



**Select Board**  
**Meeting Packet**

**July 25, 2023**

# MBTA Communities Zoning Requirements

Public Forum  
July 17, 2023



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Milton Department of Planning and Community Development

# Meeting Recording

Please note that tonight's meeting will be recorded and posted on the Milton Access Television and Town websites.



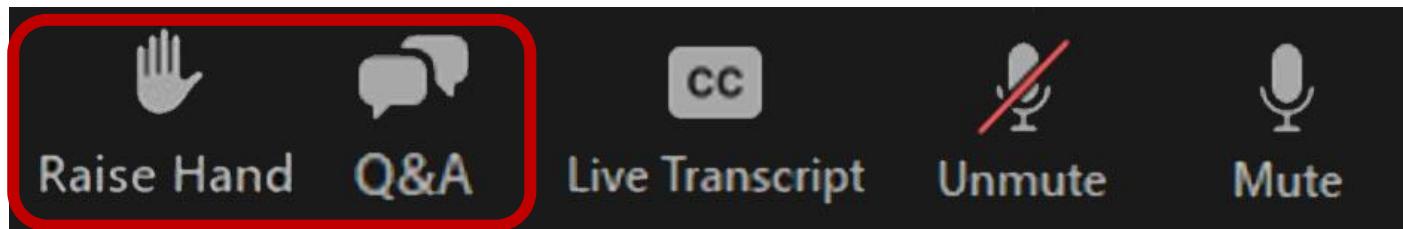
# Meeting Agenda

- 1) Introduction
- 2) Recap of MBTA Communities zoning requirements
- 3) Discussion of survey results
- 4) Update on technical assistance
- 5) Follow-up on survey results, public comments
- 6) Question and Comment period
- 7) Next steps



# Meeting Format

- This meeting is being held using the Zoom webinar product. Presenters and speakers are on screen, while those watching the meeting are off-screen as “attendees.”
- If you’d like to make a comment or ask a question during the Question and Comment period, there are two options:
  - use the “Q&A” button
  - Use the “Raise Hand” button
  - For attendees on the phone, you can raise your hand by pressing \*9, and mute and unmute yourself by pressing \*6.



# Meeting Format (continued)

- Once the presentation is over and the Question and Comment period begins, the host will invite people to speak in the order they have raised their hands or have asked questions through Q&A.
- In order to give as many attendees an opportunity to speak as possible, comments will be limited to three minutes.



# Resources



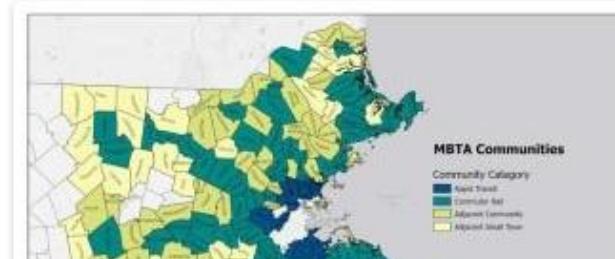
The screenshot shows the official website of the Town of Milton, Massachusetts. The top navigation bar includes links for "ABOUT", "DEPARTMENTS", "BOARDS & COMMITTEES", "REPORT A PROBLEM", and a "Select Language" dropdown. A search bar and a "Powered by Translate" link are also present. A yellow box on the right contains the text "Where do I go for?" and a list of categories. The left sidebar lists several resources: "MBTA Communities Multi-Family Zoning Requirement", "Master Plan Implementation Committee", "Milton Zoning Map", "Planning Board", "Plans and Studies", "Sign Review Documents", and "Transportation Studies & Resources". The main content area displays the "MBTA Communities Multi-Family Zoning Requirement" page, which discusses the adoption of the Economic Development Bond Bill (H.5250) and its impact on zoning. It includes a map of Milton showing zoning categories and a legend for "MBTA Communities".

**MBTA Communities Multi-Family Zoning Requirement**

Home » Departments » Planning and Community Development

## MBTA Communities Multi-Family Zoning Requirement

In January 2021, the Massachusetts Legislature adopted an Economic Development Bond Bill (H.5250) that made changes to the state's Zoning Act. The "Housing Choice" sections of the bill made it easier for municipalities like ours to adopt pro-housing zoning changes and required each municipality in the



# What is the MBTA Communities law?

Enacted as part of the economic development bill in January 2021, new Section 3A of M.G.L. c. 40A (the Zoning Act) requires that an MBTA community shall have at least one zoning district of reasonable size in which multi-family housing (three or more units) is permitted as of right and meets other criteria set forth in the statute:

- Minimum gross density of 15 units per acre
- Not more than  $\frac{1}{2}$  miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.
- No age restrictions
- Suitable for families with children.

Towns that do not comply with the new requirements will be ineligible for **MassWorks, Housing Choice, and Local Capital Projects** funds.



# Options for Compliance

The DHCD guidelines for compliance give towns flexibility in where zoning districts can go, how large they are, and what their dimensional requirements are.

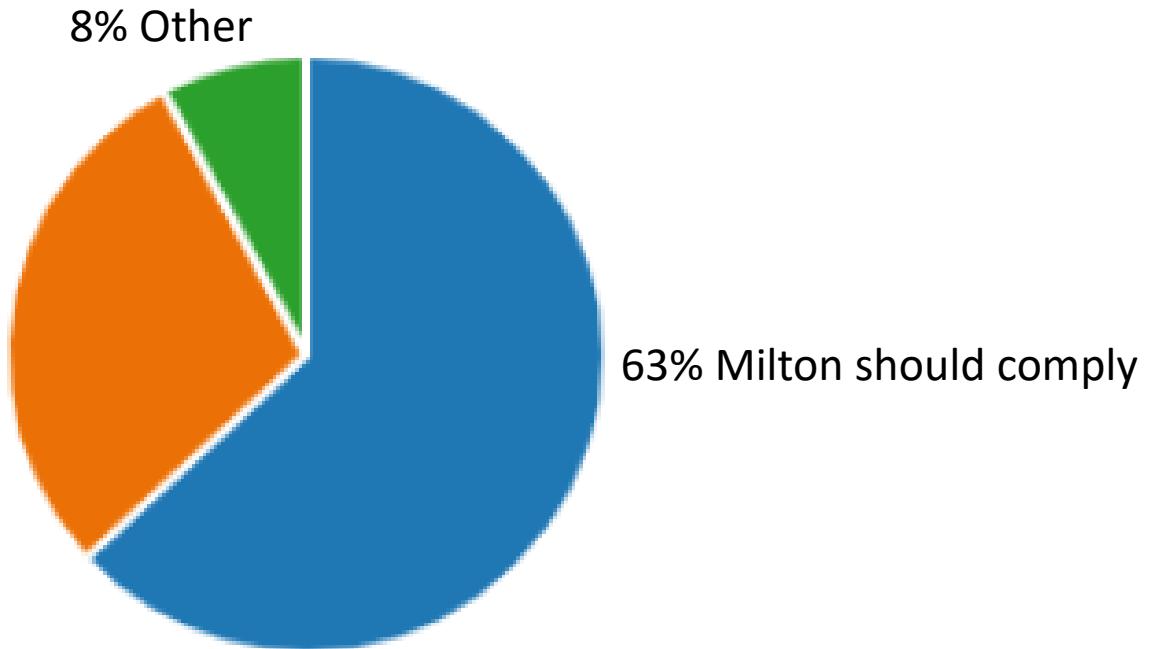


# Options for Compliance

Town Meeting is the venue at which compliance will ultimately be decided.

Our job is to collaboratively prepare the best possible version of what complying with the law looks like and have that be presented to Town Meeting

29% Milton should not comply



# Options for Compliance

## Location

- The location and of districts within a ½ mile of transit is determined by how much Developable Area exists in that area. Milton’s Developable Area is reduced by the fact that the Mattapan Trolley hugs the Neponset River and the border with Boston; a significant fraction of the ½ mile radius is either on state property or not in Milton.
  - The DHCD guidelines allow Milton to locate as much as 50 percent of our compliant zoning districts outside of the ½ mile transit radius

## Subdistricts

- The Town can create multiple subdistricts in different areas, with the following restrictions
  - At least half of the district needs to be contiguous
  - Subdistricts need to be a minimum of five acres



# Options for Compliance

## Dimensional Requirements

- Dimensional requirements like height, setbacks, and density do not need to be uniform across subdistricts, as long as the average of all the subdistricts meet the law's minimum requirements for density, reasonable size, and by-right permitting.
  - Example: One subdistrict comprising half the total district can have a density of five units per acre, and another district comprising the second half of the total district can have a density of twenty-five units per acre.

