

SPECIAL TOWN COUNCIL MEETING MINUTES
Weymouth Town Hall
Council Chambers
October 13, 2015, Tuesday

Present: Patrick O'Connor, President
Michael Smart, Vice President
Robert Conlon, Councilor
Kenneth DiFazio, Councilor
Jane Hackett, Councilor
Rebecca Haugh, Councilor
Thomas J. Lacey, Councilor
Arthur Mathews, Councilor
Brian McDonald, Councilor
Michael Molisse, Councilor

Not Present: Ed Harrington, Councilor

Also Present: Kathleen Deree, Town Clerk
Carolyn Murray, Interim Town Solicitor
James Clarke, Planning Director
Eric Schneider, Principal Planner
Jeff Richards, Building Inspector
David Chandler, Planning Board
Sandra Williams, Planning Board
Mary Akoury, Planning Board
BD Nayak, Planning Board
Robert O'Connor

Recording Secretary: Mary Barker

President O'Connor called the meeting to order at 7:30 PM. After the Pledge of Allegiance, Town Clerk Kathleen Deree called the roll, with one member absent. President O'Connor reported that Councilor Harrington was absent due to a prior commitment.

ANNOUNCEMENTS

Vice President Smart announced Southfield plans to sponsor two Candidates' Nights at the Shea Fitness Center at Southfield-- 7PM on October 20, 2015 for mayoral candidates and on October 21, 2015 for the at-large council candidates.

Councilor Conlon announced the Trick-or-Treat hours set by the Police Chief for Saturday, October 31, 2015 4:30 -7:00 PM.

Councilor Molisse announced several walks planned for October including the Senior Walk at Pond Meadow Park on October 14, 2015 at 9:30 AM and the 5K South Shore Running Scared race on October 17, 2015 benefitting St. Jerome's scholarships for Weymouth students.

MINUTES

Joint Ordinance and Environmental Committee Meeting of September 14, 2015

A motion was made by Vice President Smart to approve the minutes from the September 14, 2015 Joint Ordinance and Environmental Committees meeting and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

PUBLIC HEARINGS

15 106-Amendment to the Zoning Ordinance-Solar Photovoltaic Installations

A motion was made by Vice President Smart to open the public hearing on measure 15 106 and was seconded by Councilor Mathews. This matter was advertised on September 21, 2015 and September 28, 2015. UNANIMOUSLY VOTED.

A motion was made by David Chandler to re-open the public hearing on measure 15 106 and was seconded by Mary Akoury. UNANIMOUSLY VOTED.

Jim Clarke and Eric Schneider presented the changes that were made after the last meeting (October 5, 2015) and incorporating comments from the public hearing and the meetings that followed with various committees and internal departments. Mr. Schneider prepared a memo and submitted it with the changes. At a joint meeting of the Ordinance and Environmental meeting earlier this evening, the changes were again reviewed and included the following:

- **Potential impact of ground-mounted photovoltaic installations to abutters-** the suggestion to add a 6-foot minimum height requirement was not determined to be an optimal solution to address glare. They reviewed industry standards and didn't find that a height requirement was the proper way to address the root concern. They reviewed other communities' ordinances which were addressed through landscaping- screening with berms or shrubs or fencing to protect abutters.
- **Signage for emergency responders-**They found that signage is already addressed in the MA Comprehensive Fire Safety Code 527. Signage is required for all solar installations that includes notification and shutoff instructions. Reinforcement language was also added.
- **Delineating solar installation for purpose of generating electricity or hot water-** those installations for generating hot water are not considered photovoltaic and are regulated by the building department. No change is necessary in the language.
- **Staffing restricted to licensed contractors/installers (electricians)-** this is covered in MGL Ch. 141 (including master to apprenticeship ratios) and language will be added to the proposed ordinance reinforcing adherence to the state

mandate. It will be monitored and enforced by the Building Department.

- **Protection for Town in event of abandoned installation**- financial surety language has been added that is already in use in other communities to prevent the town having to bear the cost of removing an installation. Mr. Schneider read the additional language. Mr. Clarke noted that the language was also reviewed and recommended by the town solicitor.

BD Nayak, Planning Board, addressed small ground mounted installations screening. Having screening of trees defeats the purpose. He asked who will be responsible for monitoring. Mr. Schneider responded that the language is flexible enough to allow for a solution to meet the requirements of each site. The Inspector of Buildings will be responsible for monitoring.

Sandra Williams, Planning Board, asked what recourse an abutter would have for any glare from a neighbors installation. Mr. Schneider noted that glare has been reduced in newer models. The Inspector of Buildings will address any issues.

