

Board of Directors Meeting
August 11, 2008 @ 7:00pm
Conference Room, Corporate Office

Directors present: James W. Lavin, Chairman
John Ward
Jeffrey Wall
David Chandler

Also Present: Eric Kfoury, Consultant to the Board
James Young, Project Manager
Patricia Petrillo, Controller
Steve Ivas, SSTDTC Conservation Agent
Brent McDonald, Beth Mitchell, SSTDTC Legal Counsel
Greg D'Agostino, Stan Elkerton, SSTDTC Consultants
Scott Thibault, Jennifer Doyle-Breen, Brian Brewer, Rick Latini LNR consultants
Robin Daniels, Bill Ryan, LNR
Ed Hershfield, LNR Counsel, on conference call

The Chairman called the meeting to order at 7:03pm. The Board reviewed the minutes.

VOTED: Motion of David Chandler, seconded by Jeffrey Wall, to approve the open session minutes of July 21, 2008.

Unanimous vote

VOTED: Motion of Jeffrey Wall, seconded by David Chandler to approve the executive session minutes of July 21, 2008.

Unanimous vote

The Project Manager noted that new information from the first vertical developer triggered a revision to the previously approved Phase 1A Development Plan which required a public hearing. The Subdivision Plan, under the jurisdiction of the Applicable Subdivision Board, did not require a public hearing. Mr. Young noted Brian Brewer, KHA, would speak to both the subdivision and development plan revisions. Discussion ensued on establishing a filing fee for a revised project review application. The Board agreed on a residential base fee of \$400 plus a filing fee of \$150 per reviewed lot. LNR voiced no objection. The filing fee for the SouthField Phase 1A Revisions to the Development Plan totaled \$1450.

09-002 Revised Phase 1A Development Plan

At 7:05pm, the Chairman read the Special Permit Granting Authority public notice into the record:

Notice was published in July 25th and August 1st issues of Patriot Ledger:

In accordance with Section 13.7 of the Zoning & Land Use By-Laws for NAS South Weymouth, the SSTDTC will hold a public hearing at the Corporate Office, 223 Shea Memorial Drive, located at the former Naval Air Station, South Weymouth on August 11, 2008 @ 7:00pm regarding the Special Permit Granting Authority's intent to act upon a Revised Phase 1A Development Plan submitted by LNR South Shore, LLC. Copies of the Plan are available at the Corporation Office. Office Hours are 8am to 4pm, 782-682-2187, James W. Lavin, chairman, SSTDTC, July 24, 2008.

Mr. Brewer reviewed the overall Phase 1A site plan and proposed residential development of apartments and town homes totaling 349 units. Mr. Brewer noted that Zoning By-Laws required the proposed development to be on parcels no greater than 2.5 acres and that some parcels were greater

than the maximum allowed. Mr. Brewer presented an overlay of the original subdivision boundary lines and the proposed smaller parcels.

Mr. Chandler was informed that the shape of the parcels were determined by the proposed building, parking counts, riverfront area, wetland buffers and future access roadway in back of the site. Mr. Young noted that the Site Plan Application for much of the proposed development within the parcels being discussed would be reviewed at the Sept. 8th Board meeting/public hearing.

Mr. Dominic Galluzzo, Weymouth, inquired if the residential units were less than originally proposed and was informed that the total units for Phase 1A were still 500 and that no builder was identified yet for the remaining 151 units.

Mrs. Mary Parsons, Rockland, inquired about the location of buildings and retention pond in relation to the 200 ft. riverfront area and was informed that the buildings were outside the area and the retention pond was within. Ms. Daniels noted that the site plan hearing would take place on Sept. 8th for additional details on the proposed development within the parcels being discussed.

Mr. Hershfield heard public concerns about further revisions to the Development Plan and stated that the Zoning By-Laws and the Administrative Regulations included broad parameters on parcels and established guidelines for development as property is marketed to be able to meet market demand. Mr. Hershfield further stated that Development and Site Plans may be revised again as the project moves forward.

VOTED: Motion of David Chandler, seconded by John Ward, to close the public hearing.

Unanimous vote

The public hearing ended at 7:29pm.

Mr. Young indicated that the Development Plan decision would be ready for the Board's consideration at the August 25th meeting.