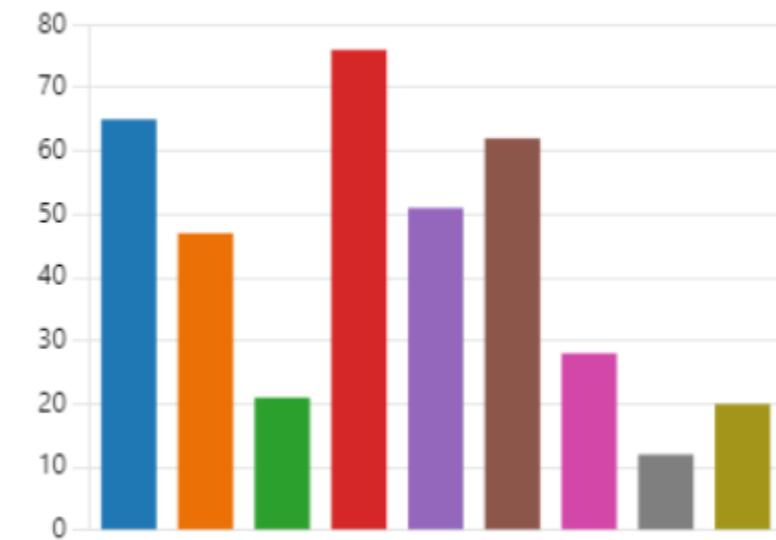
The flexibility in DHCD's guidelines can help the Town craft districts that minimize change to the physical character of residential neighborhoods.



# MBTA Communities Survey

- Survey initially developed in February 2023, with an update in May 2023
- Signs posted physically as well as digitally and announced in public meetings
- Available in English, Spanish, French, and Simplified Chinese
- To date, we've received 192 responses
- Many thanks to the folks at the Milton Times, which has been the best source for getting out information

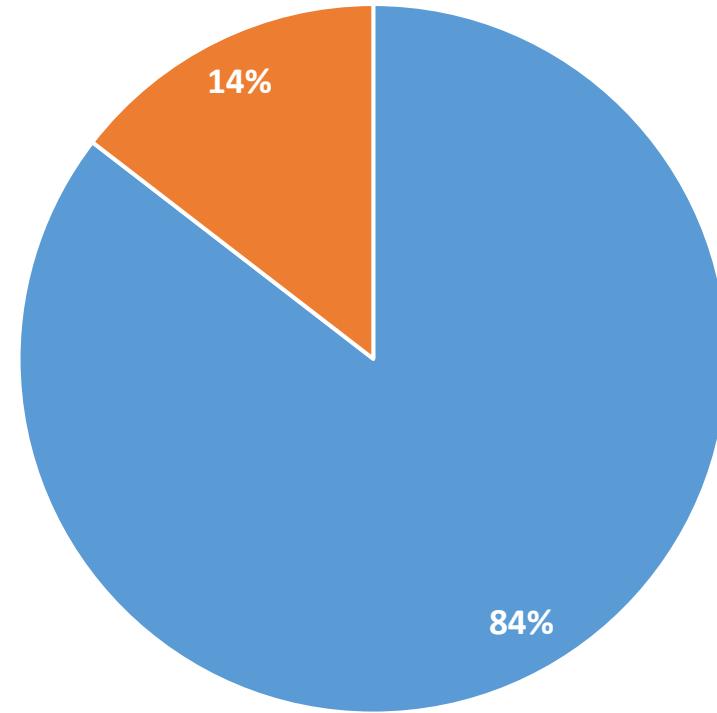
From a Public Meeting	65
The Planning Department's MBT...	47
The MA Department of Housing...	21
The Milton Times	76
Other Newspapers	51
Word of mouth	62
Social media	28
I haven't learned about them	12
Other	20



# What are we learning?

Current property owners do not have much in redeveloping their homes if it was rezoned for multifamily use

This indicates that actual development coming out of this zoning change would likely be less than the total potential



■ No, I would not be interested in redeveloping my property  
■ Yes, I would be interested in redeveloping my property



# What are we learning?

- In our May update, we asked additional questions about municipal services and community benefits
- Affordable housing and commercial space were the most voted for benefits, with affordable housing being the most popular #1 choice

1 Affordable housing

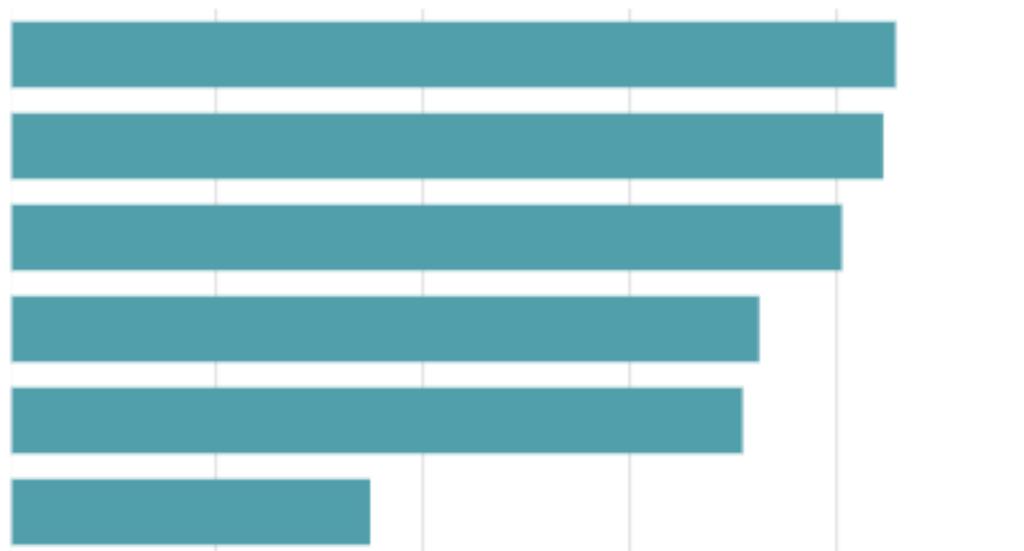
2 Commercial space

3 Open space

4 Streetscape improvements

5 Preservation of existing structures

6 Other benefits



# Update on Technical Assistance

## Refining the transit area

- Planners at Utile have proposed adjustments to the transit area district that will increase our overall density

## Subdistrict testing

- Planners at the Metropolitan Area Planning Council have tested additional subdistricts throughout Town that will establish a baseline level of compliance

## Multiple compliance options

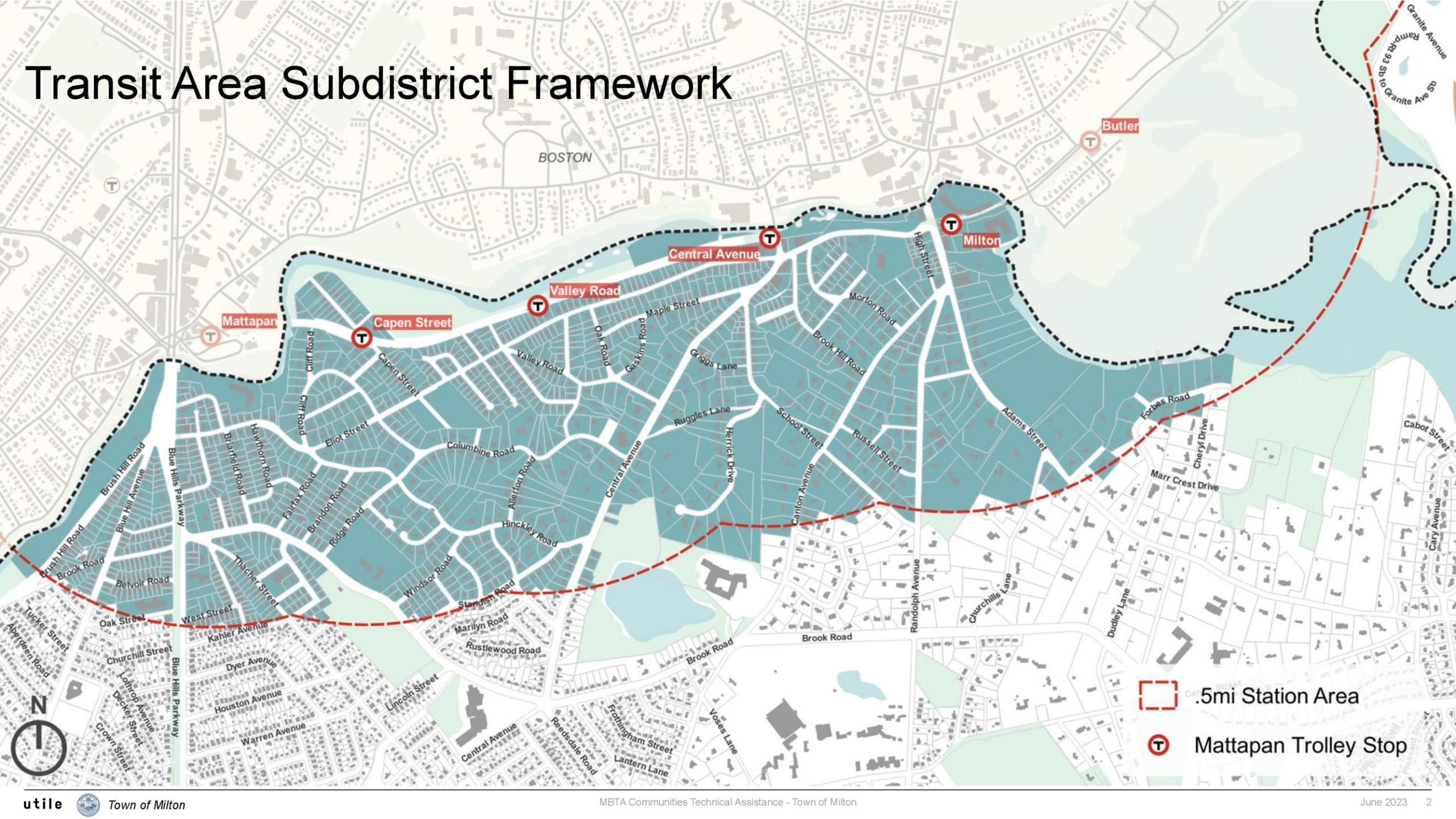
- Both MAPC and Utile have produced pathways that meet all of our compliance requirements. The next step is determining which pathway is preferable, or if some combination of the two needs to be devised.



