

Board of Directors and SSTTDC Conservation Commission Meetings
September 27, 2010 @ 6:35pm
Conference Room, Corporate Office

Directors Present: Jeffrey Wall, Chairman, arrived 6:45pm
James W. Lavin
John Ward
Gerard Eramo
Joseph Connolly

Also Present: Kevin R. Donovan, Chief Executive Officer
James Young, Project Manager
Steve Ivas, SSTTDC Conservation Agent
Beth Mitchell, Legal counsel
Robin Daniels, Kevin Chase, Ed Hershfield, LNR Team
Lisa Standley, VHB Parkway Team

The Vice Chairman called the meeting to order at 6:35pm

Food Vendor Licenses

LNR sponsored a Fall Festival event to take place on Oct. 2nd on the Base.

Mr. Donovan informed the Board that several establishments applied for food vendor permits to set up concession stands at the open house event.

Mr. Connolly was informed there would be a police detail.

Mr. Lavin was informed that the event would take place in the SouthField Highlands area on Parkview Street.

VOTED: Motion of James Lavin, seconded by John Ward, in accordance with the provisions of NAS South Weymouth General Municipal Codes, Section 7.2 Regulation of Food Vendors and amendments and additions thereto, permits are granted to the following food establishments for Saturday, October 2, 2010: Summer Shack, Heidi Hollow Farm Ice Cream, Tennessee Real BBQ, Island Creek Oysters, Pasticinni Bakery and Dunkin Donuts

Unanimous 4-0 vote

Minutes

VOTED: Motion of John Ward, seconded by James Lavin, to approve the minutes of the Board of Directors meeting held on September 13, 2010

Unanimous 4-0 vote

Consider adoption of new SSTTDC Seal

The CEO noted that he took the recommendation of the Board to make a more elaborate official seal and found a company able to incorporate the three seals of the Host Communities into one.

VOTED: Motion of John Ward, seconded by James Lavin, to adopt the new embossing seal as the Official Seal of the South Shore Tri-Town Development Corporation

Unanimous 4-0 vote

Ninth Amendment to the DDA

Mr. Donovan noted this amendment was administrative in nature as the DDA would expire on Sept. 30, 2010. Ongoing negotiations continue with NAVY. The Board was asked to consider allowing the date to

be put forward to Dec. 31, 2010. Legal review of the amendment was completed earlier today. The CEO recommended he be authorized to execute the 9th Amendment to the DDA.

VOTED: Motion of Joseph Connolly, seconded by James Lavin, to authorize the Chief Executive Officer to execute the Ninth Amendment to the DDA extending the date, pursuant to Section 3.1 of the Agreement, to December 31, 2010

Unanimous 4-0 vote

At 6:48pm the Board took a brief recess pending the arrival of the Chairman for the Public Hearing sessions.

The Meeting reconvened at 6:53pm.

PUBLIC HEARING 6:53PM - Affordable and Workforce Housing Plan and Regulations

Public Notice: In accordance with Section 13(d) of the Enabling Legislation for the South Shore Tri-Town Development Corporation a Public Hearing will be held at the Corporation's Office, 223 Shea Memorial Drive, located at the former Naval Air Station South Weymouth on Monday, Sept. 27, 2010 @ 6:30pm. The Corporation shall consider revisions to Affordable and Workforce Housing Regulations and the Affordable and Workforce Housing Plan. The draft documents are available for viewing at the corporation's office located at 223 Shea Memorial Drive, South Weymouth. Office hours are 8am to 4pm. Draft documents will be posted at www.ssttdc.com

Legal Counsel provided the Board with a brief summary on the proposed revisions to the original Affordable and Workforce Housing Regulations which did not include the form of senior housing called Entry Fee Model. This model is a combination of ownership and rental with an entry fee and basic monthly carrying charges for Senior Affordable and Workforce Entry Fee Model Units. It was noted that this was a common model for senior housing projects.

The Chairman was informed that adding this type of senior housing did not change the 10% affordable and 10% workforce requirements for traditional senior housing. However Senior Workforce Entry Fee Model Units could be reduced on a unit-for-unit basis and over time more than 10% of the housing could be designated as Affordable Senior Entry Fee Model Units. This means that a Senior Residence Community using the entry fee model format could end up with 20% of its units designated as affordable and would not be required to have units designated as workforce.

Changes to the Affordable and Workforce Housing Plan included the location and mix of Affordable and Workforce Age Restricted Units; the marketing and occupant selection for Affordable and Workforce Senior Entry Fee Model Units, and the monitoring and verification of activities of the Entry Fee Model Marketing Agent.