09-001 Revised Phase 1A Subdivision Plan

The Applicable Subdivision Board convened at 7:30pm to discuss the Phase 1A Subdivision Plan. Legal Counsel had prepared a draft decision referencing new lot designations with the same conditions from prior approval. Discussion ensued on setting a standard filing fee structure for the review of future subdivision plan revisions. The Board agreed on charges of \$200 per lot, therefore the filing fee for the SouthField Phase 1A Revisions to Definitive Subdivision Plan was \$1400. LNR agreed with the fee structure.

VOTED: Motion of David Chandler, seconded by John Ward, to approve, with conditions, the Revised Phase 1A Definitive Subdivision Plans dated June 27, 2008 submitted by LNR South Shore, LLC. All conditions of the approval shall be as noted in the Certificate of Action and the Covenant to be recorded with the Norfolk County Registry of Deeds.

Unanimous vote

09-004 Site Plan review for WRF slurry wall project

The Permit Granting Authority Public Hearing began at 7:43pm

VOTED: Motion of David Chandler, seconded by Jeffrey Wall, to open the Public Hearing on the Site Plan Review for the WRF slurry wall project.

Unanimous vote

VOTED: Motion of David Chandler, seconded by Jeffrey Wall, to waive the reading of the public notice into the record.

Unanimous vote

Notice was published in the July 25th and August 1st issues of the Patriot Ledger: In accordance with Section 12.4 of the Zoning and Land Use By-laws for NAS South Weymouth, the South Shore Tri-Town Development Corporation will hold a public hearing at the Corporate Office, 223 Shea Memorial Drive, located at the former Naval Air Station, South Weymouth on Monday, August 11, 2008 @ 7:00pm regarding the Permit Granting Authority's intent to act upon a Site Plan Application for the construction of a subsurface effluent bed slurry wall at the location of the future SouthField Water Reclamation Facility. The site Plan application is submitted by Stanley Elkerton on the Corporation's behalf. Copies of the plan are available at the SSTTDC office. Office hours are 8:00am to 4:00pm, 781-682-2187, James W. Lavin, Chairman, SSTTDC, and July 24, 2008.

Mr. Young noted the site plan application was submitted by Stan Elkerton on behalf of SSTTDC for the construction of a subsurface effluent disposal bed containment wall for the water reclamation facility (WRF).

Mr. Elkerton reviewed the components of the two phased construction project, its location on the zoning district map (GOSD), its location under two fairway links of the golf course, and a pending NAVY license for work taking place on Navy property. Mr. Kleiman noted that the WRF would ease the burden on the public water supply for irrigation, that the water quality would most likely be better than the existing ground water at the site and that the combination of stormwater management and wastewater reclamation would significantly reduce peak flows and flooding incidence downstream.

Mr. Lavin inquired on the total linear distance. Mr. Thibault stated there would be 2,200 ft. enclosing three sides of a 9 acre area.

Mr. Chandler inquired on impact to existing elevations. Mr. Elkerton noted phase 1 construction would not change the existing elevations and at the completion of the WRF project the final elevation could be 12 ft. or less.

Mr. Wall inquired on impacts to the environment. Mr. Elkerton noted French's Stream currently flows through a conduit at that point, that 900 ft. of stream would be day-lighted, and impacts to the environment would be negligible.

Mr. Lavin inquired about monitoring for breaks in the structure. Mr. Kleiman noted that monitoring would likely be required in surrounding wetlands as part of the second phase of the project.

Mr. Chandler inquired on the impact of pesticides applied to the golf course. Mr. Kleiman noted a commitment to MEPA for a green golf course (organic fertilizers and integrated pest mgmt.) and to MA Audubon for a gold or platinum standard certification.

Mr. Chandler inquired about impacts to French's Stream on the other side of the golf course. Mr. Kleiman stated best management practices would be implemented.

Mr. Chandler inquired on the purpose of the well outside the boundary of the slurry wall and was informed that it was intended as a future irrigation well, to draw from in the interim period until the WRF ramps up.

Mr. Chandler inquired about the use of hay bales around wetlands and was informed that hay bales and silt fence would be implemented, with a special condition to insure the bales would be replaced if they deteriorate.

Mr. Wall inquired about the capacity of the effluent bed and was informed that it would hold .65mgd.

Mr. Lavin inquired if the pond in Abington was in close proximity to the slurry walls and was informed it was not.

Mr. Bromberg inquired how the slurry wall affected the flow of ground water and voiced concern on the ground water impact on the south side of French's Stream. Mr. Elkerton stated the groundwater would flow around the slurry wall unabated and Mr. Thibault noted extensive ground water modeling was done to design the shape so that no impact occurred to surrounding wetlands both north and south of the effluent bed.