President O'Connor asked for comments from the public, to which there was no response.

A motion was made by Vice President Smart to close the public hearing on measure 15 106 and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

President O'Connor reported that the matter is still under deliberation in the Ordinance and Environmental Committees and a meeting is scheduled for October 19, 2015.

A motion was made by David Chandler to close the public hearing on measure 15 106 and was seconded by Mary Akoury. UNANIMOUSLY VOTED.

15 102-Proposed Amendment to Southfield Zoning and Land Use By-Laws-Joint with Planning Board

A motion was made by Vice President Smart to re-open the public hearing on measure 15 102 and was seconded by Councilor Mathews. This matter was advertised on September 28, 2015 and October 5, 2015. UNANIMOUSLY VOTED.

A motion was made by Mary Akoury to open the public hearing on measure 15 102 and was seconded by David Chandler. UNANIMOUSLY VOTED.

(Public Hearing Zoning Amendment- handout)

President O'Connor invited Kyle Corkum, President of LStar to the table with his team to review the amendment. Mr. Corkum reported that the review of the ordinances covered some of the topics and the purpose tonight is for a comprehensive overview.

When they met in May, they asked what priorities should be from a planning standpoint, and the focus narrowed to the following:

Maximize economic benefit- create hi-tech district – the next Kendall Square. All host community and mitigation obligations were absorbed in the purchase are unchanged as are the installation of offsite traffic obligations. The MEPA process (which dictates it) is also unchanged. Some exciting uses are becoming apparent: office district, hospitality, age restricted uses, commercial recreational, media production, luxury housing

Minimize impact to town services- approval from the MWRA to receive water with total cost borne by Southfield. Sewer will also be MWRA and instead of building a treatment plant, the funds will be used to unlock capacity for Weymouth and upgrade infrastructure. The engineering assessment under study between the town and LStar will be paid by LStar. Plans to renovate the fire station will also be borne by LStar. The plan minimizes housing which would increase the number of school aged children on the property and produce more which would attract millennials. The gym is being renovated instead of torn down. Governor Baker recently toured the site and the state is assisting getting the MBTA station to meet the growing needs of the community. The proximity of the town center and office district to the station is rare. The business community is responding to the relocation of the business district to the existing parkway and firms are under negotiation. The new extension section is more than 50% designed and is funded by MassDOT with expected completion by next summer. The town center will need it to be complete. The new zoning plan increases commercial minimum from 2-3 million square feet, and more than 2 million in the discovery zone and embraces sustainable design.

There are detailed solar plans with no impact on surrounding neighborhoods. Reuse plans are underway to recapture water instead of potable water use for irrigation, etc. Mr. Corkum introduced his design team: of architects, engineers, planners and consultants. Mr. Dolby reviewed his vision and Pat O’Leary reviewed her participation on the committee.

Mr. Donovan and Hirschfield were next to review the zoning, addressing concepts in an existing document; four items under focus:

1. 2 overlay districts- Shea Village and Main Street overlay- no longer needed with the one new overlay district, so they were removed. The chart shows the 22 items that were affected by this.
2. An additional 1M square feet of commercial development added in Weymouth.
3. Added 1,000 units of age-restricted housing
4. Establish mixed-use development overlay district:
 - a. set forth uses specific to the overlay
 - b. set forth dimensional requirements
 - c. establish parking/loading requirements
 - d. permitting procedures that were established relate to mixed-use development overlay district

Mr. Hirschfield reviewed the graphic presentation which included the changes to the map:

- Preserve open space- all existing open space areas were simplified to three or four colors. In the site overview of the zoning map changes, he noted the locations of the MBTA, the proposed area of interest for the proposal, and refined the neighborhood districts and how areas were moved to better meet the needs of the plan-- including existing features that work with the master plan. They are also asking to increase density in the zones to increase successful mixed uses and bring in better design and sustainability. Ultimately they want to create a site that will attract residents, commercial users and create interest. Commercial use is moved so it's more accessible from the outside. The company is actively marketing national companies; an aggressive but feasible plan. A few uses that aren't specifically listed in the use chart were introduced and the zoning map was modified:

Added uses within the proposed zoning are as follows:

- community center
- cultural uses
- medical center
- movie and entertainment studio campus
- outdoor commercial recreation concentrated

Frank Mahady, FXM Associates reviewed the summary table of revenues and costs and the revenues and expenditures per year over the build-out period. The values were provided by LStar and different common methods were used to analyze it. He reviewed the differences between this and traditional development. Residence and commercial costs will be offset by property tax and municipal revenues. The net annual benefit at full build-out was reviewed. \$20.6million of net annual revenue will be realized at the end of the build-out period. He summarized the net revenues for the 1000 55+ residences and then the combined for both.

