

Board of Directors Meeting
 Applicable Subdivision Board
 Conservation Commission
 Permit Granting Authority
 Variance Granting Authority
 July 11, 2011 @ 5:30PM
 Conference Room, Corporate Office

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

Directors Unable to Attend: Jeffrey Wall, Chairman

Also Present: Kevin R. Donovan, CEO
 Scott Bois, Treasurer/Collector
 Jim Young, Project Manager
 Steve Ivas, Conservation Agent
 Beth Mitchell, Mary Ryan, SSTTDC Legal Counsel

The Vice Chairman called the meeting to order at 5:30pm.

Financial Matters

Mr. Donovan noted the year-end line item re-appropriation figure totaled \$35,059. The Board reviewed the amount and source of funds being re-appropriated in the FY11 Budget and the line items to be brought into balance.

Board Measure 11-048

VOTED: Motion of James Lavin, seconded by Joseph Connolly, that the Board of Directors re appropriate the sum of \$35,059 from the following accounts into the designated accounts for purposes of funding departmental line item deficits in the FY2011 approved budget: Unanimous 4-0 vote

<u>REAPPROPRIATIONS</u>							
<u>FROM</u>		<u>AMOUNT</u>		<u>TO</u>		<u>AMOUNT</u>	
11214415	531106	\$ 17,878		14104405	531106	\$ 17,878	DPW Inspectional Services
11214415	531106	\$ 2,853					
11754460	530211	\$ 310		11514415	530107	\$ 3,163	Legal
11754460	530211	\$ 6,819		14104490	546203	\$ 6,819	Maintenance of Grounds
11754460	530211	\$ 705		13204405	531106	\$ 705	Fire Inspectional Services
11334465	531106	\$ 6,495		13604485	531106	\$ 5,524	Building Inspectional Services
				11997480	543101	\$ 971	Building Maintenance
		\$ 35,059				\$ 35,059	

5:30PM PUBLIC HEARING – Permit Granting Authority

The Vice Chairman noted the applicant would re-file. No action was taken.

5:35PM PUBLIC HEARING – Variance Granting Authority

VOTED: Motion of Joseph Connolly, seconded by John Ward, to open the Public Hearing of the Variance Granting Authority - at 5:35pm.

The hearing notice was advertised in the legal section of the Quincy Patriot Ledger on June 24th and July 1st on the application for one variance from the terms of the By-Laws related to Whitman Home's Parcel R3B seeking a variance from the min-max front set-back for Townhouse-1. Mr. Rich Whittington, President of Whitman Homes presented the plan for a 3-unit Townhouse-1 fronting on Parkview Street, seeking consistency with their 4-unit Townhouse already constructed on Parkview Street.

Mr. Young noted Whitman Home's Site Plan application for Parcel R3B was reviewed and approved at a Zoning Enforcement Officer Public Hearing on June 29th. He recommended favorable action on the variance request.

There were no Public Hearing Comments on the Variance application by Whitman Homes.

VOTED: Motion of John Ward, seconded by James Lavin, to close the Public Hearing – at 5:37pm

Unanimous 4-0 vote

Board Measure #11-042

VOTED: Motion of Joseph Connolly, seconded by James Lavin to approve, subject to the terms of the Board's decision dated July 11, 2011, the Variance Application submitted by Whitman Homes, Inc., dated June 7, 2011 allowing relief from the required front setback for the three Townhouse-1 units as shown in Whitman Homes, Inc's approved site plan for Lot R3B

3-0-1 vote Ward abstained

Discussion ensued that Section 15.3 (c) of the Zoning and Land-Use By-Laws and section 7.7 of Administrative Rules and Regs required an affirmative vote of at least four (4) Directors on the grant of a variance. The 3-0-1 vote did not pass. The CEO recommended the Board reconsider their decision and table the hearing to the next meeting. It was noted that Mr. Ward was required to abstain on all matters related to Whitman Homes due to their banking relationship.

VOTED: Motion of Joseph Connolly, seconded by James Lavin, to reconsider the vote and reopen the Public Hearing at 5:45pm

Unanimous 4-0 vote

VOTED: Motion of Joseph Connolly, seconded by James Lavin, to postpone the Variance Granting Authority Public Hearing to the next meeting.

Unanimous 4-0 vote

5:40PM PUBLIC HEARING – Conservation Commission

VOTED: Motion of Joseph Connolly, seconded by John Ward, to open the Public Hearing of the Conservation Commission at 5:40pm.

The hearing notice was advertised in the legal section of the Quincy Patriot Ledger on June 24th and July 1st on the request for an Amended Order of Conditions associated with the construction of a nature trail along and adjacent to the north side of parcel R5A – Eventide's SouthField Highlands project. Brian Brewer, civil engineer consultant for LNR, presented the plan for the nature trail, noting it was part of the overall SouthField amenities plan and the Public Benefit Conveyance application submitted to the National Park Service in Feb 03. The path would accommodate both pedestrians and bicyclists, made of packed stone dust, 8' wide/1,000' long. The trail would run from Snowbird Avenue, along the north side

of the Eventide SouthField Highlands project, to the 200' river front area of French's Stream. The Board was informed that construction of the path would coincide with construction of the Eventide at SouthField Highlands project.

There were no Public Hearing Comments on the nature trail.