Mr. Bromberg also inquired on the impact to the RR tracks and if ground water would be monitored between the two phases of construction. Mr. Elkerton noted there would be no change in elevation, no impact to the ground water and the second phase of the contract would likely include monitoring wells to make sure model predictions on ground water conditions were accurate.

Mrs. Parsons voiced concern that the treated water in the 9 acre area would flood downstream and stated that the western side of French's Stream flooded on Base property, and that the CAC was told the effluent bed would be 20 ft. high. Mr. Elkerton noted the overall project would manage groundwater and control flooding even in high flow conditions. Mr. Kleiman noted the NAVY designed the Base to quickly sheet water off the airfield and the SouthField project was designed to retain storm water, regulate infiltration of 650,000 gpd over time and manage peak flow, and Mr. Elkerton noted that extensive ground water modeling currently shows that 12 ft. elevation would suffice, that CAC reviewed preliminary information and that additional data had determined a reduced height.

Mrs. Parsons also voiced concern on a storm event affecting the leaching chamber. Mr. Elkerton stated precipitation/natural runoff was included in the modeling and allowance for irrigation of the golf course was factored in as well.

Mr. Galluzzo voiced concern that the effluent beds would fail and that Weymouth water would be fouled. Mr. Elkerton stated a high level treatment involving a membrane particle filter system and a disinfectant system, would result in clear water in the effluent bed, with nothing to foul the soils, and also noted that the WRF was located outside the drinking water zone for Weymouth.

VOTED: Motion of John Ward, seconded by David Chandler to close the hearing.

Unanimous vote

The hearing closed 8:37pm.

Mr. Young noted that a draft decision would be ready for the Board's consideration at the next meeting on August 25, 2008.

09-005 Notice of Intent review of WRF slurry wall project

VOTED: Motion of David Chandler, seconded by John Ward to open the Conservation Commission Public Hearing.

Unanimous vote

The Public Hearing opened at 8:40pm.

VOTED: Motion of David Chandler, seconded by John Ward to waive the reading of the public notice into the record.

Unanimous vote

Notice was published in the July 25th and August 1st issues of the Patriot Ledger.

In accordance with Section 2.1 (f) of the Zoning and Land Use By-Laws for NAS South Weymouth and pursuant to M.G.L. Chapter 131, Section 40 (The Wetlands Protection Act), the South Shore Tri-Town Development Corporation will hold a public hearing at the Corporate Office, 223 Shea Memorial Drive,

located at the former Naval Air Station, South Weymouth on Monday, August 11, 2008 @ 7:00pm regarding the Conservation Commission's intent to act upon a Notice of Intent for the construction of a subsurface effluent bed slurry wall at the location of the future SouthField Water Reclamation Facility. The Notice of Intent is submitted by Metcalf and Eddy/AECOM on the Corporation's behalf. Copies of the Notice of Intent are available at the SSTTDC Office. Office Hours are 8:00am to 4:00pm (781-682-2187), James W. Lavin, Chairman, STTDDC, July 24, 2008.

Mr. Young noted that Scott Thibault and Jennifer Doyle-Breen would provide a summary of site features and Mr. Ivas would provide his review and recommendations.

Mr. Thibault reviewed the slurry wall construction process and the temporary construction entrance for vehicles to the project site. The project would take 6-8 weeks to complete.

Ms. Doyle-Breen provided an overview of the wetland, vernal pool and riverfront boundaries and noted that all work would take place outside those areas.

Mr. Ivas noted the planning process began in January with a field review, re-flagging of wetlands, abutter notifications, recommended additional special conditions pertaining to project coordination meetings and weekly monitoring reports, to be added to the existing Orders of Conditions, and also noted that DEP had not yet assigned a number to the project. The Board continued the Public Hearing to the next meeting.

Discussion ensued on penalties for contractor violations to the Orders of Conditions. The Board agreed a first offence would be a letter of reprimand. A motion was made and then withdrawn to implement a \$1000 fine for a second offence. The Board requested a range of fines utilized by the surrounding communities on a second offense, to be reviewed at their next meeting.

Mr. Wall requested that weekly monitoring include French's Stream characteristics. Mr. Ivas noted that would be included in the Conditions.