Mr. Eramo was informed that this type of unit didn't really work for first time home buyers but all other preferences still applied.

The Chairman was informed that the development mix allowed up to six (6) Senior Entry Fee Model Units to be built next to each other while all other types of residential units were allowed up to two (2) units side by side.

Public Comment

Mrs. Hilbert, Weymouth, was informed that senior citizens could occupy Senior Entry Fee Model Units pursuant to the terms of a membership agreement, pay a one-time entry fee and pay monthly carrying charges. When the seniors depart from their units, the majority of the entry fee would be returned to them or their families.

Mr. Galluzzo, Weymouth, inquired if the Senior Entry Fee Model Units were the type of units discussed at the last meeting 221 Rogerson Units and was informed they were, and that the revisions to the

Affordable and Workforce Housing Regulations and Plan covered other types of senior housing units for future development, and traditional residential units as well.

Mr. Lavin noted he supported the revisions because it showed that the Board had the flexibility needed to move this project forward.

VOTED: Motion of John Ward, seconded by James Lavin, to close the Public Hearing

Unanimous 5-0 vote – The Public Hearing ended 7:04pm

VOTED: Motion of John Ward, seconded by Gerard Eramo, to adopt the Affordable and Workforce Housing Regulations and the Affordable and Workforce Housing Plan as presented to the Board of Directors on September 27, 2010. Both documents shall have an effective date of September 27, 2010

Unanimous 5-0 vote

PUBLIC HEARING – 7:05PM - SSTDTC Conservation Commission – Determination of Applicability
Public Notice – In accordance with Section 2.1 (F) of the Zoning and Land Use By-Laws for NAS South Weymouth, and pursuant to MGL 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 on Monday, Sept. 27, 2010 at 6:45pm regarding the Conservation Commission’s intent to act upon a Request for Determination of Applicability for the construction of Turtle Nesting Areas 5 & 6. Some of the proposed work would occur within the 100-foot buffer zone to Bordering Vegetated Wetlands and within Riverfront Area. The Request for Determination of Applicability is submitted by Vanasse Hangen Brustlin, Inc. on the Corporation’s behalf. A copy of the Request for Determination of Applicability is available for viewing at the SSTDTC office at 223 Shea Memorial Drive, South Weymouth. Office Hours are 8am to 4pm.

Mr. Young introduced Dr. Lisa Standley, VHB, for a presentation on turtle nesting areas during parkway construction. Dr. Standley provided a summary of the Request of Determination of Applicability (RDA) for the Eastern Box Turtle Nesting Habitat Enhancement Areas 5 & 6, as required by NHESP Conservation and Management Permit. Areas 5 & 6 are located on east and west sides of Old Swamp River within riverfront area and within the 100 ft. buffer zone of wetlands. Work included reducing the density of trees and shrubs to create large open areas with exposed sandy soils that provide habitat for eastern box turtles. Work would be done under the direction of Scott Egan, Turtle Ecologist. Trees would be chipped on site and stock piled in designated areas, a plan was in place to replant small trees with nesting boundaries clearly marked, and brush would be cleared from an existing access road. Work would begin in October with minimized earth disturbance.

Mr. Eramo was informed there were about 50 Eastern Box Turtles on the Base and approximately 20 of them had been affixed with little antennas.

The Chairman was informed that the Conservation and Management Permit required a monitor overseeing the work.

Mr. Ward was informed that there had been several turtle studies over the years.

Mr. Lavin was informed that the turtle nesting locations were non-developable areas, and would not inhibit future development of the site.

Mr. Ivas reviewed his recommended Determination of Applicability on the Turtle Habitat Enhancement Areas including location of staging areas, placement of barricade tape, notifications, review of access road clearing, tree removal and erosion controls.

Public Comment

Mr. Galluzzo, Weymouth, was informed the Parkway would pass through the east end of the East-West runway and cross Old Swamp River. Dr. Standley noted that the Parkway would have permanent barriers (during and after construction) preventing turtles from getting on the road.

Ms. Pries, Weymouth, was shown the location of Old Swamp River and the Turtle Nesting Areas on the

VHB graphics; and was informed that the Eastern Box Turtle habitat would not be created on the riverbank because they were an upland species.