Councilor Hackett noted that these projections are based on the addition of 1000 over 55 units and 1,000,000 square feet of commercial space that is included in the zoning proposal and do not include the underlying development. Adding the analysis to the previous analysis by the town was provided for in an additional analysis and charted. Excess net revenue was reviewed over the course of the project to full build-out.

Councilor Lacey asked if the cumulative permit fees in the chart run from the start to the end of build-out. Mr. Mahady responded yes. They are one time fees, and strictly on the additional proposal. Councilor McDonald noted that the cost to the town includes jobs being created and money spent in the town, and are not a drain to the town but a benefit.

Matt Barry provided an updated fly-by view of the development created by the design team.

Council President O'Connor thanked the team for the thorough presentation.

David Chandler asked if the population increase would require creating a new voting district or redistricting existing precincts. President O'Connor responded that as growth occurs they will work with the Town Clerk and Secretary of State's office to determine a course of action.

Councilor Haugh noted that additional revenue such as meals tax from potential new restaurants or employees and residents of Southfield spending in town; are an indirect benefit to Weymouth not taken into account in this presentation.

Vice President Smart asked about traffic flow and whether the access thoroughfare is designed to take the expected traffic volume back around to the parkway. Rich Hollworth noted that proper accommodations would be taken to promote the existing infrastructure; pushing traffic to Memorial Grove and de-emphasize Shea Memorial to make the commercial area more viable. Memorial Grove will be the focus of traffic heading north. Pedestrian traffic will be safer. A bypass road can be created for traffic to be channeled from the stadium. Vice President Smart asked if parking garages will allow for residents to park on level. Mr. Corkum responded that there is some interchangeability; there was a lot of study by the traffic group. Al Hirschfeld noted that they want it to evolve, but designed to create parking in each area that's been well thought out. Parking ratios are determined by what is in each area. Mr. Barry noted the design includes that the highest value residential will have secure parking. Mr. Corkum noted that a lot of time was spent creating parking that will work well. The parking garages are placed back-to-back and enhanced architecturally so that they evolve smartly.

Councilor DiFazio asked for an update on further infrastructure changes which might be necessary to handle the increased traffic. Mass DOT was at the limit for Route 18 and Weymouth Street with a 1,000,000 square foot increase in commercial space they may need further infrastructure improvements. He asked if they looked at this. Mr. Corkum responded that they don't know as of yet. Under the existing MEPA process, they can build out for a few years comfortably, but they will have to address this in a Notice of Project Change. It's in the exploratory stage and the process will be transparent. If improvements are necessary they are willing to do it to make this project a success.

Councilor DiFazio noted on Exhibit D- dimensional requirements will have to be looked at to make sure the plan fits. Fundamentally they are trying to create a platform that will allow the vision to be realized. The end users will need to be satisfied too. They need to have certainty in the zoning going forward to attract users. Principals behind form based code will be used. They expect to use quality of design and form-based code and they will be competing for users both regionally and throughout the country. Mr. Corkum noted this is a direct result of input from the SRA staff and Planning Department. If they can simplify the process with strong intent and strong architectural standards, it will have a marketing benefit. A developer does not want to come in and have to request variances to achieve what they need; he suggests putting in place dimensional standards that they can use. They will still have oversight, but it was to address the permitting process.

Councilor DiFazio noted that for the past ten years they have been hearing about this, they have had many disappointments, but to hear now there is no projected negative net revenue in any year of the build out should excite every Weymouth resident. It's a great thing if it comes to fruition. Mr. Corkum responded that they could have moved forward with what was given, but they were asked to reconsider the plan. He wasn't sure what the economic benefit would be but it is unbelievable. When great design happens this is what's achievable. He is proud of it and it is worth doing and solving the challenges.

Councilor Lacey noted that the creative solution pulled off to solve the East/West Parkway in a short time is a credit to the collaborative effort with the company, town and state and he congratulated the team on an aggressive high quality result. He thanked them for the visual plan, also apologized to Mr. Clarke for his charged frustration at the last meeting and he asked to see where the property lines are for Weymouth, Rockland and Abington on the proposed plan. Mr. Barry responded that the plan rendering includes land entirely in Weymouth.

Councilor Conlon asked if there is a designated space to site a police station. Mr. Corkum responded no, but there is a civic building proposed which is the focal point in the heart of the development that could be expanded for multiple community uses. Councilor Conlon responded that he would like to see a Police Station located on the main street to enhance community policing. Mr. Corkum responded that the partnership with the Weymouth Police Department has evolved and is a large part of why this is a positive force in town. A small office has been provided on site for them now.

