

Board of Directors Meeting  
Applicable Subdivision Board and  
Variance Granting Authority Meeting  
November 24, 2010 @ 9:00am  
Conference Room, Corporate Office

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

Also Present: Kevin R. Donovan, Chief Executive Officer  
James A. Wilson, Chief Financial Officer  
James Young, Project Manager  
Bill Ryan, LNR  
Mike Farias & Paul Abelite IBG Team  
Brian Brewer, LNR Consultant

The Chairman called the meeting to order at 9:05am

Variance Granting Authority – Variance Application

**VOTED: Motion of John Ward, seconded by Gerard Eramo to open the Public Hearing on the IBG Highlands LLC Variance Application on front set-back and building elements**

**Unanimous vote**

The Public Hearing began at 9:05am

Mr. Young informed the Board that the Zoning Enforcement Officer issued a conditional approval on the Site Plan application for the Meadows at SouthField Highlands, submitted by IBG Highlands LLC. The approval required two variances on front set-back and building elements for Lots 2 & 5 on Parcel R2A.

Mr. Farias and Mr. Abelite presented their project - consisting of two townhome types, to be located on Parkview Street and Thistle Lane, to be built in phases based on sale of units. Exterior materials and color ranges were displayed for the Board.

IBG's application proposed an 8 ft. setback for front facades on Lots 2 & 5 to allow the front to project out 2 ft. and to provide interest and articulation on the streetscape.

Mr. Young stated the variance would give a better form, feel and design to the neighborhood, and that all dimensional requirements were reviewed in detail.

Mr. Lavin was informed that this was the second variance granted on Townhouse-1 units (Whitman Homes Parcel R3A was first), and that the Board may want more of this articulation in future neighborhoods.

Mr. Wall was informed that the garages were two car structures.

The Board had no further questions

There were no Public Hearing Comments

**VOTED: Motion by John Ward, seconded by James Lavin, to close the public hearing at**

9:13am

Unanimous vote

Board Measure 10-059

**VOTED: Motion of John Ward, seconded by Gerard Eramo, to approve, subject to the terms of the Board's decision dated November 24, 2010, the Variance Application submitted by IBG Highlands LLC dated October 29, 2010, allowing (1) an 8-foot front setback for the proposed townhouse-1 units on Lot #2 and lot #5 as shown on IBG Highlands LLC's approved site plan for parcel R2A; and (2) allowing balconies, bays and ancillary projections to project a maximum of 48 inches into the required front setback for the proposed Townhouse-1 units on lot #2 and lot #5 as shown on IBG Highlands LLC's approved site plan for parcel R2A**

Unanimous vote

Applicable Subdivision Board – ANR Plan

Mr. Young informed the Board that IBG Highlands LLC proposed to subdivide parcel R2A into 9 residential lots and a lot for the two alleyways that complied with the dimensional requirements of the Zoning and Land Use By-Laws and fronted on ways (Parkview Street and Thistle Lane) approved on the Revised Phase 1A Definitive Subdivision Plan dated 9/3/10.

Mr. Connolly was informed that based on a proposal by LNR, each neighborhood would have one street with a name that tied back to the military aircraft that flew from the former SWNAS.

Board Measure 10-060

**VOTED: Motion of Gerard Eramo, seconded by James Lavin, that approval under the Subdivision Control Law is not required for the subdivision of parcel R2A as shown on the ANR Plan of Land dated November 22, 2010**

Unanimous vote

Applicable Subdivision Board – Revision to Phase 1A Definitive Subdivision Plan

Mr. Young reviewed the proposed revisions including design plans for portions of roadways and associated utilities, extension of the sewer force main, access to existing sewer pump station, adjusted lot lines west of Parkview St. and street name changes, and recommended approval.

Mr. Brewer, Civil Engineer for LNR discussed the changes with the Board, noting the primary changes were two new roadways (Stonehaven Drive and Snowbird Avenue) with utilities to service the senior living facility.

Mr. Lavin was informed that the Streets were named based upon a marketing and historical perspective of the Base. Some names were synonymous with highlands for the "SouthField Highlands" area of development. The name Snowbird Ave referred to the longest (world record) blimp flight from SWNAS. Mr. Lavin suggested consideration be given to naming streets after Veterans killed in action. The Town of Weymouth had reviewed the list of roadway names to ensure no duplication on 911 calls.

Mr. Young noted a Certificate of Action with Conditions was included in the approval and that there would be minor construction work within 200 ft. of the riverfront of French's Stream that would come before the SSTDCC Conservation Commission.

Mr. Eramo cautioned that it was important that buildout had minimal impact on French's Stream.

**Board Measure 10-061**

**VOTED: Motion of Gerard Eramo, seconded by James Lavin, to approve, with conditions, the Revised Phase 1A Definitive Subdivision Plans dated Nov. 24, 2010 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**

Applicable Subdivision Board – Partial Certificate of Performance – Parcel R5A

Mr. Young reported that LNR was close to closing on the sale of Parcel R5A with the Rogerson Communities/Eventide Senior Facility; part of the process required the release of this parcel from the existing covenant. The Board reviewed a Partial Certificate of Performance, releasing Lot R5A from the covenant obligation.

The Chairman was informed that the covenant ran with the land and was related to the subdivision work on Memorial Grove Ave and Parkview Street – completed in substantial form.

Mr. Lavin was informed that as-built plans had been submitted and received for all work completed to date on Memorial Grove Ave and Parkview St.

Mr. Connolly was informed that the release of Lot R5A was part of specific conditions in the Subdivision approval related to time of completion, and permits required to complete the job. There were no further questions.

