Town of Abington

500 GLINIEWICZ WAY
ABINGTON, MA 02351

Board of Selectmen Meeting Minutes
October 28, 2013
6:15 p.m.
Cotter Room

Members present: Mike Franey, Ken Coyle, Andy Burbine, Tom Dion

- Pledge of Allegiance

- A proclamation for Kenan J. Connell, Superintendent of Streets – Chairman read a proclamation commending Kenan for his dedication and hard work to the Town for the past 16 years. Kenan has accepted the DPW Superintendent position for the Town of Weymouth.

Public Announcements: Chairman announced that the Special Town Meeting will be held on Monday, November 4, 2013 at the High School at 7:00 p.m. Selectman Dion announced that the Strawberry Valley Golf Course offered complimentary golf last Sunday, and was well attended.

6:30 p.m. – Robert Glantz, Vice President of Land, Starwood Land Ventures – presentation and discussion of Starwood's TriTown Reform Proposal. Much discussion took place. There were questions from the Board and the audience. The consensus of the Board was that this special legislation is moving too fast. To have the three Town's along with the SSTTDC Board of Directors and Starwood meet and come up with a revised plan that is in everyone's best interest. It is imperative that all three Town's agree, as for example, if something is in the best interest for Weymouth, it may not be in the best interest for Abington.

Mr. Joe Shea asked that the Selectmen vote at a future meeting to ask Starwood to fund the legal fees to have the revised plan reviewed, and to create an airbase review committee.

M/Burbine to adjourn
S/Coyle
Voted 4-0

Meeting adjourned: 8:30 p.m.

Respectfully submitted,

Dori R. Jamieson
Assistant Town Manager

Tri-Town Reform Proposal

Starwood Credentials

- **Financial Strength:** Starwood Capital Group has invested $11.8 billion of equity since 1991 in all asset classes of Real Estate.

- **Commercial**
  - Office 41.7 million SF
  - Retail 27.5 million SF
  - Industrial 12 million SF
  - Hotels 2,180 hotels

- **Residential**
  - Land 40,000 Acres
  - Multi-Family & Condos 69,000 Units

- **Master-Planned Community Development Expertise:** Starwood Land Ventures Principals have a combined 70 years of real estate industry experience and held senior management positions with top national homebuilders.

SouthField is Not Viable for Private Investments Today

- No Water
- No Wastewater
- Structural Uncertainty of current Tri-Town organization
  - Residents and Businesses are required to pay Taxes *without* Representation
  - Uncertainty for provision of services

Consequences of No Private Investments

- No Commercial Development
- No further Residential Development
- No Amenities
- No Off-site Improvements
- No Tax Revenues
- No New State Revenue to pay Parkway Bond
- No further Host Community Payments

Sources of the Problems

- Regulations and agreements that ignore market realities
- Joint Town control over all major decisions
- Essential infrastructure (water/wastewater/Parkway) remain unbuilt and un-financeable
- Unachievable/unrealistic expectations for the timing, type and amount of affordable housing, commercial development, and recreational facilities
- Towns cannot budget for existing service impacts

Sources of the Problems (cont'd)

- Unworkable/unrealistic arrangements for sharing of tax revenues derived from SouthField and for delivering municipal services to SouthField
- Structures and rules that create misalignment between objectives of the three Towns, Tri-Town, and the Developer, and create disincentives to progress
- Overpriced services negatively influencing SouthField

	Tri-Town	Weymouth
Water and Wastewater Rate	**$21.34** / 100 c.f. for the first 900 c.f. - **$29.87** / 100 c.f. thereafter	**$11.38** /100 c.f. for the first 900 c.f. - **$19.34** / 100 c.f. thereafter
Building Permit Fees	**$20** / $1000 in value	*Residential:* **$10** / $1000 in value *Commercial:* **$15** / $1000 in value

Overview of Proposed Solutions

- ***Assume SSTTDC Water and Wastewater Responsibility*** Developer assumes current obligation to finance and build water/wastewater system
- ***Empower the Towns to Control their Own Interests*** Enhance local control over significant local zoning decisions; delegate to Tri-Town Board the power to amend detailed technical aspects of the Zoning Bylaws
- ***Update and Improve Regulations and Agreements*** Require the board to revise its existing regulations and agreements to reflect market conditions and progressive/realistic planning concepts
- ***Expand SSTTDC Board*** Enlarge and add state-level expertise and oversight; create seats for Southfield residents:
  - Eliminate taxation without representation
  - Provide Commonwealth representation to continue its investment
- ***Realistic Funding for the Parkway*** Recognize Parkway as vital regional infrastructure and shift funding obligation from Tri-Town and Developer to federal or state government

