under said statutes); and (c) land subject to federal flood storage restrictions included within the Charles River Valley Storage Project shall be counted in calculating the area of a lot for purposes of determining the respective minimum lot areas in Single Residence A, Single Residence B, General Residence and Institutional Districts. The provisions of the second sentence of this paragraph (a) shall apply in Single Residence A, Single Residence B and General Residence Districts to any lot created after May 8, 1989.

Not more than a combined total of ten (10) percent of: (a) land located in a Flood Plain District; (b) land areas subject to the Wetlands Protection Act and the Inland Wetlands Act, M.G.L., Ch. 131, S. 40 and 40A (but not including any area defined as a buffer area under said statutes); and (c) land subject to federal flood storage restrictions included within the Charles River Valley Storage Project shall be counted in calculating the area of a lot for purposes of determining the minimum lot area as listed in the Tables 4.2.1, 4.2.2, 4.2.3, and 4.2.4 above.

#### 4.2.7 Special Regulations for Rural Residence – Conservation District

- (a) Lot Coverage No building or structure, or addition to any building or structure, but not including accessory buildings or structures, shall be erected or placed on a lot which will result in the covering by buildings or structures of more than fifteen percent (15%) of the lot area in a Rural Residence-Conservation District.
- (b) Vegetative Buffer In a Rural Residence-Conservation District, the first thirty-five (35) feet of the required minimum front setback of fifty (50) feet, as measured from Chestnut Street and from the designated Scenic Roads of South Street and Charles River Street, shall remain as a natural vegetative buffer not to be cut or cleared except for normal maintenance and vehicular access, including private driveways and subdivision roadways.”
- (b) In Section 4.2, Dimensional Regulations for Rural Residence-Conservation, Single Residence A, Single Residence B, General Residence, and Institutional Districts, by renumbering Section 4.2.2 as 4.2.8, Section 4.2.3 as 4.2.9, Section 4.2.4 as 4.2.10, Section 4.2.5 as 4.2.11, Section 4.2.6 as 4.2.12, Section 4.2.7 as 4.2.13, and 4.2.8 as 4.2.14.

And provided further that such amendment shall not be effective until June 1, 2017.

Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information:

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**ARTICLE 24: AMEND ZONING BY-LAW – SIDE YARD SETBACK REQUIREMENT IN THE SINGLE RESIDENCE B AND GENERAL RESIDENCE DISTRICTS FOR NONCONFORMING LOTS**

To see if the Town will vote to amend footnote (a) to the tables contained within Sections 4.2.2 and 4.2.3 of the Needham Zoning By-Law as amended by Article 1 of this Town Meeting by deleting the final sentence of each such footnote so that, as amended, the footnotes would read as follows:

- (b) *Buildings and structures shall have a minimum sideline setback requirement of 12.5 feet in the Single Residence B and General Residence Districts. A maximum of 28 linear feet of structure, as measured parallel to the side lot line at the first-floor plane, may be constructed to the minimum side setback line. For the remaining length of structure, as measured parallel to the side lot line at the first-floor plane, the minimum sideline setback distance shall be increased to 14.5 feet.*

And provided further that such amendment shall not be effective until June 1, 2017.  
Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information:

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**ARTICLE 25: AMEND ZONING BY-LAW – HEIGHT REQUIREMENTS IN RESIDENTIAL DISTRICTS**

To see if the Town will vote to make the following three amendments to Section 4.2 of the Needham Zoning By-Law as amended by Article 1 of this Town Meeting, as follows:

1. By inserting a new definition in Section 4.2 for “Height” as follows:

Height - Height shall be measured using one of the following two alternative methods, the method to be determined at the discretion of the applicant: (1) the vertical distance from average original grade or finished grade, whichever is lower, of the land surrounding the footprint of the structure to the highest point of a structure or roof of a building. The average height shall be measured starting at one corner of the structure measuring the height of the structure to the highest point above grade every 10 linear feet. The height limit under this method is 35 feet. For purposes of this alternative, original grade shall be defined as the grade of the lot before any regrading, demolition or development begins. If an existing structure is to be demolished, the original grade shall be the grade determined prior to demolition of the structure. If there is no existing structure on the property, the natural grade of the property, prior to any modification, shall be considered the original grade; except in new subdivisions where the original grade shall mean the approved and recorded grade; or (2) the height of the structure measured from a single point in the street centerline which is the average of the highest 1/3 of the property’s street frontage. The height limit under this method is 32 feet.

2. By inserting new footnotes (b) and (c) to the “Max. Height” in the Single Residence B and General Residence Districts on the tables contained in Sections 4.2.1 and 4.2.2, such footnotes to read as follows:

*(b) The maximum height at any point of any building or structure shall not exceed 41 feet above the lower of original or finished grade.*

*(c) If all or a portion of a basement wall is exposed for the full height of the wall, dormers in the one-half story above the basement wall shall not be permitted.*

3. By inserting new footnotes (e) and (f) to the “Max. Height” in the Single Residence B and General Residence Districts on the table contained in Section 4.2.3, such footnotes to read as follows:

*(e) The maximum height at any point of any building or structure shall not exceed 41 feet above the lower of original or finished grade.*

*(f) If all or a portion of a basement wall is exposed for the full height of the wall, dormers in the one-half story above the basement wall shall not be permitted.*

And provided further that such amendments shall not be effective until June 1, 2017.  
Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information:

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**ARTICLE 26:      AMEND ZONING BY-LAW – FLOOR AREA RATIO REQUIREMENT IN  
THE SINGLE RESIDENCE B DISTRICT**

To see if the Town will vote to make the following four amendments to Section 4.2 of the Needham Zoning By-Law as amended by Article 1 of this Town Meeting, as follows:

1. By inserting a new definition in Section 4.2 for “Floor Area Ratio” as follows:

The term “Floor Area Ratio” means the floor area divided by the lot area. Floor area shall be the sum of the horizontal areas of the several floors of each building on a lot, as measured from the exterior faces of the exterior walls, but excluding basements, attics, half-stories located directly above the second floor, unenclosed porches, and up to 600 square feet of floor area intended and designed for the parking of automobiles whether in accessory buildings or structures, or in main buildings or structures.

2. By inserting a new requirement for Floor Area Ratio of “.36-.38” for the Single Residence B District, in the tables in Sections 4.2.1, 4.2.2 and 4.2.3
3. By inserting a footnote (d) for the Floor Area Ratio in the Single Residence B District on the tables contained in Sections 4.2.1 and 4.2.2, such footnotes to read as follows:

*(d) The maximum floor area ratio shall be as follows: For lots containing less than 12,000 square feet – .38; and For lots containing at least 12,000 square feet and greater – .36.*

4. By inserting a footnote (g) for the Floor Area Ratio in the Single Residence B District on the table contained in Section 4.2.3, such footnote to read as follows:

*(g) The maximum floor area ratio shall be as follows: For lots containing less than 12,000 square feet – .38; and For lots containing at least 12,000 square feet and greater – .36.*

And provided further that such amendments shall not be effective until June 1, 2017.  
Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information:

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**ARTICLE 27:      AMEND ZONING BY-LAW – SIDE YARD SETBACK REQUIREMENT IN  
THE SINGLE RESIDENCE B AND GENERAL RESIDENCE DISTRICTS**

To see if the Town will vote to make the following six amendments to Section 4.2 of the Needham Zoning By-Law as amended by Article 1 of this Town Meeting, as follows:

1. By amending subsection (b) of the definition of “New Construction” so that, as amended, it shall read: “(b) Any construction which involves demolition of more than 50% (fifty percent) of the building shell exclusive of demolition of a single story attached garage;
2. By changing the Side Setbacks in the Single Residence B and General Residence Districts to 14 feet on the tables contained in Sections 4.2.1, 4.2.2 and 4.2.3.
3. By inserting new footnotes (e) and (f) for Side Setback in the Single Residence B and General Residence Districts on the table contained in Section 4.2.1, such footnotes to read as follows:

*(e) The minimum side yard setback is 14 feet, and a maximum of 32 linear feet of structure may be built at the minimum setback line, as measured parallel to the side lot line, provided that the remaining length of structure along the side yard setback must be offset an additional 2 feet. Notwithstanding the above, the minimum side yard setback requirement for all buildings and structures on any lot that contains less than 80 feet of frontage shall be 12 feet, and a maximum of 32 linear feet of structure may be built at the minimum setback distance, as measured parallel to the side lot line, provided that the remaining length of structure along the side yard setback must be offset an additional 2 feet. In no case shall a side wall extension extend more than 32 linear feet without a 2 foot offset.*

*(f) Existing single family or two-family structures non-conforming for side yard setback and for which a building permit has been issued prior to June 1, 2017, may be altered or structurally changed as-of-right to a 10-foot setback, notwithstanding the provisions of Section 1.4.7.2, provided any demolition of the existing structure does not exceed 50% of the building shell exclusive of demolition of a single story attached garage and further provided that the side yard setback does not exceed the farthest extent of the setback of the existing structure. For*

*the purposes of this footnote, the definition of “setback” in Section 1.3 of these By-Laws shall control.*

4. By amending footnote (a) to the table contained in Sections 4.2.2 and 4.2.3 so that, as amended, such footnotes reads as follows:
  - (a) *The minimum side yard setback is 14 feet, and a maximum of 32 linear feet of structure may be built at the minimum setback line, as measured parallel to the side lot line, provided that the remaining length of structure along the side yard setback must be offset an additional 2 feet. Notwithstanding the above, the minimum side yard setback requirement for all buildings and structures on any lot that contains less than 80 feet of frontage shall be 12 feet, and a maximum of 32 linear feet of structure may be built at the minimum setback distance, as measured parallel to the side lot line, provided that the remaining length of structure along the side yard setback must be offset an additional 2 feet. In no case shall a side wall extension extend more than 32 linear feet without a 2 foot offset.*
5. By inserting a new footnote (e) to Side Setback for the Single Residence B and General Residence Districts on the table contained in Section 4.2.2, such footnote to read as follows:
  - (e) *Existing single family or two-family structures non-conforming for side yard setback and for which a building permit has been issued prior to June 1, 2017, may be altered or structurally changed as-of-right to a 12.5 foot setback, notwithstanding the provisions of Section 1.4.7.2, provided any demolition of the existing structure does not exceed 50% of the building shell exclusive of demolition of a single story attached garage and further provided that the side yard setback does not exceed the farthest extent of the setback of the existing structure. For the purposes of this footnote, the definition of “setback” in Section 1.3 of these By-Laws shall control.*
6. By deleting footnote (d) for Side Setback in the Single Residence B and General Residence Districts on the table contained in Section 4.2.3.

And provided further that such amendments shall not be effective until June 1, 2017.  
Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information:

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**ARTICLE 28: AMEND ZONING BY-LAW – GARAGE SETBACK REQUIREMENT IN THE SINGLE RESIDENCE B AND GENERAL RESIDENCE DISTRICTS**

To see if the Town will vote to make the following three amendments to Section 4.2 of the Needham Zoning By-Law as amended by Article 1 of this Town Meeting, as follows:

1. By inserting new footnotes (g) and (h) for Front Setback in the Single Residence B and General Residence Districts on the table contained in Section 4.2.1, such footnotes to read as follows:

(g) Attached garages shall have a minimum front yard setback of 25 feet. For corner lots the increased front yard setback is required along both frontage streets.

(h) Existing single family or two-family structures non-conforming for front yard setback and for which a building permit has been issued prior to June 1, 2017, may be altered or structurally changed as-of-right to a 20-foot setback, notwithstanding the provisions of Section 1.4.7.2, provided any demolition of the existing structure does not exceed 50% of the building shell exclusive of demolition of a single story attached garage and further provided that the front yard setback does not exceed the farthest extent of the setback of the existing structure. For the purposes of this footnote, the definition of "setback" in Section 1.3 of these By-Laws shall control.

2. By inserting new footnotes (f) and (g) for Front Setback in the Single Residence B and General Residence Districts on the table contained in Section 4.2.2, such footnotes to read as follows:

(f) Attached garages shall have a minimum front yard setback of 25 feet. For corner lots the increased front yard setback is required along both frontage streets.

(g) Existing single family or two-family structures non-conforming for front yard setback and for which a building permit has been issued prior to June 1, 2017, may be altered or structurally changed as-of-right to a 20-foot setback, notwithstanding the provisions of Section 1.4.7.2, provided any demolition of the existing structure does not exceed 50% of the building shell exclusive of demolition of a single story attached garage and further provided that the front yard setback does not exceed the farthest extent of the setback of the existing structure. For the purposes of this footnote, the definition of "setback" in Section 1.3 of these By-Laws shall control.

3. By inserting a new footnote (h) for Front Setback in the Single Residence B and General Residence Districts on the table contained in Section 4.2.3, such footnote to read as follows:

(h) Attached garages shall have a minimum front yard setback of 25 feet. For corner lots the increased front yard setback is required along both frontage streets.

And provided further that such amendments shall not be effective until June 1, 2017.  
Or take any other action relative thereto.

INSERTED BY: PLANNING BOARD

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Explanation:

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### **ARTICLE 29: AMEND ZONING BY-LAW – DEFINITIONS**

To see if the Town will vote to make the following two amendments to Section 4.2 of the Needham Zoning By-Law as amended by Article 1 of this Town Meeting, as follows:

1. By inserting new definitions for Front Yard Setback, Side Yard Setback, Rear Yard Setback and Lot Coverage in Section 4.2 as follows:

Front Yard Setback - the minimum horizontal distance from a front lot line of a lot to the nearest portion of a building or structure. The following elements are permitted in the front yard setback: (i) uncovered steps; (ii) roof overhangs projecting not more than 2 feet from the wall of a building; (iii) siding and trim projecting not more than 6 inches from the wall of a building; (iv) first floor bay windows that do not have a foundation nor create any floor area nor project more than 2 feet from the wall of a building, provided that the width of a single bay window is limited to 8 feet, total overall area of a bay or bays is limited to 25% of the first floor wall area where the bay or bays are installed, and roofs on bay windows may project an additional 6 inches into the setback; and (v) unenclosed, covered or uncovered landings or entrance porches located on the first floor and having no habitable space directly above, provided that no more than a maximum of 50 square feet of said landing or porch is allowed in the front setback and the maximum porch or landing projection into the front setback is limited to 5 feet.

Side Yard Setback - the minimum horizontal distance from a side line of a lot to the nearest portion of a building or structure. The following elements are permitted in the side yard setback: (i) uncovered steps; (ii) roof overhangs projecting not more than 2 feet from the wall of a building; (iii) siding and trim projecting not more than 6 inches from the wall of a building; (iv) unenclosed, covered or uncovered landings which neither exceed a total area of 25 square feet nor project more than 4 feet from the face of a building; (v) first floor bay windows that do not have a foundation nor create any floor area nor project more than 2 feet from the wall of a building, provided that the width of a single bay window is limited to 8 feet, total overall area of a bay or bays is limited to 25% of the first floor wall area where the bay or bays are installed, and roofs on bay windows may project an additional 6 inches into the setback; (vi) attached chimneys and fireplace enclosures projecting not more than 2 feet from the wall of a building; and (vii) covered basement entrances (bulkheads) which neither exceed a total area of 40 square feet nor a maximum height of 3.5 feet nor project more than 7.5 feet from the wall of a building.

Rear Yard Setback - the minimum horizontal distance from the rear line of a lot to the nearest portion of a building or structure. The following elements are permitted in the rear yard setback: (i) uncovered steps; (ii) roof overhangs projecting not more than 2 feet from the wall of a building; (iii) siding and trim projecting not more than 6 inches from the wall of a building; (iv) unenclosed, covered and uncovered landings which neither exceed a total area of 25 square feet nor project more than 4 feet from the face of a building; (v) first floor bay windows that do not have a foundation nor create any floor area nor project more than 2 feet from the wall of a building, provided that the width of a single bay window is limited to 8 feet, total overall area of a bay or bays is limited to 25% of the first floor wall area where the bay or bays are installed, and roofs on bay windows may project an additional 6 inches into the setback; (vi) attached chimneys and fireplace enclosures projecting not more than 2 feet from the wall of a building; and (vii) covered basement entrances (bulkheads) which neither exceed a total area of 40 square feet nor a maximum height of 3.5 feet nor project more than 7.5 feet from the wall of a building.

Lot Coverage - that portion of a lot that is covered or occupied by any building or structure, but excluding unenclosed, covered or uncovered landings or porches (unless such covered landings or porches have habitable space directly above), steps, roof overhangs, bay windows, chimneys and bulkheads as permitted in required setbacks as provided above, as well as outdoor fireplaces, decks, patios and pools.

2. By deleting the final sentence in footnotes (b) and (c) to the Table contained in Section 4.2.3, so that, as amended, such footnotes read as follows:

- (b) *Buildings and structures created on any lot shall not result in lot coverage exceeding the following specified maximum percentages of the area of such lot: For lots containing less than 5,500 square feet – 30%; For lots containing at least 5,500 square feet but less than 6,000 square feet – 29%; For lots containing at least 6,000 square feet but less than 6,500 square feet – 28%; For lots containing at least 6,500 square feet but less than 7,000 square feet – 27%; For lots containing at least 7,000 square feet but less than 7,500 square feet – 26%; and For lots containing at least 7,500 square feet – 25%.*
- (c) *Buildings and structures created on any lot shall not result in lot coverage exceeding the following specified maximum percentages of the area of such lot: For lots containing less than 7,000 square feet – 35%; For lots containing at least 7,000 square feet but less than 7,500 square feet – 34%; For lots containing at least 7,500 square feet but less than 8,000 square feet – 33%; For lots containing at least 8,000 square feet but less than 8,500 square feet – 32%; For lots containing at least 8,500 square feet but less than 9,000 square feet – 31%; For lots containing at least 9,000 square feet – 30%.*

And provided further that such amendments shall not be effective until June 1, 2017.  
Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information:

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**ARTICLE 30: AMEND ZONING BY-LAW – LOT COVERAGE REQUIREMENT IN THE SINGLE RESIDENCE B AND GENERAL RESIDENCE DISTRICTS**

To see if the Town will vote to make the following three amendments to Section 4.2 of the Needham Zoning Bylaw as amended by Article 1 of this Town Meeting, as follows:

1. By Changing the Max. Lot Area Coverage in the Single Residence B District to 25%-30% and General Residence District to 30% to 35% in the Tables contained in Section 4.2.1 and 4.2.2.
2. By inserting new footnotes (i) and (j) for Max. Lot Coverage in the Single Residence B and General Residence Districts on the table contained in Section 4.2.1, such footnotes to read as follows:
  - (i) *Buildings and structures created on any lot shall not result in lot coverage exceeding the following specified maximum percentages of the area of such lot: For lots containing less than 5,500 square feet – 30%; For lots containing at least 5,500 square feet but less than 6,000 square feet – 29%; For lots containing at least 6,000 square feet but less than 6,500 square feet – 28%; For lots containing at least 6,500 square feet but less than 7,000 square feet – 27%; For lots containing at least 7,000 square feet but less than 7,500 square feet – 26%; and For lots containing at least 7,500 square feet – 25%.*
  - (j) *Buildings and structures created on any shall not result in lot coverage exceeding the following specified maximum percentages of the area of such lot: For lots containing less than 7,000 square feet – 35%; For lots containing at least 7,000 square feet but less than 7,500 square feet – 34%; For lots containing at least 7,500 square feet but less than 8,000*

square feet – 33%; For lots containing at least 8,000 square feet but less than 8,500 square feet – 32%; For lots containing at least 8,500 square feet but less than 9,000 square feet – 31%; For lots containing at least 9,000 square feet – 30%.

