

Board of Directors Meeting
Applicable Subdivision Board
Permit Granting Authority
Variance Granting Authority
Monday, January 23, 2012 @ 9:00am
SSTTDC Town Hall, Conference Room

Directors Present: Gerard Eramo, Chairman
Joseph Connolly, Vice Chairman
James Lavin, Clerk
John Ward
Jeffrey Wall

Also Present: Kevin R. Donovan, Chief Executive Officer
Jim Young, Project Manager
Beth Mitchell, Legal Counsel

The Chairman called the Board of Directors, Applicable Subdivision, Permit Granting Authority and Variance Granting Authority meetings to order at 9:00am.

VARIANCE GRANTING AUTHORITY PUBLIC HEARING opened at 9:00am.

Public Notification was published in the Legal Section of the January 5th and 12th editions of the Patriot Ledger...*on an application for two variances from the terms of the By-Laws submitted by Whitman Homes, Inc. related to the site plan application for parcels R3C and R3D. Whitman Homes, Inc. is seeking a variance from the following requirement of the By-Laws: (1) Front setback for townhouse- 1 (TH-1) units shall be 10-ft. min/max for lots fronting on the street, and (2) Side setback for TH-1 units shall be a minimum of 3 feet for side lots facing a street.*

The Project Manager noted the variance request for front setback relief by Whitman Homes was for their two Townhouse-1 (TH-1) projects on parcels R3C and R3D, (a 3 and a 4 unit building) to be located on Parkview Street. Their side setback variance request was withdrawn because the encroachment, due to chimneys, was allowed in the By-Laws. The Board was informed that the Whitman Homes site plan application for parcels R3C and R3D was reviewed and approved at a ZEO Public Hearing on Jan. 19th. Rich Whittington, Whitman Homes, identified the lots subject to the variance request and noted that the two TH-1 buildings were exact replications of the two existing TH-1 buildings on parcels R3A and R3B. The Board had no questions.

There were no Public Hearing comments on the Variance Application for Parcels R3C and R3D.

**VOTED: Motion of Jeffrey Wall, seconded by James Lavin to close the Public Hearing at 9:05am
Unanimous vote**

BOARD MEASURE 12-002 - Variance Request, Whitman Homes, Parcels R3C and R3D

**VOTED: Motion of Jeffrey Wall, seconded by Joseph Connolly, to approve, subject to the terms of the Board's decision, the Variance Application submitted by Whitman Homes, Inc. dated December 9, 2011 allowing relief from the required front setback for the seven Townhouse-1 units as shown in Whitman Homes, Inc.'s site plan for parcels R3C and R3D
Unanimous vote**

PERMIT GRANTING AUTHORITY PUBLIC HEARING opened at 9:06am

Public Notification was published in the Legal Section of the January 5th and 12th editions of the Patriot Ledger...regarding the Permit Granting Authority's consideration of a Site Plan application for 101 Shea Drive, submitted by LNR South Shore LLC.

The Project Manager noted, after a technical review of LNR's Site Plan application, it was determined that the address 101 Shea Drive would be corrected to 181 Shea Drive.

Paul Hickey, LNR, noted this site plan was SouthField's first commercial development (101,500 s/f, 4-story, brick and glass building) to be located on the first commercial lot on Shea Drive. Brian Brewer, KHA, reviewed the site plans including the building footprint, access from Shea Drive, traffic sight lines, parking plan (305 spaces/24 ft. drive aisles), traffic circulation, service utilities, and stormwater management.

Discussion ensued on stormwater control and treatment. The Board was informed that the parking lot was designed with bio-retention islands that would break up stormwater overflow into smaller drainage infiltration areas all connected together by underdrains in engineered soil, to control the amount of flow.

Mr. Wall was informed there would be access to Memorial Grove Avenue through an adjacent commercial lot, to be constructed in the future.

Mr. Connolly requested a projection of water and sewer usage (GPD) based upon the building's possible end users, and was informed that an office building's use was projected at 75 GPD for every 1,000 s/f of development. Projections for other uses (best and worst case scenarios) would be provided by LNR.

Mr. Lavin was informed that there would be no significant retail business in this commercial building, and that the parking lot would include granite or concrete curbs and light poles.

Mr. Wall was informed that other than minor grading activities, the commercial development would not impact the Veterans Memorial Grove, and that site plans approved by the Board were valid for two years.