David Chandler noted that when the fire station is rehabilitated and opened, Weymouth would have to purchase vehicles, including a ladder truck which can accommodate the higher buildings and staff the station. Mr. Corkum responded that he met with the fire chief; they will have some taller buildings, possibly to twelve stories and they will work with Weymouth Fire so that no resident or commercial tenant is ever put in jeopardy. Mr. Chandler asked if there is a schedule for rehab work? Mr. Corkum responded that they will use the existing service to Southfield and will be happy to accelerate rehab plans. It will be done sometime in the next year unless Chief Stark decides it should be done sooner. They have also contacted Fallon to have an ambulance kept on site. Council President O'Connor reminded them that \$2 million additional mitigation money secured from the prior developer was secured to acquire additional equipment and vehicles due to the impact of the development.

B. D. Nayak asked if there is a maximum building height size. Mr. Corkum responded that they have the potential to build to twelve stories, but not in all districts. In the neighborhood district, most will be 1-3 stories. Maximum height in the town center district is 100 feet, 120 feet in the Discovery District and 70 feet in the neighborhood district. The intent is to have tall, architecturally interesting buildings to use the land efficiently. There is no residential space in this land. Mr. Nayak noted there will be shadows from the tall buildings. Mr. Corkum responded that the taller buildings would be oriented to consider the shadow impact and allow for light to get in. They also include

deliberate open space in the plan to open up these areas. The team is still working to mitigate shadows to create welcoming pedestrian walkways and humanized scaling.

Mary Akoury asked if there will be a volume of special permits going through the BZA. Mr. Clarke responded that with the change in legislation it allows SRA to keep permitting authority. It will not be a burden on the town. Ms. Akoury noted the plan sounds exciting but will change the character of Weymouth. The efforts are to bring Weymouth to the Southfield community, but it also brings Southfield to Weymouth. It has to be a 2-way street. Mr. Corkum responded that that is how it's figured out and will be together and continually reassessed. He hopes that in the five months they have been stewards they will be seen as collaborative; maximizing benefits without hurting Weymouth.

Councilor Hackett asked if there is any opportunity in the Discovery and Neighborhood district for tax increment financing (TIF's). Mr. Corkum responded that it is not being marketed this way; it's a plan that can't be met in Boston. He was asked to be mindful by the Council when he purchased it for a plan that was marketed without it. No one is asking for marketing assistance. It is eligible, but they will not market it; they will not ask Weymouth for any help. Councilor Hackett asked if the development affects Weymouth's 40-B compliance status. Mr. Corkum responded that it will be 40B neutral; the additional housing will not have any affect on Weymouth's standing. Ten percent workforce and affordable housing will be maintained within Southfield's footprint and has zero impact on Weymouth's compliance with 40B as it currently exists.

Councilor Haugh noted in comparing the original financials to Starwood's and asked if they have an estimate of how many jobs will be created for Weymouth as a community. Mr. Corkum responded that they have not done a study yet, but intend to.

The following comments are from the public:

Kevin Shiftman, of 59 Parkview Street and Vice President of the Southfield Neighborhood Association which supports the proposal; however they are worried about the over 55 housing component being too restricted and unnecessarily alters the balanced mix of residents. They would like to see this component reduced and more housing provided to attract families with children and people of all ages.

Robert Montgomery Thomas, 848 Washington Street provided a handout to the council. He did not support and noted the additional housing units in Southfield and the increase in density could be calamitous to Weymouth in terms of traffic, land-taking costs and impact on schools. He also noted that the aerial capacity of the fire ladder trucks is insufficient for a 120-foot tall building.

Ed Foley, 54 Harding Ave. and Vice Chairman of the Board of Zoning Appeals supported the project and urged moving the proposal forward quickly to take advantage of the good construction economy.

Chris Primiano, 82 Rindge Street asked if a site has been set aside for a school? Mr. Corkum responded that there is in the 35-acre park district. The impact to Weymouth as a whole transcends the boundaries of Southfield creates housing opportunities for workers in Southfield who do not want to live there.

Senator Robert Hedlund noted the experience has been a frustrating process in the legislation. The frustration led him to co-sponsor the bill that produced the change in legislation that has now borne fruit. With that and the new developer on board, he is excited. It is the town's most important economic development. The increase in commercial space offers real opportunity. He urged not repeating past mistakes and that opportunity lost will harm Weymouth. He noted the Council and developer have their work cut out for them. During the permitting process, there will need to be significant attention. It's time for Weymouth to embrace the process and be ambitious, future oriented and smart by accepting the vision of what Southfield's potential is.