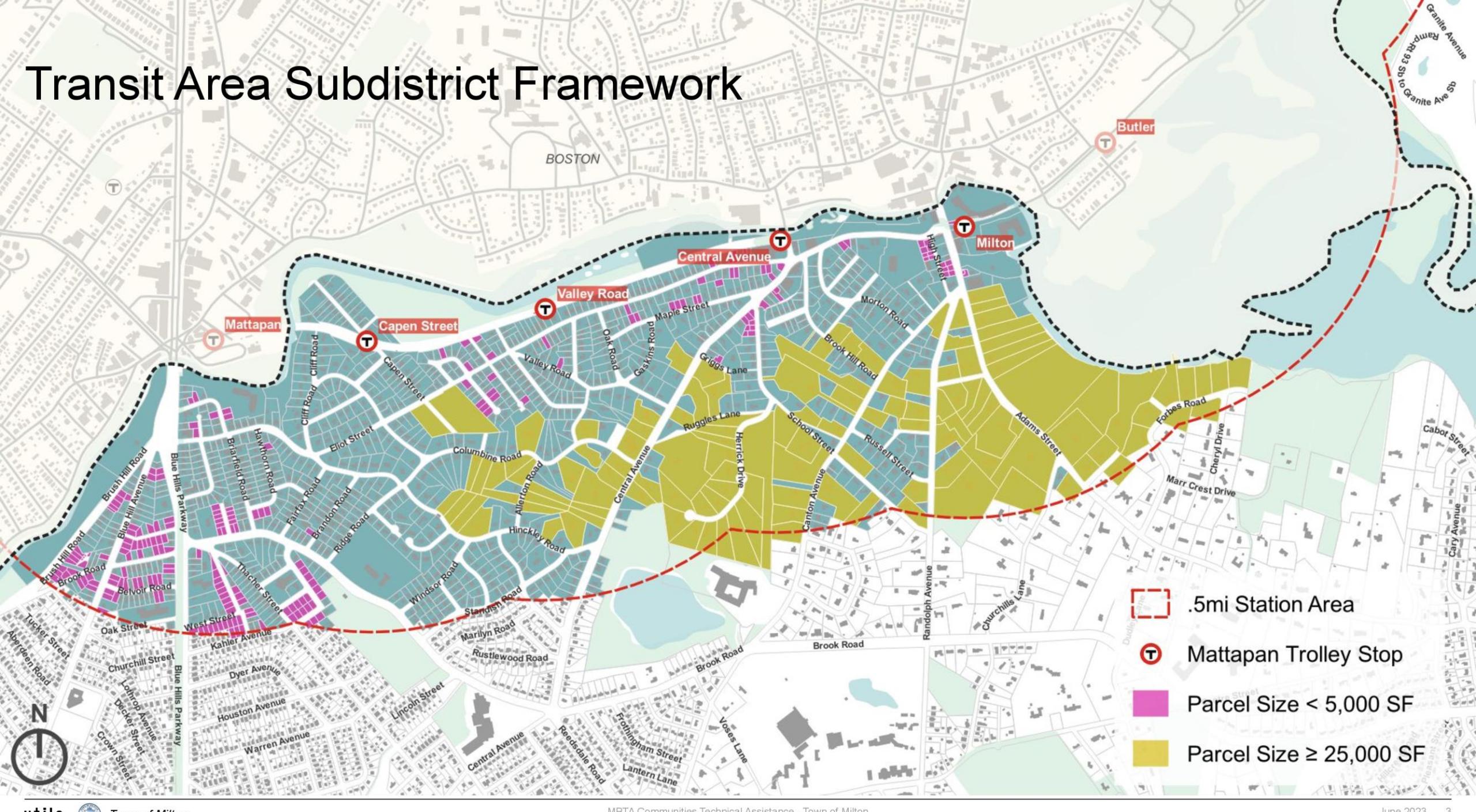
# MBTA Communities Compliance

*Mass Housing Partnership Technical Assistance*  
June Update | Town of Milton

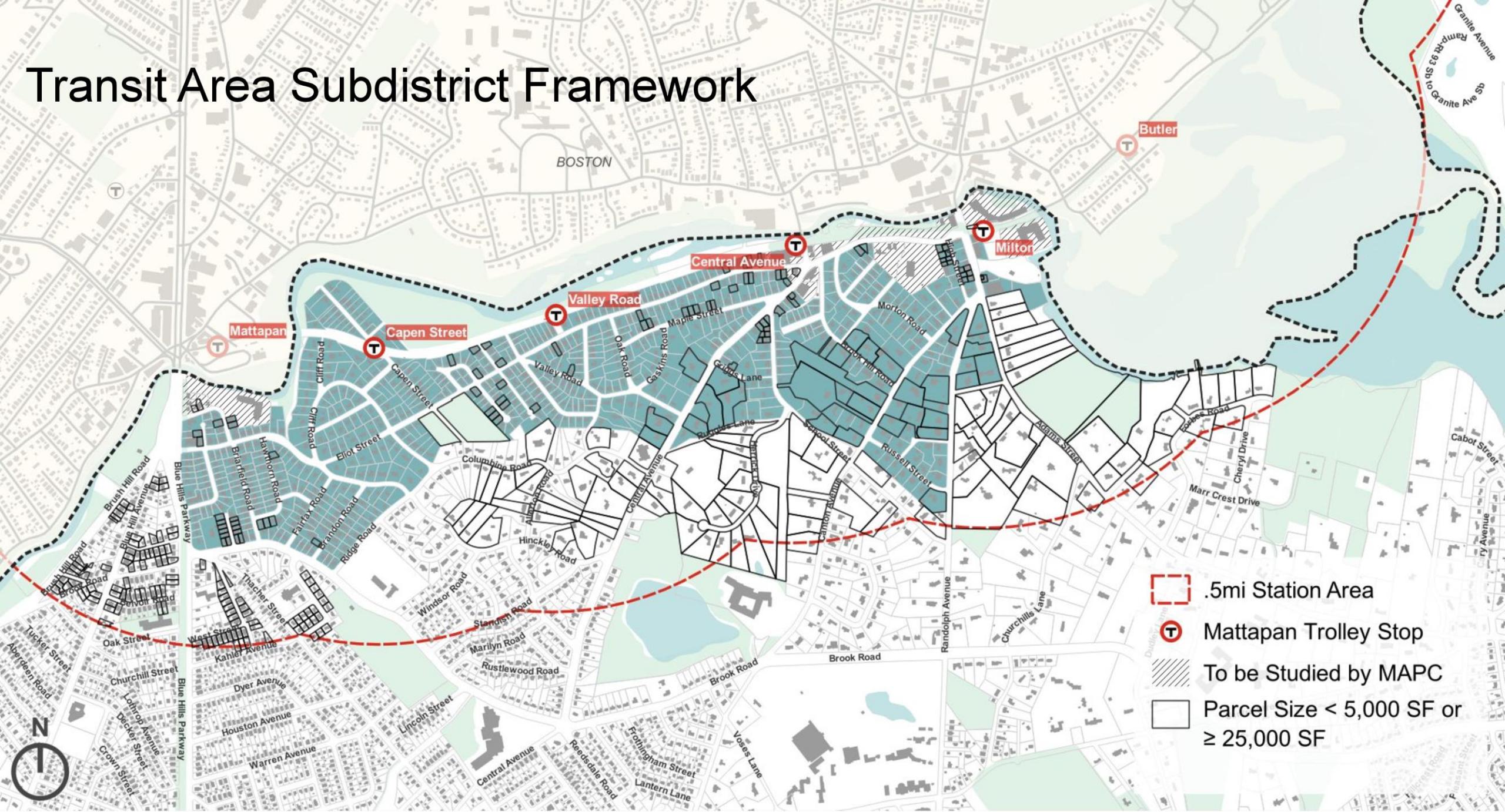
# Transit Area Subdistrict Framework



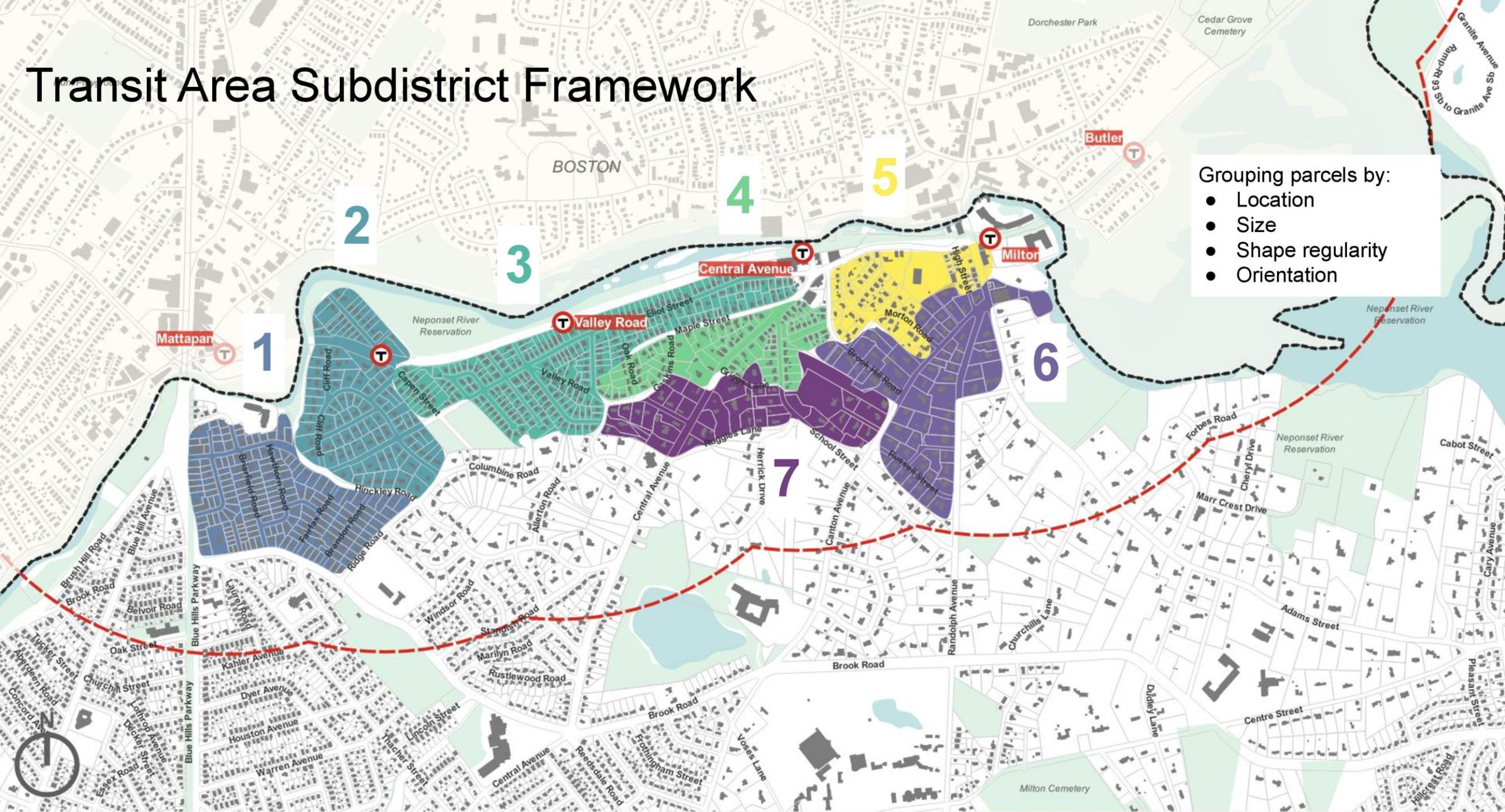
# Transit Area Subdistrict Framework



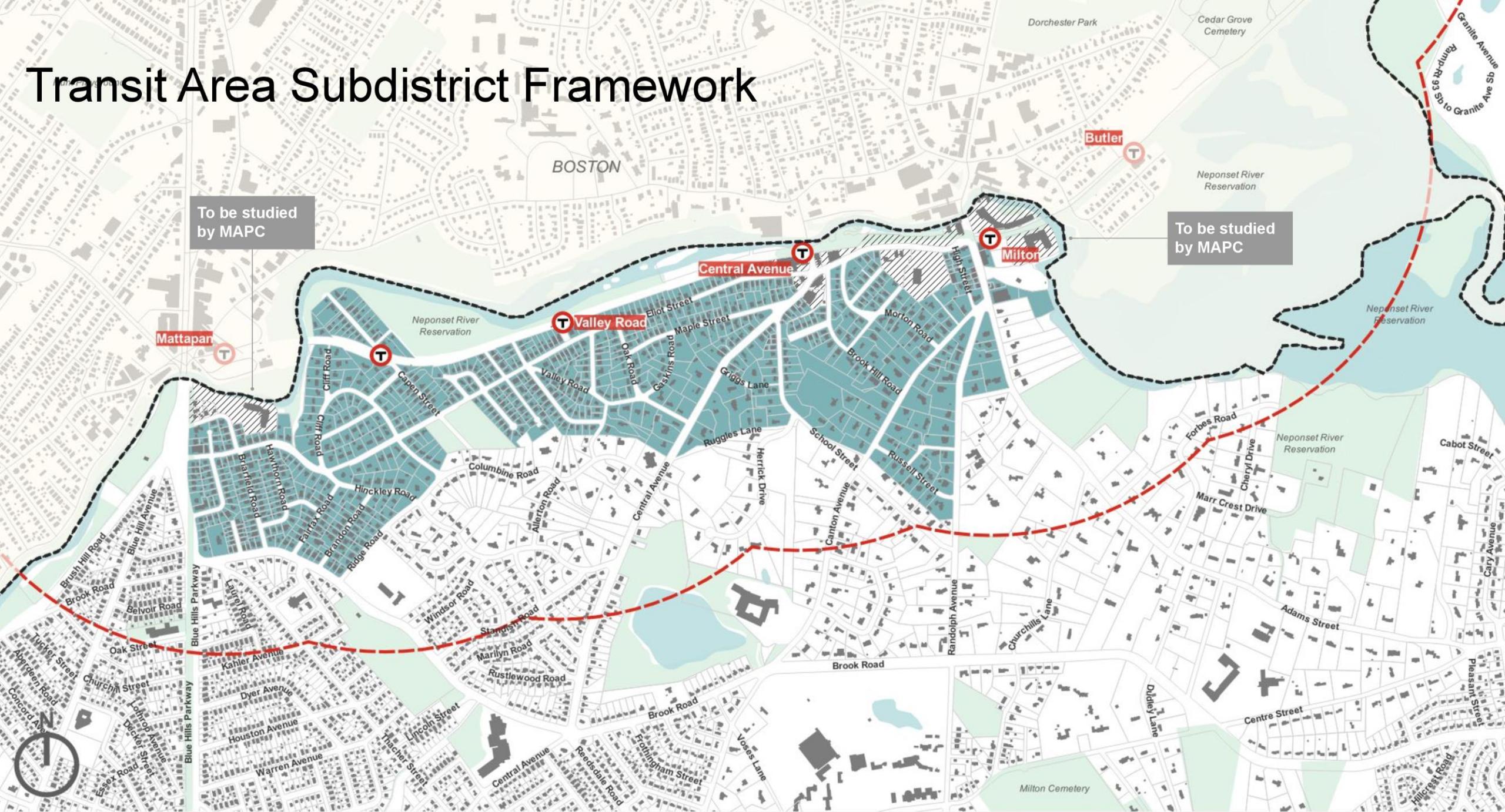
# Transit Area Subdistrict Framework



# Transit Area Subdistrict Framework

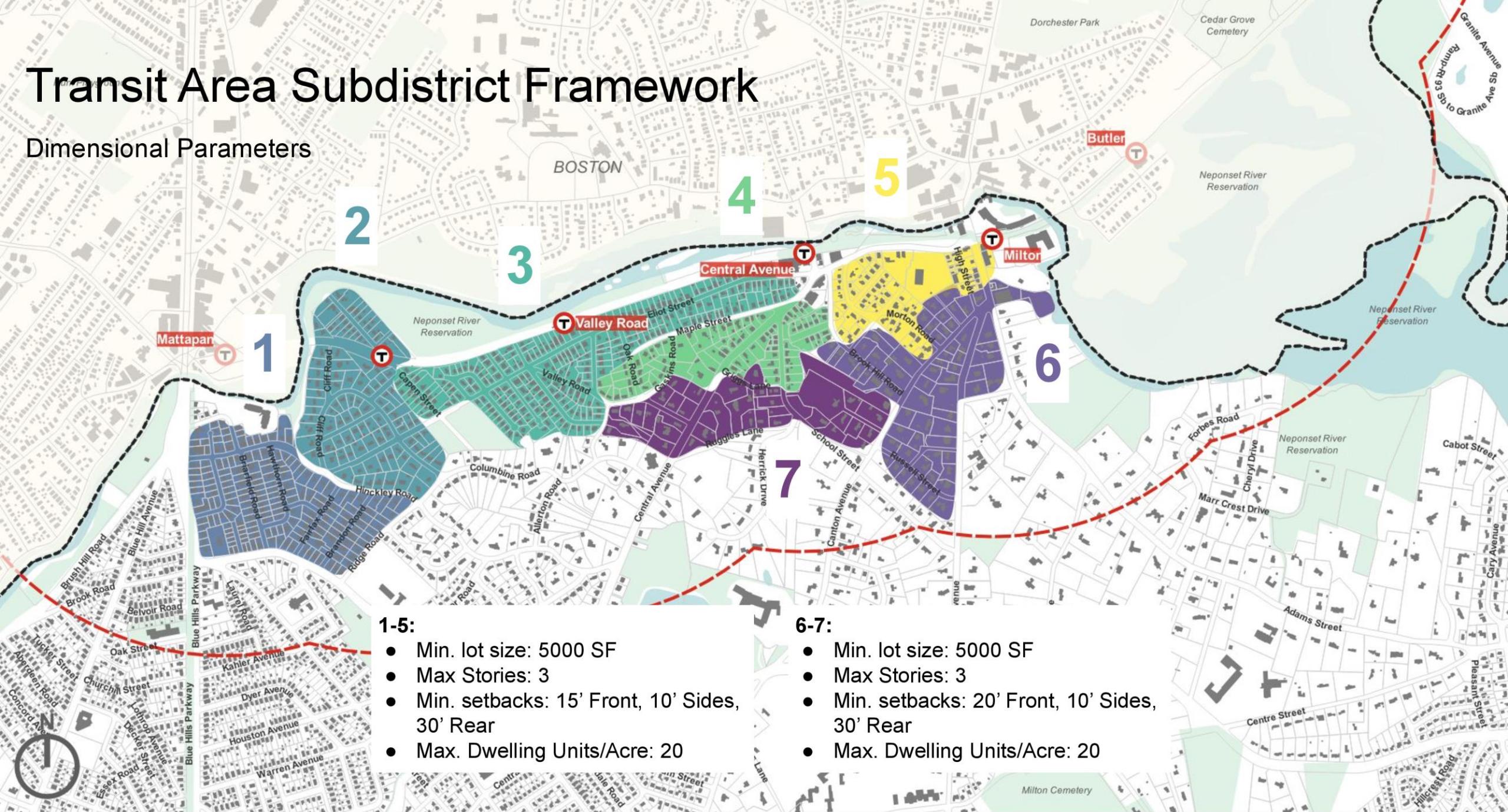


# Transit Area Subdistrict Framework



# Transit Area Subdistrict Framework

## Dimensional Parameters



# Transit Area + Granite Ave Subdistricts

Model Outputs

# Compliance Model Summary

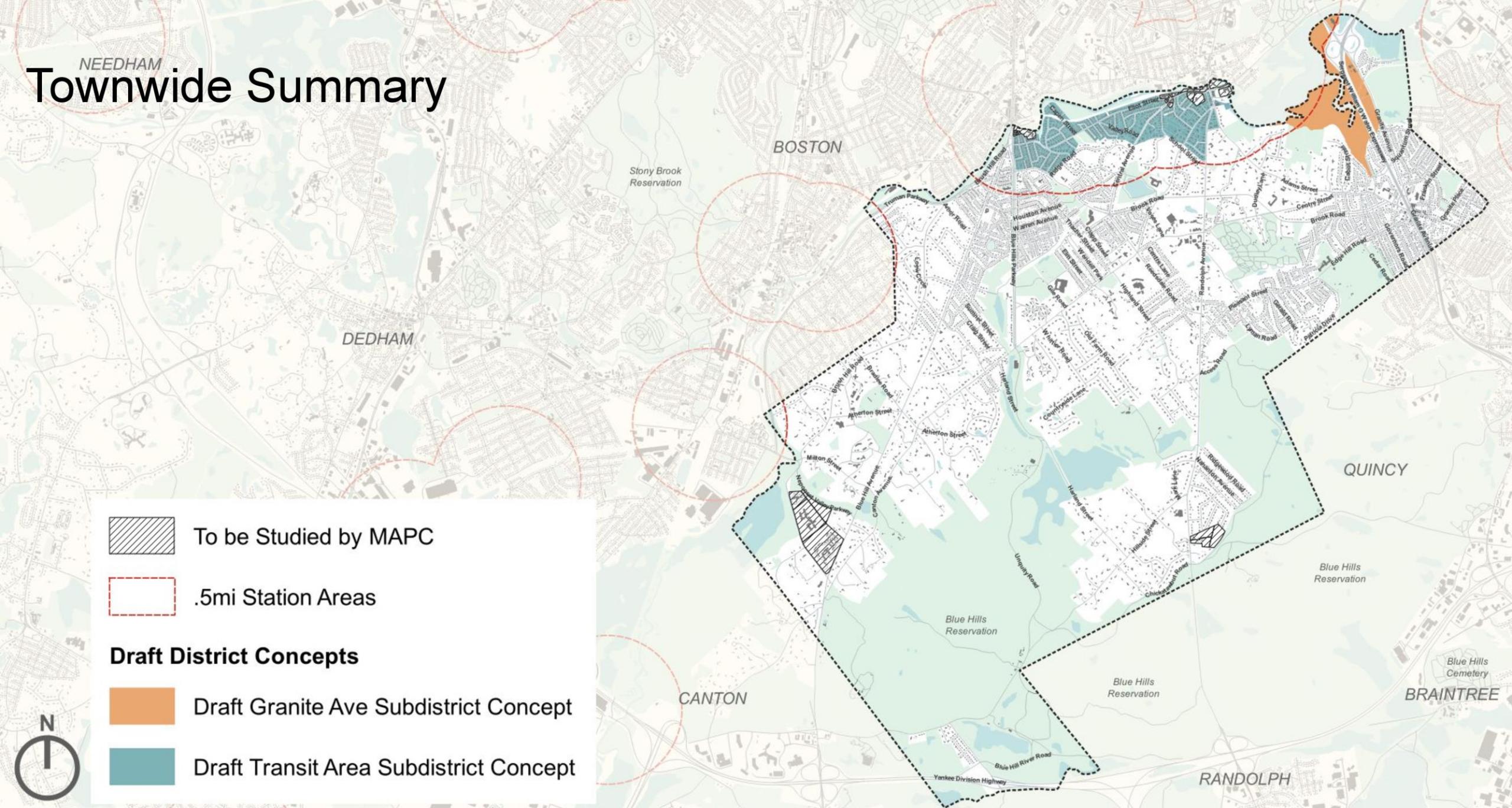
Model Inputs						Model Outputs			