**VOTED: Motion of John Ward, seconded by Gerard Eramo, to close the Public Hearing
Unanimous vote**

The Public Hearing ended 7:15pm

**VOTED: Motion of John Ward, seconded by James Lavin to approve the Request for Determination of Applicability dated September 2010 submitted by VHB on behalf of the Corporation for construction of turtle nesting areas 5 and 6 as required by the Conservation and Management permit issued by the Natural Heritage and Endangered Species Program. Any conditions of the approval shall be as noted in the Determination of Applicability prepared by the Corporation's Conservation Agent
Unanimous vote**

PUBLIC HEARING – 7:16PM – SSTDC Conservation Commission – Notice of Intent

Public Notice – In accordance with Section 2.1 (F) of the Zoning and Land Use By-Law 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 on Monday, Sept. 27, 2010 @ 7:00pm regarding the Conservation Commission's Intent to act upon a Notice of Intent for work associated with construction of the East-West Parkway between Station 109+00 and Station 128+14 (from approximately 300 feet west of the Old Swamp River eastward to the former NAS property line) as shown on the plans entitled "Plan and Profile of East/West Parkway – Phase 1, dated Sept. 10, 2010. Proposed work would occur within the following resource areas: Riverfront Area, Bank, Land Under Water, Bordering Vegetated Wetlands and buffer zones. The Notice of Intent is submitted by Vanasse Hangen Brustlin, Inc. on the Corporation's behalf. A copy of the Notice of Intent is available for viewing at the SSTDC office at 223 Shea Memorial Dr., South Weymouth. Office Hours are 8am to 4pm.

Dr. Standley provided a summary of the Notice of Intent (25 percent design level) for the (Design/Build) East-West Parkway Phase 1 on the easterly side of the Base. Early Action activities included clearing access roads/work area, establishing erosion controls and filling/excavating/compacting peat deposits. The remaining work elements were still in final design process. The Board was asked to approve preliminary road construction earthwork. General approval of subsequent construction phases would be based on the submittal of 75 percent design plans.

This section of Parkway would have two travel lanes and a shared-use path. Mitigation included removing four metal culverts at Old Swamp River and building two bridge structures that would allow wildlife to pass underneath and maintain habitat continuity.

Dr. Standley noted that an area crossing Old Swamp River required pre-loading activities to compress peat for 6-8 months to facilitate construction. Once done, compacting fill would be excavated. The Chairman was informed that care would be used clearing roads and minimize wetland impacts. Dr. Standley noted that removing the metal culverts would create a natural river channel for Old Swamp River; and that planning continued on accommodating habitat goals, avoid compromising the Rubble Disposal Area (RDA) and improving the water quality of Whitmans Pond.

Mr. Lavin was informed that the culverts being removed were under the old lighting road, were not part of the walking trails, and that the walking trails would go parallel to the roadway.

Mr. Ward was informed that the Eastern Box Turtles would not hibernate until temps got cold, and generally came out of hibernation near the end of March.

Mr. Eramo was informed that the perimeter fence line and gate would not be touched (except where the parkway Right of Way crosses) when clearing the old road.

The Chairman was informed that Barletta had a project manager who would work with SSTDC

Conservation Agent and VHB on wetland work. Barletta had an office on Base and was very accessible. Mr. Ivas stated he was comfortable with the scope of work and the follow through, and presented his proposed Orders of Conditions for Pre, During and Post Construction.

Mr. Young introduced Paul Tyrell of STV as the owner's representative on the project. STV would be on the project site daily, working closely with the Team and Mr. Ivas.

Mr. Lavin was informed that habitat goals also included larger animals/predators, that crossings were an important aspect to all wildlife protection on Base. Dr. Standley stated Eastern Box Turtles were essentially an upland species, were not concentrated at the river; and confirmed that coyotes did prey on turtles.

Dr. Standley informed the Board that discussion on the Rockland portion of the project would take place with the Rockland Conservation Commission on the following night.

Public Comments

Ms. Pries, Weymouth, praised the work to improve the Old Swamp River and inquired what the down side was to putting in fill to compress the peat near the river. Dr. Standley noted the fill was neither concentrated near the culverts nor touching wetland jurisdictions, and would be removed after 8 months time, (to be re-used to build retaining walls). Ms. Pries voiced concern that it could be detrimental if restoration could not proceed and Dr. Standley indicated this was a necessary first step and that work would not stop after Phase 1.

Mr. Galluzzo, Weymouth, voiced concern that the Rubble Disposal Area (RDA) and culverts were in close proximity, and Dr. Standley indicated that the intent of the river restoration is to not compromise the integrity of the RDA cap. VHB would be evaluating potential impacts to the RDA during the design process.

Ms. Pries, Weymouth was informed that the Parkway would continue on right up to Weymouth Street and that a small wetland impact would be addressed with Rockland Conservation Commission. Ms. Pries voiced concern with Tri-Town's approval being based on an assumption that Rockland ConCom would approve the NOI for the off-site property. Mr. Ivas noted Rockland Conservation Commission jurisdiction involved one bridge crossing over Wetland "L". Ms. Pries voiced concern that the project seemed out of sequence, starting without Rockland's approval.

