

Southfield Redevelopment Authority
Board of Directors Meeting
September 28, 2015 @ 7:00pm
Conference Room, SRA Office

Directors Present: Patricia O’Leary, Vice Chairman
Chris Aiello, Clerk
John Brewer
Walter Flynn
Kelli O’Brien-McKinnon
Lyndsey Kruzer

Directors Unable to Attend: William Minahan, Chairman
Robert Rizzi
Ralph Rivkind

Remote Participation: Ralph Rivkind

Also Present: Jim Young, Land Use Administrator
Fran Gershwin, Legal Counsel
Matt Barry, LStar Management

The Vice Chairman called the meeting to order at 7:00pm. The Board agreed to take up Agenda Item #4 to consider the adoption of remote participation so Directors with qualified circumstances could join the meeting remotely.

A motion was made by Lyndsey Kruzer and seconded by Chris Aiello, that the Board of Directors adopt and authorize the use of remote participation for meetings of the Board of Directors and all boards, committees and commissions of the Southfield Redevelopment Authority, and that the Board adopt a policy conditioning and limiting the use of remote participation - that remote participation be only allowed at the Authority Conference Room using Authority issued phones. A discussion ensued on “Authority issued phones”, and the policy was amended per recommendation of Legal Counsel.

Board Measure 15-032

VOTED: Motion of John Brewer, seconded by Lyndsey Kruzer to adopt and authorize the use of remote participation for meetings of the Board of Directors and all boards, committees and commissions of the Southfield Redevelopment Authority in accordance with the applicable regulations, 940 CMR 29.10, and subject to the following:

Pursuant to the Board’s authority under 940 CMR 29.10(8), the Board adopts the following AMENDED policy conditioning and limiting the use of remote participation:

1) Remote participation shall only be allowed at the Authority Conference Room located at 223 Shea Memorial Drive, South Weymouth, MA 02190 using the phone in the conference room for remote participation so as to ensure the member participating remotely is audible to all persons present at

the meeting.

2) At this time Internet, satellite video or so-called face-time conferencing is not permitted without the express written permission of legal counsel to the Authority; and

**3) This vote and policy applies to all Authority public bodies that are subject to the Open Meeting Law
Unanimous 6-0 vote**

The Vice Chairman announced that Mr. Rivkind requested remote participation. Ms. O'Leary completed the Remote Participation checklist to support his request, and determined that his geographical distance made his physical attendance unreasonably difficult.

Mr. Rivkind was contacted using the phone in the conference room at 7:05pm.

Minutes

VOTED: Motion of Kelli O'Brien-McKinnon, seconded by Chris Aiello to approve the Minutes of the Board of Directors meeting held on September 14, 2015

Unanimous 7-0 roll call vote – Rivkind, aye, Kruzer, aye, O'Leary, aye, O'Brien-McKinnon, aye, Flynn, aye, Aiello, aye, Brewer aye

PUBLIC HEARING – Major Zoning Revision

The Public Hearing opened at 7:08pm

VOTED: Motion of Chris Aiello, seconded by Kelli O'Brien-McKinnon, to open the Public Hearing on LStar's petition to the Town of Weymouth on proposed revisions to the Zoning and Land Use By-Laws for NAS South Weymouth.

Unanimous 7-0 roll call vote – Rivkind, aye, Kruzer, aye, O'Leary, aye, O'Brien-McKinnon, aye, Flynn, aye, Aiello, aye, Brewer aye

Mr. Barry, LStar, discussed Southfield Master Plan goals. An overlay district in Weymouth was proposed which consisted of three sub-districts: a Discovery district, a Neighborhood district and a Town Center district.

The Board was informed that the additional 1000 residential units allowed in the new Legislation must all be age-restricted; that LStar was seeking a new commercial development cap of up to 3M square feet (up from 2M square feet); that any additional project impacts would be re-evaluated under the MEPA process if the proposed zoning revisions were approved by the communities; and that enforcement of the Zoning and Land Use By-Laws for NAS South Weymouth would remain with the Southfield Redevelopment Authority, per the Legislation.

Mr. Brewer noted the importance of continual traffic studies going forward.

Ms. Kruzer voiced concern about future residential unit mix (too many age-restricted units) and the desire to have more traditional residential neighborhoods at SouthField.

Public Hearing Comments

Mr. LeMott, Southfield resident, was informed about potential building heights in the Neighborhood

sub-district, and that a breakdown on the mix of unit types was still a work in progress.

Mr. Miller, Southfield resident, stated that a survey of the current residents resulted in a preference for more owner-occupied single family homes and less rental units.

Mrs. Parsons, Rockland, stated that the Town of Rockland would favor commercial development over residential development.

Mr. Franey, Abington Selectman, voiced concern with potential traffic on Rte. 18 in Abington and requested LStar provide a comparison of the original traffic studies with an independent updated traffic study. Mr. Barry stated that an updated traffic study would be provided.

Mr. Flynn noted that the Town of Weymouth's proposed zoning revision did not require a decision or recommendation by the Southfield Redevelopment Authority.

VOTED: Motion of Chris Aiello, seconded by John Brewer to close the Public Hearing

Unanimous 7-0 roll call vote – Rivkind, aye, Kruzer, aye, O'Leary, aye, O'Brien-McKinnon, aye, Flynn, aye, Aiello, aye, Brewer aye

The Hearing closed at 7:45pm

SRA No-Hunting Policy

Discussion ensued on a potential public safety issue with onsite hunting activities and with several nature trails being prepared to be made more accessible to the public. The Board was in agreement that it was no longer safe for armed hunters to be on site; further discussion ensued on implementing a no-hunting policy. Mr. Young noted that the National Park Service (NPS) did not have any special requirements or guidance for posting and would allow NPS property to be posted.

