

Board of Directors Meeting
Applicable Subdivision Board
Special Permit Granting Authority
Variance Granting Authority
Monday, March 12, 2012 @ 9:00am
Conference Room, SSTTDC Town Hall

Directors Present: Gerard Eramo, Chairman,
Joseph Connolly, Vice Chairman,
James W. Lavin, Clerk,
John Ward

Directors Unable to Attend: Jeffrey Wall

Also Present: Kevin R. Donovan, Chief Executive Officer,
James A Wilson, Chief Financial Officer,
Jim Young, Project Manager
Scott Bois, Treasurer/Collector
Keith Nastasia, Facilities Manager

The Chairman called the meeting to order at 9:00am

PUBLIC HEARING – Special Permit Granting Authority
Phase 1A Development Plan, 4th Revision

The Project Manager noted the proposed revision to the Phase 1A Development Plan contained 55 townhouse units (24/TH-1 and 31/TH-2) on parcels R6, R7 and R8 (of the Phase 1A Definitive Subdivision Plan) located north of the Corcoran Apartment complex, west of Parkview Street and south of Stonehaven Drive.

Mr. Paul Hickey, LNR, stated the application also contained a request for a finding on section 5.5 (d) of the Zoning By-Laws that the TH-2 units allow individual detached residential units on lots between 1500 – 2500 S/F on tax map 90-597, lots 41, 42 & 43. Mr. Hickey noted the (31) units would generally consist of single floor cottages (1200-1400 S/F) with 1-car garages. A similar request for a finding (for 8 units) was approved by the Board at a public hearing held on Nov. 1, 2011.

Mr. Connolly was informed that to date, 500 residential units had been permitted through the site plan approval process, (477 building permits had been issued to date). A site plan approval was the next level of review after a revised Development Plan was accepted. Development Plan modifications to date totaled more than 500 residential units (before this 4th revision).

Mr. Eramo was informed that the DEP Sewer Extension Permit allowed flows based on 500 residential units. A request will shortly be submitted to DEP for an extension to mirror the sewer capacity provided under the terms of the Town of Weymouth Agreement (187K gallons).

Mr. Ward was informed that the total bedroom count for the 500 permitted residential units was approximately 800. LNR had originally estimated 1,212 bedrooms.

PUBLIC COMMENTS:

Mrs. Parsons, Rockland, voiced concern that if the required 150,000 S/F of commercial development was not tied to the Development Plan approvals only housing would be built. The Chairman noted the Board was well aware of the commercial development required in the Reuse Plan.

Mr. Hershfield, LNR legal counsel, noted that several permits were required in sequence to get to the construction stage; that LNR was well aware that SSTTDC would not approve any more site plans

without an extended DEP permit for sewer flows, and that land could not be sold without the necessary sewer capacity in place. He indicated a land sale would result in a vertical developer submitting a site plan application to the Corporation.

Mr. Butler, Local 17, was informed that there was 40,000 S/F of commercial space included in the Eventide Nursing Facility and approximately 8,000 S/F in the Corcoran apartment complex. Mr. Connolly stated the 48K commercial space was not counted per the PLA as it was not being done by organized labor. Mr. Hershfield stated that commercial space already had Board approval.

The Project Manager recommended approval of the 4th Revision to the Phase 1A Development Plan conditioned upon the commercial development phasing requirement per the Reuse Plan and sewer flow capacity. Mr. Lavin noted Board approval would move the development process forward and allow the introduction of a new product that appeared to have market interest.

A discussion ensued on other review processes that would be required before the 55 units were finally approved. Mr. Hershfield noted LNR was only seeking to modify the Phase 1A Development Plan to set up land for sale. LNR was not seeking a site plan approval, building permit or sewer connection.

The Chairman noted his reluctance to go any further with the Development Plan until DEP approvals were in place. The Board was informed that the Corporation had already capped the project at 500 units through site plan approvals. The Board's decision today would be based on the broader picture of development.

Mr. Galluzzo, Weymouth, was informed that LNR could not forecast full occupancy of units already built because they did not control the end developers.

VOTED: Motion of John Ward, seconded by Joseph Connolly, to close the Public Hearing at 9:50am Unanimous vote

Board Measure 12-021

VOTED: Motion of John Ward, seconded by James Lavin, to approve, with conditions, the Fourth Revision of the Phase 1A Development Plan submitted by LNR South Shore, LLC dated December 19, 2011, filed with the Corporation on January 12, 2012. All conditions of the approval shall be as noted in the Decision. – And - that pursuant to Section 5.5 (D) of the Zoning and Land Use By-laws for NAS South Weymouth, the Special Permit Granting Authority finds that the use of a lot having an area between 1,500 and 2,500 square feet for an individual detached residential unit should be regulated in accordance with the requirements applicable to townhouses, including without limitation, that the building form Townhouse-2 shall be applicable to such use. This finding only pertains to the future use of the parcels where Townhouse -2 units are proposed within the Fourth Revision of the Phase 1A Development Plan.