3. By inserting new footnotes (h) and (i) for Max. Lot Coverage in the Single Residence B and General Residence Districts on the table contained in Section 4.2.2, such footnotes to read as follows:

(h) Buildings and structures created on any lot shall not result in lot coverage exceeding the following specified maximum percentages of the area of such lot: For lots containing less than 5,500 square feet – 30%; For lots containing at least 5,500 square feet but less than 6,000 square feet – 29%; For lots containing at least 6,000 square feet but less than 6,500 square feet – 28%; For lots containing at least 6,500 square feet but less than 7,000 square feet – 27%; For lots containing at least 7,000 square feet but less than 7,500 square feet – 26%; and For lots containing at least 7,500 square feet – 25%.

(i) Buildings and structures created on any shall not result in lot coverage exceeding the following specified maximum percentages of the area of such lot: For lots containing less than 7,000 square feet – 35%; For lots containing at least 7,000 square feet but less than 7,500 square feet – 34%; For lots containing at least 7,500 square feet but less than 8,000 square feet – 33%; For lots containing at least 8,000 square feet but less than 8,500 square feet – 32%; For lots containing at least 8,500 square feet but less than 9,000 square feet – 31%; For lots containing at least 9,000 square feet – 30%.

And provided further that such amendments shall not be effective until June 1, 2017.  
Or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information:

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**ARTICLE 31: AMEND ZONING BY-LAW – FRONT AND SIDE YARD SPECIAL PERMIT EXCEPTIONS FOR NONCONFORMING STRUCTURES IN THE SINGLE RESIDENCE B AND GENERAL RESIDENCE DISTRICTS**

To see if the Town will vote to make the following two amendments to Section 4.2 of the Needham Zoning By-Law as amended by Article 1 of this Town Meeting, as follows:

1. By amending the definition of “New Construction” so that, as amended, it shall read: “The term ‘New Construction’ means any one or any combination of the following: (a) Any construction of a structure on a vacant lot; and (b) Any construction which involves demolition of more than 50% (fifty percent) of the building shell exclusive of demolition of a single story attached garage. For purposes of calculating the percentages of any demolition under this definition, all demolition shall be taken into account which commenced, or could have commenced, pursuant to an issued permit within two (2) years prior to the date of any request for any permit to construct, re-construct, alter, add, extend or otherwise structurally change any structure.”

2. By inserting a new footnote (i) for Front Setback in the Single Residence B and General Residence Districts on the table contained in Section 4.2.3, such footnote to read as follows:
  - (i) *Existing single or two-family structures non-conforming for front yard setback where demolition exceeds 50% of the building shell exclusive of demolition of a single story attached garage and for which a building permit has been issued prior to June 1, 2017 may be altered or structurally changed to a front yard setback of 12 feet upon receipt of a special permit from the Board of Appeals under Section 7.5.2 of the Zoning By-Law provided: (1) the new construction meets all other requirements of the Zoning By-Law; (2) the front yard setback as permitted by the special permit does not exceed the farthest extent of the setback of the existing structure; and (3) the Board determines that such change, extension or alteration shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. Said special permit may be granted notwithstanding the provisions of Section 1.4.7.2. For the purposes of this footnote, the definition of "setback" in Section 1.3 of these Bylaws shall control.*
3. By inserting a new footnote (j) for Side Setback in the Single Residence B and General Residence Districts on the table contained in Section 4.2.3, such footnote to read as follows:
  - (j) *Existing single or two-family structures non-conforming for side yard setback where demolition exceeds 50% of the building shell exclusive of demolition of a single story attached garage and for which a building permit has been issued prior to June 1, 2017 may be altered or structurally changed to a side yard setback of 10 feet upon a lot created by deed or plan endorsed or recorded prior to January 9, 1986 and to a side yard setback of 12.5 feet upon a lot created by deed or plan endorsed or recorded on or after January 9, 1986 upon receipt of a special permit from the Board of Appeals under Section 7.5.2 of the Zoning By-Law provided: (1) the new construction meets all other requirements of the Zoning By-Law; (2) the side yard setback as permitted by the special permit does not exceed the farthest extent of the setback of the existing structure; and (3) the Board determines that such change, extension or alteration shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. Said special permit may be granted notwithstanding the provisions of Section 1.4.7.2. For the purposes of this footnote, the definition of "setback" in Section 1.3 of these Bylaws shall control.*

And provided further that such amendments shall not be effective until June 1, 2017, or take any other action relative thereto.

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information:

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**ARTICLE 32:      AMEND ZONING BY-LAW – TEMPORARY MORATORIUM ON THE SALE AND DISTRIBUTION OF RECREATIONAL MARIJUANA**

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

- (a) By adding a new Section 8, Temporary Moratorium on the Sale and Distribution of Recreational Marijuana, to read as follows:

“8      Temporary Moratorium on the Sale and Distribution of Recreational Marijuana

8.1      Purpose

By vote at the State election on November 8, 2016, the voters of the Commonwealth approved Chapter 334 of the Acts of 2016, which was amended by Chapter 351 of the Acts of 2016, regulating the cultivation, distribution, possession and use of marijuana for recreational purposes. The law as amended provides that it is effective on December 15, 2016 and the Cannabis Control Commission is required to issue regulations regarding implementation by March 15, 2018.

Currently under the Zoning By-Law, Recreational Marijuana Establishments and Marijuana Retailers are not a permitted use in the Town and any regulations promulgated by the State Cannabis Control Commission are expected to provide guidance to the Town in regulating Recreational Marijuana Establishments and Marijuana Retailers. Further, Chapter 334 establishes two important provisions that relate to ballot action that the Town may wish to take prior to the adoption of Zoning By-Law amendments relating to Recreational Marijuana Establishments. First, under Section 3 of General Laws Chapter 94G inserted by Section 5 of Chapter 334 the Town may, by ballot, determine whether it will adopt a By-Law that will limit the number of marijuana establishments in the Town or govern the time, place and manner of marijuana establishment operations in such a way as to require a vote of the voters of the Town and second, by ballot that cannot occur prior to November 6, 2018, the next biennial state election, on whether to allow on-site consumption of marijuana products.

The regulation of Recreational Marijuana Establishments and Marijuana Retailers raise novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Recreational Marijuana Establishments and Marijuana Retailers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning By-Law regarding regulation of Recreational Marijuana Establishments and Marijuana Retailers and other uses related to the regulation of recreational marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments and Marijuana Retailers so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to adopt provisions of the Zoning By-Law in a manner consistent with sound land use planning goals and objectives.

8.2      Definitions

"Manufacture", to compound, blend, extract, infuse or otherwise make or prepare a marijuana product.

"Marijuana accessories", equipment, products, devices or materials of any kind that are intended or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling or otherwise introducing marijuana into the human body.

"Marijuana cultivator", an entity licensed to cultivate, process and package marijuana, to deliver marijuana to marijuana establishments and to transfer marijuana to other marijuana establishments, but not to consumers.

"Marijuana establishment", a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business. (k) "Marijuana product manufacturer", an entity licensed to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to marijuana establishments and to transfer marijuana and marijuana products to other marijuana establishments, but not to consumers.

"Marijuana products", products that have been manufactured and contain marijuana or an extract from marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils and tinctures.

"Marijuana testing facility", an entity licensed to test marijuana and marijuana products, including certification for potency and the presence of contaminants.

"Marijuana retailer", an entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.

### 8.3 Temporary Moratorium.

For the reasons set forth above and notwithstanding any other provision of the Zoning By-Law to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for Recreational Marijuana Establishments and Marijuana Retailers. The moratorium shall be in effect through December 31, 2018. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town, consider the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments and Marijuana Retailers and related uses, determine whether the town shall limit the number of marijuana establishments in the Town or govern the time, place and manner of marijuana establishment operations, determine whether the town will prohibit on-site consumption at Recreational Marijuana Establishments and Marijuana Retailers and shall consider adopting new provisions of the Zoning By-Law to address the impact and operation of Recreational Marijuana Establishments and Marijuana Retailers and related uses.

### 8.4 Severability.

The provisions of this By-Law are severable. If any provision, paragraph, sentence, or clause of this By-Law or the application thereof to any person, establishment, or circumstances shall be held invalid.

- (b) Amend the Table of Contents to add Section 8, Temporary Moratorium on the Sale and Distribution of Recreational Marijuana.

Or take any other action relative thereto

INSERTED BY: Planning Board

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information:

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**ROSEMARY POOL ARTICLES**

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**ARTICLE 33:     **AUTHORIZATION FOR EMINENT DOMAIN – ROSEMARY PROPERTY****

To see if the Town will vote to authorize the Board of Selectmen to take by eminent domain on behalf of the Town for general municipal purposes the following described lands: The land outlined in red as shown on a plan of land entitled; Plan of Land in Needham, Norfolk County, Massachusetts dated October 11, 2016 and revised 12/19/16, Prepared for: Town of Needham by Samiotes Consultants Inc., Civil Engineers & Land Surveyors, 20 A Street, Framingham, MA 01701, a copy of which is on file with the Town Clerk’s Office; or take any other action relative thereto.

INSERTED BY:   Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT:   Article be Adopted

*Article Information:*     As part of the lead up to the project for the construction of the new Rosemary Lake facility, the Town conducted a title search of the six parcels that make up Rosemary Lake and the Rosemary Complex. The title examination revealed that the Town of Needham has good record title to four of the six parcels. Two of the parcels have a gap in the chain of title. One parcel, which includes the existing pool and a major portion of the lake, was acquired by a tax taxing in 1947. The tax taking was from the son in law of the record owner. Thus there is a gap in the record title. Additionally, the description of the parcel is not that precise. The second parcel includes the land on which the pool house is located. The references in the deed include three separate probates. The Town has occupied and used all six parcels since the 1950s, first as a beach and swimming area and later for use of the pool facility and other recreational activities. The title search did not identify any other record owners of the parcels. No one has been paying real estate taxes on the property. Thus the Town takes the position that it has good title to the six parcels. Nonetheless, the taking the property by eminent domain is contemplated prior to the Town’s spending money to construct a new pool and building on the parcels. Taking the properties by eminent domain will provide good record title against the world. It would preclude someone claiming ownership of the property after the Town has constructed new facilities on the parcels. Anyone claiming ownership of the property would have to bring a claim within three years of the recording of the order of taking at the Registry of Deeds, and could seek compensation for the fair market value of his or her interest in the parcels as of the date of the taking and no more. While a taking is needed only for two lots, it is more efficient to take all six lots to confirm title.

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**ARTICLE 34:     **APPROPRIATE FOR CPA PROJECT - ROSEMARY RECREATION COMPLEX****

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$15,800,000 for design and engineering and construction of the Rosemary Recreation Complex, including costs incidental or related thereto, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that \$1,030,000 is raised from Community Preservation Receipts, that \$1,535,000 be transferred from the FY2017 Community Preservation General Reserve, that \$1,435,000 be transferred from CPA Free Cash, and that \$800,000 be transferred from Overlay Surplus; and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$8,000,000 under M.G.L., Chapter 44B, as it may hereafter be amended and to borrow \$3,000,000 under M.G.L., Chapter

44, Section 7, and further that this is an emergency measure necessary for the immediate preservation of the safety and convenience of the Town, and therefore final vote of the Town Meeting passing this measure shall be immediately operative; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information:* This article will fund the construction of the Rosemary Recreation Complex. Design funds were authorized at the 2015 and 2016 Annual Town Meetings in the amount of \$1,000,000. The CPA-funded portion of the project includes construction of an outdoor recreation pool, an outdoor fitness/competitive pool, and a spray park, reconstruction of the driveway and two parking lots, renovation of the lower level of the existing building for the bathhouse and pool functions, and rebuilding of the trailhead to Rosemary trails. The building will be solar-ready, and the driveway and lower parking lot will utilize porous pavement. The portion of the project that is not eligible for CPA funding is the second floor of the building, which will provide indoor space to support the site's outdoor recreation and provide opportunities throughout the year for indoor recreation space. The second floor will also include office space for the Park and Recreation Department and the Health Department. The project went out to bid in mid-March to pre-qualified contractors, and results will be available at Town Meeting.

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## COMMUNITY PRESERVATION ACT ARTICLES

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### **ARTICLE 35: APPROPRIATE FOR CRICKET FIELD RENOVATION DESIGN**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$35,000 for Cricket Field renovation, 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: Recommendation to be Made at Town Meeting

*Article Information:* This article would fund the design of improvements to the two multi-purpose fields at Cricket Field. The project will include removal and amendment to the soil and installation of a new irrigation system. It is anticipated that work will be performed during the summer of 2018.

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### **ARTICLE 36: APPROPRIATE FOR NEW ELEMENTARY SCHOOL WALKING TRAILS**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$210,000 for survey and all phases of design and construction for the New Elementary School Walking Trails, 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: Recommendation to be Made at Town Meeting

*Article Information:* The purpose of this funding is to construct a walking trail at the Central Avenue site of the new elementary school. The trail will be ADA accessible, and all users will be able to explore a variety of habitats and enjoy a scenic vista overlooking water, wetlands, and forested properties. The Student Conservation Association will participate in a portion of the project, reducing some of the anticipated construction costs. Performing this work prior to the beginning of the major school construction project is an important consideration.

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**ARTICLE 37: APPROPRIATE FOR NEEDHAM ACCESSIBLE RESERVOIR TRAIL**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$935,000 for the Needham Accessible Reservoir Trail construction, to be spent under the direction of the Town Manager, and to meet this appropriation that \$860,000 be transferred from CPA Free Cash and \$75,000 be transferred from Water Enterprise Fund Retained Earnings; or take any other action relative thereto.

INSERTED BY: Community Preservation Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information:* The proposed trail will consist of a combination of wooden boardwalks and stone dust trails, and will significantly upgrade an existing trail and provide access to the Reservoir to all members of the community. Accessible fishing docks will be added, along with a bridge over the stream. New parking spaces will be created in the parking lot at 500 Dedham Avenue. The former wells will be closed, and sensitive wetland areas will be preserved and restored. The design of this project was previously funded through CPA.

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**ARTICLE 38: APPROPRIATE TO COMMUNITY PRESERVATION FUND**

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 M.G.L. Chapter 44B from the estimated FY2018 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 \$341,831

C. Community Housing Reserve \$269,000

D. Historic Resources Reserve \$0

E. Open Space Reserve \$269,000

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% to account for any changes to the revenue estimate or State match that may occur during the year. 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 Annual Reserve.

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## CAPITAL ARTICLES

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### **ARTICLE 39:     **APPROPRIATE FOR GENERAL FUND CASH CAPITAL****

To see if the Town will vote to raise and/or transfer and appropriate \$1,895,467 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
DPW	Specialty Equipment	\$30,000	
DPW	Traffic Improvements	\$249,000	
Multiple	Fleet Replacement Program	\$646,305	
Finance	Data Center Servers & Storage Units	\$145,000	
Fire	Bunker Gear	\$167,872	
Public Facilities	Energy Efficiency Upgrade Improvements	\$57,000	
Public Facilities	Pollard School Blue & Green Gyms	\$45,000	
Public Schools	School Copier Replacement	\$46,790	
Public Schools	School Furniture	\$45,000	
Public Schools	Technology Replacement	\$463,500	
		\$1,895,467	

INSERTED BY: Board of Selectmen  
 FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:*

Public Works Specialty Equipment

*The FY2018 request is to fund a new Field Renovator for the Parks & Forestry Division. This piece of equipment renovates baseball diamonds and will be the second field renovator in the fleet. This acquisition is necessary to handle the acreage that Parks & Forestry maintains. The Field Renovation will also be used to de-weed clay skins and make them look fresh and play-worthy.*

Traffic Improvements

This funding would support projects that are recommended by the DPW and the Traffic Management Advisory Committee (TMAC). These recommendations include items such as permanent speed monitoring devices, traffic calming measures, and school zone enhancements. These items are not presently included in the Department of Public Works operating budget. The proposed annual request will support one or two construction-related requests per year, such as 500 feet of roadway granite curb installation, two school zone installations, two average traffic calming installations, several radar sign installations or sign and/or pavement markings. The FY2018 funding request is to improve the Cedar Street and Central Avenue Intersection. This project was recommended by the Safe Routes to School Study that was prepared by the Commonwealth for the Eliot School. The project will improve the safety for vehicles and pedestrians crossing at the intersection by relocating curbing and sidewalk areas. This will shorten the distance of the cross-walk and allow the crossing guard to have better control over traffic flow and pedestrian crossings.

Fleet Replacement Program

The Town's centralized approach to its fleet replacement program was established in FY2015. This represents a budget and schedule for the Town's rolling stock fleet of appropriately 220 vehicles, trailers, and large specialized equipment, and the School Department fleet of 14 vans and buses. General purpose vehicles include pickup trucks, a variety of sedans, SUV's, vans, and police vehicles (87). They comprise approximately 39 percent of the entire fleet. General purpose vehicles are utilized in every department and are relatively inter-changeable. The replacement of these vehicles can proceed on a regular schedule and should be considered part of the Town's recurring costs. The Town relies on a number of trailers for the purpose of moving tools and equipment, hauling trash and debris, and transporting special equipment. The Town has 47 trailers which represents approximately 23 percent of the fleet. Specialized, high value vehicles, and snow and ice equipment comprise of the other 38 percent of the fleet. These vehicles and equipment are just as integral to Town operations as the general purpose vehicles, but serve the unique purposes of specific departments or divisions. Included in this group are the high value vehicles such as ambulances, large dump trucks, fire engines, street sweepers, and others for which appropriations need to be planned. Unless circumstances require otherwise, the following units listed below are planned for replacement and the probable vehicle type is indicated in the tables below.