Draft Subdistrict Name	Max. Stories	Min. Lot Size	Setbacks	Min. Parking Spaces per Unit	Max. Units per Acre	Modeled Multifamily Unit Capacity	District Acreage	Subdistrict Density Denominator*	Modeled Gross Subdistrict Density**
<b>Transit Area Subdistricts 1-5</b>	3 stories	5000 SF	Front: 15' Sides: 10' Rear: 30'	1	20	2472	165 acres	165 acres	15 Units/Acre = 2472 units / 165 acres
<b>Transit Area Subdistricts 6-7</b>	3 stories	5000 SF	Front: 20' Sides: 10' Rear: 30'	1	20	1018	56 acres	56 acres	18.2 Units/Acre = 1018 units / 56 acres
<b>Granite Ave Subdistrict</b>	6 stories	-	Front: 20' Sides: 10' Rear: 30'	1	45	701	153 acres	43 acres	16.4 Units/Acre = 701 units / 43 acres
<b>TOTAL</b>	-	-	-	-	-	<b>4191</b>	374 acres	264 acres	<b>15.8 Units/Acre =</b> <b>4191 units / 264 acres</b>

# Detailed Compliance Model Summary

Data Metric	District 1	District 2	District 3
District Name	Transit Subdistrict 1-5	Transit Subdistricts 6-7	Granite Ave Subdistrict
District Acreage (see note)	165.8	56.5	153.7
District Density Denominator(see note)	165.0	55.8	42.9
<b>Final Unit Capacity per District</b>	<b>2,472</b>	<b>1,018</b>	<b>701</b>
<b>DU/AC</b>	<b>15.0</b>	<b>18.2</b>	<b>16.4</b>
Parcel Acreage	135.7	51.4	132.8
Total Built Square Feet	7,298,802	2,904,344	1,625,942
Total Units in Station Area	2,472	1,018	171
Non-Conforming Parcels	87	0	0
Total Excluded Land (sf)	50,196	30,737	5,511,310
Total Open Space (sf)	1,232,804	478,474	6,311,647
Total Parking Area (sf)	1,990,582	792,094	221,719
Units Forgone due to Unit Cap in Zoning	0.00	0.00	0.00