3-1 vote Chairman Eramo opposed

Four affirmative votes were required, the matter did not pass.

PUBLIC HEARING – Variance Granting Authority

Mr. Peter Mahoney, SouthField Commons, reviewed the application seeking a variance for Buildings 1 & 2 from the setback provisions in Section 6.4(f) of the Zoning By-Laws prohibiting fences in front setback areas other than the Residential District. The applicant proposed to install a 42" decorative black steel picket fence at the eastern property line along Parkview Street to provide a sense of separation/security to first floor occupants. Mr. Ward was informed that the fence was factory painted which should provide for less short-term maintenance than if field painted.

PUBLIC COMMENTS

Mr. Doyle, 15 Thistle Lane, (SouthField), requested to see a sketch of the fence and was provided with a photo.

**VOTED: Motion of John Ward, seconded by Joseph Connolly, to close the Public Hearing at 9:55am
Unanimous vote**

Board Measure 12-023

VOTED: Motion of John Ward, seconded by Joseph Connolly, to approve subject to the terms of the Board's Decision, the Variance Application submitted by SouthField Commons, LLC dated February 17, 2012 allowing the construction of a 42" decorative black steel picket fence within the front setback area on Tax Parcels 90/597/44 and 90/597/45.

Unanimous vote

Applicable Subdivision Board

Brian Brewer, KHA (engineer for LNR), presented the 6th Revision to the Phase 1A Definitive Subdivision Plan and noted the focus on Parcels R6, R7 and R8 which included partial relocation of the sewer force main line to the rear of the parcels and the addition of a proposed public roadway, Skye Lane, located directly across from Thistle Lane. The three parcels owned by LNR would be subdivided into 7 parcels.

Board Measure 12-022

VOTED: Motion of John Ward, seconded by James Lavin, to approve, with conditions, the Revised Phase 1A Definitive Subdivision Plans dated March 7, 2012 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.

Unanimous vote

Financial Matters

Mr. Wilson updated the Board on DOR approval of the FY12 tax rate, noting a lengthy and arduous process due to parkway bond and infrastructure bond questions, and proving the Corporation's financial stability. Mr. Wilson also reported DOR's approval of the FY11 Free Cash. He noted Free Cash equaled DOR's release of \$774K from FY10, plus the end of year increases in building permit fees.

Board Measure 12-012 Communications Tower

The Board was informed there was insufficient radio coverage on the Base for ground communication during an emergency call, (i.e. emergency officials could not communicate with each other). A feasibility and design study for a communications tower would focus on the Base and the public safety departments in the three Host Communities. Mr. Ward noted if there was room, cell tower capability on the structure could recoup costs over time. Mr. Lavin was informed that part of the feasibility study would include appropriate placement of the structure.

VOTED: Motion John Ward, seconded by Joseph Connolly, that the Board of Directors raise and appropriate the sum of \$175,000 from Free Cash for the purpose of funding the costs associated with building a communications tower on land owned by the SSTDC.

Unanimous vote

Board Measure 12-013 Fire Training

Mr. Wilson noted the three Towns needed a fire training exercise on the Base to work out, as a unit, how to proceed in the event of a public safety issue, to put out a fire under the current conditions of old and new construction, and to integrate the relay of water. It was noted that the primary mutual aid response at this time was the Town of Weymouth with assistance from Rockland and Abington, and that

a fire training exercise would most likely take place every two years.

VOTED: Motion of John Ward, seconded by Joseph Connolly, that the Board of Directors raise and appropriate the sum of \$65,000 from Free Cash for the purpose of funding the costs associated with a fire training exercise at SouthField.

Unanimous vote

Board Measure 12-014 Unpaid Bills

The Board was informed that unpaid bills consisted of Water and Sewer Charges to the Town of Weymouth, and the Neighborhood Housing Services of S.S. (for workforce housing analysis).

VOTED: Motion of John Ward, seconded by Joseph Connolly that the Board of Directors raise and appropriate the sum of \$37,765.11 from Free Cash for the purpose of funding the following unpaid bills: (4) Water and Sewer Charges for June, 2011 \$16,076.57, \$13,562.31, \$4,874.10 and \$552.13; and Neighborhood Housing Services of SS \$2,700.00.

Unanimous vote

Board Measure 12-015 FY13 Assessors Maps

The Board was informed that the Corporation needed access to both Norfolk and Plymouth County Land Courts for the creation of annual Assessor Maps.

VOTED: Motion of James Lavin, seconded by John Ward, that the Board of Directors raise and appropriate the sum of \$25,000 from Free Cash for the purpose of funding the procurement of the FY13 Assessors Maps.