David Robinson, resident and on behalf of the South Shore Chamber of Commerce, and Peter Foreman noted their support of the change. He has been impressed with the work and the level of detail and team assembled for the project. It is the key economic growth driver in Weymouth. The level of investment shows they are a good corporate partner. The revenue and commercial growth indicates that they have the right idea-- what's best for Southfield and Weymouth. They are addressing the outlying areas as well.

A motion was made by Vice President Smart to close the public hearing on measure 15 102 was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

A motion was made by David Chandler to Close the public hearing on measure 15 102 and the Planning Board meeting and was seconded by Mary Akoury. UNANIMOUSLY VOTED.

President O'Connor noted that the measure is still under discussion and the Planning Board still has to render its decision to the Town Council.

Algonquin Gas Transmission/Spectra Energy Discussion

Councilor Haugh updated the Council. Spectra held a land owner information meeting tonight and she provided an overview. Weymouth is currently under consideration for two projects; the Atlantic Bridge (7700 -10,900 hp) compressor station that will be filed on October 15, 2015 to FERC with final decision around January 2017 and construction to commence in March and completed next September. The Access NorthEast pipeline and expanding the compression station. This is not in the filing stage, but the timeline if it's approved would be construction anticipated in 2019-2020. She reported it is very frustrating dealing with Spectra. Even if the town was successful in getting the compression station relocated, they could still come back and build one for the second part of the project. The comparison with Jersey City is so different than Weymouth's demographics. It's not a done deal, and the decision will be made in Washington, not locally. She thanked Councilor Lacey for helping keep this topic active.

Councilor Lacey thanked her for educating him on the topic and urged keeping this topic active. He voiced his frustration with Spectra's lack of response and disingenuous responses. His concern is with health and safety of Weymouth's residents and without having demonstrated a need other than to reap profits. He is also concerned with their self-reporting and lack of oversight and the amount they paid in fines. He applauded Councilor Haugh's involvement.

Councilor DiFazio noted they received a letter from Michael Lang that outlines the lack of safety by Spectra, leaving it up to USDOT. He asked if the Council should focus the direction to USDOT. Councilor Haugh agreed, but noted the Council is bound by the permitting process underway. There are several agencies they can go to once the permit has been filed.

Councilor McDonald applauded Councilors Haugh and Lacey. He noted the Spectra campaign on social media to lobby for the new pipeline, and they haven't shown the need for increasing the capacity and they are sending it to Europe.

Vice President Smart noted that Spectra was asked to provide additional safety information; they have not received anything to date, but he will ask again for a full report of safety violations. Councilor Haugh did note there was a labor demonstration held. 8-14% will be local workforce.

OLD BUSINESS

COMMUNICATIONS AND REPORTS FROM THE MAYOR, TOWN OFFICERS AND TOWN BOARDS

15 114- Community Preservation Committee-Kibby Property Construction

Jim Clarke presented the request on behalf of the Mayor; that the town of Weymouth raise and appropriate the sum of \$50,000 from the Unreserved Fund Balance for additional funds for construction of the park/trail connection through the former Kibby property described in the request put forward by the Director of Planning and Community Development. It was noted that the measure requires legal notice and a public hearing.

A motion was made by Vice President Smart to refer measure 15 114 to the Budget/Management Committee and was seconded by Councilor Mathews.
UNANIMOUSLY VOTED.

15 115- CPC-Herring Run Passage and Smelt Restoration Project

Jim Clarke presented the request on behalf of the Mayor that the Town of Weymouth raise and appropriate the sum of \$16,133 from the Unreserved Fund Balance for additional funds incurred during the design of the Herring Run Fish Barrier Project as described in the request put forward by the Conservation and Engineering Departments. The measure requires legal notice and a public hearing.

A motion was made by Vice President Smart to refer measure 15 115 to the Budget/Management Committee and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

REPORT OF COMMITTEES

Public Parks and Recreation Committee-Chair Jane Hackett **Legion Field Permitting, Fees and Maintenance** **Overview of Recent Park Improvements**

Councilor Hackett reported that the report would be available soon and she will report out at a future meeting.

ADJOURNMENT

The next regularly scheduled meeting of the Town Council is Monday, October 19, 2015.

At 10:08 PM, there being no further business, a motion was made by Vice President Smart to adjourn and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

Respectfully submitted by Mary Barker as Recording Secretary.

Approved by Patrick O'Connor as Council President
Voted unanimously on 7 December 2015