

Southfield Redevelopment Authority
Board of Directors Meeting
Applicable Subdivision Board
Conservation Commission
Monday, June 27, 2016 @ 7:00pm

Directors Present: Lyndsey Kruzer, Acting Chairman
Patricia O’Leary, Clerk
Steve LeMott
Kelli O’Brien-McKinnon
Chris Aiello
Robert Rizzi
Chris Primiano

Also Present: Jim Young, Land Use Administrator
Scott Bois, Finance/Treasurer
Steve Ivas, Conservation Agent
Matt Feher, Legal Counsel

The Acting Chairman called the meeting to order at 7:00pm

Minutes

**VOTED: Motion of Chris Aiello, seconded by Steve LeMott, to accept the minutes of the Board of Directors meeting held on June 13, 2016
7-0 Unanimous vote to approve**

CONTINUED PUBLIC HEARING – Applicable Subdivision Board

**VOTED: Motion of Chris Aiello, seconded by Steve LeMott, to reopen the Public Hearing on the Definitive Subdivision Plan for the New Main Street Project at 7:02pm
7-0 Unanimous vote**

Mr. Young noted receipt of the Weymouth Health Department’s approval of the Market Street Plan conditioned upon the submittal of a soil management plan before they start earth work. Mr. Young noted the condition was warranted for this particular area of the worksite, and it would also be included in the Board’s decision. Mr. Young noted that site work on a portion of land still owned by NAVY would require submittal of an alterations request per the LIFOC. Mr. LeMott was informed that known contaminants at Hangar 2 were related to groundwater.

Discussion ensued on the waiver for standard concrete sidewalks, and the importance of continuity and aesthetics at the site. Mr. Barry noted the challenges involved in designing ground floor retail and meeting ADA compliance, and the intent to actively market one whole side of the Street for a continuous sidewalk expression. Ms. O’Leary suggested LStar commit to build out the sidewalks on both sides of Market St when 50% occupancy was reached. Ms. Kruzer indicated the Board may be inclined

to disapprove future development applications if the Board had concerns about aesthetics. Further discussion ensued on the lighting plan waiver. Mr. Young noted that street lights would be installed at Parkway/MGA intersections.

PUBLIC HEARING COMMENTS

Mary Parsons, Rockland, was informed that the site work and soil stockpiling would occur within the Town of Weymouth.

John Brewer, South Weymouth, strongly recommended that left turning lanes be added to the MGA/Market St. intersection. He was informed that approving the subdivision plan would not create new traffic, and that traffic would be discussed during the various Development Plan Application reviews. Ms. Kruzer noted as traffic volumes increased the Board may require installation of left turning lanes as a condition for future plan approvals.

VOTED: Motion of Chris Aiello, seconded by Chris Primiano, to close the Public Hearing on the Definitive Subdivision Plan for New Main Street Project at 7:25pm

7-0 Unanimous vote

Board Measure 16-025

VOTED: Motion of Chris Aiello, seconded by Chris Primiano, to approve, with conditions, the Application for Approval of a Definitive Subdivision Plan for Market Street submitted by LStar Southfield, LLC; and to waive the following sections of the Subdivision Rules and Regulations: Section 3.1 (C) Maximum depth of water main, Section 3.4 (G) Minimum curve radius & (G) Fifteen-foot sidewalks, Section 3.4 (S)(1) Standard Concrete sidewalks & (S)(8) 12-ft. curb return radii for Main St/Neighborhood Street intersection, Section 3.5 Lighting Plan, Section 3.6 (K)(2) Minimum cover over storm drain pipe & (K)(2) Minimum grade of storm drain pipe and Section 4.5 (A)(7) Main St/Trotter Rd. Landscape Plan

7-0 Unanimous vote

CONTINUED PUBLIC HEARING – CONSERVATION COMMISSION

VOTED: Motion of Robert Rizzi, seconded by Chris Aiello, to reopen the Public Hearing on the Notice of Intent New Main Street project at 7:25pm

7-0 Unanimous vote

Mr. Young noted the hearing was continued to respond to concerns of the Independent Observer. Ms. White confirmed that VHB's responses were in compliance with DEP regulations. Mr. Ivas, Conservation Agent, thanked the applicant and consultants for taking the initiative to create a detailed Stormwater analysis for previous, existing and future site wide conditions.

Mrs. Parsons, Rockland, was informed that storm water would drain to the TACAN Outfall and into the west branch of French's Stream; and that seven underground infiltration basins located along Main Street would decrease onsite storm flow.

VOTED: Motion of Chris Aiello, seconded by Steve LeMott, to close the Public Hearing on the Notice of Intent New Main Street Project at 7:30pm

7-0 Unanimous vote

Board Measure 16-026

VOTED: Motion of Chris Aiello, seconded by Chris Primiano, to approve the Notice of Intent for New Main Street (DEP File #SE081-1174) and to issue an Order of Conditions, as presented

7-0 Unanimous vote

ANR Plan – Winterwoods-2

Mr. Young briefed the Board on the status of the Winterwoods project, and the specific lots noted on the ANR Plan Winterwoods-2.