VOTED: Motion of Joseph Connolly, seconded by John Ward, to close the Public Hearing – at 5:45pm
Unanimous 4-0 vote

Board Measure #11-041

**VOTED: Motion of Joseph Connolly, seconded by John Ward, to approve the request for Amended Order of conditions dated June 10, 2011 submitted by LNR South Shore, LLC associated with construction of the multi-use recreational trail shown on the plan entitled "Recreational Trail" and signed on June 10, 2011. All conditions of the approval shall be as noted in the Amended Order of Conditions prepared by the Corporation's Conservation Agent
Unanimous 4-0 vote**

Conservation Commission – East West Parkway

The Board reviewed Mr. Ivas's report on the Plans and Design Drawings for the proposed bridge over the Old Swamp River (OSR) noting that documentation was still pending on proposed methods of dewatering during excavation and re-routing the river during culvert removal.

Representatives from Barletta Heavy Division informed the Board that some of the culvert removal work would cause a disturbance within the limits of the Rubble Disposal Area (RDA), and that additional coordination with the Navy was required. Mr. Ivas recommended approval of the OSR Bridge Design, conditioned upon his review of the pending dewatering and routing methods.

The Directors voiced their concern on working in close proximity to the RDA and the environmental issues associated with it. They were inclined to wait for the Conservation Agent's final review before voting on the plans. Mr. Ivas stated his recommendation did not include approval of excavation or removal of culverts. Those punch list items were listed in his report.

Board Measure #11-044

VOTED: Motion of John Ward, seconded by Joseph Connolly, to approve for construction - subject to final approval by the Conservation Agent on dewatering and routing methods for the Old Swamp River while culvert removal takes place - the design submittals identified in the Conservation Agent's Report dated July 7, 2011 associated with Phase 1 of the East-West Parkway Project, and that the Applicant shall comply with the punch list items listed in the recommendation section of the Conservation Agent's report prior to construction of the related work items. All work shall adhere to the Order of Conditions dated September 27, 2010.

Unanimous 4-0 vote

One Day Liquor License

The Board was informed LNR was sponsoring a 2-hour South Shore Young Professionals event at the SouthField Welcome Center, and requested a license to serve wine and malt beverages.

Board Measure #11-045

VOTED: Motion of Joseph Connolly, seconded by John Ward as per M.G.L. Chapter 138 and the rules made thereunder, and section 37, sub-section 6 (w) of Chapter 303 of the Acts of 2008, Tricia Bruno, LNR South Shore LLC, is hereby granted a one day license to sell, store, pour and consume Wine and Malt beverages on Wednesday, July 13, 2011 between the hours of 6PM and 8PM, on the grounds of

the SouthField Welcome Center at the former SWNAS.

Unanimous 4-0 vote

Food Vendor Licenses

The Board was informed that The Silent Chef was engaged as the caterer for LNR's event.

Board Measure #11-046

VOTED: Motion of Joseph Connolly, seconded by James Lavin, in accordance with the provisions of NAS South Weymouth General Municipal Codes, Section 7.2 Regulation of Food Vendors and Amendments and additions thereto, a Permit is granted to The Silent Chef, Inc. for Wednesday, July 13, 2011.

Unanimous 4-0 vote

The Board was informed that Willy's Treat's would be the first calendar year license issued by the Corporation. Mr. Fontaine's canteen truck has provided a long standing service to the construction workers here since 2006.

Board Measure #11-047

VOTED: Motion of Joseph Connolly, 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, a Permit is granted to William Fontaine d/b/a Willy's Treat's. Permit to expire on Dec. 31, 2011.

Unanimous 4-0 vote

Minutes

VOTED: Motion of Joseph Connolly, seconded by James Lavin, to approve the minutes of the Board of Directors meeting held on June 13, 2011

Unanimous 3-0-1 vote Eramo abstained

Executive Session

VOTED: Motion of John Ward, seconded by Joseph Connolly to enter into Executive Session for the purpose of discussion of NAVY land transfer, to return to open session

Lavin, aye, Ward, aye, Connolly, aye, Eramo, aye

Executive Session convened at 6:07pm

Open Session reconvened at 7:00pm

A lengthy discussion ensued on the legal ramifications associated with the Public Hearing regulations on a Variance application. Legal Counsel determined that Whitman Homes would have to re-advertise the public hearing notices for their Variance application.

Mr. Hershfield, LNR Legal Counsel was informed that a building permit for the Townhomes could not be issued until the variance was approved.

Applicable Subdivision Board

The Project Manager noted the ANR plan was clean with no conditions; and recommended approval. Whitman Homes proposed subdivision of Parcel R3B made no changes to the perimeter boundary of the parcel and the dimensions of the proposed residential lots complied with the frontage requirements of the zoning by-laws.

Board Measure #11-043

VOTED: Motion of James Lavin, seconded by Joseph Connolly, that approval under the Subdivision Control Law is not required for the subdivision of Parcel R3B as shown on the ANR Plan of Land dated July 7, 2011

3-0-1 vote Ward abstained

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

Unanimous 4-0 vote

The meeting ended 7:10pm

Mary Cordeiro, Recording Secretary

Gerard Eramo, Vice Chairman

Documents reviewed at the meeting:

Variance Application package – parcel R3B

Amended Order of Conditions – Nature Trail

Conservation Agent Report – OSR Bridge Design

ANR Plan – Parcel R3B

Food Vendor applications

One Day Liquor License application