General Fund Fleet Program – General Purpose Vehicles

<b>Unit/Division</b>	<b>Year</b>	<b>Replacement</b>	<b>Amount</b>
12/Parks	2009	Chevrolet Colorado	\$38,277
15/Admin	2008	Ford Explorer	\$35,481
52/Highway	2009	Toyota RAV4 Hybrid	\$34,729
704/Facilities	2005	Ford T250	\$31,222
PV/School	2008	Ford Transit XL	\$33,861
Van 3/School	2011	Ford Transit XL	\$32,875
Van 6/School	2011	Ford Transit XL	\$32,875
			<b>\$239,320</b>

General Fund Fleet Replacement – Specialized Equipment

<b>Unit/Division</b>	<b>Year</b>	<b>Replacement</b>	<b>Amount</b>
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Unit/Division	Year	Replacement	Amount
48/Highway	2008	Ford F450	\$83,561
336/Parks	2011	TORO 5900	\$98,747
R-02/Fire	2008	F-450 Horton 553	\$224,677
			<b>\$406,985</b>

Non-Public Safety Data Center Servers and Storage Units

*This project is for the replacement of hardware within the three Town of Needham data centers. The project is broken into two phases, and funding for FY2018 is for phase one. The first phase of the project is to replace four servers, two storage units, and four switches. Data Center 1 is housed at the Town Hall, Data 2 is housed at the Public Services Administration Building, and Data Center 3 is housed at The Center at The Heights. Data Center 1 is the primary data center where the Town Departments access files and programs, the internet, and network and internet security takes place. There are six physical servers at Town Hall; however, three servers maintain and support approximately 50 virtual servers with corresponding data maintained on the storage units. The other three servers are for specific software functions. The servers, storage unit, and switches at the Public Services Administration Building act as a failsafe in case the Town Hall network and infrastructure is offline. The server and storage at The Center at The Heights houses backup data, and from this location certain segments of the data are migrated off site using a Carbonite business account. All of the servers are Dell PowerEdge R400 - R700 series, the storage units are Dell EqualLogis PS4000 - PS6000 series, and the switches are Dell PowerConnect 8000 series. All replacements would be comparable to the current devices being used. Maintaining this hardware at a level that will support the needs of the Town Departments is critical to the Town's business continuity strategy. As equipment gets older it becomes more difficult to maintain the same level of quality and performance as when initially installed, and this directly affects the day-to-day operations of the Town.*

Bunker Gear

*This request is for the purchase of a second set of Personal Protective Equipment ("bunker gear") for all front line Fire personnel in FY2018. In the years to follow, funding will be sought to continuously replace the gear over a five year period. The bunker gear requested includes boots, firefighting pants and coat. Firefighting personnel regularly work in highly toxic environments caused by spills, chemical releases and the products of combustion. Numerous studies have found that carcinogens and other toxins associated with the fire ground can be extremely high. Further, the toxicity of these carcinogens appears to be much greater and more concentrated today, due to the wide spread use of synthetic and petroleum based building materials and furnishings found in modern construction. These contaminants, chemicals, toxins, and carcinogens adhere to firefighters' bunker gear, creating a lingering exposure concern for the firefighters wearing this equipment and to members of the public they serve. Recent research links increased risk of cancer due to contaminated bunker gear. The Fire Department has already taken measures to help reduce the risk of cancer, including outfitting each piece of apparatus with after-action wipes to quickly remove carcinogens from responders' skin while still in the field. Industry best practices require that firefighters be issued two sets of gear so that once contaminated, the equipment can be washed and dried in extractors and dryers designed specifically for that purpose. A second set of gear will allow personnel to remain available to respond to calls while their gear is being cleaned. Once this initial set of additional firefighting gear is purchased, the Department will begin a planned rotational purchasing request annually, so that all firefighting bunker gear can be replaced within a 10 year schedule to ensure proper functioning and safety.*

Energy Efficiency Upgrades

*The 2011 May Special Town Meeting approved funding for an Engineering Study for Energy Upgrades. This study was conducted on ten key buildings in 2011. The results of this study illustrate that if the Town makes an initial investment in selected and recommended energy upgrades, the cost of these upgrades will pay for themselves within ten years. In FY2018, the department intends to install on-demand ventilation on air handlers in the mechanical room, and re-commission building HVAC controls at the Eliot School. The original study included Fire Station #2 and the Public Safety Building. While the Town has performed some of the energy efficiency upgrades, additional upgrades are on hold pending proposed reconstruction of these buildings.*

#### *Pollard Blue And Green Gym Upgrades - Design*

*Proposed improvements consist of replacing the present rubber flooring with another material that is appropriate for basketball use and installing mats along the side of the gym for safety. Lighting upgrades were completed under the energy efficiency request in FY2016. This funding will support the design of the flooring replacement in both the Blue and Green Gyms. The present rubber flooring is not ideal for basketball use and this building is used frequently by both School and community basketball groups because of its size. The design will investigate handicap accessibility issues, player safety, and basketball specifications, and will determine the best type of flooring to install given restriction in these spaces.*

#### *School Copier Replacement*

*In May 2003, Town Meeting authorized \$60,000 in first year funding to establish a replacement cycle for school photocopiers. School photocopiers are located in all the schools and the administration building, and are used both by administrative and teaching staff. Teachers use the machines to reproduce classroom materials, including homework sheets, exams, teaching packets, etc. Currently the School Department owns 48 copy machines. The FY2018 request includes five copy machines. Copier replacement is planned on a lifecycle analysis, which projects when a copier should be replaced based on actual usage and the manufacturer's total estimated capacity. Copiers that are heavily used are replaced more frequently than copiers that are lightly used. A seven-year maximum is assumed for most machines, 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.*

#### *School Furniture Replacement*

*This request continues the replacement cycle for school furniture in poor and fair condition at the Newman and Pollard schools. In these schools, furniture is 10-20+ years old and in a state of disrepair after decades of heavy use. In FY2005, Town Meeting approved funding of \$20,500 to begin the replacement of furniture in poor condition. By FY2015, all furniture in 'poor' condition was replaced at these schools. The funding request will continue with the replacement of furniture in fair condition at these schools and will allow for the purchase of furniture needed to support enrollment growth. Beginning in FY2022, the furniture request will be used exclusively to purchase new classroom furniture as necessary in all school buildings.*

#### *School Technology Replacement*

*This request is for funding to replace School Department technology, including computers, printers, IWBs, servers, laptop carts, and specialized instructional labs. The request reflects the decision in FY2017 to move Digital Learning Devices (DLDs) and staff laptops to the operating budget, as well the new classroom technology standard. In FY2017, funding for devices with a lifespan of fewer than five years was shifted to the operating budget. These devices included Digital Learning Devices (DLDs) such as iPads and Chromebooks, and laptops. The FY2018 submitted request is for \$463,500 and represents a \$155,575 increase over the FY2018 projection included in the FY2017-2021 CIP. The \$463,500 request increase consists of \$310,500 in hardware replacement, \$61,000 in infrastructure improvements and \$92,000 in new requests. The hardware replacement budget of \$310,500 increases \$84,575 from the prior*

year and reflects the reallocation of funds away from whiteboard and desktop computer replacement to the replacement of computer labs at Broadmeadow, Eliot, Hillside and High Rock (\$40,500/each), as well as replacement of the TV Lab at Needham High School (\$36,000.) The infrastructure budget of \$61,000 increased \$10,000 over the prior CIP to fund wireless access points, which were added as a new category under technology infrastructure. Finally, several new requests totaling \$92,000 are included for FY2018: the replacement of the High Rock security camera and keyless entry system (\$20,000), the installation of gymnasium video displays at two schools (Eliot and Hillside for \$6,000), the replacement of the 30-year old mobile PA system for use at graduation (\$30,000), the installation of an auditorium screen and a projection system at High Rock (\$25,000), a replacement screen at Pollard (\$6,000) and a projector and screen in the Pollard cafeteria (\$5,000.)

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**ARTICLE 40: APPROPRIATE FOR PUBLIC WORKS INFRASTRUCTURE PROGRAM**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,762,000 for improvements and repairs to the Town's infrastructure including but not limited to roads, bridges, sidewalks, intersections, drains, brooks and culverts, including costs incidental or related thereto, to be spent under the direction of the Town Manager, and to meet this appropriation that \$1,262,000 be transferred from Free Cash and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$500,000 under M.G.L., Chapter 44, Section 7; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any other action relative thereto.

or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information: The Public Works Infrastructure Program 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. Each program is detailed below.*

Street Resurfacing

*This Program is essential to maintaining the structural and surface integrity of the Town's approximately 279 lane miles of accepted streets. The Town targets 17 lane miles per year to achieve a desired life cycle of 15 to 20 years. The primary strategy of this program is asphalt paving and incidental work. Incidental work may include asphalt berm curb, new grass shoulders, corner reconstruction including handicapped ramps, minor drainage improvements, street sign replacement, traffic markings, and signs. Applying this repair strategy in a timely manner will extend the useful life of the roadway for up to 15 years. Installing a monolithic asphalt berm curb better defines the edge of road, improves drainage and protects the shoulder from erosion. The Town targets roads with a Pavement Condition Index (PCI) of below 70 for resurfacing or specialized treatment. The Town targets a PCI of 60 or below for repair/renovation. The Town's goal is to maintain its roadway network at an average PCI rating of 75. Target funding for street resurfacing in FY2018 is \$800,000.*

Traffic Signal & Intersection Improvements

*This Program funds traffic signal and intersection improvements and installation of signalized intersections where none currently exist. Target funding for FY2018 is \$128,000 to be used for Engineering & Design for the Highland Avenue and West Street intersection.*

### Sidewalk Program

*This program funds improvements to the network of sidewalks throughout the community. There are over 160 miles of accepted sidewalks in Needham. Over half of the Town's sidewalks do not comply with current standards and require significant improvements, including the installation of handicapped ramps. Sidewalk improvements must comply with Federal and State laws and construction standards. The target funding for FY2018 is \$484,000.*

### Storm Drain Capacity Improvements

*This Program provides funding to improve roadway drainage capacity. The Town's Stormwater Master Plan identified a number of areas throughout Needham where improvements are required to resolve flooding problems and illicit discharge. Locations for improvements have been prioritized within the plan. This funding request includes, but is not limited to, the installation of additional storm drains and the replacement and extension of drains on Manning Street, Hoover Road, Concord Road and Burnside Road with larger capacity drains. Since the issuance of the Stormwater Master Plan numerous multi-unit developments have been built or planned in the Town of Needham. These developments include new roads with drainage structures and roof or sump connections that are then connected to existing Town systems. These new connections have increased the load on the Town's drainage system and caused flooding in some areas. Due to extensive drainage repairs that were required on Greendale Avenue, funds for FY2017 were diverted from Ardmore Road and Hunnewell Street to complete that project. Unless circumstances dictate otherwise, FY2018 funding of \$100,000 is planned for Ardmore Road and Hunnewell Street.*

### Storm Drain System Repairs

*This Program provides funding to repair failing storm drainage infrastructure within Town easements that have been discovered through investigation work. These projects will include the replacement of existing culverts that have deteriorated over time and are restricting flow. This work will eliminate flooding and capacity issues in the immediate vicinity. This project will provide funding over five years for the Drains Division to address small projects related to the Labor Day 2013 storm drainage remediation. Unless circumstances dictate otherwise, FY2018 funding in the amount of \$50,000 is targeted for system upgrades and repairs at various locations.*

*Brooks and Culverts – Repair and Maintenance It is the intention of the DPW to expend Capital Funds to address the issue of poorly draining brooks, streams, waterways and culverts throughout the Town that have been severely damaged by heavy rains/storms in the past. Flooding has caused the failure of retaining walls, resulting in extensive erosion and silt deposits in brooks and streams. The silt has provided a medium for vegetation and affected the flow of water, and the situation has resulted in the loss of useable abutting property and flooded basements. The current conditions are beyond the means of DPW equipment and personnel. It will require a detailed investigation, a plan of recommended improvements, a design drawing and specifications, environmental permitting and bidding of construction to be overseen by the Town's Engineering Division. This will return the waterways to a condition that the DPW will be able to maintain. The Environmental Protection Agency (EPA) is currently finalizing stronger requirements for stormwater and permitting under the NPDES permit. The Town will need to continue to demonstrate its efforts regarding cleaning and improvements to water quality of brook and culverts. Unless circumstances dictate otherwise, FY2018 funding of \$200,000 is planned for construction of a culvert at Meadowbrook Road.*

### Roadway Reconstruction

*Town evaluates the sight distance, drainage, handicap ramps, sidewalks, subsurface utilities, public utility poles and overhead utilities of all roads. The physical condition of roads to be considered for full reconstruction include shape, foundation and traffic volume. This is a multi-year process requiring*

surveying, designing, utility evaluation and construction. Some of the roads that may be targeted for full reconstruction in the future include: Marked Tree Road, Nehoiden Street, Kingsbury Street, sections of Central Avenue, and Webster Street from Dedham Avenue to South Street. No funding is allocated to the Roadway Reconstruction category in FY2018.

#### Bridge Repairs

Surrounded on three sides by the Charles River, the Town jointly maintains a number of bridges with neighboring communities. The Massachusetts Bridge Inspection Program has identified a number of bridges that have some level of deficiency and has recommended repairs. This Program is essential to improve the structural and/or surface integrity of all bridges throughout Needham. Capital Project costs will include surveying, engineering evaluation, design, and repair or reconstruction. Bridges are one of the infrastructure assets whose value and depreciation are now tracked under the GASB 34 Program. The Massachusetts Department of Transportation issued a report on Newell's Bridge which connects Needham and Dover on Central Avenue and indicated that the bridge is deficient and in need of repair. The Town will work with Dover to determine how to address these deficiencies. No funding is allocated to the Bridge Repairs category in FY2018.

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#### **ARTICLE 41:      APPROPRIATE FOR PUBLIC SAFETY COMPLEX/STATION #2 DESIGN**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$250,000 for Public Safety Complex and Fire Station #2 design, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that said sum be transferred from Overlay Surplus; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:    *The feasibility study is nearing completion, and additional funding is requested in FY2018 to complete schematic design. Design Development/Construction Document funding is proposed for FY2018 at the fall, 2017 Special Town Meeting, and construction funding is proposed for fiscal year 2019. Project features continue to be refined, and the design and construction cost estimates are under development. The November 2, 2015 and February 10, 2016 Special Town Meetings approved funding for feasibility studies for the renovation and/or reconstruction of the Public Safety Building on Chestnut Street/School Street and Fire Station 2 at the intersection of Highland Avenue and Webster Street. The Public Safety Building, originally built in 1931, was reconstructed in 1988 – 1989. The amount of space that was originally allocated within the building for the Police and Fire Departments is no longer sufficient to accommodate changes in operations, changing personnel needs, technology upgrades, and security improvements. The station is not fully accessible for individuals with limited mobility. Areas reviewed during the feasibility study in the Police Department included: locker space for female officers, evidence and property storage space, interview space and interview recording requirements, public meeting space needs, records storage, inadequate dispatch areas, patrol and administrative office space, report writing space, and prisoner holding cells. The current prisoner booking area is unsafe due to its size and the setup of the room. The building lacks the ability to handle technology improvements due to available space needed while the roof continues to leak into the records/server room on the second floor. The current climate control only works sporadically throughout the building creating numerous temperature variations. Areas reviewed in the Fire Department included apparatus bays that are too small for modern fire trucks; insufficient area for maintenance activities, non-existent facilities for storing and cleaning turnout gear, minimal existing office space, and insufficient storage space for files and equipment. The study included a review of the operational needs of both departments, facility assessment, assessment of spatial needs within existing or expanded facilities, alternatives analysis for*

demolition and rebuilding of new facilities, consideration of phasing/swing space, and a cost comparison of addition, renovation or rebuilding.

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**ARTICLE 42: APPROPRIATE FOR POLLARD SCHOOL BATHROOM UPGRADES**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$650,000 for Pollard School bathroom upgrades, 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: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:* There are four sets of boy and girl bathrooms at the school that are need of a renovation. The Town constructed the first of the four bathrooms in FY2017. This request is to complete the work started on the first set of bathrooms in the remaining bathrooms. The improvements that were made include new fixtures, new tiles, new layout and open doors, new ADA compliant stalls, and other features to modernize the bathroom facilities. It is intended that the remaining bathrooms will be renovated in one or two summers, depending on the schedule. The project will be timed to achieve the greatest efficiency and savings.

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**ARTICLE 43: APPROPRIATE FOR HIGH SCHOOL CHILLER REPLACEMENT**

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$400,000 for replacement of the High School Chiller, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that said sum be transferred from Overlay Surplus; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:*

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**ARTICLE 44: APPROPRIATE FOR HIGH SCHOOL EXPANSION DESIGN**

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$825,000 for engineering and design for the expansion of Needham High School, including costs incidental or related thereto, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information:* This project would fund the addition of classroom space at Needham High School to support anticipated student population growth. Enrollment is expected to remain at or over 1,700 students through FY2023. The existing capacity of the school is 1,450. The maximum number of students per classroom in the 2008 renovated and expanded NHS was 22. Currently 25% of the academic classrooms have class sizes of 25 or more. The MSBA standard for classroom utilization rate is 85%. Currently, the utilization rate is at 90%+. Since 2008, several spaces at NHS have been repurposed to function as classrooms, however the number available is below the need. Further, the repurposing has compromised the overall operation of the educational program. The October 2014 Special Town Meeting approved \$200,000 to subdivide two large classroom spaces into four classrooms, and the 2016 Annual Town Meeting approved an additional \$65,000 to conduct a feasibility study of classroom expansion alternatives at NHS, which is underway. This request is a placeholder for the design and construction funds needed to develop between 6-8 classroom spaces at Needham High School, pending the final recommendations included in the feasibility study.

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**ARTICLE 45: APPROPRIATE FOR FUEL ISLAND RELOCATION AND UPGRADE**

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$1,320,000 for fuel island relocation and upgrade and associated site and demolition work, including costs incidental or related thereto, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:* Currently DPW, Fire Department, School Department, and other Town vehicles rely on this fueling station. Beginning in September 2013, all Police Department vehicles also rely on this filling station. The Police Department consumes a large volume of gasoline, and that Department's reliance on this station represents a dramatic increase in use. This funding request reflects the anticipated costs of relocating the fuel station, demolition of the existing station, installation of a new station, and demolition of the "old" salt shed. The fueling station will be located on property transferred to the jurisdiction of the School Committee but remaining under the control of the DPW. The station is designed to be relocatable in the future if necessary. The fuel station is proposed for replacement and relocation based on its general age, condition, location, environmental concerns (e.g. proximity to wetlands, proximity to groundwater table, threat of algae contamination, and susceptibility to flooding), access and maneuverability, capacity, and compatibility with the proposed expansion of the DPW Operations Building at 470 Dedham Avenue. The RTS, Sewer and Water Enterprise Funds will be allocated 20% of the cost of the project based on fuel consumption.

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**ARTICLE 46: APPROPRIATE FOR DPW STORAGE FACILITY FEASIBILITY**

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$150,000 for a feasibility study for the location of a Public Works seasonal storage facility at the Recycling/Transfer Station, to be spent 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: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information:* The recently completed DPW relocation feasibility study determined that approximately 14,000 s.f. of storage space required to fulfill DPW operations programming needs cannot fit on the existing site (470/484 Dedham Avenue). The existing site has been approved by the Board of Selectmen as the preferred site for the ultimate reconstruction of the facility. Weston & Sampson evaluated many options and locations, recommending that a seasonal storage facility be constructed in a remote location consisting of a building of approximately 7,000 s.f. and covered storage (canopy) of another 7,000 s.f. After reviewing recommendations with the PPBC and Board of Selectmen, Weston & Sampson has recommended that the facility be located at the RTS. Locating the seasonal storage building at the RTS will necessitate the relocation of existing operations to the currently unused acreage adjacent to the site. Design funding will include a review of RTS operations to determine the most appropriate location for the storage building and the operations to be relocated. Construction funding is proposed for FY2019. While the funding source is listed as General Fund, enterprise funding will likely be recommended as part of the construction appropriation.

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**ARTICLE 47: APPROPRIATE FOR MEMORIAL PARK IMPROVEMENTS DESIGN**

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$375,000 for engineering and design of renovation or reconstruction of the Memorial Park Building and associated grounds, including costs incidental or related thereto, to be spent under the direction of the Permanent Public Building Committee and Town Manager, and to meet this appropriation that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L., Chapter 44, Section 7; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information:* The Memorial Park Building was included in the Townwide Facilities Study planning update completed in 2014. The study presumed a complete renovation of the current Memorial Park Building, which would make the building fully handicap accessible, and would be designed and constructed in accordance with the new building code. The facility would be part of an overall plan that enhances programs and promotes synergy among the other nearby Town facilities, and is seen as a service point for High School athletics and other community activities. The feasibility study for this project was funded at the 2016 Annual Town Meeting, and is under the charge of the PPBC.

**ARTICLE 48: APPROPRIATE FOR RTS ENTERPRISE FUND CASH CAPITAL**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$710,342 for RTS 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 RTS Enterprise Fund Retained Earnings; or take any other action relative thereto.