NEEDHAM

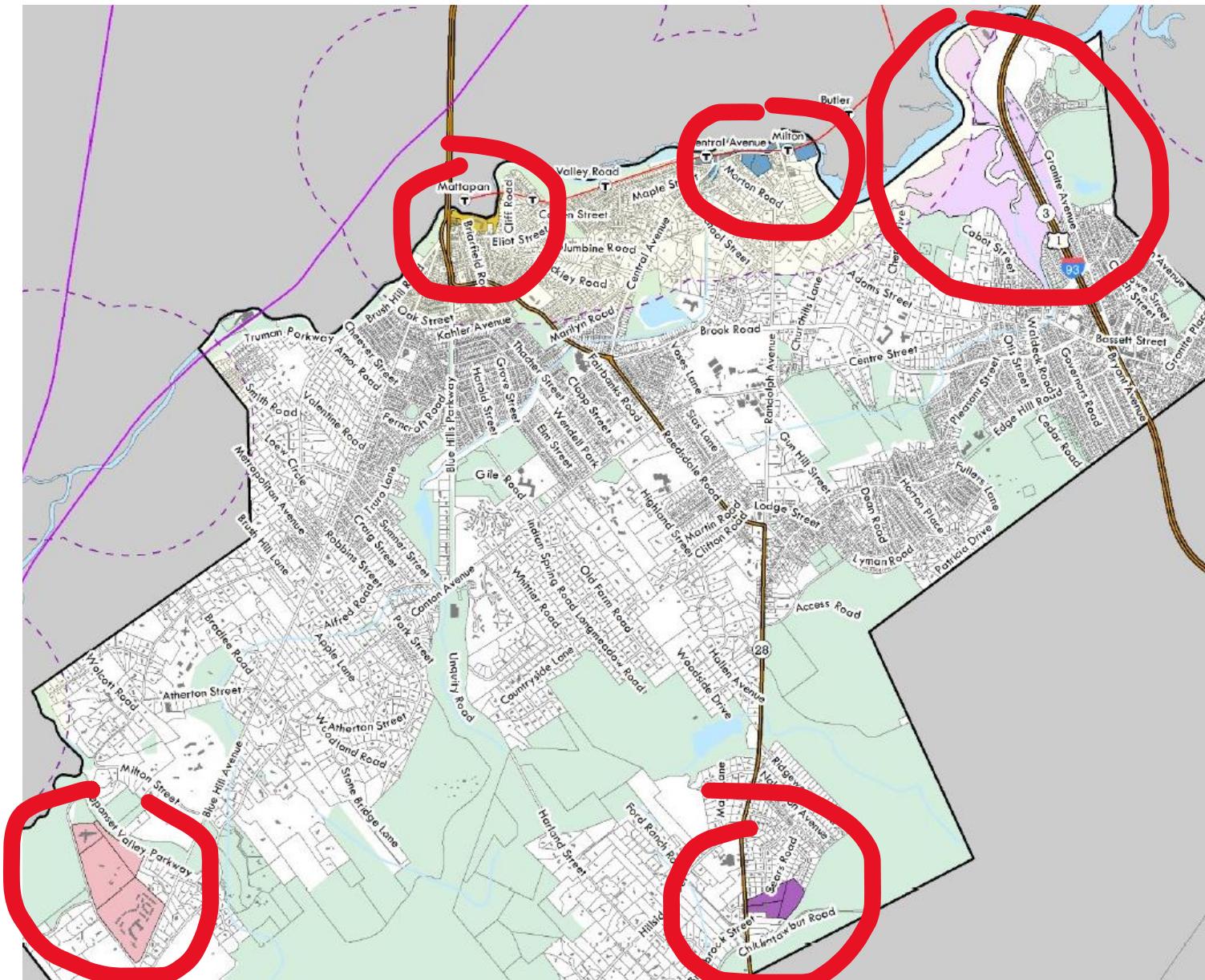
# Townwide Summary



# Large Parcel Tests

MAPC tested five sets of larger parcels in various locations in Town.

- Milton Village
- Curtis Road
- Brush Hill Road/Neponset Valley Parkway
- Randolph Avenue
- Granite Avenue

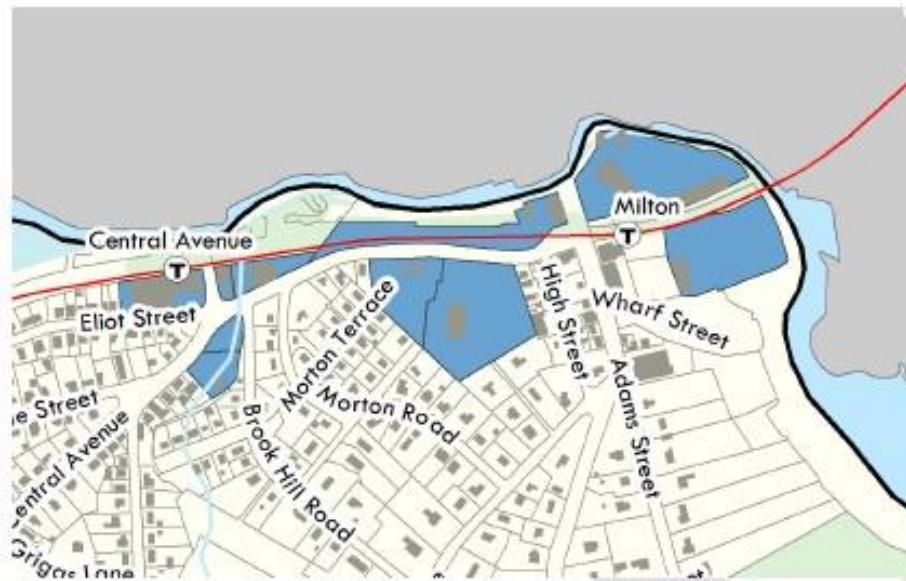


# Large Parcel Tests

## ZONING INPUTS - DISTRICT 1

### Transit Subdistrict 3 (Res-C & Bus)

Model Inputs for Calculating Unit Yield	
	Input
Minimum Lot Size	21,780
Additional Lot Square Feet per Dwelling Unit	0
Open Space %	0%
Excluded Land Counted Toward Open Space	
Parking Spaces per Dwelling Unit	1.00
Building Height	5
Maximum Lot Coverage %	70%
Floor Area Ratio	1.73
Zoning Restrictions that Cap Unit Counts	
	Input
Lot Area per Dwelling Unit	0
Maximum Dwelling Units per Acre	40.00
Cap on Maximum Dwelling Units per District	0.00



### District 1 Transit Subdistrict 3 Summary Calculations

Metric	Number	Metric	Number	% of Total
District Acreage Denominator	8	Non-Conforming Parcels	2	20.0%
Total Parcels	10	Units within Half-Mile of Transit	597	100.0%
Parcel Acreage	15	Total Excluded Land	114,747	17.0%
Total Built Square Feet	1,148,650	Open Space Removed/Set Aside	249,365	37.0%
Multi-family Unit Capacity	597	Total Parking Area	187,961	27.9%
DU/AC	74.6	Units Forgone due to Unit Cap in Zoning	0.00	0.0%



# Large Parcel Tests

## ZONING INPUTS - DISTRICT 2

### Transit Subdistrict 4 (Res-C)

Model Inputs for Calculating Unit Yield		Input
Minimum Lot Size		21,780
Additional Lot Square Feet per Dwelling Unit		0
Open Space %		0%
Excluded Land Counted Toward Open Space		
Parking Spaces per Dwelling Unit		1.00
Building Height		5
Maximum Lot Coverage %		70%
Floor Area Ratio		1.73
Zoning Restrictions that Cap Unit Counts		Input
Lot Area per Dwelling Unit		0
Maximum Dwelling Units per Acre		40.00
Cap on Maximum Dwelling Units per District		0.00



### District 2 Transit Subdistrict 4 Summary Calculations

Metric	Number	Metric	Number	% of Total
District Acreage Denominator	4	Non-Conforming Parcels	6	75.0%
Total Parcels	8	Units within Half-Mile of Transit	161	100.0%
Parcel Acreage	6	Total Excluded Land	111,341	39.6%
Total Built Square Feet	282,504	Open Space Removed/Set Aside	167,602	59.6%
Multi-family Unit Capacity	161	Total Parking Area	46,228	16.4%
DU/AC	38.7	Units Forgone due to Unit Cap in Zoning	0.00	0.0%



# Large Parcel Tests

## ZONING INPUTS - DISTRICT 3

Brush Hill Road Subdistrict (Res-D2)	
Model Inputs for Calculating Unit Yield	Input
Minimum Lot Size	217,800
Additional Lot Square Feet per Dwelling Unit	0
Open Space %	0%
Excluded Land Counted Toward Open Space	
Parking Spaces per Dwelling Unit	1.00
Building Height	5
Maximum Lot Coverage %	0%
Floor Area Ratio	0.00
Zoning Restrictions that Cap Unit Counts	
Zoning Restrictions that Cap Unit Counts	Input
Lot Area per Dwelling Unit	0
Maximum Dwelling Units per Acre	20.00
Cap on Maximum Dwelling Units per District	0.00



## District 3 Brush Hill Road Subdistrict Summary Calculations

Metric	Number	Metric	Number	% of Total
District Acreage Denominator	62	Non-Conforming Parcels	0	0.0%
Total Parcels	3	Units within Half-Mile of Transit	0	0.0%
Parcel Acreage	66	Total Excluded Land	206,647	7.2%
Total Built Square Feet	5,781,896	Open Space Removed/Set Aside	783,936	27.2%
Multi-family Unit Capacity	1,324	Total Parking Area	946,128	32.8%
DU/AC	21.5	Units Forgone due to Unit Cap in Zoning	0.00	0.0%



