



Procedural Information for Town Meeting Members Regarding the October 2024 Needham Special Town Meeting

From: Moderator Michael K. Fee

Hello Town Meeting Members and Citizens of Needham. Through this notice, I am providing information on the procedures we will use at the Special Town Meeting on October 21, 2024.

Presentation Format Used for the May 2024 Annual Town Meeting

As you know by now, we are no longer using video presentations as a substitute for in-person, live presentations about Articles under consideration at Town Meeting like we did in the COVID-19 era.

Proponents of Articles and the Finance Committee may post summary materials on the town website in advance of Annual Town Meeting. These materials may be PowerPoint slides or similar tools that will provide Town Meeting Members with an advance summary of the presentation they will hear live at Annual Town Meeting. These summary materials will be organized by Article. The summary materials may be accompanied by supporting primary source materials of the kind we have been posting all along such as reports, memos, studies, etc.

Because we all dislike the last-minute distribution of materials and information of any kind relating to an Article that will be considered at Special Town Meeting, all advance materials will be posted by today, October 15, 2024. This is to ensure that everyone has a meaningful opportunity to consider the information in advance of Special Town Meeting. We will not have a table at the back of our meeting space with hard copy materials. Between the materials you have received by mail and the information posted by October 15, you will have a complete set of advance materials.

Consistent with past practice, when we reach an Article at Annual Town Meeting, I will call on the proponents of a Main Motion under an Article to present the basis for the Main Motion to

Town Meeting Members. I will seek your unanimous consent to allow a total of no more than 12 minutes for presentation by the proponents and the same amount of time for the delivery of the recommendation of the Finance Committee. As you will recall, this is a reduction from the 15 minutes we allowed prior to the COVID-19 pandemic. Of course, under special circumstances, the Moderator has the discretion to extend a presenter's time.

The Warrant

The Warrant Committee (the Select Board) has prepared Special Town Meeting Warrant that contains 14 Articles. As always, I may be informed prior to Town Meeting that proponents will not present an Article and I will let Town Meeting know when we open Special Town Meeting.

Participating in Town Meeting

We will continue the use of standing microphones for remarks from the floor. These will be placed around the seating areas. Members are asked to use the closest microphone if they wish to speak. The Marshal will help direct you to a microphone and if necessary, adjust it for you. If a member cannot walk to or stand at a microphone, they should contact the Town Manager's office in advance for an accommodation at 781-455-7500 extension 0.

Safety Precautions

Please use common sense when attending Annual Town Meeting. If you are ill and could transmit an illness to others, please stay home. If you wish to wear a face mask, feel free to do so.

Procedural Information on Articles 8, 9, 10, and 11

As you know, Articles 8 through 11 would make changes to the Needham Zoning By-Law in response to the MBTA Communities Act. The four articles present alternative scenarios for consideration by Town Meeting. One – described in Articles 8 and 9 – would implement a so-called Base Compliance Plan. Articles 10 and 11 offer additional amendments to the Needham Zoning By-Law, the so-called Neighborhood Housing Plan.

The presentation of alternative scenarios like these is unprecedented and for this reason, since I received the final Special Town Meeting Warrant from the Select Board, I have met with Town Officials to map out a procedure that will permit officials to present alternatives to Town Meeting, but also comply with our rules. That procedure is described in the addendum to this memorandum. Each step in the process preserves the vital role of Town Meeting, complies with the procedural rules I am required to enforce, and provides a mechanism under which officials may present alternative scenarios to Town Meeting. At the end of the process, Town Meeting's action – no matter what that final action may be -- will be clear and definitive.

Thank you for your preparation and participation. I look forward to seeing you all at James Hugh Powers Hall on Monday, October 21, 2024.

All the best,

/s/ Michael K Fee

Michael K. Fee

Needham Town Moderator

Addendum

Procedural Roadmap for Consideration of Articles 8 – 11

Zoning By-Law Amendments Relating to the MBTA Community Housing Law

- Article 8 creates a multi-family overlay zoning district that meets the minimum compliance requirements of the MBTA Communities Act. The dimensional standards in Article 8, accompanied by the district boundaries included in Article 9, are known as the “Base Compliance Plan.”
- Article 9 sets forth the changes to the Zoning Map to implement the Base Compliance Plan.
- The set of zoning amendments contained in Article 10 supplement those made under Article 8 by inserting dimensional standards known as the “Neighborhood Housing Plan.” Article 10 increases the number of units that can be built, compared to Article 8, and exceeds the minimum requirements of the MBTA Communities Act.
- The set of zoning amendments contained in Article 11 of the warrant are the changes to the Zoning Map necessary to implement the Neighborhood Housing Plan.
- The zoning amendments contained in Articles 10 and 11 do not stand on their own, as they expand the amendments to the Zoning By-Law proposed to be made under Articles 8 and 9.
- Town Meeting will first take up Articles 8. At that time, the Chair of the Planning Board will make a motion to ask Town Meeting to discuss the Article 8 and 9 together and vote them separately.
- If the motion carries, presentations and discussion will proceed under Articles 8 and 9. At the end of discussion, we will vote first on Article 8.
- If Article 8 is not adopted, a vote will be taken on the Main Motion under Article 9, but under this scenario the Main Motion under this article would have no purpose or effect because it implements a map change that would only be needed if the Main Motion under Article 8 had passed. No action would be taken on Articles 10 and 11 because

there are no freestanding Main Motions under these Articles, only motions to amend that are dependent on Articles 8 and 9 passing. If Articles 8 and 9 do not pass, these motions to amend cannot be made, because there is nothing to amend.

- If Articles 8 and 9 are adopted and declared disposed of, the Select Board Chair will make a motion for reconsideration of Article 8 and 9, for the purposes of allowing them to be amended in the manner described in Articles 10 and 11.
- If the motion for reconsideration of Articles 8 and 9 is adopted by a simple majority, the Chair of the Planning Board will note that there are motions to amend Articles 8 and 9 and move that those two motions to amend be discussed together and voted separately. If that motion passes, Town Meeting will then take up the zoning amendments described in Articles 10 and 11.
- If the motions to amend Articles 8 and 9 in the manner described in Articles 10 and 11 are not adopted, then a second round of votes to adopt Articles 8 and 9, in the form previously adopted as the Base Compliance Plan, will be taken. This is necessary because Articles 8 and 9 will have been opened for reconsideration.
- If the motions to amend Articles 8 and 9 in the manner described in Articles 10 and 11 are adopted, then votes on the new main motions under Articles 8 and 9 (as amended to reflect the Neighborhood Housing Plan) will be taken.
- The quantum of votes applicable to all the votes described above, including the votes to amend the Needham Zoning By-law, is a simple majority.