Board measure 16-028

VOTED: Motion of Chris Aiello, seconded by Kelli O'Brien-McKinnon, that Approval under the Subdivision Control Law is not required for the subdivision of land as shown on the Plan entitled 'Approval-Not-Required Plan – Winterwoods 2' dated June 9, 2016

7-0 Unanimous vote

Winterwoods – 2 Closing Documents

Mr. Young reviewed the status of LStar's land transfer to Pulte Homes for the second half of their Winterwoods project. Mr. Feher reviewed the SRA documents to be executed (contingent upon LStar's revenue sharing payment to NAVY) in order for the LStar to Pulte Homes land conveyance to take place.

Board Measure 16-029

VOTED: Motion of Chris Aiello, seconded by Robert Rizzi, that in connection with LStar Southfield, LLC's transfer of several parcels of land for 'Winterwoods-2' to Pulte Homes of New England, LLC, the Chairman or the Vice Chairman (in the event of the Chairman's absence) of the Board of Directors of the Authority (each an "Authorized party"), each acting alone, be and hereby is authorized and directed, in the name and on behalf of the Authority, to execute and deliver the DDA Estoppel Certificate, the Partial Release of Memorandum of Understanding, and the Partial Release of Revenue Sharing Notice, all as presented this evening, and any and all other similar instruments necessary or desirable, which such other instruments shall be in such form and to contain such terms and provisions as the Authorized party executing the same shall deem necessary or desirable, as conclusively evidenced by his or her execution thereof

7-0 Unanimous vote

Parkway Extension Project

Mr. Feher stated the Board was being asked to authorize the Chairman or Vice Chairman to enter into an East/West Parkway Extension Agreement with LStar once all outstanding terms were finalized. He provided a detailed review of SRA responsibilities, and LStar's agreement to back stop SRA's financial obligations including project costs in excess of grant funds, contingencies, SRA legal costs (up to \$60K), and other related costs. Discussion ensued on contractor payment disbursements and a dispute resolution process. Ms. Kruzer noted the Parkway Extension construction bid came in below the grant amount. Mr. Feher reviewed the Construction Contract between SRA and LM Heavy Civil Construction LLC and the last remaining deliverables to be received.

Board Measure 16-030

VOTED: Motion of Robert Rizzi, seconded by Steve LeMott, to authorize the execution and delivery by the Chairman or the Vice Chairman (in the event of the Chairman's absence) of the Board of Directors of the Authority (each an "Authorized party"), each acting alone, of any and all documents necessary for the construction of the East-West Parkway Extension Project, including, but not limited to the following documents in form and substance substantially the same as those documents presented to the Authority at this meeting: (i) Construction Contract with LM Heavy Civil Construction LLC; and (ii) East-West Parkway Extension Agreement with LStar Southfield, LLC. All such documents are to be in such final form and to contain such terms and provisions as the Chairman and/or Vice Chairman executing the same shall deem necessary or desirable, as conclusively evidenced by his or her execution thereof.

To Authorize the execution and delivery by the Chairman or Vice Chairman of the Authority, acting alone, of Notice to Proceed #2 upon the receipt of satisfactory evidence that sufficient funds are available for the proposed work, and after any and all contractor pre-construction deliverables have been received by the Authority, such document to be in such form and to contain such terms and provisions as the Chairman and/or Vice Chairman executing the same shall deem necessary or desirable, as conclusively evidenced by his execution thereof.

To adopt, ratify, approve and confirm all actions heretofore taken by the Chairman and/or Vice Chairman of the Authority in connection with the above-referenced resolutions

7-0 Unanimous vote

FY16 Legal Budget

Mr. Bois noted that unpaid legal expenses anticipated through fiscal year end June 30th will exceed the budget. An additional \$38K appropriation was needed increasing the FY16 Legal Services budget to \$248K. Discussion ensued on controlling legal costs into the future. Ms. Kruger would work with Burns & Levinson on this matter.

Board Measure 16-031

VOTED: Motion of Kelli O'Brien-McKinnon, seconded by Chris Aiello, that the Southfield Redevelopment Authority appropriates the sum of \$38K from Free Cash for the funding of additional legal expenditures during Fiscal Year 2016

7-0 Unanimous vote

Water and Wastewater Update

Ms. Kruger noted that an agreement to extend SRA's Phase 1 Water/Sewer Agreement with the Town of Weymouth, until permanent water/sewer service was obtained, was not anticipated in advance of the meeting. Mr. Barry stated technical solutions were still a work in progress and that extending the existing agreement was necessary at this time. Mr. Feher indicated that the final form of the Phase 1 Water/Sewer Agreement was acceptable to the Town of Weymouth.

