

**Old Colony Planning Council
Minutes of the Meeting
November 29, 2017**

The five hundred and forty second meeting of the Old Colony Planning Council was held on Wednesday, November 29, 2017 at the Council offices located at 70 School Street, Brockton, MA

OCPC Delegates/Alternates Present

Frank Staffier	Avon
David Klein	Abington
Sandra Wright	Bridgewater
Robert Moran, Jr.	Brockton
Jeanmarie Joyce	Easton
Robert Overholtzer	Hanson
Lee Hartmann	Plymouth
Forrest Lindwall	Stoughton Alternate
Eldon F. Moreira	West Bridgewater
Fred Gilmetti	Whitman

Communities Not Represented

Duxbury
East Bridgewater
Halifax
Hanover
Kingston
Pembroke
Plympton
Delegate at Large

Others Present

Pasquale Ciaramella	OCPC
Raymond Guarino	OCPC
Bruce Hughes	OCPC

1. CALL TO ORDER: Council President Frank Staffier called the meeting to order at 7:00 PM.

2. ROLL CALL OF MEMBERS: Council Executive Director Pasquale Ciaramella read the roll call.

3. MINUTES OF THE OCTOBER 25, 2017 MEETING: Council President Staffier asked if there were any additions or corrections to the meeting minutes as prepared. Mr. Robert Overholtzer moved to accept the minutes as prepared, seconded by Mr. Robert Moran Jr. So voted.

4. FINANCIAL REPORTS OCTOBER 2017: Council Executive Director Mr. Pasquale Ciaramella presented the October, 2017 Financial Report. After discussion, Mr. Eldon Moreira moved to accept the October 2017 financial report as prepared, seconded by Ms. Sandra Wright. So voted.

5. STAFF REPORT: Economic Development: Mr. Ciaramella said staff is working on the EDA work plan. There was a CEDS Committee meeting on November 6, 2017. The next CEDS Committee meeting will be held on January 8, 2018 at noon. Area Agency on Aging: Staff is continuing work on the Area Agency on Aging (AAA) and the Ombudsman Programs for FFY 2017. AAA staff has completed work on the AAA Priorities for 2018-2021. Transportation: Staff is continuing work on: Route 123 Traffic Study in Brockton and Abington, Route 53 Corridor Study (in Hanover, Pembroke, Duxbury and Kingston), Route 106 Corridor Study (in Bridgewater, East Bridgewater, Halifax, Plympton, and Kingston), Pavement Management Program, technical

studies for BAT, and OCPC's Traffic Counting Program. Staff continues to provide Technical Assistance to our member communities and is working on numerous projects. Staff hosted a JTC and an MPO meeting in November. Comprehensive Planning: Staff is continuing work on the 2017 DLTA projects. Community Septic Management: Staff is continuing with the septic loan program. Communities in this program are Avon, Cohasset, Hanson, Kingston and Stoughton.

A list of Upcoming Meetings/Events for November and December 2017 and January 2018 was included in the meeting packet.

6. REGIONAL CLEARINGHOUSE REVIEWS:

Industrial Revenue Bond (Information only)

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 it 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 a change in the mitigation implementation schedule from one based on square footage, to implementation based on the Project's actual trip generation.

7. OLD BUSINESS

A. UPDATE ON 2017 DISTRICT LOCAL TECHNICAL ASSISTANCE (DLTA) PROGRAM. Mr. Ciaramella discussed the DLTA projects OCPC Staff is currently working on by community. For Abington, OCPC worked with the town on it being designated a Green Community by the state. This application has been completed and submitted. Staff is also working on a secondary entrance/exit to the high school/middle school, town hall and the town library. The Town of Bridgewater Housing Production Plan has been completed. For Brockton, staff is working on a housing strategy and the Campello Visioning Plan. These projects are almost completed. Staff is working on a housing production plan for Plympton. This project is almost

completed. For Easton, OCPC is working on a list of available commercial and industrial properties and creation of an industrial/commercial property site finder. This project is almost complete. For Pembroke, OCPC has completed creating a guide for doing business in town. For Stoughton, OCPC is working on a study of the highest and best uses of the Campanelli Industrial Park off Park Street. On a regional basis, OCPC is working with the Town of Plymouth on the closure of the Entergy nuclear power plant. OCPC is also working on Municipal Electric Aggregation in the OCPC Region and Water/Wastewater program.

8. NEW BUSINESS:

A. PRESENTATION – Old Colony Planning Council (OCPC) Regional Pavement Management Program. Mr. Raymond Guarino, OCPC Senior Transportation Planner presented. The Old Colony Regional Pavement Management System (PMS) was designed 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. One of the objectives of the 2016 Old Colony Long Range Transportation Plan (RTP) is: Improve pavement conditions and state of good repair. Target and Performance Measure: Achieve 50% of federal-aid eligible roadways in the region with a PCI-based pavement ranking of “Good” or “Excellent” within 10 years. Pavement Management data collection is currently underway for all OCPC communities to update the next Regional Transportation Plan and to set base line for Targets for performance measures including percent of interstate in Good/Poor condition and percent NHS in Good/Poor condition.

B. REVIEW AND CONSIDERATION OF THE RECOMMENDATIONS OF THE PERSONNEL COMMITTEE CONCERNING STAFF SALARIES. Mr. Eldon Moreira, Chairman, Personnel Committee presented the recommendations of the Personnel Committee concerning staff salaries for 2018. In the interest of confidentiality, the Personnel Committee has recommended not distributing individual salary forms and then noted that the overall increase to the budget for the upcoming year is 2.80%. The forms are available to any of the Delegates and Alternates for review. Mr. Moreira also informed the Council that, this year, the Personnel Committee voted to recommend a longevity increase be included for long-term employees (.5% per every five-years of service up to 20 years, with max increase of 2%). Mr. Moreira stated that the Council has sufficient funds in the budget to cover these adjustments. After discussion, Mr. Robert Moran moved to approve the recommendations of the Personnel Committee, seconded by Ms. Jeanmarie Joyce.

9. COMMUNITY CONCERNS:

There were none.

10. OTHER BUSINESS:

A. OCPC Regional Operation and Management (ROM) Inc. Financial Report. Included in the meeting packet was an OCPC ROM financial report to date for the period from July 2017 to June 2018. Information only, no Council action required.

B. Notification of suspension of December, 2017 OCPC Council Meeting. Council President Staffier said that due to the Christmas holiday there would be no December 2017 Council meeting. He wished everyone a happy holiday season.

11. VISITORS COMMENTS/QUESTIONS:

There were none.

12. ADJOURNMENT:

There being no further business the meeting was adjourned at 8:00 PM.

Respectfully submitted,

Fred Gilmetti
Secretary

List of Documents for November 29, 2017 OCPC Council Meeting

- Agenda for the November 29, 2017 OCPC Council Meeting
- October 25, 2017 OCPC Council Meeting Minutes
- OCPC Upcoming Events, November and December 2017 and January 2018.
- Environmental Notifications: Kingston, Tall Timbers Estates, Plymouth, Brownfield Redevelopment, former Revere Copper Site, Abington, Rockland and Weymouth, Union Point
- OCPC Pavement Management System
- ROM Financial Report to date
- Recommendations of the OCPC Personnel Committee concerning staff salaries for 2017