<b>Group</b>	<b>Description</b>	<b>Recommended</b>	<b>Amendment</b>
RTS	Transfer Station Floor Replacement	\$166,000	
RTS	Property Improvements	\$290,000	
RTS	Fleet Replacement – Specialized Equipment	\$254,342	
		<b>\$710,342</b>	

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

Article Information:

Recycling And Transfer Station Property Improvements

*This will fund improvements to the Recycling & Transfer Station (RTS) facility to increase efficiency, comply with regulatory requirements, and improve functionality. Funding requested for FY2018 will support the reorganization of the Materials Processing and Composting Areas. The RTS receives and stores various construction materials generated both from Town projects and paying customers at its Materials Processing Area (MPA). In 2014 it was determined that the MPA was in need of better organization due to the inflow of various materials and its proximity to wetlands. Much of the material stored on site has become commingled and difficult to separate, resulting in materials that are difficult to reuse or market. Given that the Materials Processing Area is now accepting additional aggregate material and will be conducting an annual rock crushing operation, an opportunity exists to develop this area to better store, categorize and utilize materials in a manner that is conducive to limiting or negating adverse impacts to the adjacent wetlands. To bring better organization to the Materials Processing Area and ensure that operations do not adversely impact the wetlands, the RTS plans to purchase approximately 10,000 square feet of block face made up of interlocking precast concrete blocks that will be delivered and installed at the site in accordance with an engineering plan to create ten material storage bins with dimensions of 25' wide x 30' deep x 10' tall. If the seasonal storage is moved to the Materials Processing Area, the blocks can be disassembled and reassembled at a different location.*

Transfer Station Floor Replacement

*The Municipal Solid Waste (MSW) transfer building was built in 1998. The concrete floor is original to the building and is in poor condition. The condition is the result of heavy equipment operating across the surface each working day since the building was constructed, which has slowly eroded the concrete and exposed rebar in many places. The protruding rebar and ruts in the concrete floor can be a hazard to both staff and the general public using the facility. The RTS plans to replace the entire MSW tip floor. This will require the floor to be jackhammered, the existing rebar removed and the ground surface prepared for new rebar and concrete. The dimensions of the MSW transfer building floor are 40 feet by 56 feet, eight inches (approximately 2,260 square feet).*

Fleet Replacement – Specialized Equipment

*Unless circumstances require otherwise, the RTS fleet replacement – specialized equipment planned for FY2018 includes the following:*

Unit/Division	Year	Replacement	Amount
80/RTS	2010	Packer Truck	\$211,256
67/RTS	2004	Vermeer Grinder	\$43,086

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**ARTICLE 49: APPROPRIATE FOR WASTEWATER SYSTEM REHABILITATION**

To see if the Town will vote to raise, appropriate and/or transfer the sum of \$600,000 for Sewer Pump Station Improvements, to be spent under the direction of the Town Manager, 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 Board of Selectmen, 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 Board of Selectmen, is authorized to borrow all or a portion of the amount from the Massachusetts Clean Water Trust (MCWT) 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 MCWT and/or loan agreement and financial assistance agreement with the MWRA with respect to such loan; that the Board of Selectmen be authorized to contract with the MCWT, 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 Board of Selectmen, Town Manager, or other appropriate local official is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; and that the Town Manager is authorized to expend all funds available for the project and take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information: The Town's wastewater pumping stations have been evaluated to assess their physical condition and capacity, and to evaluate current and future flow projections. The Canister pump stations at Lake Drive, Cooks Bridge (Milo Circle), and Alden Road are each either at or beyond their design life. Maintenance and emergency shutoffs occur more frequently, and these stations require a greater amount of personnel and financial resources to keep them operational. The Alden Road Pump Station was originally constructed in the mid-1950's as a pneumatic ejection station, and was converted in the 1970's to a built in place wet well/dry well station with vertical flooded suction sewage pumps. There are no alarms with the exception of a local red light alarm to indicate high wet well levels. The electrical control panels are outdated and located below grade level adjacent to the pumps, which if flooded, poses a threat to personnel and equipment. The station has heat, but no dehumidification or ventilation. FY2018 funding is intended for the Alden Road Pump Station Design/Engineering and Construction.*

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**ARTICLE 50: APPROPRIATE FOR WATER ENTERPRISE FUND CASH CAPITAL**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$396,074 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	Specialty Equipment Unit #115 Excavator	\$132,000	

Group	Description	Recommended	Amendment
Water	Fleet Replacement	\$64,074	
		<b>\$196,074</b>	

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:* The FY2018 request is to fund the replacement of Unit #115. The current 2008 excavator is used for water/sewer/drains projects including responding to emergencies. At the time of the requested replacement, the excavator will be ten years old. The replacement will be an upgraded version of the existing piece of equipment, which will make operations more efficient as it will be able to dig deeper to replace catch basins, excavate the whole bottom length of water pipe at proper depth because of its longer reach, help to install larger precast structures, and move steel road plates more easily because of an increased lifting power. The anticipated make and model will be a Komatsu PC88MR-10 or equivalent with a 12 year lifecycle. Unless circumstances require otherwise, the Water core fleet replacement – specialized equipment planned for FY2017 includes the following:

Unit/Division	Year	Replacement	Amount
20/Water	2009	Toyota RAV4 Hybrid	\$34,729
24/Water	2009	Ford Transit Connect	\$29,345

**ARTICLE 51: APPROPRIATE FOR WATER SERVICE CONNECTIONS**

To see if the Town will vote to raise, appropriate and/or transfer the sum of \$1,000,000 for Water Service Connections, to be spent under the direction of the Town Manager, 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 Board of Selectmen, 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 Board of Selectmen, is authorized to borrow all or a portion of the amount from the Massachusetts Clean Water Trust (MCWT) 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 MCWT and/or loan agreement and financial assistance agreement with the MWRA with respect to such loan; that the Board of Selectmen be authorized to contract with the MCWT, 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 Board of Selectmen, Town Manager, or other appropriate local official is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; and that the Town Manager is authorized to expend all funds available for the project and take any other action relative thereto.

INSERTED BY: Board of Selectmen  
FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:* The primary purpose of this program is to remove old iron pipe water services that may contain lead from the water distribution system. Old water services are to be replaced prior (at least one year) to a road reconstruction/paving project. If this replacement does not occur, an element of the subsurface infrastructure remains susceptible to failure before the useful life of the reconstructed roadway has been realized. System-wide, there are approximately 1,220 services that still need to be

*replaced in the system. The Town's cash capital plan provided for \$200,000 annually for this ongoing program. Because of the availability of this special loan program from the State, the Town can maximize the resources by combining the five years into one authorization. This will also allow the Town to proceed faster with the replacement of the old iron connections some which may contain lead.*

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**ARTICLE 52:     **APPROPRIATE FOR WATER DISTRIBUTION SYSTEM IMPROVEMENTS****

To see if the Town will vote to raise, appropriate and/or transfer the sum of \$1,300,000 for Water Distribution System Improvements, to be spent under the direction of the Town Manager, 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 Board of Selectmen, 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 Board of Selectmen, is authorized to borrow all or a portion of the amount from the Massachusetts Clean Water Trust (MCWT) 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 MCWT and/or loan agreement and financial assistance agreement with the MWRA with respect to such loan; that the Board of Selectmen be authorized to contract with the MCWT, 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 Board of Selectmen, Town Manager, or other appropriate local official is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; and that the Town Manager is authorized to expend all funds available for the project and take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information: The fiscal year 2018 – 2022 CIP combines all water distribution system Improvements into one article including water system rehabilitation and water main replacement.*

**Water System Rehabilitation**

*Under the Water System Rehabilitation Program, the Town's water infrastructure is routinely analyzed to assess functionality and performance, and to identify areas in need of repair. Water infrastructure requires ongoing attention and periodic replacement. A diligent rehabilitation program encompassing maintenance, repair, and replacement ensures a continual supply of water to the public. The Department of Public Works prioritizes replacement of water pipes based upon pipe condition, water break history, and adequacy of water flow to fire hydrants. Unless circumstances require otherwise, funding for FY2018 will support the rehabilitation of Alfreton Road from Highland Avenue to Webster Street (unlined), Bennington Street from High Street to Concord Street (unlined) and Country Way (unlined).*

**Water Main Replacement**

*This request is to replace a total of 11,500 linear feet of 14" water main. The existing water line dates from 1936-1939 and is cast iron with a bitumastic or coal tar liner. The water quality in areas serviced by this line is a concern as the lining of these pipes breaks down over time causing discoloration in the water. In 2008, the Town began addressing areas served by this type of piping which at the time was approximately 19,000 linear feet extending from Charles River Street, to Pine Street, to Central Avenue, to Marked Tree Road and a section between Oak Street and Chestnut Street, to School Street. In 2008, the 14" water main was relined from the Charles River Water Treatment Facility to Grove Street. In 2010, the second phase of this project replaced the 14" water main with a new 16" water main extending from*

Grove Street to Central Avenue. The current project will be replacing a 14" water main with a new 16" water main. This project includes replacing the pipe and reconstructing the road. Unless circumstances require otherwise, FY2018 funding is proposed for the design of the remaining 11,500 linear feet of water main to be replaced from the intersection of Pine Street to Marked Tree Road to Oak Street and Maple Street.

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## TOWN RESERVE ARTICLES

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### **ARTICLE 53:        APPROPRIATE FOR WORKERS COMPENSATION FUND**

To see if the Town will vote to raise and/or transfer and appropriate a sum to the Workers Compensation Reserve Fund, said sum to be raised from the Tax Levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information:

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### **ARTICLE 54:        APPROPRIATE TO ATHLETIC FACILITY IMPROVEMENT FUND**

To see if the Town will vote to raise, and/or transfer and appropriate the sum of \$1,295,000 to the Athletic Facility Improvement Fund, as provided under the provisions of Massachusetts General Law c. 40, sec. 5B, as further amended by Section 22 of Chapter 218 of the Acts of 2016, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

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 Field Complex. The replacement of the synthetic turf fields at Memorial Park and DeFazio Park Field Complex is estimated to be \$2.5 million in FY2020. The Town is planning on the reconstruction and/or replacement of the Memorial Park Building. Town Meeting approved funding for a feasibility study last year, and design funding is proposed under Article 47. The appropriation of \$1,295,000 is intended for these purposes: \$31,455 was derived from the annual method of benchmarking to Park and Recreation administrative fee receipts from the most recent completed fiscal year (FY2016), and an additional \$1,263,545 is proposed for the fields and the building. If approved, the fund would have the \$2.5 million reserved for the fields, and approximately \$1.4 million for the Memorial Park project. Additional funds will be recommended in subsequent town meetings, as circumstances permit. The balance in the fund as of March, 2017 was \$2,656,214.*

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**ARTICLE 55: APPROPRIATE TO CAPITAL IMPROVEMENT FUND**

To see if the Town will vote to raise, and/or transfer and appropriate \$28,051 to the Capital Improvement Fund, as provided under the provisions of Massachusetts General Law c. 40, sec. 5B, as further amended by Section 22 of Chapter 218 of the Acts of 2016, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Explanation: 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 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 item(s) at times when ordinary funding sources are limited or not available. 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 recommended appropriation of \$28,051 is equal to the amount that the Town received from the sale of surplus equipment during FY2016. This was one of the sources identified to be contributed to the fund. The balance in the fund as of March, 2017 was \$704,861.*

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**ARTICLE 56: APPROPRIATE TO CAPITAL FACILITY FUND**

To see if the Town will vote to raise and/or transfer and appropriate a sum to the Capital Facility Fund, as provided under the provisions of Massachusetts General Law c. 40, sec. 5B, as further amended by Section 22 of Chapter 218 of the Acts of 2016, and to meet this appropriation that said sum be transferred from Free Cash; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*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 2007 Annual Town Meeting under Article 10 approved the creation of the Capital Facility Fund, as part of the Town's planning strategy for addressing capital facility maintenance needs by providing a reserve to address extraordinary building repairs and related expenses at times when other resources are unavailable. The purpose of this fund is to allow the Town, from time to time, by appropriation, to reserve funds for design, maintenance, renovation, or reconstruction relating to the*

*structural integrity, building envelope, or MEP (mechanical, electrical, plumbing) systems of then-existing capital facilities. The balance in the fund as of March, 2017 was \$1,320,155.*

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**ARTICLE 57: APPROPRIATE TO DEBT SERVICE STABILIZATION FUND**

To see if the Town will vote to raise and/or transfer and appropriate the sum of \$1,091,874 to the Debt Service Stabilization Fund as provided under the provisions of Massachusetts General Law c. 40, sec. 5B, as further amended by Section 22 of Chapter 218 of the Acts of 2016, and to meet this appropriation that said \$185,000 be transferred from Free Cash and that \$906,874 be raised from the tax levy; or take any other action relative thereto.

INSERTED BY: Board of Selectmen & Finance Committee

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*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 Debt Service Stabilization Fund (DSSF) was approved under Article 14 of the November 2, 2015 Special Town Meeting. The intent of this fund is to set aside funds to be available, when necessary, to pay certain debt obligations. This fund is intended to be part of the Town's overall planning strategy for addressing capital facility needs, particularly over the next five years. The fund provides added flexibility to maintain the Town's capital investment strategy by smoothing out the impact of debt payments in years when the debt level is higher than is typically recommended. The fund may also be beneficial at times when interest rates are higher than expected. The plan for the fund is designed to ensure that the monies are not depleted in a single year, and that the amount available for appropriation is known before the budget year begins.*

*This approach includes the appropriation of recurring revenue. The benefit of dedicating recurring revenue to the fund is that it allows the Town to repurpose the funds at some point in the future to other appropriations, including the operating budget. The Town's revenue growth has been greater than average over recent years, but this level of growth is not expected to continue. Future demands especially in education (full-day kindergarten) and public safety (police and emergency medical services) will put pressure on the operating budget. Neither initiative is ready for funding in FY2018, but both are anticipated to be added in the next few years. By appropriating recurring funds today for a "non-recurring purpose" (the special stabilization fund), the Town will have access to the recurring revenue to meet true recurring needs at a future Town Meeting. In those years, the warrant will include an allocation of the recurring revenue to the operating budget rather than to the DSSF.*

*The recommended appropriation to the Fund for FY2018 is \$1,091,874. The amount of \$725,190 in recurring revenue is related to the solar array and new growth, and \$181,684 was reallocated from the School Department operating request. An additional \$185,000 from Free Cash (one time revenue) has been recommended. Of the total appropriation request, \$906,874 is recurring revenue that can be reallocated in future years to meet identified program improvements. The amount appropriated into the Fund will stay with the fund and will be used to manage the Town's reliance on debt. The balance in the fund as of March, 2017 was \$935,468.*

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## GENERAL ARTICLES

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**ARTICLE 58:      AMEND GENERAL BY-LAW / DENIAL, REVOCATION, SUSPENSION OR  
NONRENEWAL OF LICENSES OR PERMITS**

To see if the Town will vote to amend the General By-laws by deleting Section 4.4.1.1 and inserting in place thereof the following:

“4.4.1.1 The tax collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually, and may periodically, furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.”

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information: In 1990, the Town adopted General Laws Chapter 40, Section 57 and established a Town By-law that allows the collector to issue a delinquency list to Town boards, committees, and departments of individuals and businesses that are delinquent in paying their local taxes, charges and/or fees. This delinquency is grounds for denial, suspension, revocation, or non-renewal of local licenses and permits, until such charges are paid or otherwise addressed. A recent change in the law with passage of the Municipal Modernization Act allows the collector to issue a delinquency list more than once per year. The collector may now include all delinquent taxes, charges and fees and not just those which are more than one year overdue. In order to allow these actions, the Town must amend its Bylaw to mirror current state law. The current bylaw section would be changed by the amendment above by inserting after the words “...shall annually,” the words “and may periodically,” and striking the words “for not less than a twelve month period” that followed the words “...assessments, betterments or other municipal charges.”*

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**ARTICLE 59:      AMEND GENERAL BY-LAW / FUTURE SCHOOL NEEDS COMMITTEE**

To see if the Town will vote to amend the General By-laws by deleting section 2.7.2 and inserting in place thereof the following:

**“2.7.2 Future School Needs Committee**

**2.7.2.1**            There shall be a Future School Needs Committee consisting of seven members: two members of the Finance Committee, two members of the School Committee, two members of the Board of Selectmen, and one member appointed by the Town Moderator. The chairman shall be designated from time to time by vote of the Committee. The Future School Needs Committee will assist in the identification of the criteria necessary to develop the estimates and projections. It shall be the

responsibility of the School Committee to procure professionally-developed estimates of the Town's current and projected student population and to provide this information to the Future School Needs Committee for their review, guidance, and feedback.”

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Article be Adopted

*Article Information:* For many years, the Future School Needs Committee – consisting of volunteers who have generously offered their time and expertise - has provided estimated student enrollment information to assist the School Committee, Town Boards, and Town Meeting to anticipate and understand the current and projected student population. Over time, the projections have typically provided good short-term enrollment information based on historical enrollment and census data. However, even a small variance between projected and actual enrollment can result in the development of a budget that provides for too many or too few classrooms in a given year. The recommended proposal would reconstitute the Future School Needs Committee so that its primary charge would be to review and make recommendations regarding professionally developed enrollment estimates, as opposed to the prior practice of developing the estimates itself. The proposal also ensures the involvement of the Town boards involved in the School capital planning process – the Board of Selectmen, the School Committee, and the Finance Committee – on the committee.

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**ARTICLE 60: AMEND GENERAL BY-LAW / HAWKERS & PEDDLERS**

To see if the Town will vote to amend the General By-laws by deleting Section 3.1.11 Licensed Hawkers and Peddlers, and inserting in place thereof the following:

**“3.1.11 Licensed Hawkers and Peddlers.** Except as otherwise specified by regulations issued by the Board of Selectmen:

3.1.11.1 No person, under M.G.L. Chapter 101, Section 22, shall sell or offer to sell items specified therein within 1,000 feet of any recreational area in organized use, or within 1,000 feet of any school (public or private) during the hours that school is in session, nor until one hour after the closing of said school or schools.

3.1.11.2 Such hawkers or peddlers shall not remain parked at any one location for a period of time exceeding ten (10) minutes, nor shall a bell, horn or other device to attract customers be used after the hour of 8:00 P.M. of any day.”

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information:*

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**ARTICLE 61: AMEND GENERAL BY-LAW / STREET BANNERS**

To see if the Town will vote to amend the General By-laws Article 5, Sign By-law as follows:

1. Amend Section 5.2 by adding to the end of the section the following: “Street Banner: A sign in the form of a banner spanning a public street, placed within the Town right-of-way, and/or in locations designated pursuant to Section 5.3.1.5 below.”
2. Amend Subsection 5.3.1 by inserting between the words “**Design Review Board.**” And “The review of all sign permits applications” the words “Except for street banners governed, reviewed and approved by the Board of Selectmen pursuant to Subsection 5.3.1.5,”
3. Insert a new Subsection 5.3.1.5 as follows:

**“5.3.1.5 Board of Selectmen.** Street Banners, which are placed within the Town right-of-way, spanning public streets and/or in locations authorized by the Board of Selectmen providing notice of a community-wide public event open to the general public and/or an activity of general community interest and which are hosted by the Town or its departments, boards, agencies, or commissions or by non-profit groups or organizations, may be specifically approved by the Board of Selectmen and displayed in locations authorized by the Board of Selectmen for a time period not to exceed fourteen (14) consecutive days before the announced event. Neither commercial advertising nor partisan political content shall be allowed to appear on the street banner. All street banners will be removed within two business days after the announced event or entertainment. Street Banners shall not be subject to the sign requirements of Subsections 5.3.2, 5.3.3, 5.3.4, 5.3.5, 5.3.6, and 5.3.7, and Sections 5.4 and 5.5. The Board of Selectmen may promulgate such regulations regarding street banners as it deems appropriate.”