# Large Parcel Tests

## ZONING INPUTS - DISTRICT 4

### Randolph Avenue Subdistrict (Res-B)

Model Inputs for Calculating Unit Yield	
Minimum Lot Size	130,680
Additional Lot Square Feet per Dwelling Unit	0
Open Space %	0%
Excluded Land Counted Toward Open Space	
Parking Spaces per Dwelling Unit	1.00
Building Height	2.5
Maximum Lot Coverage %	0%
Floor Area Ratio	0.00
Zoning Restrictions that Cap Unit Counts	
Lot Area per Dwelling Unit	0
Maximum Dwelling Units per Acre	20.00
Cap on Maximum Dwelling Units per District	0.00



### District 4 Randolph Avenue Subdistrict Summary Calculations

Metric	Number	Metric	Number	% of Total
District Acreage Denominator	9	Non-Conforming Parcels	0	0.0%
Total Parcels	3	Units within Half-Mile of Transit	0	0.0%
Parcel Acreage	14	Total Excluded Land	32,733	5.4%
Total Built Square Feet	625,125	Open Space Removed/Set Aside	154,575	25.4%
Multi-family Unit Capacity	280	Total Parking Area	204,586	33.6%
DU/AC	32.2	Units Forgone due to Unit Cap in Zoning	0.00	0.0%



# Large Parcel Tests

## ZONING INPUTS - DISTRICT 5

### Granite Avenue Subdistrict (Res-C)

Model Inputs for Calculating Unit Yield	
	Input
Minimum Lot Size	0
Additional Lot Square Feet per Dwelling Unit	0
Open Space %	0%
Excluded Land Counted Toward Open Space	
Parking Spaces per Dwelling Unit	1.00
Building Height	6
Maximum Lot Coverage %	0%
Floor Area Ratio	1.50

Zoning Restrictions that Cap Unit Counts	
	Input
Lot Area per Dwelling Unit	0
Maximum Dwelling Units per Acre	0.00
Cap on Maximum Dwelling Units per District	0.00



### District 5 Granite Avenue Subdistrict Summary Calculations

Metric	Number	Metric	Number	% of Total
District Acreage Denominator	20	Non-Conforming Parcels	0	0.0%
Total Parcels	5	Units within Half-Mile of Transit	248	51.3%
Parcel Acreage	133	Total Excluded Land	5,511,310	95.3%
Total Built Square Feet	685,440	Open Space Removed/Set Aside	6,667,923	115.3%
Multi-family Unit Capacity	483	Total Parking Area	93,469	1.6%
DU/AC	24.3	Units Forgone due to Unit Cap in Zoning	0.00	0.0%



# Large Parcel Tests

**Figure 3:** Requirement Checks

Requirement Checks Performed:	Result
<ol style="list-style-type: none"><li>1. Each non-contiguous area (i.e., each sub-district) of the test district must be at least five acres.</li></ol>	<b>PASSED;</b> smallest non-contiguous portion within the test districts is 6.45 acres large within the Transit Subdistrict 4.
<ol style="list-style-type: none"><li>2. At least half the district land area is contiguous. Note that two different districts or sub-districts (with different zoning parameters) are also considered contiguous if they are adjacent to each other and can contribute to the 50% requirement for contiguity.</li></ol>	<b>PASSED;</b> Granite Avenue Subdistrict (Res-C) is considered contiguous which will result in 56.5% (132.76 ac) of total land area (more than 50% of the total test area as required).
<ol style="list-style-type: none"><li>3. The total test district area should be greater than the minimum land area requirements (which are community-specific and available in the Compliance Model Excel sheet).</li></ol>	<b>PASSED;</b> test district passed this requirement as the total area of the test districts is 234.9 acres as compared to the required 50 acres.
<ol style="list-style-type: none"><li>4. For Rapid Transit and Commuter Rail community categories such as Milton, the percentage of land area within transit station areas should be greater than minimum requirements (which are community-specific and available in the Compliance Model Excel sheet). In Milton's case it is 50%.</li></ol>	<b>PASSED;</b> test districts passed this check as 25% (58.28 ac) of the district is within station area.



# Large Parcel Tests

Figure 5: Checking Key Compliance Criteria

Test Subdistrict (Existing Zoning District)	Modeled Multifamily Unit Capacity	District Size (acres)	District Density Denominator* (acres)	Modeled District Density
Transit Subdistrict 3 (Res-C & Bus)	597 units	15.5 acres	8 ac.	74.6 Units/Acre = 597 Units/8 Acres
Transit Subdistrict 4 (Res-C)	161 units	6.5 ac.	4.2 ac.	38.7 Units/Acre = 161 Units/4.2 Acres
Brush Hill Road Subdistrict (Res-D2)	1,324 units	66.3 ac.	61.6 ac.	21.5 Units/Acre = 1,324 Units/61.6 Acres
Randolph Avenue Subdistrict (Res-B)	280 units	14 ac.	8.7 ac.	32.2 Units/Acre = 280 Units/8.7 Acres
Granite Avenue Subdistrict (Res-C)	483 units	132.8 ac.	19.9 ac.	24.3 Units/Acre = 483 Units/19.9 Acres
<b>TOTAL</b>	<b>2,845</b> units	<b>234.9</b> ac.	<b>102.3</b> ac.	<b>23.8</b> Units/Acre = 2,433 Units/102.3 Acres
<b>Complaint ?</b>	<b>YES.</b> Minimum 2,461 units required.	<b>YES.</b> Minimum 50 acres required	<b>N/A</b>	<b>YES.</b> Minimum 15 Units/Acre required.

\* "District Density Denominator" is the district size MINUS any areas containing: wetlands, water bodies, Title V setbacks, Surface Water Protection Zone A, and Wellhead Protection Zone 1.



# What Does It All Mean?

Both sets of subdistricts tested by Utile and MAPC could be compliant, but each has pros, cons, and question marks.

- Transit Area Small Lots District
  - Pros
    - Closest area to transit stations; biggest potential for low traffic, infrastructure impacts
    - Supports existing business districts
    - Pace of change would be more gradual
    - Gives more property owners flexibility and property rights
    - From a municipal impact perspective, lowest potential for net new units (redeveloping one house to three units nets two units)



# What Does It All Mean?

- Transit Area Small Lots District
  - Cons
    - Largest possible affected geography
    - Least predictable pattern of potential redevelopment; entails hundreds of different property owners making hundreds of individual decisions
    - In order to reach overall density target, requires more significant density in Milton Hill Historic District



# What Does It All Mean?

- Large Parcel Subdistricts
  - Pros
    - Opportunity for density levels to support deed-restricted affordable housing
    - Opportunity for mixed-use development
    - Fewer residential abutters than Transit Area Small Lot District
    - Fewer affected parcels
  - Cons
    - Many units further from transit; will require more parking, putting more cars on Milton streets
    - Larger developments mean faster, more acute impacts
    - From a municipal impact perspective, highest potential for net new units (redeveloping nonresidential sites means 100 percent net new units)



# What Does It All Mean?

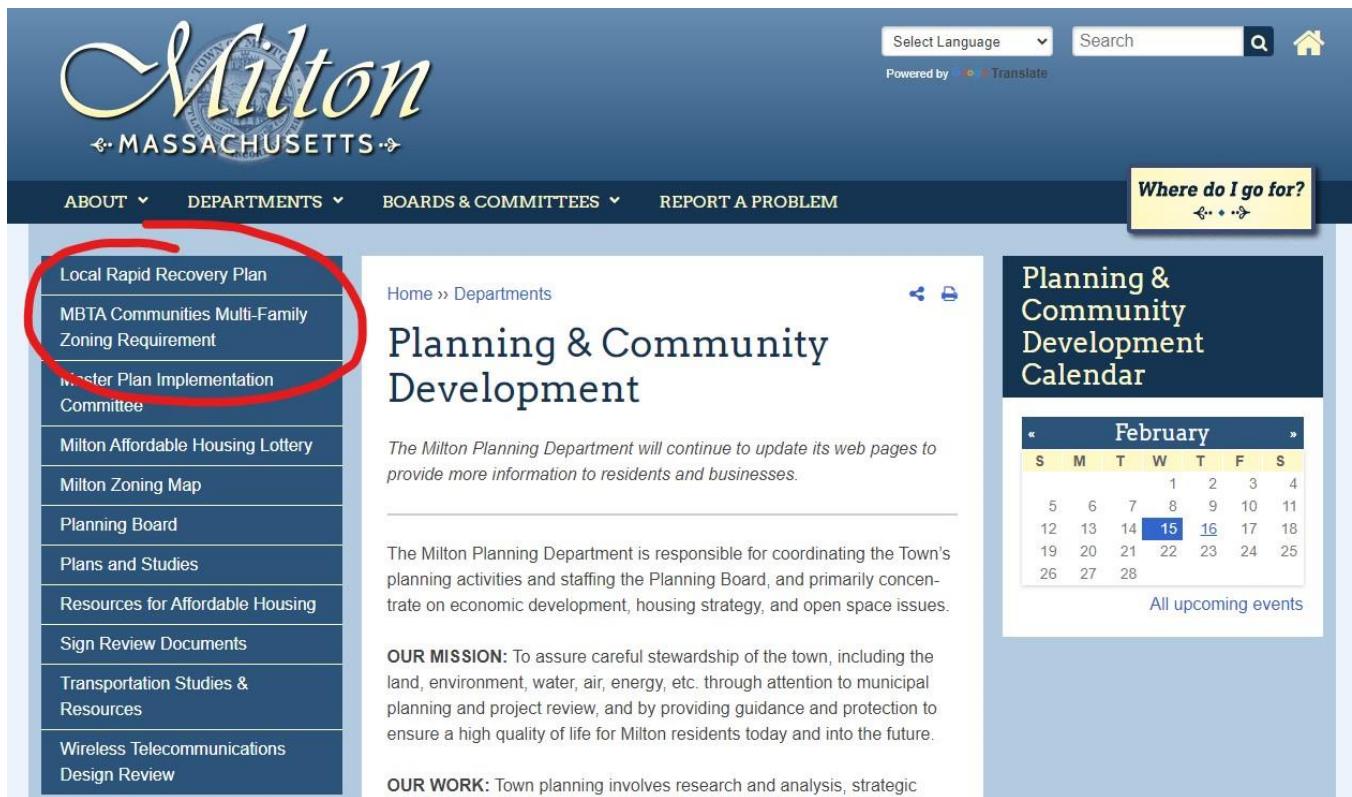
- Question marks
  - Do we want to proceed with one strategy, or a combination of both strategies
    - We may not have a choice
  - Is Brush Hill Road subdistrict too dense at 1,324 potential units?
    - If yes, density will need to be made up elsewhere in order to reach minimum unit capacity threshold.
  - Does Granite Avenue subdistrict actually count as a contiguous geography?
    - If not, we'll need to zone portions of the Transit Area Small Parcel district
  - From an equity perspective, do we want to zone for only certain portions of the Transit Area Small Parcel district?
    - Zoning for a larger area will cause us to exceed the unit capacity minimum threshold