Unanimous vote

Board Measure 12-016 Stabilization Account

Discussion ensued on DOR's concerns about SSTTDC's capability to repay the FY10 Infrastructure Bond. The CFO proposed a plan to reserve funds for the first Special Assessment commitment, and the balance of the appropriation to achieve a 5% level of Stabilization Funds needed to secure favorable bond ratings. It was noted that the Department of Revenue authorized the Corporation to exceed the 10% statutory threshold for Stabilization Funds.

VOTED: Motion of John Ward, seconded by Joseph Connolly, that the Board of Directors raise and appropriate the sum of \$472,000 from Free Cash to the Stabilization Account for the purpose of funding the following: Reserve for the FY13 Special Assessment \$273,000 and the Stabilization Account \$199,000

Unanimous vote

Board Measure 12-017 IT Upgrade

The Board was informed of the need for a server to backup files, and to house two new programs - assessing and in-house payroll.

VOTED: Motion of James Lavin, seconded by Joseph Connolly, that the Board of Directors raise and appropriate the sum of \$10,000 from Free Cash for the purpose of funding the procurement of new computers for the staff and the installation of a new server to serve as a backup to files saved on our local drive.

Unanimous vote

Board Measure 12-018 NOI Irrigation system

The Board was informed of the need to hire a consultant to assist in the review of a NOI filing to utilize an aquifer on Base to establish an irrigation system for part of SouthField and make sure it did not adversely impact water resources.

VOTED: Motion of Joseph Connolly, seconded by John Ward that the Board of Directors raise and

appropriate the sum of \$10,000 from Free Cash for the purpose of funding a Notice of Intent sponsored by LNR South Shore, LLC for the purpose of establishing a SouthField wide irrigation plan
Unanimous vote

Board Measure 12-019 Water and Sewer utilities

The Board was informed that a feasibility and design study was needed to explore water and sewer sources, and that the Town of Rockland and the Abington Rockland Joint Water Works expressed interest in providing services to SSTTDC.

VOTED: Motion of Joseph Connolly, seconded by John Ward, that the Board of Directors raise and appropriate the sum of \$35,000 from Free Cash for the purpose of funding a consultant to assist the SSTTDC in the procurement of Water and Sewer utilities from sources other than Weymouth.

Unanimous vote

Board Measure 12-020 Excess Revenue

Mr. Wilson stated the Board should take an annual vote on excess revenues to the Towns in accord with the Reuse Plan. Mr. Donovan noted an important distinction between excess revenues and tax revenues as defined in legislation, and that the Recap Sheet figures approved by Department of Revenue for each of SSTTDC's taxable years (FY09 to FY12) clearly indicate there are no excess tax revenues. Mr. Hart, Rockland Town Accountant voiced dismay on the Board's determination to spend every dime of Free Cash, and cautioned the Board that arbitrarily determining there was no excess revenue to distribute was a dangerous practice.

VOTED: Motion of James Lavin, seconded by Joseph Connolly, that the Board of Directors after a review of the cash needs of the SSTTDC votes to establish that no excess FY11 tax revenues are available for distribution to the towns of Abington, Rockland and Weymouth.

Unanimous vote

Board Measure 12-024 Hand held meter reader

Mr. Wilson noted the need to purchase a handheld computer to read water meters electronically at all SouthField residential and commercial units.

VOTED: Motion of John Ward, seconded by Joseph Connolly, that the Board of Directors transfer the sum of \$9,450 from the Reserve Fund (Program 132) to line item 11214416.531101 for purchasing the hardware and software to read and interface with our utility billing system.

Unanimous vote

Board Measure 12-025 Sewer Connection Fees

The Board was informed that the Sewer Retained Earnings Balance in the Sewer Enterprise Account was \$178,631, and that charges for additional sewer flow into the Weymouth Sewer System generated by SSTTDC in FY11 totaled \$15,773.10 (the connection fee).

VOTED: Motion of Joseph Connolly, seconded by John Ward, that the Board of Directors raise and appropriate the sum of \$15,773.10 from Sewer Retained Earnings for the purpose of funding the FY11 sewer connection fees required to be paid to the Town of Weymouth.

Unanimous vote

Minutes

VOTED: Motion of Joseph Connolly, seconded by John Ward, to approve the minutes of the Board of Directors meeting held on February 13, 2012

Unanimous vote

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

The meeting ended 10:15am

Mary Cordeiro Recording Secretary

Gerard Eramo, Chairman

Documents reviewed at the meeting:

Phase 1A Development Plan Application 4th Revision

Application for Variance

Phase 1A Definitive Subdivision Plan 6th Revision

MA DOR approval notifications

Year to Date Budget to Actual