Or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information: The downtown is currently undergoing significant improvements to add to the attractiveness of the streetscape and amenities afforded residents. The merchants, businesses and restaurants in the area have asked the Town to seek ways to increase foot traffic in the commercial centers, including both the downtown and the Heights, in order to insure the continued economic vitality of and commercial mix in those areas. One of the amenities that stakeholders have proposed is the allowance of street banners to announce community-wide public events open to the general public and/or activities of general community interest hosted by the Town or its departments, boards, agencies, or commissions or by non-profit groups or organizations (such as the Street Fair, Harvest Fair, Winter Arts Festival, and New Year’s Needham). The Council of Economic Advisors (“CEA”), a committee established by the Board of Selectmen to evaluate Town-wide economic conditions and make recommendations to promote and encourage new and existing businesses, has endorsed this proposal as an economic development measure. The amendment defines street banners, restricts locations to those approved by the Board of Selectmen, ensures the temporary nature of such banners, and authorizes the Board of Selectmen to promulgate regulations to implement the program.*

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**ARTICLE 62: ACCEPT GRANT OF ACCESS EASEMENT / 1242 SOUTH STREET**

To see if the Town will vote to authorize the Selectmen to accept a grant of access easement by 1242

South Street LLC to the Town of Needham as shown on a plan entitled “1242 South Street, Definitive Subdivision Plan” on file with the Planning Board; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information:* As a condition of approval of the 1242 South Street Subdivision, the Planning Board required that the Developer grant the Town a grant of access easement. The access easement allows for passage by foot or vehicle over the private way, consistent with the manner in which streets are customarily used. Town Meeting approval of such easements is required in order for them to be effective.

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**ARTICLE 63: ACCEPTANCE OF M.G.L. CHAPTER 44, SECTION 55C - AFFORDABLE HOUSING TRUST**

To See if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 44, Section 55C and to establish a Trust, to be known as the Needham Affordable Housing Trust Fund, whose purpose shall be to provide for the continued preservation and creation of affordable housing in the Town of Needham for the benefit of low and moderate-income households; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information:* In 2005, the Commonwealth enacted legislation to authorize the creation of municipal affordable housing trust funds that simplified the process of establishing dedicated funds to support affordable housing activities. The Town has been receiving funds related to the monitoring of affordable housing units, which have been considered General Fund receipts. The housing trust would provide the means to reserve these funds for housing initiatives. Additional funds that may become available (such as by donation or through the CPA, for example) could also be used to capitalize the fund. Potential uses of the fund include support for project monitoring and marketing of rental units, community education and outreach, the hiring of consultants for technical input into rezoning and for fiscal impact analyses, small grant programs and Housing Authority initiatives. The statute requires the establishment of a trust document and appointment of a board of directors by the Board of Selectmen.

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**ARTICLE 64: ACCEPTANCE OF SECTION 193 OF CHAPTER 218 OF THE ACTS OF 2016 - SPEED LIMITATIONS**

To see if the Town will vote to accept the provisions of Section 193 of Chapter 218 of the Acts of 2016 relative to speed zones and speed limits; or take any other action relative thereto.

INSERTED BY: Board of Selectmen

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

*Article Information:* On November 7, 2016 new regulations concerning speed limits in the Commonwealth became effective. By adopting the provisions of this Act, the Town would be empowered to create “thickly settled” or “business district” speed limitations, reducing the statutory speed limit from 30 to 25 miles per hour on any or all Town ways in those areas. The Town may also establish safety zones around sensitive use areas. If adopted by Town Meeting, specific speed zone proposals would be

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**CITIZENS' PETITIONS**

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**ARTICLE 65:     **FOOD TRUCK ARTICLE****

To see if the Town will vote to amend its general bylaws by adding the following section:"

**Section 1: Definitions**

Food Truck – A readily movable trailer or motorized wheeled vehicle, currently registered with the Massachusetts Division of Motor Vehicles, designed and equipped to cook, prepare, and serve food.

**Section 2: Authorized Locations and Restrictions for Food Truck Sales in or on Designated Public Right of Way Areas**

- 2.1 Food trucks may be located in public right of way areas as designated by the article. A food truck may not be located in or on any portion of a designated public right of way when and where such location would prevent the safe use of the public right of way by motor vehicles, pedestrians, and/or customers. The vending location shall not otherwise interfere with the movement of motor vehicles in the area.
- 2.2 Authorize the following locations for Food Trucks
  - a: Needham center – on Great Plain Avenue adjacent to Greene’s Field – parking meters #79 & 80 – the spots closest to the YMCA building
  - b: Second Avenue across the street from Charles River Landing
  - c: First Avenue across the street from 40 A Street
  - d: Cabot Place, once all constructions projects have been completed on the street
- 2.3 Food trucks shall comply with applicable provisions of the Town of Needham General By-laws with respect to locations near schools and recreation facilities.
- 2.4 Food Trucks must be positioned at least 50 feet from the customer entrance of a traditional (brick and mortar) restaurant.
- 2.5 Food trucks shall be positioned on designated right of way areas and shall not block drive entrances, exits, access to loading and/or service areas, or emergency access and fire lanes. Food trucks must also be positioned at least 20 feet away from fire hydrants, any fire department connection, driveway entrances, alleys, and handicapped parking spaces.
- 2.6 Each year, the Board of Selectmen shall establish an open period from December 1 to January 30 of the following year for applications to operate a food truck in public right of way areas. Should the number of applicants exceed available locations within the public right of way, then the Town Manager will create an equitable distribution of available locations among qualified applicants. If locations are available after the close of the open period and after issuance to those applicants who applied during the open period, then applicants may apply after the open period but any permits issued will be on a first come first served basis.
- 2.7 Food Truck vendors shall comply with all local, county and state tax regulations, including but not

limited to retail sales applicable to food and beverages.

### **Section 3: Public Safety and Nuisance Prevention**

- 3.1 Food truck vendors must obtain requisite licenses or permits for operation from the Needham Health Department, Police Department, Fire Department, and Board of Selectmen.
- 3.2 Temporary connections to potable water are prohibited. All plumbing and electrical connections shall be accordance with the State Building Code.
- 3.3 Grease must be contained and disposed of in accordance with State Sanitary Code.
- 3.4 Grey water must be contained and disposed of in accordance with State Sanitary Code.
- 3.5 Food trucks must have the following fire extinguisher on board during hours of operation: one 15 lb. multipurpose subject to the determination of the Fire Chief or his designee.
- 3.6 Food trucks may not operate as a drive-in/drive-up/drive-through operation. All service must be walk-up by customers.
- 3.7 Trash and recycling receptacles shall be provided for customers and trash and recyclables shall be removed from the site daily.
- 3.8 If a food truck is proposed to operate after dark, the vendor must provide appropriate lighting.
- 3.9 No signage shall be allowed other than signs permanently attached to the motor vehicle and a portable menu sign no more than 9 square feet in display area on the ground in the customer waiting area.
- 3.10 No food truck shall make or cause to be made any unreasonable or excessive noise or odor.
- 3.11 No food truck shall set up tables, chairs, umbrellas or similar facilities (except standing counters and tables without chairs or stools).

### **Section 4: Permitting**

- 4.1 A food truck will be licensed by the Town's Health Department and Fire Department before issuance or renewal of Food Truck Permit from the Board of Selectmen, which must be prominently displayed on the truck.
- 4.2 A fee in the amount of \$250.00 annually for an up-to five day a week seasonal permit shall be paid upon issuance of the Food Truck Permit. Fee is regardless of the number of days per week licensed.
- 4.3 Food truck vendors must obtain requisite insurance, bonding and workers compensation as required from time to time by the Board of Selectmen.
- 4.4 Food Truck vendors must obtain a Massachusetts Hawker and Peddler License (issued through the Police Department).
- 4.5 Violation of any of the provisions of this Section may result in revocation of the permits and

licenses issued to the vendor to operate in Needham.

- 4.6 A fee in the amount of \$25 for a permit valid for up to one week (“Limited Food Truck Permit”) shall be paid upon the issuance of the Limited Food Truck Permit. Such permit shall be issued only to the extent spaces are available; that is, not otherwise occupied by seasonal Food Truck Permit holders. Seasonal permit requests shall have precedence over limited ones. All regulations related to seasonal food trucks apply.

INSERTED BY: Doug Fox et al.

FINANCE COMMITTEE RECOMMENDS THAT: Recommendation to be Made at Town Meeting

Article Information:

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**ARTICLE 66: 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 Selectmen, 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: Board of Selectmen

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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 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 under our hands at Needham aforesaid this 14<sup>th</sup> day of February 2017.

**MATTHEW D. BORRELLI, *Chairman***  
**MARIANNE B. COOLEY, *Vice Chairman***  
**DANIEL P. MATTHEWS, *Clerk***  
**JOHN A. BULIAN**  
**MAURICE P. HANDEL**

*Selectmen of Needham*

A true copy,  
ATTEST \_\_\_\_\_ 2017  
Constable (month) (day)



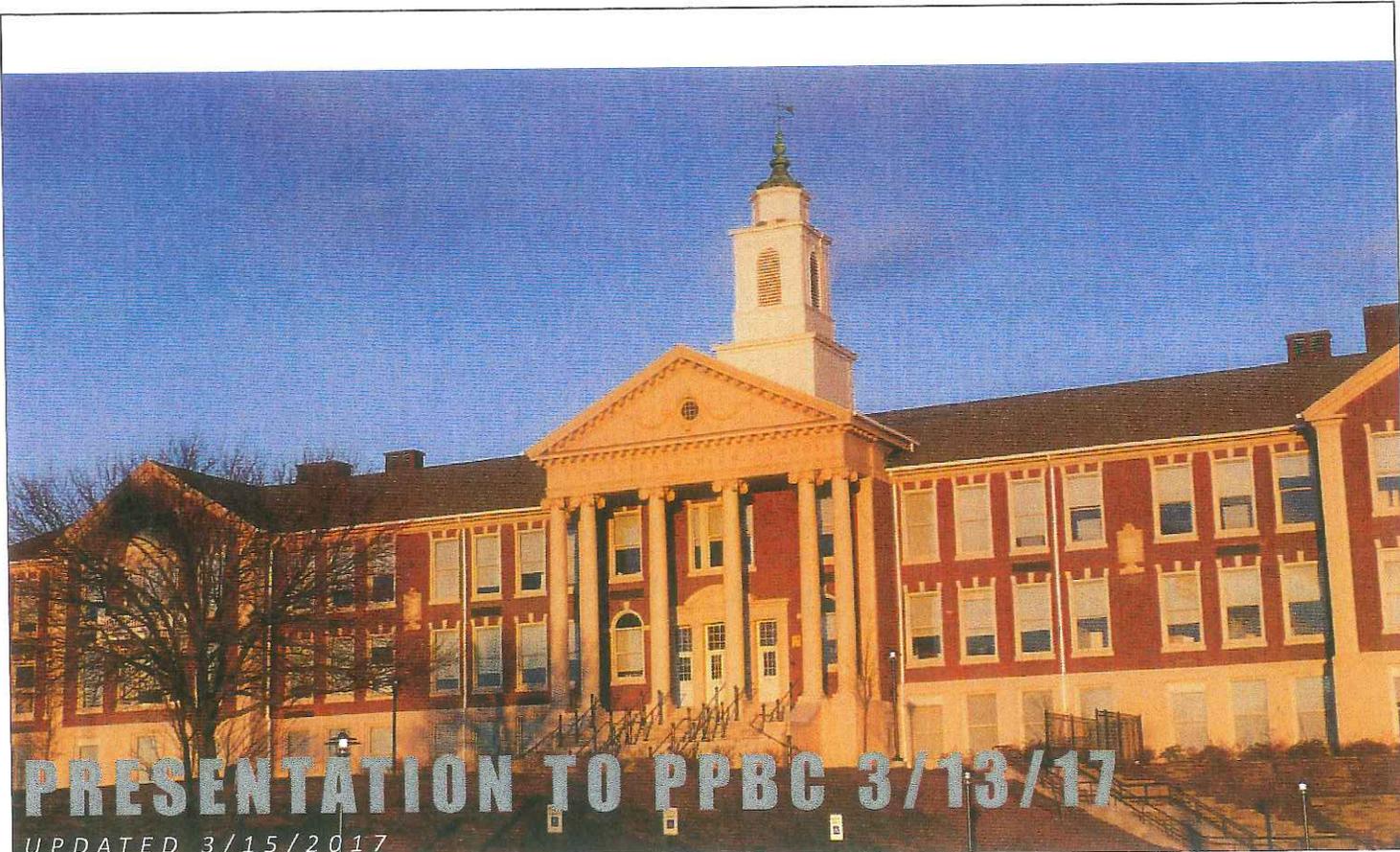
**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

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**MEETING DATE: 03/28/2017**

<b>Agenda Item</b>	Needham High School Expansion Project
<b>Presenter(s)</b>	Board Discussion

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
The Board will discuss the proposed expansion of Needham High School.	
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
Discussion Only.	
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
<b>(Describe backup below)</b>	
a. Presentation to PPBC 3/13/17 (updated 3/15/2017) by Dore & Whittier.	



## Agenda

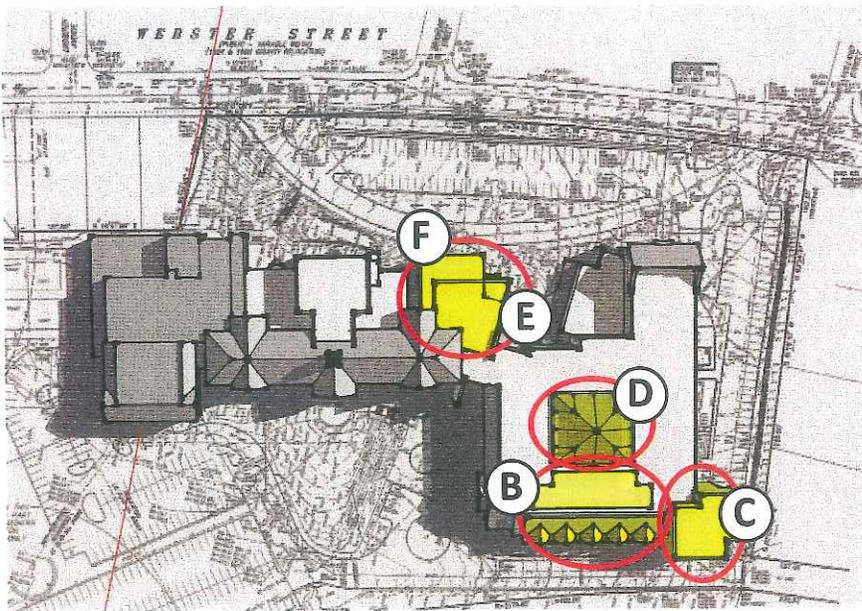
- Review Design Options
- Review Costs
- Narrow Options

## Goal:

- 8 Classrooms
  - 6 at 925 sf
  - 2 at 1,200 sf
- 1 Science Classroom + Prep
- Special Education +/- 5,000 sf

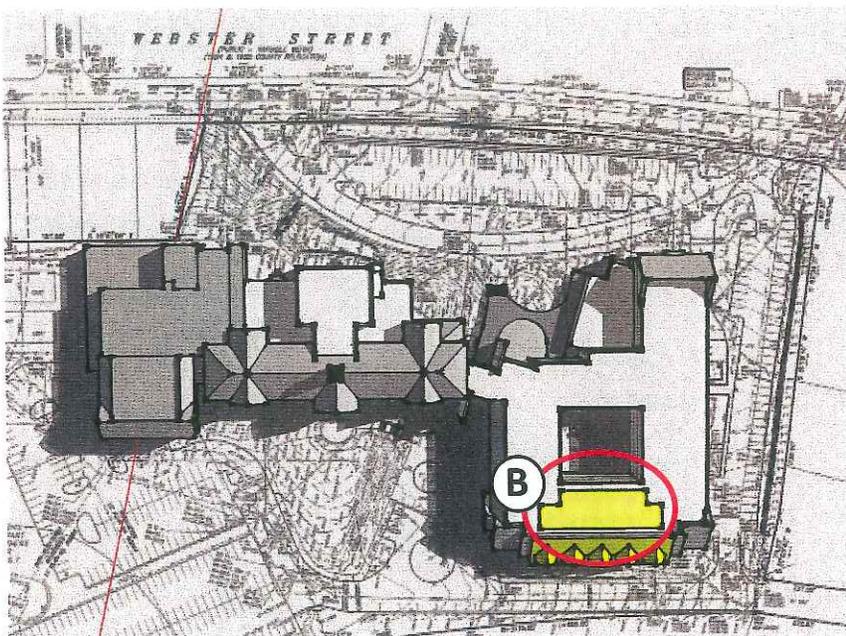
# OPTIONS

## Updated Building Options



- (A) *No added classrooms*
- (B) Interior Renovation Only
- (C) Classroom addition at SW corner
- (D) Relocated Media Center at Courtyard
- (E) Relocated Media Center at Webster Street Entry Area
- (F) New Classroom Wing at Webster Street Entry

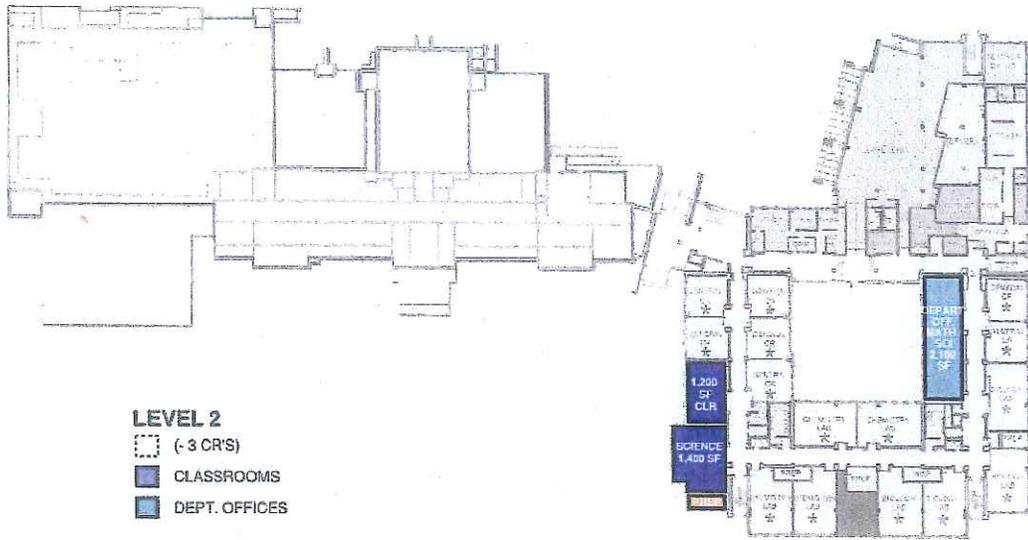
## Building Option B



- (B) Interior Renovations – new floor & roof structure at Level 4 for new Media Center plus new Classrooms at Level 3 (exst. Media Center area)