VOTED: Motion of John Ward, seconded by Joseph Connolly, to close the Hearing

Unanimous vote

The Hearing closed at 7:47pm

VOTED: Motion of James Lavin, seconded by Gerard Eramo, to approve the Notice of Intent dated September 2010 submitted by VHB on behalf of the Corporation associated with construction of the East-West parkway as outlined in said Notice of Intent. All conditions of the approval shall be as noted in the Order of conditions prepared by the Corporation's conservation agent

Unanimous vote

Whitman Homes Presentation

Mr. Young noted the public hearing for Whitman Homes on Parcel R3A would take place on Oct. 7th with the Zoning Enforcement Officer. Representatives were introduced to the Board. They presented their plan to subdivide Parcel R3A into 8 lots, for construction of 4 town homes, three single family homes and an alley. Mr. O'Brien noted the intent to have exterior continuity, to avoid a series of similar styles tied together and to use composite low maintenance hardy planks in New England colors with 15 year paint warranties.

Mr. Fuller presented the landscape plan with street trees and streetscapes using traditional low maintenance native perennials.

Mr. Lavin was informed that homeowners would be responsible to maintain the exterior of their residences. There would be a homeowners association to maintain alleyway and common areas. Mr. Lavin was also informed that trash was proposed to be handled at this time by each homeowner with a private contractor.

Mr. Ward was informed that the target price range was \$500,000 for single family home and \$320,000 for Town Homes.

Mr. Eramo was informed there were no full foundation basements because of the high water table.

Mr. Connolly was informed that they plan to file building permit applications around end of October. In spring 2011 seven units would be built altogether.

Mr. Connolly was also informed that each unit would have separate water meters and that the rules and regulations of the Water and Sewer Division in Weymouth would be adhered to.

Mr. Wall was informed there would be up to 21 bedrooms in the first phase.

Mr. Young noted the frontage was in compliance with SSTD requirements.

Mr. Connolly was informed there would be about 60 jobs using local vendors and that they were open to accepting job bids.

Rogerson Site Plan Presentation

Mr. Young noted he received the Site Plan Application on Sept. 15th, that the Eventide facility was the third

revision to the Development Plan, and introduced Mr. Lerner, Rogerson Community and his team.

Eventide is a non-profit developer and provider of elder services in the greater Boston area. Rogerson Community operates 26 skilled nursing facilities. The Board was informed that the Entry Fee Model Facility on site would be for independent living with nursing staff, housekeeping and laundry services available on campus as needed, and a nursing home.

Mr. Connolly was informed that the entry fee range would be \$260,000 to \$400,000, with 95% returned to the owner should they leave.

Mr. Sheskey, architect, stated the 9 acre Southfield Highlands lot with woodland backdrop was a terrific location for a premiere senior housing complex with golf, retail, train, shuttles – wonderful site. It was noted that the facility was proposed to be built in 2 phases. The long term care facility included 46 beds in a hotel type setting. The family pavilion, healing garden and mini sitting areas are also available to the independent living residents. All exteriors would be composite clapboards with tremendous life span. The Directors were informed that a public hearing process would take place in October and that construction would begin a year from now due to this type of housing financing. Marketing efforts would begin this year.

The Chairman was informed there would be 50 employees over all, and preconstruction services would be negotiated by local competitive bids.

Mr. Lavin was informed the breakdown of the 192 independent residences included 16 one bedroom units, 128 one bedroom with den units and 48 two bedroom units. The mix may be revised based on market demand.

Dominic Galluzzo, Weymouth, voiced his displeasure on the Corporation's changes to the agenda since the July 2010 Open Meeting Law went into effect; and for the lack of public handouts on subjects being reviewed. He voiced concern with the Corporation's infrastructure bond debt, financial obligations in the DDA agreement, financial obligations to the Host Communities and the burden to the Host communities on water, sewer, education, police, fire and DPW budgets.

Mr. Galluzzo also had several questions on the following: the NAS land used as collateral in the bonding process, the reason for final land transfer delays and the type of emergency services proposed for the

long term care facility. Mr. Galluzzo noted a growing number of concerned citizens wanted the questions addressed and he hoped the Board would take the time to respond.

Next meeting, October 11, 2010 was cancelled. The Board would meet again on Oct. 25th.

VOTED: Motion of Joseph Connolly, seconded by James Lavin, to adjourn the meeting.

Unanimous vote

The meeting ended 9:02pm

Mary Cordeiro, Recording Secretary Jeffrey Wall, Chairman