

Old Colony Planning Council

Agenda

Agenda for Meeting No. 542
November 29, 2017

Old Colony Planning Council
70 School Street, Brockton, MA 02301

The listings of matters are those reasonably anticipated by the Chair, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may be brought up for discussion to the extent permitted by law.

1. Call to Order, 7:00 PM
2. Roll Call of Members
3. Minutes of October 25, 2017 Meeting
4. Financial Report for October 2017
5. Staff Report
6. Regional Clearinghouse Reviews

Mr. Frank P. Staffier, President
Mr. Fred Gilmetti, Secretary
Mr. Fred Gilmetti, Secretary
Ms. Christine Joy, Treasurer
Pat Ciaramella, Executive Director

Industrial Revenue Bonds

None

Environmental Notifications

See Attachments

7. Old Business

- A. Report and update on the District Local Technical Assistance (DLTA) Program. Pat Ciaramella, Executive Director.

8. New Business

- A. **Presentation – Old Colony Planning Council (OCPC) Regional Pavement Management Program.** The Old Colony Regional Pavement Management System (PMS) was developed in response to the guidelines and requirements of federal highway legislation. OCPC developed a region wide PMS in cooperation with the Massachusetts Department of Transportation (MassDOT). The PMS specifically includes roads that are eligible for federal aid. Therefore, the PMS is essential in ensuring that resources are allocated in the most effective and efficient manner. Ray Guarino, Senior Transportation Planner
- B. Review and consideration of the recommendations of the Personnel Committee concerning staff salaries. Mr. Eldon Moreira, Chairman, Personnel Committee.

9. Community Concerns

10. Other Business

11. Visitors Comments/Questions

12. Adjournment

*FUTURE MEETINGS: January 31, 2018, February 28, 2018, and March 28, 2018
(Executive Committee Meeting would be convened in the absence of a Council quorum)*

Attachments

Industrial Revenue Bonds (Council Action)

None

Environmental Notifications (Information only)

i. Kingston - EEA # 15775 - Tall Timbers Estates (Phase V) (ENF) - Tall Timbers Phase V is proposed as a 34 lot development comprised of single family homes to be permitted in accordance with Massachusetts General law MGL Ch. 408 § 20-23. Twenty-five (25) percent of the units will be designated as affordable units that will be dispersed throughout the development. The project consists of the construction of a roadway totaling approximately 1,070 linear feet to provide access to the single-family home lots. The lots proposed under this development range in size from 13,367 s.f. to 23,766 s.f. with an average lot size of 16,813 s.f. The lot frontage ranges from approximately 322 feet to 26 feet with an average of approximately 96 feet. A 20 foot no disturb buffer is proposed along the northwestern and western boundaries of the property. In addition, approximately 11.29 acres have been designated as open space.

The project will access utility infrastructure located on South Street including electric, telephone, and cable television. The lots will be served by individual subsurface sewage disposal systems and connections to the municipal water system which will extend from South Street to Fountain Knoll Lane. All stormwater management facilities will be designed to mitigate peak rates of runoff, provide renovation of stormwater and meet the requirements of the DEP's Stormwater Management Regulations.

A Traffic Impact Assessment prepared by Green International Affiliates, Inc. concluded that traffic generated by the project would have a negligible impact on traffic operations on South Street and adjacent intersections. The report states that adequate site distances will be provided that meet AASHTO standards and that new trips can be accommodated without any significant effect on local traffic conditions. The report states that the project will not affect the level of service at the adjacent intersections.

ii. Plymouth - EEA # 15777- Brownfield Redevelopment - Former Revere Copper Site (ENF) - The project is located on a 1.16-acre site on Water Street; along Plymouth Harbor, approximately one-half mile north of Plymouth Rock, in Plymouth, Massachusetts, and is commonly known as the Former Revere Copper site (the Site). In the early 1900s, waste from the Revere Copper Plant (located across Water Street) containing high concentrations of metals was used to fill the Site. The Site is currently used as a municipal parking lot and includes a paved walking path providing a connection to waterfront restaurants and shopping areas.

The waste has been contained beneath the paved parking lot and behind a 3 to 4-foot stone revetment separating the waste material from the beach/harbor which is beginning to fail. Under Massachusetts regulations, the site currently is managed under a temporary solution with the implementation of an Activities and Use limitations (AUL)/ or the regulated waste, and is revisited every five years until a permanent solution is feasible.

The primary purpose of the project is to install an engineered barrier in order to achieve a Permanent Solution under the Massachusetts Contingency Plan (MCP) with an Activities and Use limitations (AUL), which limits the current and future use of the Site. A vertical engineered barrier will be installed behind a reconstructed stone revetment along the beach in order to contain the waste and prevent migration of the material to the beach and harbor. The revetment will be reconstructed to meet proper slope and bedding and construction standards for coastal engineering structures.