# Building Option B

**LEVEL 2: RE-PURPOSE DEPT. OFFICE SPACES & (3) EXST. CLRMS**

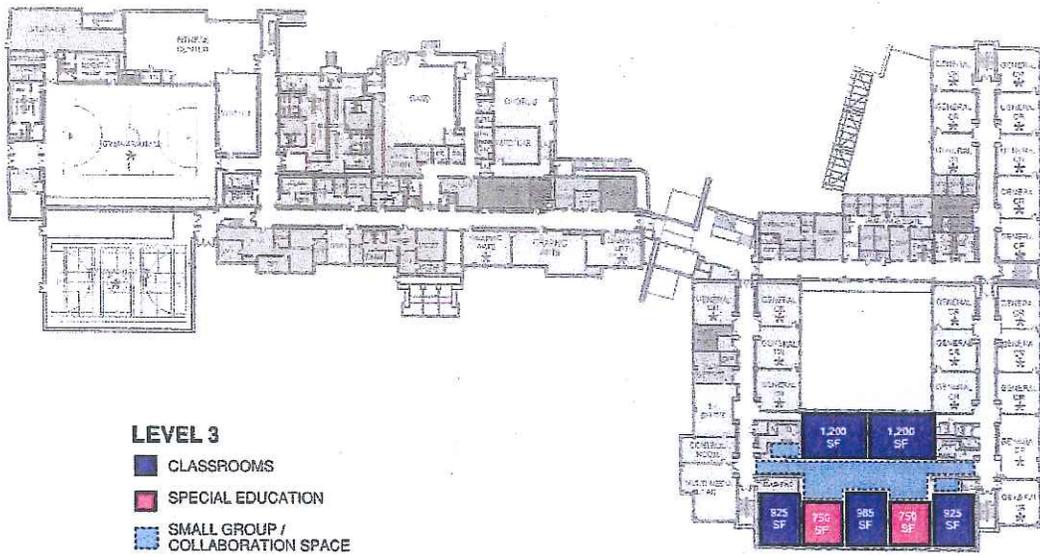


- (1) NEW SCIENCE & PREP
- (1) NEW 1,200 SF CLR

**LEVEL 2**  
 - - - (- 3 CR'S)  
 ■ CLASSROOMS  
 ■ DEPT. OFFICES

# Building Option B

**LEVEL 3: RE-PURPOSE EXST. LIBRARY VOLUME**



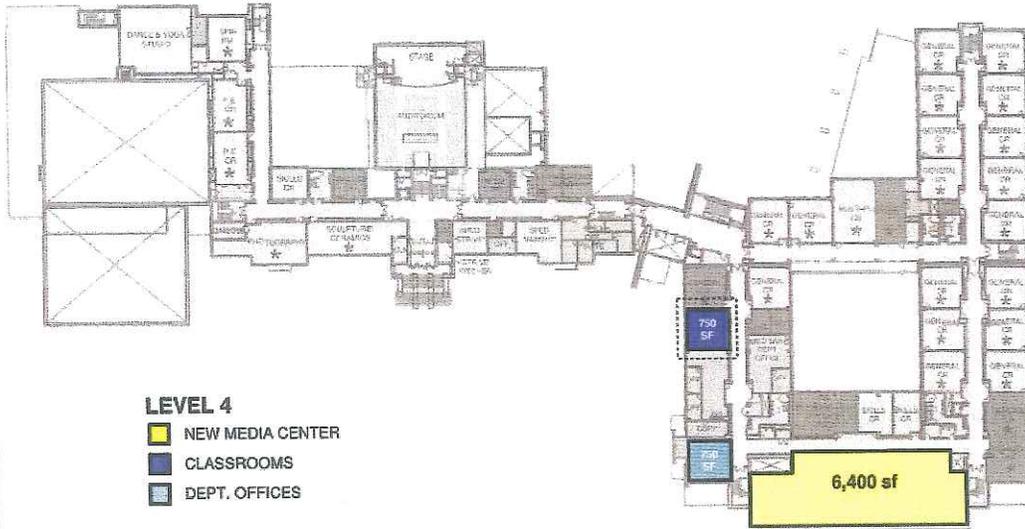
- (2) NEW 1,200 SF CLRMS
- (3) NEW +/- 925 SF CLRMS
- (2) NEW 750 SF SPECIAL EDUCATION CLRMS
- NEW 2,500 SF STUDENT COLLABORATION SPACE

**LEVEL 3**  
 ■ CLASSROOMS  
 ■ SPECIAL EDUCATION  
 ■ SMALL GROUP / COLLABORATION SPACE

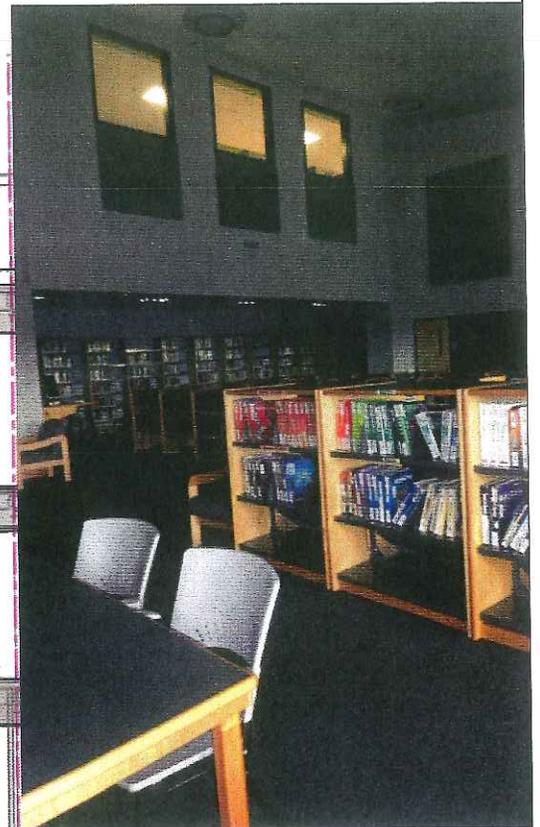
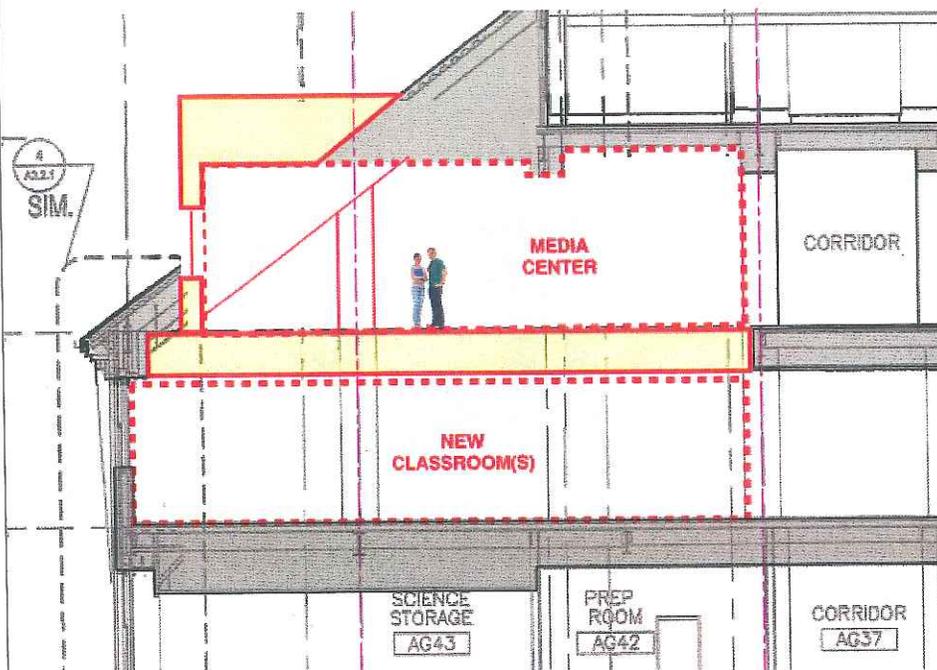
# Building Option B

**LEVEL 4: RE-LOCATED MEDIA CTR.**

- (1) NEW 750 SF CLRM
- NEW 6,400 SF MEDIA CENTER



# Building Option B



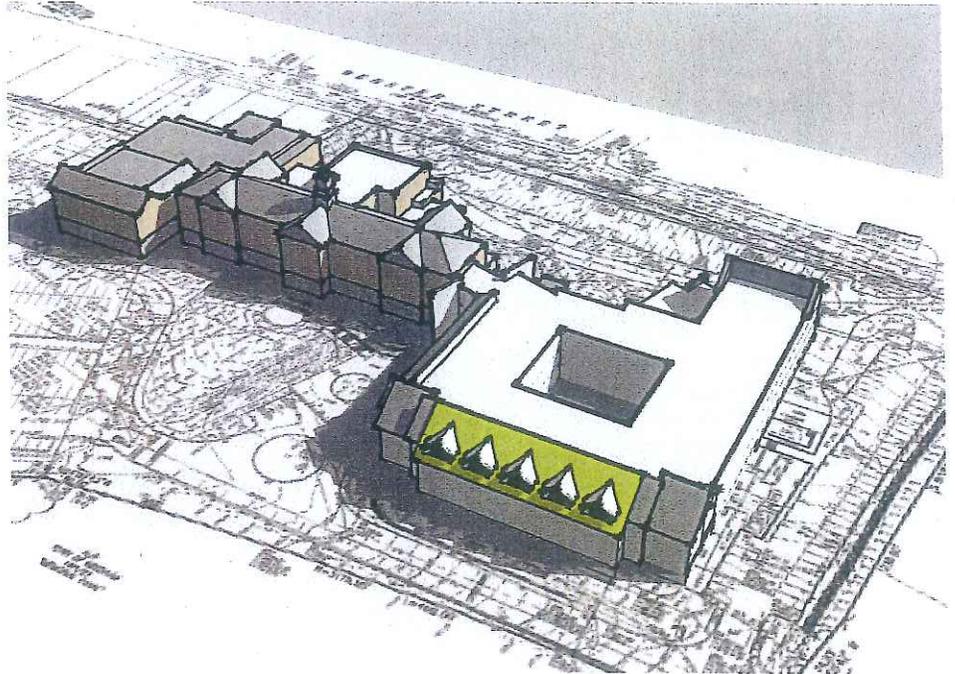
## Building Option B

### Net gain:

- (1) Science Lab + Prep
- (4) Classrooms
  - 3 @1,200 sf
  - 3 @925 sf
  - 1 @750 sf

(note: total(s) may differ based on how many exst. Classrooms are re-purposed)
- (2) Special Education Classrooms

8 – 12 months duration



GABLE END DORMERS

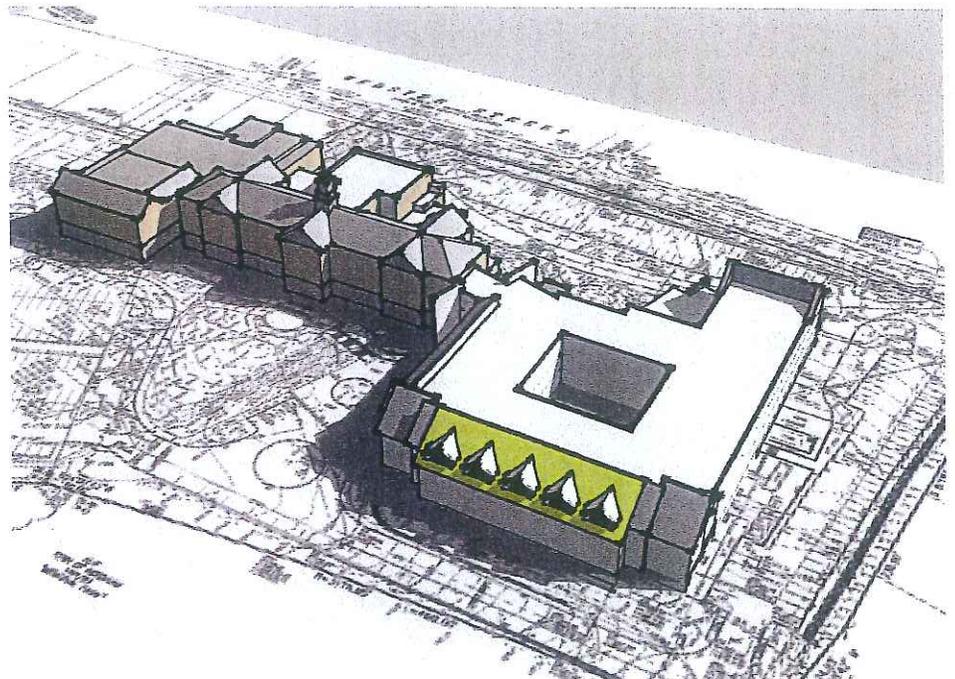
## Building Option B

### Constraints:

- Invasive construction
- Media Center reduced size
- Space needs not met

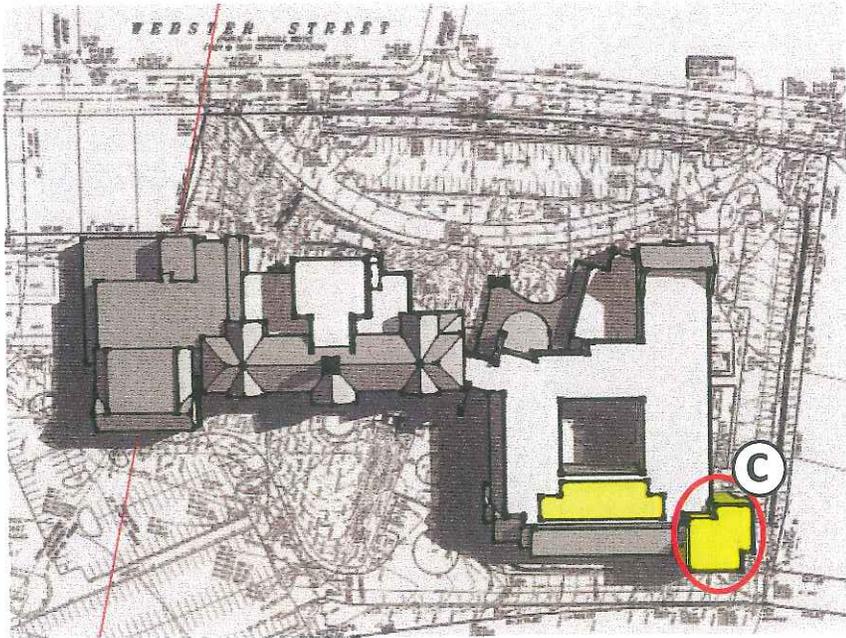
### Opportunities:

- Cost effective
- Renovations Only



GABLE END DORMERS

# Building Option C *(revised)*



**C** Classroom addition at SW Corner of Building

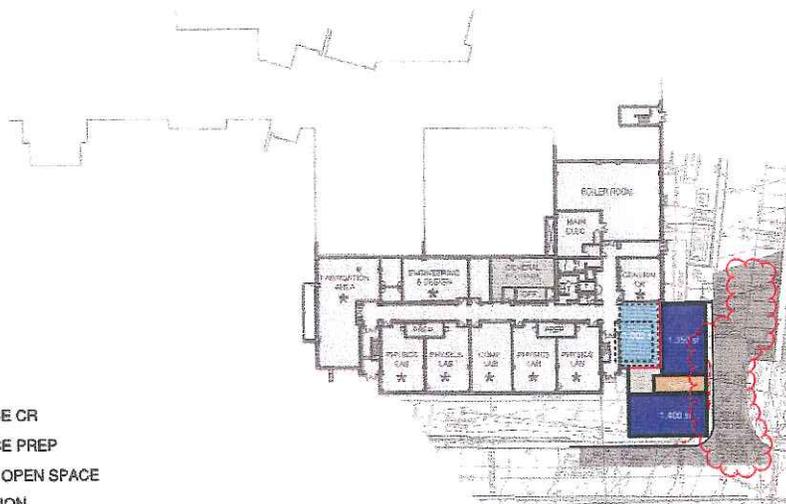
# Building Option C

**LEVEL 1: RE-PURPOSE (1)**  
GENERAL CLASSROOM

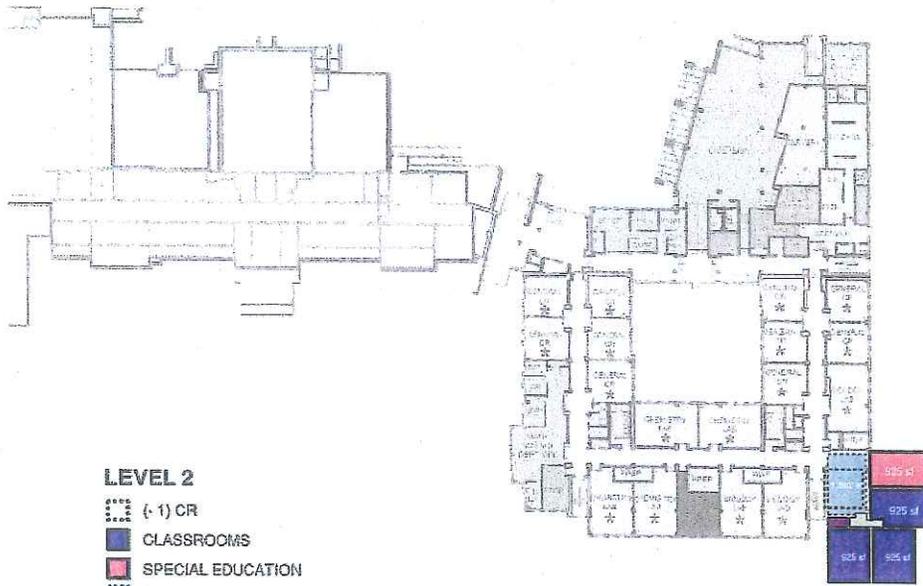
- (2) NEW SCIENCE & PREP
- APRX. 1,000 SF COLLABORATION SPACE

**LEVEL 1**

- (- 1) CR
- +2 SCIENCE CR
- +1 SCIENCE PREP
- +1 COLL. / OPEN SPACE
- CIRCULATION
- SITE PAVING WORK



# Building Option C

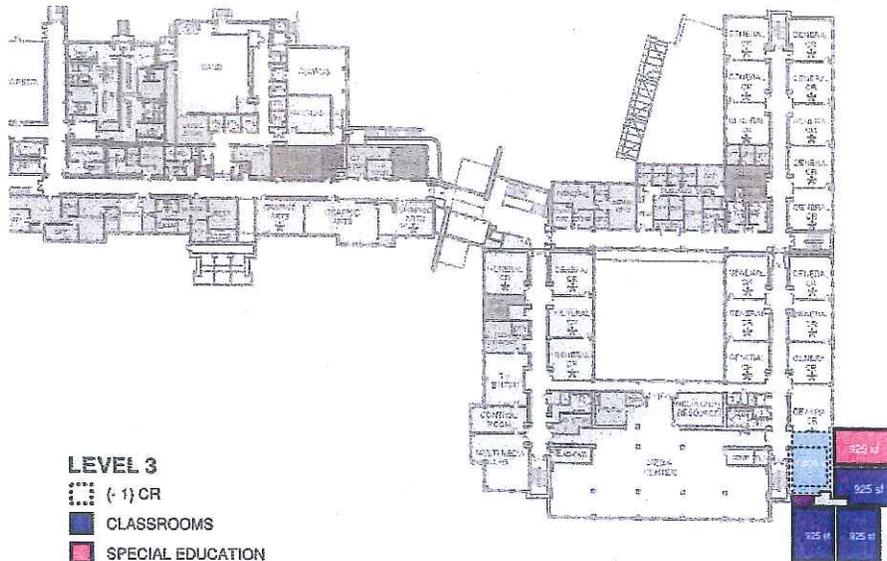


- LEVEL 2**
- (-1) CR
  - CLASSROOMS
  - SPECIAL EDUCATION
  - COLL. / OPEN SPACE
  - STORAGE SPACE
  - CIRCULATION

**LEVEL 2: RE-PURPOSE (1)**  
SCIENCE CLASSROOM

- (3) NEW 925 SF CLRM
- (1) NEW 925 SF SPECIAL EDUCATION CLRM
- (1) NEW APRX. 1,000 SF COLLABORATION SPACE

# Building Option C

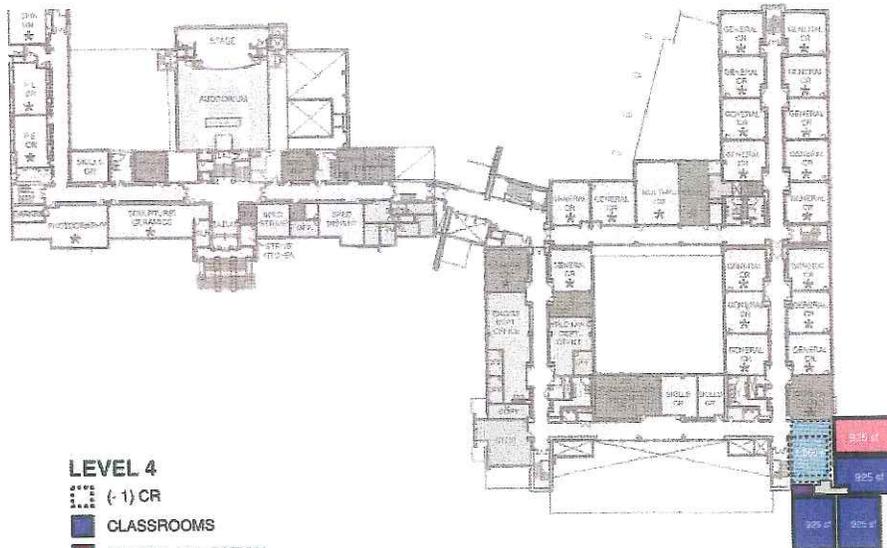


- LEVEL 3**
- (-1) CR
  - CLASSROOMS
  - SPECIAL EDUCATION
  - COLL. / OPEN SPACE
  - STORAGE SPACE
  - CIRCULATION

**LEVEL 3: RE-PURPOSE (1)**  
GENERAL CLASSROOM

- (3) NEW 925 SF CLRM
- (1) NEW 925 SF SPECIAL EDUCATION CLRM
- (1) NEW APRX. 1,000 SF COLLABORATION SPACE

## Building Option C



### LEVEL 4

- (-1) CR
- CLASSROOMS
- SPECIAL EDUCATION
- COLL. / OPEN SPACE
- STORAGE SPACE
- CIRCULATION

### LEVEL 4: RE-PURPOSE (1) GENERAL CLASSROOM

- (3) NEW 925 SF CLRM
- (1) NEW 925 SF SPECIAL EDUCATION CLRM
- (1) NEW APRX. 1,000 SF COLLABORATION SPACE

## Building Option C

### Net gain:

- (1) Science Lab + Prep
- (4) Collaboration Spaces
- (5) Classrooms
  - 5 @925sf
- (3) Special Education Classrooms
  - 3 @925sf