Ms. Kruzer voiced concern on the growing deer population and the potential spread of deer ticks; and asked, if necessary, that the Board consider deer thinning measures in the future.

Board Measure 15-033

VOTED: Motion of John Brewer, seconded by Walter Flynn, that the Board of Directors adopt a No-Hunting Policy on any property owned by the Southfield Redevelopment Authority, and further that the Southfield Redevelopment Authority and LStar Southfield, LLC develop a posting plan

Unanimous 7-0 roll call vote – Rivkind, aye, Kruzer, aye, O'Leary, aye, O'Brien-McKinnon, aye, Flynn, aye, Aiello, aye, Brewer aye

NAVY Closing Documents – FOST 6A-1

Ms. Gershwin, Burns & Levinson, with assistance from Mr. Young identified the locations of the three small non-contiguous parcels totaling approximately 7 acres to be transferred from NAVY to SRA. All three parcels would be simultaneously transferred from SRA to LStar. Ms. Gershwin reviewed the Amendments and Modifications to the Original NAVY/SSTTDC Agreements and the Resolutions to be voted by the Board.

Board Measure 15-034

VOTED: Motion of Walter Flynn, seconded by Chris Aiello, that the Authority execute the following documents (in the forms presented to the Board) relating to certain agreements by and between the United States of America, acting by and through the Department of the Navy (the "Navy") and South

Shore Tri-Town Development Corporation:

1) Amendment No. 1 (the “First Amendment”) to the Agreement for the Purchase of Real Property dated November 15, 2011 (the “Agreement”)

2) Modification No. 1 to Lease in Furtherance of Conveyance dated December 15, 2011 (“LIFOC”)

3) Amendment No. 2 to Notice of Lease relating to LIFOC, recorded with the Norfolk County Registry of Deeds (“Norfolk Registry”) and the Plymouth County Registry of Deeds (“Plymouth Registry”), as previously amended

4) Third Amendment to Agreement Granting Reciprocal Easements dated May 13, 2003, recorded with Norfolk Registry and Plymouth Registry, as previously amended

RESOLVED

That, pursuant to the Agreement, as amended by the First Amendment, the Authority is authorized to acquire FOST 6A-1 Parcels from the NAVY and to accept a deed and other instruments of conveyance to the Authority by the NAVY conveying FOST 6A-1 Parcels and related rights and property in connection therewith.

RESOLVED

That, pursuant to that certain Second Amended and Restated Disposition and Development Agreement dated as of May 13, 2015 by and between the Authority and LStar Southfield LLC (“LStar”) f/k/a LNR South Shore LLC, the Authority is authorized to transfer the FOST 6A-1 parcels to LStar, for nominal, non-monetary consideration, and to execute and deliver a deed and other instruments of conveyance, conveying to LStar the FOST 6A-1 Parcels and related rights and property.

RESOLVED

That, the Chairman and the Vice Chairman of the Board of Directors of the Authority, each acting individually, be and hereby are authorized and directed, in the name and on behalf of the Authority: (a) to sign, seal with the seal of the Authority, acknowledge if deemed advisable and deliver such documents, the execution thereof by the signer on behalf of the Authority conclusively to evidence that the provisions thereof are satisfactory to the Authority and that such documents so executed are the Documents hereby authorized, (b) to accept delivery of those documents necessary to effectuate the transactions contemplated by the foregoing resolutions, and (c) to take such other actions as the respective officer or officers so acting shall, as conclusively evidenced by their doing any of the things or taking any of the actions hereby authorized, deem necessary or desirable to be done or taken to carry out the transactions contemplated by the foregoing resolutions.

Unanimous 7-0 roll call vote – Rivkind, aye, Kruzer, aye, O’Leary, aye, O’Brien-McKinnon, aye, Flynn, aye, Aiello, aye, Brewer aye

Status Reports

Mr. Rivkind indicated the DDA may be ready for the agenda at the next meeting.

Mr. Barry noted LStar was scheduled to meet with MWRA and also with Weymouth DPW this week for a technical discussion on water supply and pipe routing.

Ms. Kruzer noted MassDOT would hold a public hearing on October 7, 2015 at the SRA office on the proposed Parkway expansion to Trotter Road.

Mr. Flynn noted that Master Plan sessions were moved to the first Tuesday of each month. He also reported that members of the Weymouth Planning Board made a site visit to SouthField on Sept. 26, 2015 in preparation for discussion of LStar's proposed zoning changes.

Public Comments

Ms. Parsons, Rockland, stated the abutting residents in Rockland will appreciate the Board's adoption of a no-hunting policy.

Ms. Hilbert, Weymouth, was informed that the MWRA water route to Southfield had not yet been finalized.

Mr. Rivkind's call was disconnected at 8:10pm

Next Meeting

Wednesday, October 14, 2015

VOTED: Motion of Chris Aiello, seconded by Walt Flynn, to adjourn the meeting

Unanimous 6-0 vote

The meeting ended at 8:15pm

Mary Cordeiro, Recording Secretary

Patricia O'Leary, Vice Chairman

Documents reviewed during the meeting:

Notice of joint public hearing in Weymouth and LStar proposed zoning amendments

Board Measure 15-032 Remote participation

Board Measure 15-033 No-Hunting Policy

Board Measure 15-035 NAVY Closing Documents