Mr. Bromberg, Rockland, voiced concern about the trail system constraints between the WRF and golf course, and made inquiries about a map showing the recent wetland flagging, the NOI abutters list, and the status of the Conservation Management Permit. Mr. Ivas noted that wetland delineations info was available in the office and that NOI abutter notifications were processed under a new procedure required by DEP called a Certification of Mailing. Mr. Kleiman indicated he spoke with NHESP on the overall Conservation Management Permit including the section 61 finding and that Tri-Town would submit a MESA application for a review of the construction of the slurry wall and would seek a "no taking" determination prior to construction starting.

VOTED: Motion of David Chandler, seconded by Jeffrey Wall, to continue the Public Hearing to August 25, 2008 @ 7:15pm.

Unanimous vote

09-003 FY08 Budget Revision #3

Mrs. Petrillo noted the FY08 books closed for the year and proposed FY08 re-appropriation from the reserve fund to specific line items. Discussion ensued on re-appropriating from the Reserve Fund versus from Free Cash.

VOTED: Motion of John Ward, seconded by David Chandler to re-appropriate funds from FY08 Reserve Fund in amount of \$95,500 – to: Board of Directors, Salaries \$200; Fire/EMS, expenses \$300; Licensing & Inspections, Expenses \$19,000; Information Services, Equipment \$7,000; and Legal Expenses \$69,000, as detailed on the Proposed FY08 Re-Appropriation dated 8.5.08.

Unanimous vote

09-006 Appoint Plymouth County Health Group Rep.

VOTED: Motion of John Ward, seconded by Jeffrey Wall, to appoint Eric J. Kfoury as the primary representative of the Corporation under the "Agreement for Joint Negotiation and Purchase of Medical, Health, Dental and Life Coverage's" between South Shore Tri-Town Development Corporation and the Plymouth County Health Group (the "Agreement", and any member of the Board of Directors as the alternate representative under the Agreement; provided, however, that the Board reserves the right to replace the named primary and alternate representatives at any time and from time to time. – and – that the Corporation authorizes Patricia M. Petrillo and/or Eric J. Kfoury, each acting alone, in the name and on behalf of the Corporation, to notify the Plymouth County Health Group Board of the individuals designated as the primary and alternate representatives.

Unanimous vote

Executive Director Update

Mr. Kfoury noted a letter from Congressman Delahunt to Governor Patrick supporting the Amended Enabling Legislation and the Parkway Bond. Mr. Ryan informed the Board that the Governor signed the Legislation on August 8, 2008.

Mr. Kfoury informed the Board of decisions to be made related to exemptions from public bid and procurement requirements for the slurry wall contract and that the Enabling Legislation (Chapter 303 of the Acts of 2008) and State Revolving Funds (SRF) to finance the project were being reviewed by legal counsel. Bid documents would be prepared based on the Board's votes.

Mr. Kfoury estimated the slurry wall construction would be completed this year, WRF project evaluation form would be presented to DEP in January 09 and the WRF construction would be completed in 2010. Discussion ensued on who would run the facility. Mr. Elkerton stated the most cost effective way to run the facility would be under a contracted company with a negotiated 5 year contract.

Mr. Kfoury updated the Board on other issues including a draft application prepared for an MOBT grant; CEO and CFO candidates targeted for resumes and another Personnel Subcommittee meeting scheduled for Monday, August 18th @ 8:30am.

Public Comment

Mr. Bromberg, Rockland, inquired about opening the Union Street Gate in Rockland. The Chairman stated the SouthField project did not include a roadway to that gate and there were no plans to design one.

Directors Time

Mr. Chandler requested year end reports from LNR, an important detail that was required in the DDA. Mr. Ryan noted they would be forthcoming.

Mr. Ward noted he would not be available for the September 8th meeting/public hearing. Contact will be made to the Rockland Selectmen's Office to ascertain their plans to appoint a second Rockland representative to the Board of Directors

VOTED: Motion of Jeffrey Wall, seconded by John Ward, to enter into Executive Session for the purpose of Development Negotiations and Financial Strategies.

Ward, aye, Wall, aye, Chandler, aye, Lavin, aye.

Open session ended 9:45pm.

Executive Session ended 10:20PM

VOTED: Motion of Jeffrey Wall, seconded by John Ward, to adjourn the meeting.

Unanimous vote

The meeting ended 10:20pm

Mary Cordeiro, Recording Secretary

James W. Lavin, Chairman