12 – 16 months Duration



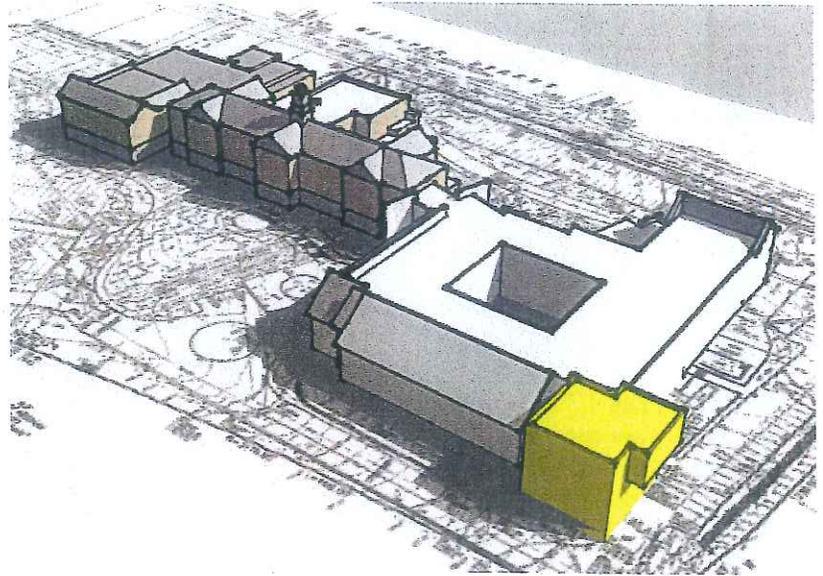
## Building Option C

### Constraints:

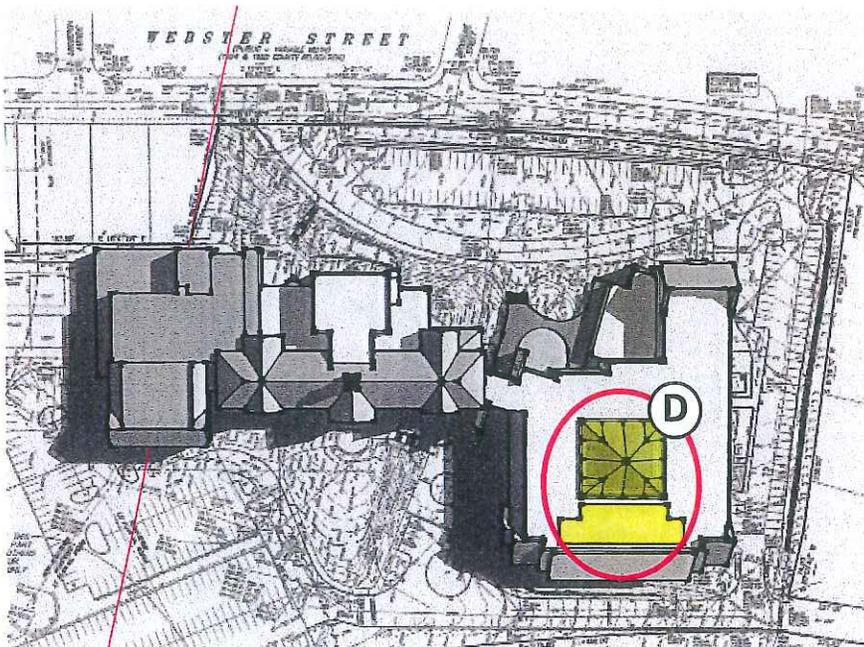
- 4 temporary classrooms required
- Adjacent classrooms impact
- Parking / circulation impact

### Opportunities:

- Cost effective
- Single Phase

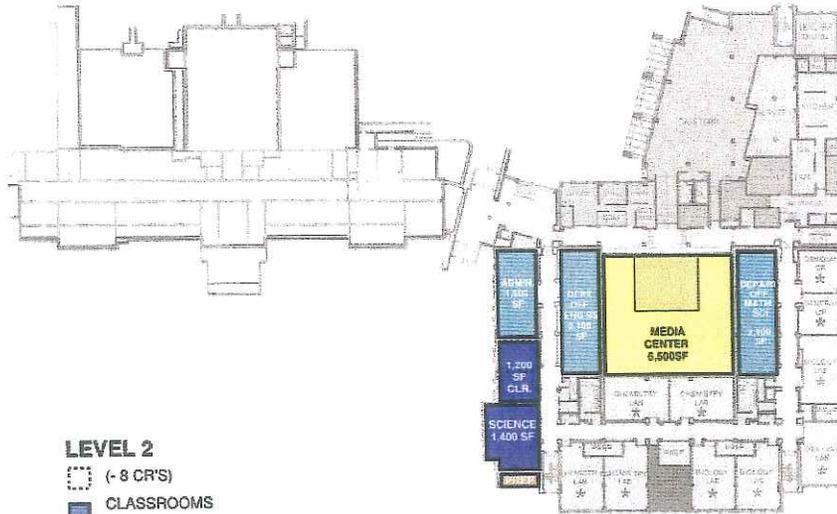


## Building Option D



Ⓓ Relocated Media Center  
at Courtyard

# Building Option D

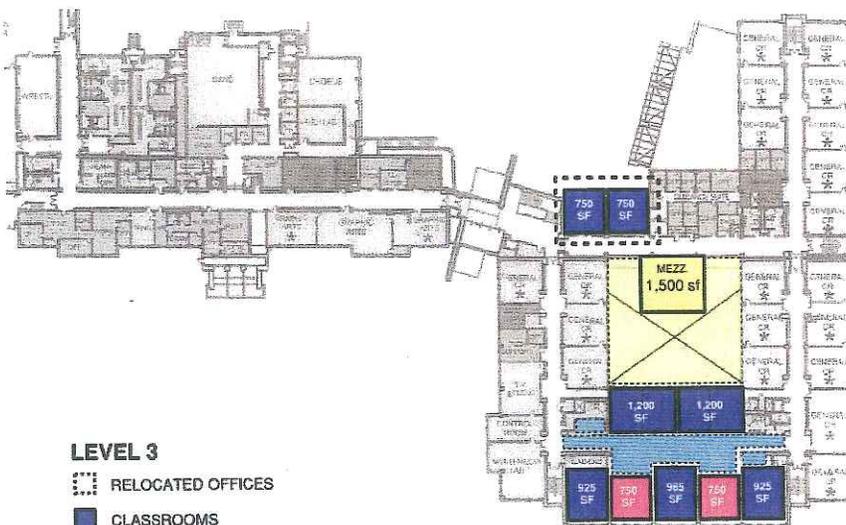


- LEVEL 2**
- (- 8 CR'S)
  - CLASSROOMS
  - DEPT. OFFICES, ADMIN.
  - GUIDANCE
  - MEDIA CENTER

**LEVEL 2: DEMO (8) CR'S  
TO CREATE (3) OFFICE  
SUITES**

- (1) NEW 6,500 SF MEDIA CENTER
- (1) NEW 1,640 SF SCIENCE & PREP
- (1) NEW 1,200 SF CLASSROOM

# Building Option D

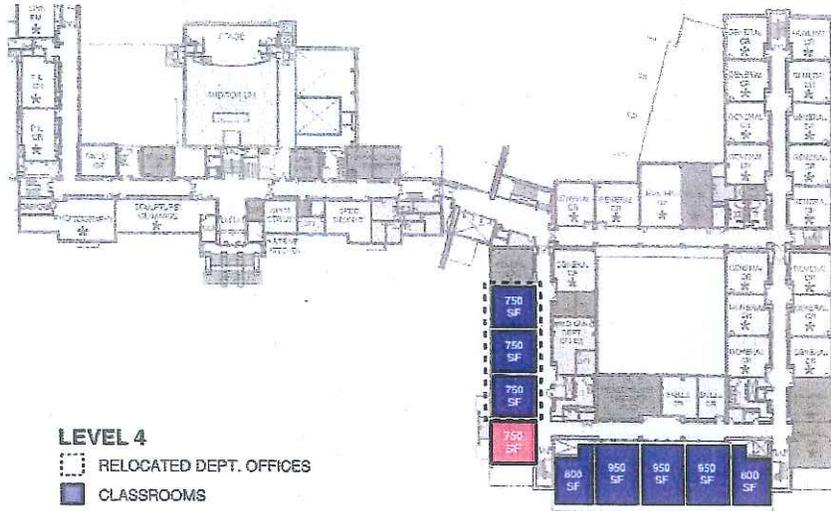


- LEVEL 3**
- RELOCATED OFFICES
  - CLASSROOMS
  - SPECIAL EDUCATION CR'S
  - SMALL GROUP / COLLABORATION SPACE

**LEVEL 3: RELOCATE ADMIN TO  
LEVEL 2**

- (7) NEW CLRMS
- (2) NEW SPECIAL ED. CLRMS
- (1) NEW +/- 2,500 SF COMMONS / COLLABORATION SPACE

# Building Option D



- LEVEL 4**
- RELOCATED DEPT. OFFICES
  - CLASSROOMS
  - SPECIAL EDUCATION CR's
  - NEW DEPT. OFFICE

**LEVEL 4: RENOVATED ROOF,  
NEW FLOOR STRUCTURE**

- (8) NEW CLASSROOMS
- (1) NEW SPECIAL ED. CLRMS

# Building Option D

*Net gain:*

- (1) Collaboration Space
- (1) Science Lab + Prep
- (8) New Classrooms
  - o 2 @1,200 sf
  - o 6 @925sf
- (3) New Special Education CR's

*14 – 18 months duration*



## Building Option D

### Constraints:

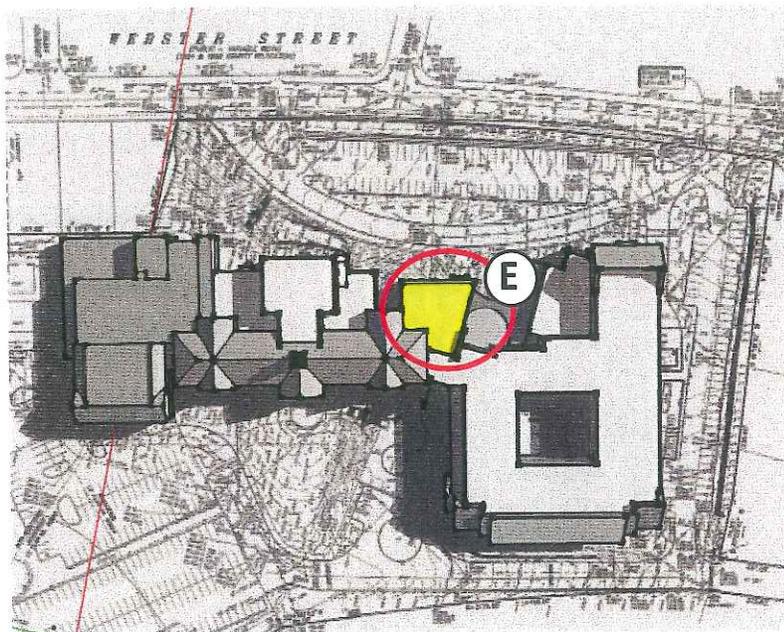
- Multiple areas impacted
- Multiple phases necessary
- Construction Access
- Reduced size Media Center

### Opportunities:

- Create Central Commons
- Achieves Goal



## Building Option E



- Ⓔ Relocated Media Center  
at Webster Street Entry  
Area

# Building Option E



- LEVEL 2**
- (-3 CR'S)
  - CLASSROOMS
  - DEPT. OFFICES, ADMIN. GUIDANCE

**LEVEL 2: DEMO (3) CR'S FOR  
(1) DEPT. OFFICE SUITE**

- (1) NEW 1,800 SF ADMIN. OFFICES + STORAGE
- (1) NEW 1,800 SF SCIENCE SUITE
- (1) NEW 1,200 SF CLASSROOM

# Building Option E



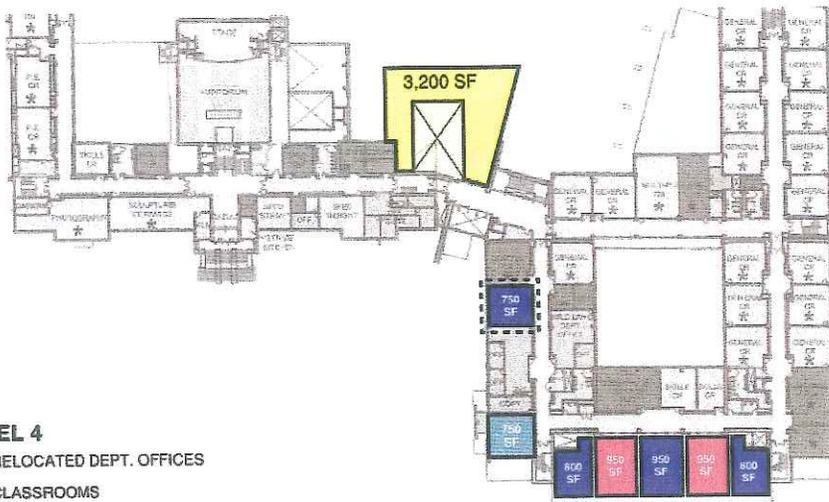
- LEVEL 3**
- RELOCATED ADMIN OFFICES
  - CLASSROOMS
  - SMALL GROUP / COLLABORATION SPACE
  - MEDIA CENTER - LOWER LEVEL

**LEVEL 3: RELOCATE ADMIN TO  
LEVEL 2**

- (9) NEW CLRMS
- (1) NEW +/- 2,500 SF COMMONS / COLLABORATION SPACE
- (1) NEW MEDIA CENTER LOWER LEVEL OVER ENTRY AREA

# Building Option E

## LEVEL 4:



### LEVEL 4

- RELOCATED DEPT. OFFICES
- CLASSROOMS
- DEPT. OFFICES
- NEW MEDIA CENTER - UPPER LEVEL
- SPECIAL EDUCATION

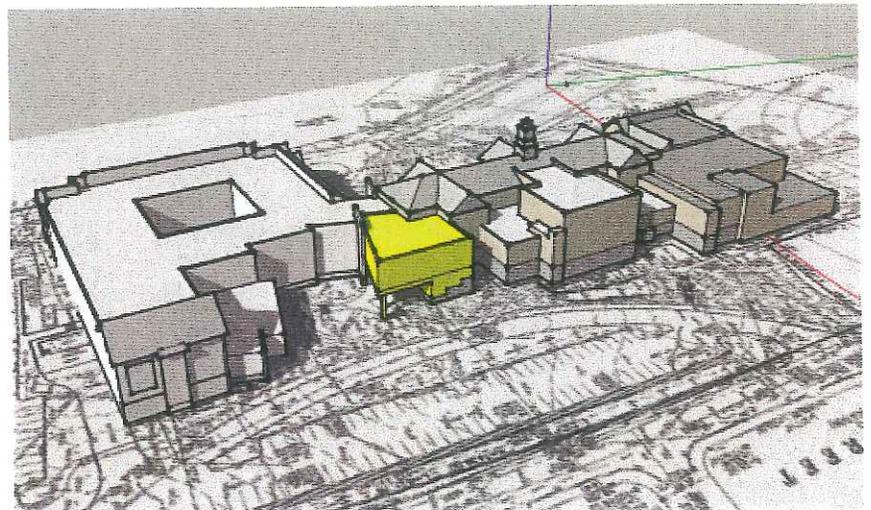
- (4) NEW CLRMS
- (2) NEW SPECIAL EDUCATION CLRMS
- (1) NEW MEDIA CENTER UPPER LEVEL OVER ENTRY AREA

# Building Option E

## Net gain:

- (1) New Collaboration Space
- (1) Science Lab + Prep
- (8) New Classrooms
  - 3 @1,200 sf
  - 4 @925sf
  - 1@750sf
- (5) New Special Education CRs
  - 2 @925 sf
  - 3 @725sf

20 – 24 months duration



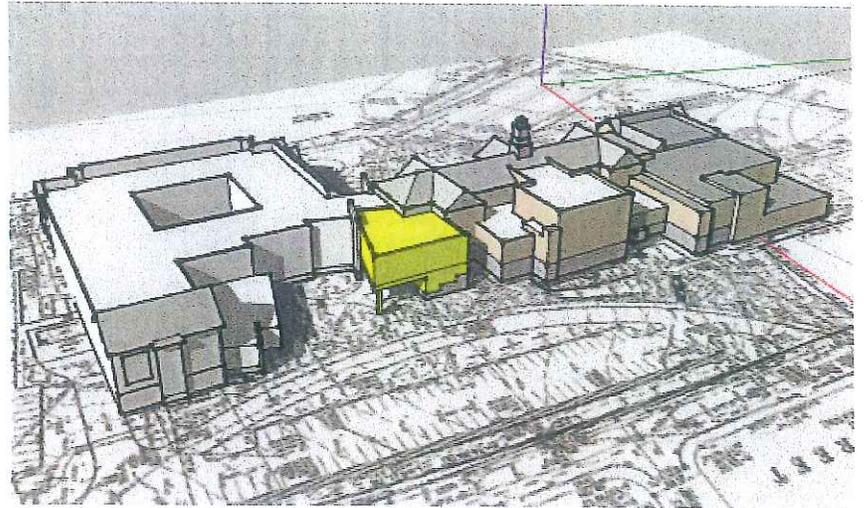
## Building Option E

### Constraints:

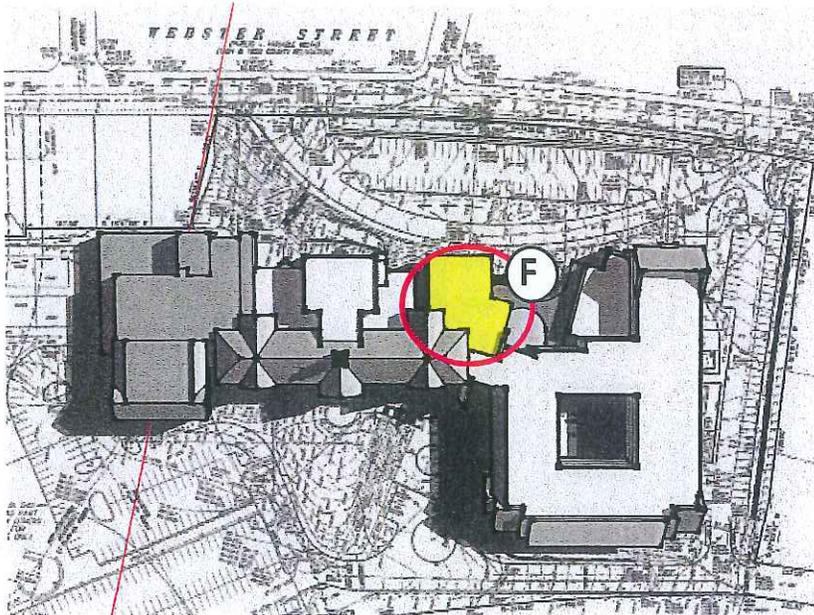
- Multiple areas impacted
- Multiple phases necessary
- Construction Access