Overview of Proposed Solutions (Achievable Expectations)

- Normalize and adjust timing of the affordable and workforce targets
- Allow commercial and senior development to be better timed with the market
- Develop recreational facilities that respond to actual community needs

Overview of Proposed Solutions (Services and Revenue)

- ***Normalize Distribution of Property Tax Revenue*** Each town would receive property taxes generated within its borders according to prevailing rate in each town
- ***Normalize Municipal Service Delivery*** Each town to provide standard services at no extra or special charge to its portion of SouthField (excepting water and wastewater; Weymouth will continue to provide education with subsidization from other towns)
- ***Tri-Town Live within Means*** Tri-Town to fund operations and expenses using entitlement fees and small, defined property tax levy in excess of town rate.

Overview of Proposed Solutions

Scope and breadth of Proposed Solutions can only be achieved Legislatively

What Remains the Same

- Preserve Host Community Fees

	PAID TO DATE	REMAINING
WEYMOUTH	$ 4,967,188	$ 9,672,811
ROCKLAND	$ 2,464,789	$ 5,095,210
ABINGTON	$ 737,691	$ 1,597,308

- No change in overall SouthField development program:

  2855 maximum residential units

  2,000,000 sq.ft. maximum commercial with 900,000 minimum build out

- Still a smart-growth, transit-oriented, sustainable development
- Real revenue flow to towns in near term and an actual possibility of realizing SouthField's full economic potential in the longer term

A Market-Based Planning and Design Approach (cont'd)

- ***Reuse Plan and Master Plan*** Revoke these mostly obsolete documents but retain and update their core elements:
  - residential maximum of 2855 units.
  - 2,000,000 sq.ft. maximum commercial with 900,000 minimum build out
  - affordable/workforce requirements, reduced to state norm of 10%.

- ***Phasing*** Allow market, rather than arbitrary deadlines, to dictate when commercial and senior program is built

A Market-Based Planning and Design Approach (cont'd)

- ***Incentives to Commercial Development***

  Revised Act would require approximately 30 acres of land in the Central Redevelopment Area to be set aside and dedicated exclusively to commercial development

  Commercial development could include:

  - Retail
  - Medical Office
  - Light Industrial
  - General Office

A Market-Based Planning and Design Approach (cont'd)

- ***Incentives to Commercial Development (cont'd)***

  Developer irrevocably to commit allocation of water and wastewater capacity (which it will finance) and not use that capacity to serve non-commercial development elsewhere

  Developer's tax burden on vacant commercial land and water invested cost at risk will drive build-out of commercial when market conditions dictate

A Market-Based Planning and Design Approach (cont'd)

- ***Phasing***

  Existing Commercial and senior development is required to occur on an arbitrary timetable ignoring market demand and, absent current demand for these elements, prevents further development of other SouthField components

  Proposed Allow market, rather than arbitrary deadlines, to dictate when commercial and senior program is built, but to create incentives for development of these elements at earliest opportunity

Stronger Home Rule

- ***Existing*** No amendments can be made to any aspect of Tri-Town's Zoning Bylaws without a super-majority vote of the legislative bodies in each town, paralyzing even the most hyper-technical parts of the code
- ***Proposed***
  - Empower each town to amend the use and other fundamental zoning regulations that affect its portion of SouthField
  - Empower the new Board to control technical and detailed regulatory aspects of the Zoning Bylaws
  - No zoning amendments to be enacted without prior notice to all towns, with opportunity for comment

A Market-Based Planning and Design Approach

- ***Existing*** SouthField is governed by a complicated array of uneconomical and obsolete agreements and regulations, mostly written before the Market Downturn

- ***Proposed*** Board to work with Developer to update DDA, Urban Design regulations, Subdivision regulations, and other agreements, regulations and standards to reflect new Act, current best planning practices and market realities

Building Permits and Inspections by Towns

- ***Existing*** Tri-Town issues a variety of permits and inspection services utilizing its own staff plus outside consultants

- ***Proposed*** Permits and inspections for work within any town provided by town where work is located. Utility infrastructure for SouthField may be permitted through SSTTDC.