**VOTED: Motion of John Ward, seconded by Gerard Eramo, that the requirements for the construction of ways and public services specified in the Phase 1A Definitive Subdivision Plan dated April 6, 2007, as amended by the Applicable Subdivision Board, have been completed to the satisfaction of the Applicable Subdivision Board to adequately serve Lot R5A on the Plan entitled “Approval-Not-Required Plan of Southfield, Parcel R4 and R5, Parkview Street, Weymouth, MA” dated September 3, 2010, and that the Horizontal Development (as such term is defined in the Amended and Restated Disposition and Development Agreement, as amended), has been completed for Lot R5A.**

**AND**

**To release Lot R5A from the restrictions as to sale and building specified in the Covenant dated May 24, 2007, as amended and supplemented, by executing a Partial Certificate of Performance, and to ratify the execution of the Horizontal Development Certificate of Compliance by the Chief Executive Officer for Lot R5A.**

**Unanimous vote**

Financials

Free Cash Appropriations

Mr. Wilson informed the Board of the process to Free Cash. At the end of each Fiscal Year the Dept. of Revenue (DOR) guidelines required the submittal of a Balance Sheet to determine the undesignated fund balance - the amount of cash available by the Corporation for further appropriation in the following year. Deficits in other funds required a reduction from the Undesignated Revenue. Tri-Town bond costs, were deducted by DOR, leaving \$380,135 as certified free cash for further appropriation.

The CFO noted a contractual obligation between SSTTDC and MA Administration & Finance.

The agreement called for a \$100,000 cash reserve deposit (pd. on June 28<sup>th</sup>), with the balance of \$400,000 paid from Free Cash on or before Oct. 1, 2010. Mr. Wilson noted that Free Cash was certified for less than that amount. The agreement then called for a payment equal to ½ of the Certified Cash.

Mr. Lavin was informed that once the Bond was let, all costs in indenture were no longer considered outstanding.

**Board Measure 10-056**

**VOTED: Motion of James Lavin, seconded by Gerard Eramo to raise and appropriate the sum of \$190,092.50 from Free Cash for the purpose of paying the Commonwealth of Massachusetts pursuant to its contractual obligation for the East West Parkway**  
**Unanimous vote**

The CFO presented a measure to the Board for the purpose of paying bills incurred in FY10 but not received until after July 1, 2010, and to authorize their placement on the warrant.

Mr. Connolly was informed that the Weymouth bill included services for the month of March from the Planning Dept, DPW and members of the Finance Dept. and Mayor's office. Regular Police Patrols were not part of the bill.

**Board Measure 10-057**

**VOTED: Motion of John Ward, seconded by Gerard Eramo, to appropriate the sum of \$83,721.00 from Free Cash for the purpose of paying the following FY10 Unpaid Bills: Town of Weymouth \$14,112.50 and Tetra Tech Rizzo \$69,608.50, and that the Chief Financial Officer be authorized to expend such sums for the stated purposes**  
**Unanimous vote**

**FY11 Tax Rate**

Mr. Wilson reported that the FY11 Tax Rate was approved on Nov. 15<sup>th</sup> with Residential at \$11.90 (up 12 cents from FY10), and Commercial and Personal Property at \$17.70 (up 23 cents from FY10).

**Reaffirm and Restate the Project Labor Agreement for Tri-Town Projects**

The Chairman noted there were some concerns with the labor pool being utilized on the Parkway Project. The Board's preference was for union labor on the Base, but the Board did not have control on all aspects of the project.

The Chairman stated that the Board would make sure the Project Labor Agreement was used during construction, because that was how the project was presented to and approved by the three communities.

Mr. Donovan presented a measure to the Board restating their long held position for public construction contracts to be subject to the Project Labor Agreement (PLA).

A lengthy discussion ensued on two distinct contracts. The original Agreement for the whole parkway project was executed, under the PLA, between Tri-Town and Barletta Heavy Division. An issue with the Labor Harmony Agreement surfaced when the federal portion of the Parkway project was removed from the Barletta Contract for a separate bidding process.

Mr. Ryan noted that LNR also entered into a PLA with Quincy and South Shore Building Construction Trades Council and Norfolk County Central Labor Council. The PLA dictated how

to select vendors within their Affiliates.

Mr. Foley, Weymouth, stated that he and the members of the PLA were told (dating back to 2000) that the whole SouthField project would be built with union labor, and they all supported the project. Mr. Foley strongly suggested the Board make sure as promised that this project would be built by union labor - to make it a point to apply for PLA projects offered under federal stimulus funds, and to involve South Shore Building and Construction Trades council on the residential piece.

The Chairman stated he believed it was important to solidify the PLA for this project to move forward.

**Board Measure 10-058**

**VOTED: Motion of John Ward, seconded by Gerard Eramo, that the Board of Directors reaffirms and restates its long held position that any public construction contracts for work conducted at the former NAS – South Weymouth, by the South Shore Tri-Town Development Corporation currently are and shall always be subject to a Project Labor Agreement to the extent allowed by the provisions of applicable state and federal law**

**Unanimous vote**

Mr. Ward departed the meeting at 10:00am

The Board reviewed the minutes

**VOTED: Motion of Gerard Eramo, seconded by James Lavin, to approve the Minutes of the Board of Directors meeting held on October 25, 2010**

**3-0-1 vote Mr. Connolly abstained**

**VOTED: Motion of Gerard Eramo, seconded by James Lavin, to approve the Minutes of the Board of Directors meeting held on Oct. 29, 2010**

**4-0 Unanimous vote**

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

**4-0 Unanimous vote**

The meeting ended 10:15am

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Mary Cordeiro, Recording Secretary

Jeff Wall, Chairman

Documents Reviewed at the meeting:

IBG Letter

Draft Variance Decision

ANR Plan – Parcel R2A

Revised P1A Definitive Subdiv. Plan

Proposed Certificate of Action

Tax Recap FY11