Board Measure 16-032

VOTED: Motion of Chris Aiello, seconded by Patricia O’Leary, to authorize the execution and delivery by the Chairman or the Vice Chairman (in the event of the Chairman’s absence) of the Board of Directors of the Authority (each an “Authorized party”), each acting alone, of any and all documents necessary between the SRA and the Town of Weymouth for Amendment #3 MOA for Provision of Water and Wastewater Service as presented this evening, and any and all other similar instruments necessary or desirable, which such other instruments shall be in such form and to contain such terms and provisions as the Authorized party executing the same shall deem necessary or desirable, as conclusively evidenced by his or her execution thereof

7-0 Unanimous vote

FY17 Water/Sewer Budget

Mr. Bois noted the FY17 Enterprise Budget was based on the previous year’s budget and reflected the increased purchase of water for the new residents anticipated to come on line this year. Ms. O’Leary was informed that vehicle expenses were shared between the General Fund and Enterprise Fund; and that no capital purchases were made this year.

Board Measure 16-022

VOTED: Motion of Robert Rizzi, seconded by Patricia O’Leary, that the Southfield Redevelopment Authority raise and appropriate the sum of \$625,000 to provide for all the expenses for the operation and maintenance of the Southfield Redevelopment Authority’s Water and Sewer Enterprise Fund for fiscal year 2017 with water rates set at \$15.75 residential and \$23.765 commercial

7-0 Unanimous vote

Status Reports

Agreement Workgroup – Ms. Kruzer thanked Legal Counsel, the Board and Staff for the completion of the Parkway Management and Construction Agreements.

The Acting Chairman appointed Mr. LeMott and Mr. Primiano to a Personnel Workgroup to complete salary discussions with Staff.

Water and Sewer Workgroup – There was no further update at this time.

Parkway and Navy Workgroup – There was no further update at this time.

Master Plan Workgroup – Mr. Primiano will coordinate a date and time for the July group session.

Staff – Mr. Young noted that a Conservation Commission Public Hearing for Rte. 18 improvements would take place at the July 11th Board meeting. Mr. Bois stated he would provide FY17 contracts for Board signatures at the July 11th meeting.

LStar – Mr. Barry thanked the Board for completing the Parkway Management and Construction Agreements, and invited Peter Forman to give an update. Mr. Forman stated that the Chamber was in

the process of electing Anthony Agnitti to the SRA Board of Directors; he would most likely be in place for the July 11th meeting.

Topics Not Reasonable Anticipated by the Chairman 48 hours in advance of the Meeting

Vice Chair Position

The Acting Chairman indicated that in the absence of a Vice Chairman that the Authority should have the current Clerk fill the acting role, and noted that Roberts Rules was silent as to placing the Clerk in the next position.

Board Measure 16-034

VOTED: Motion of Kelli O'Brien-McKinnon, seconded by Robert Rizzi, that in the absence of a Vice Chairman, the Clerk will fill the acting role

7-0 Unanimous vote

Quitclaim Deed to LStar

Mr. Young stated that the Quitclaim Deed was reviewed on short notice and prepared for the Board for the conveyance of property formerly within the Parkway Extension layout back to LStar. The Directors were informed that the transfer from LStar to Corcoran was expected to occur before the next Board meeting. Ms. O'Leary was informed that additional sliver takings along the Parkway would most likely occur going forward.

Board Measure 16-033

VOTED: Motion of Chris Primiano, seconded by Patricia O'Leary, that in connection with the Authority's property transfer consisting of two parcels, Parcel No. 3-1-T and Parcel No. 4-2-T, to LStar Southfield LLC; for nominal consideration; the acting Chairman, Lyndsey Kruzer, is authorized and directed in the name and on behalf of the Authority, to execute and deliver the Quitclaim Deed, to contain such terms and provisions as the authorized party executing the same shall deem necessary or desirable, as conclusively evidenced by her execution thereof

7-0 Unanimous vote

Public Comments

Mrs. Parsons, Rockland, was informed that the new Personnel Workgroup would collect information and report to the Chairman, and would not post public meetings.

Mr. Galluzzo, East Bridgewater, was informed that the New Main Street would be approximately 2,000 linear feet, and Mr. Barry stated that allowing the end developers to finish the sidewalks made for a better sale opportunity.

VOTED: Motion of Chris Aiello, seconded by Robert Rizzi, to adjourn the meeting

7-0 Unanimous vote

The meeting ended 8:40pm

Mary Cordeiro, Recording Secretary

Lyndsey Kruzer, Acting Chairman

Documents reviewed during the meeting:

Definitive Subdivision Plan for New Main Street Project

Notice of Intent New Main Street Project

ANR Plan Winterwoods-2

Winterwoods-2 Closing Documents

Parkway Extension Project Management Agreement

TOW Phase 1 Water/Sewer Agreement

FY17 Water/Sewer Enterprise Budget

Quitclaim Deed to LStar Southfield LLC