Existing Tri-Town Board

Five members with 5-year terms:

- **2 from Weymouth**
- **2 from Rockland**
- **1 from Abington**

New & Enlarged Board with Commonwealth Oversight and Strong Southfield Representation

- ***Proposed***

  Add four new Board members to create 9-member Board:

  - 2 from Commonwealth
  - 2 from Southfield
  - 2 from Weymouth
  - 2 from Rockland
  - 1 from Abington

New & Enlarged Board with Commonwealth Oversight and Strong Southfield Representation (cont'd)

- ***Board Qualifications*** Existing qualification requirements retained for Town members; at least one of Commonwealth members required to have the large-scale development experience, and other Commonwealth appointee to have expertise in a relevant field

- ***All-New Board*** Upon enactment of revised Act, all existing Board members can be reappointed or replaced by their respective Town

Water & Wastewater (The Problem)

Insurmountable financial impediments to creating water and wastewater capacity needed for additional build-out:

Water Abundant supplies (e.g., MWRA, Brockton) cannot be accessed without significant costs that Tri-Town is theoretically required to finance, but can't because SouthField is stalled

Wastewater New or expanded treatment plants need to be constructed at significant costs that Tri-Town is theoretically required to finance, but can't because the SouthField is stalled

Water & Wastewater (The Solution)

- Developer is prepared to initially fund all capital needed to design, construct and operate water and wastewater infrastructure

- Connection fees and a portion of user fees paid to developer to offset capital investment

- Developer's shouldering of water and wastewater funding plus set-aside of capacity for Commercial will drive commercial development

Parkway

- ***Existing*** Balance of Parkway cannot be built unless MDFA issues additional bonds, which MDFA will not do until SouthField succeeds, which SouthField cannot do without Parkway

- ***Proposed*** Recognize and treat Parkway as the vital regional infrastructure (linking two major state highways and vaulting over a commuter rail) and obtain state or federal funding required for its completion and for assumption of existing debt service obligations

A Level Service-Fee Playing Field for Southfield Residents and Businesses

- ***Existing*** Tri-Town annually negotiates life safety (e.g., police, fire), and other customary, non-school services to SouthField. Provider of services can vary year to year.

- ***Proposed*** Rescind special agreements and require the Towns to provide customary, non-school municipal services to portion of SouthField within their boundaries on same basis as such services are provided to balance of Town

  Weymouth to continue to school all children, receiving tuition payments from other towns for children residing in those towns

Reward Each Town with Revenues from its Developed Southfield Tax Base

- ***Existing*** "Excess Revenues" shared with Towns according to geographic (rather than development-based) formula, and host community fees paid to towns pursuant to special agreements
  - "Excess Revenue" concept places no practical constraint on Tri-Town overhead
  - Geographic formula creates no incentive for a town to promote development within its borders
- ***Proposed***
  - Preserve the Host Community Fees
  - Distribute property tax revenues to each Town except for Pledged Tax Revenue for FOST 1 and 2

Reward Each Town with Revenues from its Developed Southfield Tax Base (cont'd)

Tri-Town to set tax rates

- Land in Abington
  - Abington rate plus Tri-Town Buffer
- Land in Rockland
  - Rockland rate plus Tri-Town Buffer
- Land in Weymouth
  - Weymouth rate plus Tri-Town Buffer

Tri-Town Buffer to be set at level sufficient to generate annual operating revenue for Tri-Town

Empower Towns to Control Tri-Town Budget

- ***Current***

  Tri-Town sets its budget and distributes excess revenues, if any, to the towns according to a geographic formula

- ***Proposed***

  Tri-Town would be required to live on the Tri-Town Buffer and entitlement fees; executive body in any Town could opt to leave more base tax revenue with Tri-Town if it felt increasing Tri-Town's budget would be beneficial

Benefits of New Tax Distribution Scheme

- SouthField's chances for further development will improve when residents are relieved of special negotiated service fees
- Each Town will receive real estate tax revenue for land within its borders and according to the Town's Rate
- No bonding risk for any of the Towns, as Tri-Town is to remain as bonding agent
- Tri-Town will be compelled to live within its means, but if towns see benefit of increasing Tri-Town's budget, they can do so

Overall Benefit of Revised Act: An Alignment of Interests

- *Tri-Town re-energized by new statutory mandate and new Board, plus accountable for its expenditures*
- *Towns newly motivated to promote development within their borders*
- *Normalize cost of services and benefits for SouthField residents and businesses*
- *Developer is economically incentivized to achieve mixed use objectives with investment driven by market conditions and normalized processes*
- *Realize build out in reasonable time frame*