The existing parking lot pavement will be removed, underground utilities will be removed where feasible, and a horizontal engineered barrier with maker barrier will be installed above the waste material. In accordance with MassDEP requirements, clean material will be installed above the engineered barrier providing adequate separation to both impervious paved surfaces as well as proposed landscaped areas. The parking lot will be repaved and the sidewalks will be reconstructed maintaining the pedestrian connectivity. The existing storm water management system will be reconstructed in order to minimize the environmental risk associated with the existing storm drainage infrastructure that is contained within the waste deposit that conveys stormwater runoff into the harbor next to the beach. The redesigned stormwater management system will limit the exposure of stormwater runoff to the waste material and will provide improved water quality treatment where li/lie currently exists.

iii. EEA # 11085R - Union Point (NPC) – Abington, Rockland, and Weymouth

The purpose of this Notice of Project Change (NPC) is:

1. To make the development process consistent with current legislation (Chapter 291 of the Acts of 2014) and current local zoning. It proposes eliminating previous project phasing that linked the development of residential units with the development of commercial space; and,
2. To change the timing for the implementation of transportation-related mitigation measures, so that the timing is linked to project-related trip generation rather than to square footage of land uses constructed.

This NPC does not involve changes to either the development program or the proposed mitigation measures presented in the project's 2007 FEIR.

The project described in the 2007 FEIR envisioned residential and commercial development proceeding in lockstep, with a certain number of housing units and square feet of commercial space being developed simultaneously in each phase. Based on that anticipated phasing, the 2007 FEIR identified traffic mitigation measures that would be implemented when certain numbers of housing units and square footage of commercial space were developed. Since 2007, many of these mitigation measures have in fact been completed.

However, development at the site by the previous owners has consisted predominately of residential construction and infrastructure to accommodate future build-out without commensurate commercial development. Because residential development has outpaced commercial development, the Project is generating substantially fewer vehicle trips than were anticipated under the 2007 FEIR phasing plan.

Since 2007, the following significant changes have occurred.

- A new master developer - LStar Southfield LLC - has purchased the site. Following site acquisition, LStar spent a year soliciting input from residents of the three Host Communities (Abington, Rockland, and Weymouth) to determine what kind of development made the most sense in the region.
- Based on feedback from the Host Communities and other stakeholders, LStar developed a new Master Plan that conforms to what the local residents preferred.
- While LStar was working with the Host Communities, the Massachusetts Legislature enacted new legislation (2014 Legislation) replacing the 2007 legislation and addressing the communities' current desires for redevelopment of the Project site. Among other things, the new legislation eliminated the requirement for residential and commercial development to proceed in tandem.

- To allow LStar's development plan to proceed, new zoning was proposed in each of the three Host Communities. The zoning changes were approved unanimously at Town Meetings in Abington and Rockland and by the Town Council in Weymouth.
- Uses, such as a nursing home/assisted-living facility and stadium, which were not contemplated in 2007, are now included in the proposed development program for Union Point.
- A notice of Project Change to address the updated master plan was submitted on February 28, 2017. The Secretary, on April 28, 2017, issued a Certificate on the NPC and Scope for a Draft Supplemental EIR. LStar anticipates filing supplemental Draft and Final EIRs in the near future.

Based on the foregoing, this NPC proposes three interim changes:

- That to be consistent with the new 2014 Legislation, the linkage between residential and commercial development be eliminated;
- That mitigation requirements be linked to environmental impacts rather than to the number of residential units and the square footage of commercial space, as described in Table 3, below; and,
- That the exact same mitigation measures required in 2007 still be required, but that the timing of those measures be triggered by the number of vehicle trips generated instead of the square footage of land uses constructed.

Assuming that implementation of the Project and its mitigation measures proceed on that basis, development has not yet reached the point at which previously-identified Phase 1 mitigation measures would be required. Fewer than half of the vehicle trips anticipated to be generated by 2007 FEIR Phase I development are being generated today.

If the Secretary accepts the Project Change as proposed, the transportation mitigation projects previously required would be triggered by the peak hour vehicle trips which correspond directly to the vehicle trips that were anticipated under the earlier phasing schedule.

To make certain that the proposed mitigation measures adequately address Project-related impacts, and to ensure that mitigation is implemented in a rational, predictable manner consistent with the 2014 Legislation, the Proponent requests that the Secretary determine that the change proposed above is consistent with 301 CMR 11.00 et seq. and that the proposed change is incorporated into the Scope of the Draft Supplemental EIR described in the Secretary's Certificate issued on April 28, 2017. The Proponent anticipates that the requirement that it conduct traffic monitoring will continue as determined in the review of the 2007 FEIR.

Further, LStar requests that the Secretary determine that this change is insignificant because it does not increase the square footage, linear footage, height, depth or any other relevant measures of the physical dimensions of the Project. The project change does not alter in any way the review thresholds that were studied as part of the 2007 project; nor does it result in changes to the impacts, either cumulative or otherwise, that were studied by the 2007 project.

The only change LStar is requesting is a change in the mitigation implementation schedule from one based on square footage, to implementation based on the Project's actual trip generation.