### Opportunities:

- Properly sized Media Center
- Achieves Space Needs Goals
- New Classrooms located in core academic area



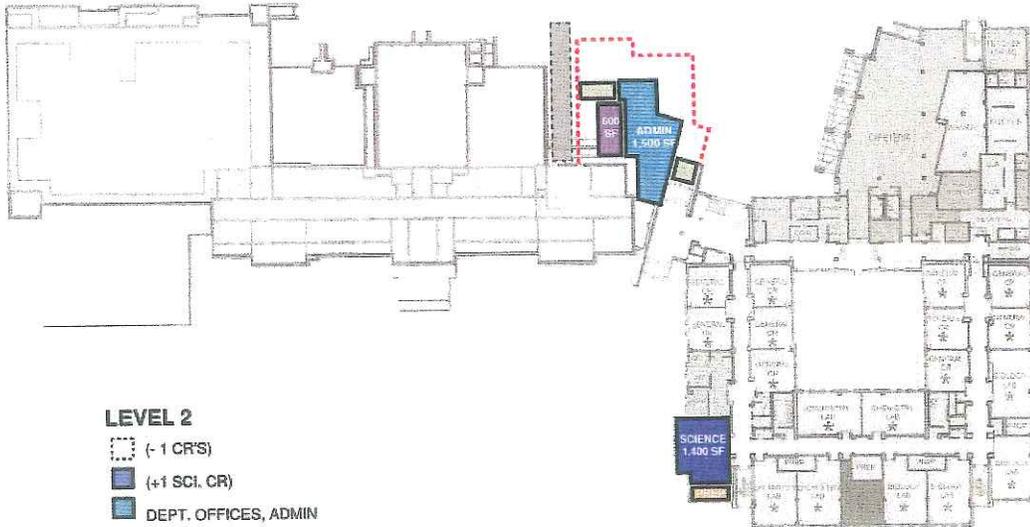
## Building Option F



**F** New Classroom Wing at Webster Street Entry

# Building Option F

## LEVEL 2:



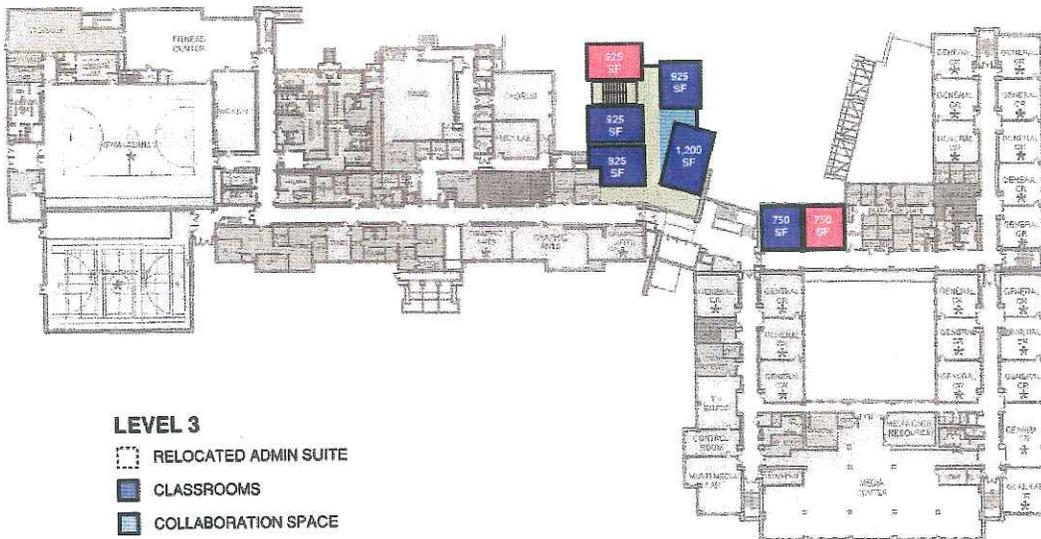
- (1) NEW 1,500 SF ADMIN. OFFICE + 600 SF STORAGE
- (1) NEW 1,800 SF SCIENCE SUITE

### LEVEL 2

- [-] (-1 CR'S)
- [+] (+1 SCI. CR)
- [■] DEPT. OFFICES, ADMIN
- [□] CIRCULATION
- [■] STORAGE

# Building Option F

## LEVEL 3:



- (3) NEW 925 SF
- (1) NEW 750 SF CLRMS
- (1) NEW 1,200 SF CLRM
- (2) NEW SPECIAL EDUCATION CLRMS

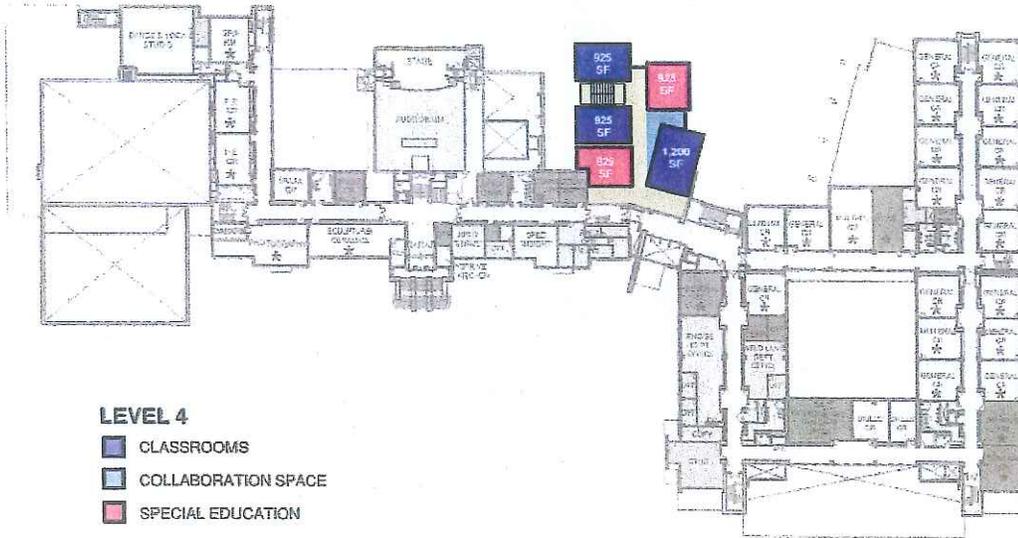
### LEVEL 3

- [-] RELOCATED ADMIN SUITE
- [■] CLASSROOMS
- [■] COLLABORATION SPACE
- [■] SPECIAL EDUCATION

# Building Option F

LEVEL 4:

- (2) NEW 925 SF
- (1) NEW 1,200 SF CLRM
- (2) NEW 925 SF SPECIAL EDUCATION CLRMS



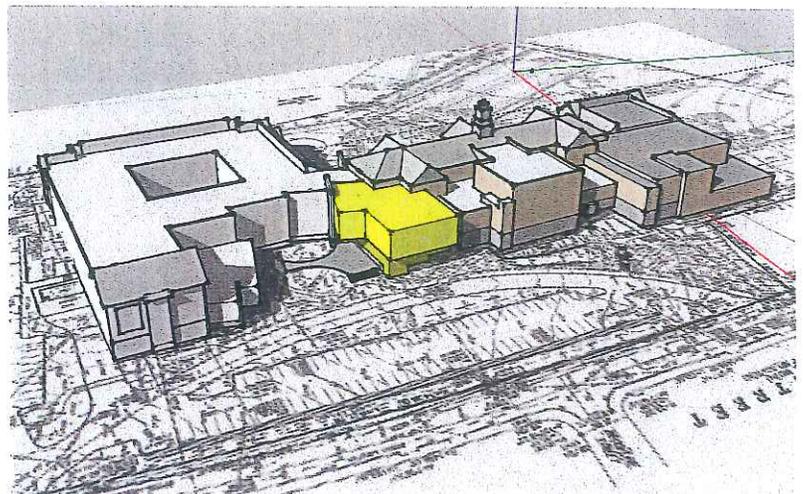
- LEVEL 4**
- CLASSROOMS
  - COLLABORATION SPACE
  - SPECIAL EDUCATION

# Building Option F

Net gain:

- (2) New Collaboration Spaces
- (1) Science Lab + Prep
- (8) New Classrooms
  - 2 @1,200 sf
  - 5 @925sf
  - 1@725sf
- (4) New Special Education CRs
  - 3 @925 sf
  - 1 @725sf

12 – 16 months duration





# THANK YOU!

## Building Options Comparison Matrix

OPTION	NET SPACE(S) ADDED:	NOTES:
	qty. sq ft size type	
<b>OPTION B</b> <i>(Internal Renovations at Media Center areas only)</i> <b>\$8.6m</b>	3 1,200 CLASSROOM	Completed: Fall 2019
	3 925 CLASSROOM	<i>Note: New Level 4 Media Center - size reduced by approx. 2,000 sf</i>
	2 750 SPECIAL ED. CLASSROOM	
	1 750 CLASSROOM	Phase I: New Level 4 Structure Complete
	1 1,640 SCIENCE LAB	Phase II: New Level 3 Classrooms Complete
<b>OPTION C</b> <i>(Corner addition on SW corner)</i> <b>\$9.8m</b>	5 925 CLASSROOM	Completed: Fall 2019
	3 925 SPECIAL ED. CLASSROOM	<i>Note: Media Center becomes 1-story space at exist. location</i>
	1 1,640 SCIENCE LAB	Phase I: 4-Story Addition Complete
	4 1,000 COLLABORATION	Phase II: 4th Floor Renovation Complete
<b>OPTION D</b> <i>(New Media Center on Courtyard)</i> <b>\$22.3m</b>	8 1,200 CLASSROOM	Completed: Fall 2019
	6 925 CLASSROOM	<i>Note: New Media Center reduced by approx. 1,000 sf</i>
	3 750 SPECIAL ED. CLASSROOM	
	1 1,640 SCIENCE LAB	Phase I: Media Center Addition Complete
	1 2,500 COLLABORATION	Phase II: New Classrooms Renovation Renovation Complete
<b>OPTION E</b> <i>(New Media Center at Webster St. Entry)</i> <b>\$17.5m</b>	3 1,200 CLASSROOM	Completed: Fall 2019
	4 925 CLASSROOM	
	1 750 CLASSROOM	
	1 1,640 SCIENCE LAB	Phase I: Media Center Addition Complete
	1 2,500 COLLABORATION	Phase II: 3rd & 4th Floor Renovation Complete
<b>OPTION F</b> <i>(New Classroom Wing at Webster St. Entry)</i> <b>\$11.6m</b>	2 1,200 CLASSROOM	Completed: Fall 2019
	5 925 CLASSROOM	
	1 725 CLASSROOM	<i>Note: New Admin. Suite at Entry / Lobby Area</i>
	2 400 COLLABORATION	Phase I: 3-Story Classroom Addition Addition Complete
	1 1,640 SCIENCE LAB	Phase II: Interior Classroom Renovation Complete



**Board of Selectmen  
TOWN OF NEEDHAM  
AGENDA FACT SHEET**

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**MEETING DATE: 03/28/2017**

<b>Agenda Item</b>	Committee Reports
<b>Presenter(s)</b>	Board Discussion

<b>1.</b>	<b>BRIEF DESCRIPTION OF TOPIC TO BE DISCUSSED</b>
	<i>Board members will report on the progress and / or activities of their Committee assignments.</i>
<b>2.</b>	<b>VOTE REQUIRED BY BOARD OF SELECTMEN</b>
<b>3.</b>	<b>BACK UP INFORMATION ATTACHED</b>
	<b>(Describe backup below)</b>  None

**ONE DAY SPECIAL LICENSE  
TOWN OF NEEDHAM BOARD OF SELECTMEN  
EVENT INFORMATION SHEET**  
*(Please complete and attach event flyer or other information.)*

RECEIVED  
TOWN OF NEEDHAM  
BOARD OF SELECTMEN

Event Manager Name (Name that will appear on license)	Caroline Christian <span style="float: right;">2017 MAR 21 A 8:39</span>
Event Manager Address	160 Gould Street, Suite 310 Needham, MA 02494
Event Manager Phone Number	781-292-3212
Organization Representing (if applicable)	The Bulfinch Group
Is the organization (if applicable) you are representing non-profit? If so, please attach proof of non-profit status.	<input type="checkbox"/> Non-profit <input checked="" type="checkbox"/> For profit <input type="checkbox"/> Proof of non-profit status is attached Form of Proof: _____
Name of Event	Improv Andy: Answering "What do you do?"
Date of Event	04/25/17
License is for Sale of:	
<input checked="" type="checkbox"/> Wines & Malt Beverages Only <input type="checkbox"/> All Alcoholic Beverages (for non-profit groups only)	
Requested Time for Liquor License	FROM: 5:00 PM TO: 7:30 PM
Are tickets being sold in advance for this event?	<input checked="" type="checkbox"/> YES \$ 15 /per ticket <input type="checkbox"/> NO
Is there an admission fee for this event?	<input checked="" type="checkbox"/> YES \$ 15 /per ticket <input type="checkbox"/> NO
Are you using dues collected to purchase alcohol for this event?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
How many people are you expecting at this event?	60
Name & address of event location. Please attach proof of permission to use this facility.	
The Bulfinch Group 160 Gould Street, Suite 310, Needham, MA 02494	
Who will be serving the alcohol to your guests?	
Premier Bartending Services	
Bartenders and/or servers of alcohol, beer and/or wine must have completed in the past three years an appropriate Massachusetts alcoholic beverages server-training program. Please state below who will be serving alcohol, beer and/or wine and attach proof of their training (certificate).	
→ see enclosed certificate	
Please use the space below to describe the manner in which alcohol will be served to your guests. (For example, will guests be served alcohol or will they need to purchase it from the bar?) Please attach floorplan (can be hand drawn) of the event facility with liquor delivery plan.	
guests will get their complimentary drinks from the bartender.	
<input checked="" type="checkbox"/> I understand that the alcohol purchased for this event must be purchased from a licensed wholesaler/importer, manufacturer, farmer-winery, farmer-brewery or special permit holder and that I have received a current list of wholesalers. (A person holding a Section 14 license cannot purchase alcoholic beverages from a package store. (MGL Ch. 138, Sec 14, 23; 204 CMR 7.04))	
Event Manager Signature:	<i>Caroline Christian</i> Date: 3/16/17

**Name:** Improv Andy: Answering 'What do you do?'

**Date:** April 25, 2017

**Time:** 5:30 PM - 7:00 PM EDT

[Register Now](#)

## Event Description:

Your next big client could be standing right next to you. How will you answer "What do you do?" In this dynamic and interactive presentation, led by [Elevator Pitch Coach Andrew Winig](http://improvandy.com/) [<http://improvandy.com/>], you'll learn and practice answering the only three questions you'll ever be asked at any networking event. Our natural and conversational approach will open up more opportunities to grow your business and expand your referral network. You'll also learn advanced techniques you can use immediately to start business conversations, discover relevant connections, and inspire prospects to call you.

Complimentary cocktails and hors d'oeuvres courtesy of The Bulfinch Group.

## About Our Speaker:



[\[improvandy.com\]](http://improvandy.com)

Andrew Winig is Your Elevator Pitch Coach. As an entrepreneur and business owner he discovered that business networking success starts with an engaging 30-Second Elevator Pitch. His 10-year journey from cold call salesman to Trusted Advisor inspired him to write the "Elevator Pitch Handbook: The Step-by-Step Guide to Starting

Conversations." Andrew wants you to get better leads from your Elevator Pitch, and shares his unique and effective techniques through email newsletters, webinars, 1-on-1 coaching, and keynote speeches.

## Event Sponsors:



**THE BULFINCH  
GROUP**

## Location:

The Bulfinch Group  
160 Gould Street Suite 320,  
Needham

## Date/Time Information:

Tues. April 25, 5:30 -7 p.m.

## Contact Information:

617-244-5300

[Send an Email](#)

[\[info@nnchamber.com\]](mailto:info@nnchamber.com)

## Fees/Admission:

Early Bird Rate: \$15 for members,  
\$25 for non-members

After 4/7 increases to \$20 for  
members, \$30 for non-members

[Business Directory](#) | [Events Calendar](#) | [Hot Deals](#) | [Marketspace](#) | [Jobs](#) | [Join The Chamber](#)

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Town of Needham  
Water Sewer Billing System  
Adjustment Form

DEPARTMENT OF PUBLIC WORKS

TO: TOWN TREASURER AND COLLECTOR  
cc: TOWN ACCOUNTANT, WATER AND SEWER SUPERINTENDENT

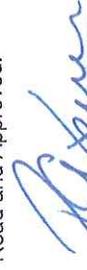
WHEREAS the appropriate divisions of the Department of Public Works have submitted to you the following commitment(s) on the dates listed below for the collection of water, sewer revenue and

WHEREAS certain inadvertent error(s) were made in said commitment(s), it is hereby requested that you abate these particular account(s) in the amount(s) stated below.

Water Sales:	-\$181.00
Water Irrigation:	\$0.00
Water Admin Fees	\$0.00
Sewer Sales:	-\$356.50
Transfer Station Charges:	\$0.00
Total Abatement:	-\$537.50

Order #: 1234

Read and Approved:

 3/23/2017

Assistant Director of Public Works

  
Director of Public Works

For the Board of Selectmen

Date: 3/28/17

**Town of Needham  
Water Sewer Billing System  
Adjustment Form**

Prepared By:	Last Name	First Name	Customer ID#	Location ID#	Street Number	Street Name	Irrigation Water	Domestic Water	Sewer	Total	Reason	Corrected Last Read
DB	Ehrlich	Barry	34447	3932	26	Wishfire Park	\$0.00	-\$78.10	-\$75.85	-\$153.95	ACC	N
JO	Council on Aging (1)						\$0.00	-\$102.90	-\$280.65	-\$383.55	COA	N
<b>Total:</b>										-\$537.50		

ALSO, LET THIS SERVE AS AUTHORIZATION TO ABATE ANY PENALTY OR INTEREST WHICH HAS ACCRUED DUE TO THE NON-PAYMENT OF AMOUNTS AS STATED ABOVE.

**Legend:**

- O.I. = O.I. reading slower than inside meter causing large bill when inside meter is read.
- TWN = Town Project caused damage to private property
- EC = Extenuating Circumstances
- Equip = Equipment Malfunction
- UEW = Unexplained water loss
- ACC = Accidental Water Loss
- BP = Billing Period beyond 100 days
- COA - Council on Aging