Mr. Lavin was informed that some site work would fall within the outer 50 ft. Bordering Vegetated Wetland Buffer area and would require Conservation Commission approval. The Project Manager indicated a Notice of Intent would be required to be submitted before site work began, and that more review would occur during the Conservation Commission Public Hearing. Mr. Young was satisfied to date with the proposed parking lot layout for the capture and release of stormwater. Mr. Hickey stated the site was being actively marketed as a flexible building to suit tenant needs, and offered to share marketing materials with the Board.

The Board discussed the merits of Tax Incentive Financing (TIF) that would forgive a small portion of real estate taxes, and would also allow an applicant to apply for state and federal tax credits. It could be further incentive to attract a business to this location. It was noted that a TIF could be subject to restrictions (such as job creation) which, if not met, would be revoked. Consideration of a TIF would require a Public Hearing process.

A lengthy discussion ensued on the Site Plan's viability under current commercial market conditions, and the Board's need to establish a policy based on an interpretation of the Reuse Plan's requirement that residential and commercial development be built proportionately. Site Plans already approved added up to 500 residential units, and triggered the Reuse Plan's requirement for 150,000 square feet of commercial development.

Ms. Mitchell, at the request of the CEO, explained the distinctions and requirements of the Reuse Plan's provision concerning 500 residential units v. 150,000 square feet of commercial space. Mr. Lavin requested a legal opinion on the matter. The Board agreed their decision would affect residential buildout through all future phases, and they needed more information before going forward to set a

policy.

The CEO suggested that LNR Counsel speak with SSTTDC Counsel on the issue so she could form a determination and legal opinion. Mr. Hershfield, LNR Legal Counsel indicated upon his review of the Reuse Plan, that he found the language vague and allowed for a lot of interpretation. He would discuss further with Ms. Mitchell. LNR representatives were informed that SSTTDC would not approve residential site plans beyond the 500 units until a decision was made.

PUBLIC HEARING COMMENTS

Mr. Whittington, Whitman Homes, was informed that Eventide already had their building permits.

Mrs. Parsons, Rockland, stated the Reuse Plan's key phrase "shall be built proportionately" was not a vague interpretation.

There were no further public comments.

Mr. Hickey noted LNR was doing everything to market the site for commercial development and having an approved site plan would better position the site for marketing. The Chairman stated the Board was committed to move every project forward to the best of their ability.

**VOTED: Motion of Joseph Connolly, seconded by James Lavin, to continue the Public Hearing to Monday, February 13, 2012 @ 9:00am
Unanimous vote**

Applicable Subdivision Board

The Board received a presentation of the revisions to the Phase 1A Definitive Subdivision Plan at their December meeting. The Plan included roadway and utility design for Snow Bird Avenue from Stonehaven Drive to Memorial Grove Avenue, and the designation of a common open space to serve as frontage for 8 future homes to be built.

The Project Manager noted that the technical review focused on irrigation capacity, electrical distribution system and utility connections; and that all was in order. The common open space still needed to be named (proposed street or common open space names are submitted to 911 coordinators to insure safety and acceptability). Appropriate signage would be installed along the public way (Snow Bird Avenue) and back alley and on the front and rear of each of the 8 residential units.

Mr. Connolly was informed that the roadway circulation was crucial for the 500 residential units already approved and for later phases as well. The Board was informed that LNR would start utility installations as soon as possible.

Board Measure 12-001 – Revised Phase 1A Definitive Subdivision Plan

**VOTED: Motion of Joseph Connolly, seconded by Jeffrey Wall, to approve, with conditions, the Revised Phase 1A Definitive Subdivision Plan dated December 6, 2011 submitted by LNR South Shore, LLC. All conditions of the approval shall be as noted in the Certificate of Action to be recorded with the Norfolk County Registry of Deeds. Approval is also subject to the Corporation's receipt of final revised plans on or before January 27, 2012, which shall incorporate the necessary changes required to address all plan review comments issued to date, including but not limited to incorporating a name (to be approved by the Corporation) for the common open space adjacent to Snow Bird Avenue which shall provide frontage for the eight residential lots subdivided in the Plans
Unanimous vote**

Minutes

VOTED: Motion of John Ward, seconded by Jeffrey Wall to approve the minutes of the December 20,

2011 Board of Directors meeting
4-0-1 vote Mr. Connolly abstained

The FY13 Budget was distributed to the Board of Directors and mailed to Advisory Board members. The CFO will meet with the Advisory Board on Feb. 8th @ 6:30pm for budget discussions.

VOTED: Motion of Joseph Connolly, seconded by John Ward, to adjourn the meeting
Unanimous vote

The meeting ended 10:00am

Mary Cordeiro, Recording Secretary

Gerard Eramo, Chairman