# What's Next?

- Working with RKG Associates on a fiscal impact analysis of new zoning
- Procuring consultant assistance for drafting zoning language

Our next public forum will be Monday, August 14. Please monitor the Planning Department's MBTA Communities page for more information

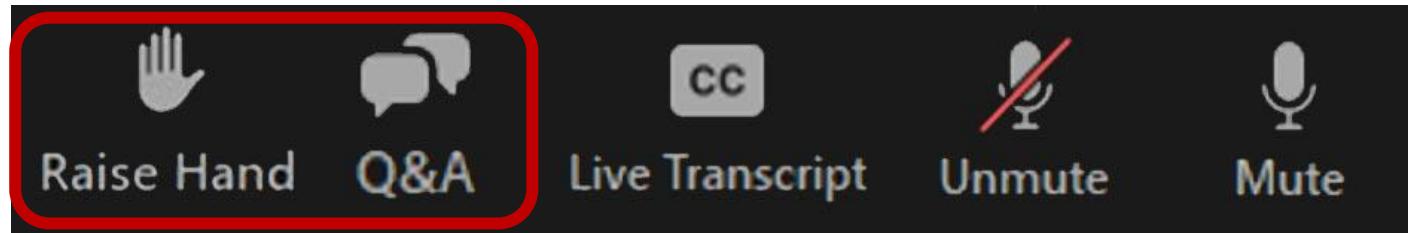


The screenshot shows the official website of the Town of Milton, Massachusetts. The header features the town's name in a large, stylized font with a seal, and a "Where do I go for?" button. The main navigation bar includes links for "ABOUT", "DEPARTMENTS", "BOARDS & COMMITTEES", and "REPORT A PROBLEM". The "DEPARTMENTS" menu is expanded, showing a list of links including "Local Rapid Recovery Plan", "MBTA Communities Multi-Family Zoning Requirement", "Master Plan Implementation Committee", "Milton Affordable Housing Lottery", "Milton Zoning Map", "Planning Board", "Plans and Studies", "Resources for Affordable Housing", "Sign Review Documents", "Transportation Studies & Resources", and "Wireless Telecommunications Design Review". The "MBTA Communities Multi-Family Zoning Requirement" link is circled in red. The main content area displays the "Planning & Community Development" page, which includes a brief description of the department's responsibilities and mission, and a calendar for February showing the 15th as the 15th. The footer contains a "Planning & Community Development Calendar" and a "Planning & Community Development" link.



# Question and Comment

- If you'd like to make a comment or ask a question during the Question and Comment period, there are two options:
  - use the “Q&A” button
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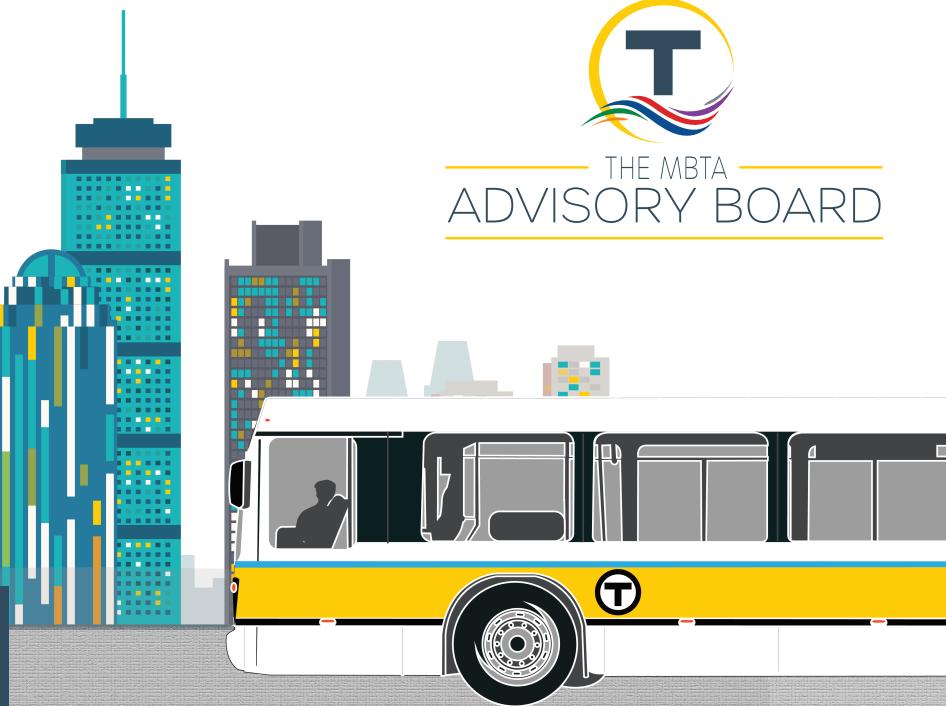
A black and white aerial photograph of a residential neighborhood. The area is densely packed with houses, mostly single-family homes with lawns. There are several streets and a few larger buildings, possibly schools or community centers. The terrain is relatively flat with some minor hills or ridges visible in the background.

Thank you!





THE MBTA  
ADVISORY BOARD



**The MBTA Advisory Board was established by the state legislature in 1964. Our mission is to provide public oversight of the Massachusetts Bay Transportation Authority (MBTA) on behalf of the 176 community members of the Advisory Board and the transit riding public. The MBTA Advisory Board provides policy guidance to the MBTA with the shared goal to provide effective and efficient transportation services in the metropolitan Boston area. The MBTA Advisory Board meets 4-6 times per year and collectively member communities contribute \$180 million to the MBTA annually.**

The MBTA Advisory Board provides policy guidance to the MBTA with the shared goal to provide effective and efficient transportation services in the metropolitan Boston area. The MBTA Advisory Board meets 4-6 times per year to review and comment on the MBTA's annual budget and operations.

- Provide a voice for riders, taxpayers and the public**
- Brief Mayors, Select Boards, City/Town Managers, press and members of the public on MBTA issues**
- Review and comment on MBTA's operations and capital programs that may have budgetary implications**
- Monitor the MBTA policies through the lens of economic and environmental justice and social equity**

## ABOUT US

[QR CODE TO MAP]

# WHAT WE DO



## REVIEW ANNUAL BUDGET

The MBTA Advisory Board plays a key role in the allocation of federal funds for MBTA capital-related projects. The MBTA Advisory Board annually completes a thorough and rigorous independent review of the MBTA's spending. Through its members, committees, and staff the Advisory Board provides public oversight of MBTA operations, budgets, policies, and activities.



## MONITOR SERVICE & OPERATIONS

The Board monitors the actions of the MBTA's Board of Directors, the Authority's operations, service levels, fares, activities, as well as working conditions, equity, accessibility, and sustainability of the MBTA system to ensure transparency, accountability, and clarity of decision making to its members and the people of the Commonwealth.



## SUPPORT A MORE EQUITABLE MBTA

The Advisory Board monitors the MBTA policies through the lens of economic and environmental justice and social equity.



## SERVE AS A COMMUNITY RESOURCE

The Advisory Board is a resource for the public and a voice advocating to the MBTA on behalf of the people. It provides an annual evaluation of the Authority's annual Capital Investment Program (CIP) and the operations budget to its members and the public.



## ADVISE LOCAL APPOINTED AND ELECTED LEADERS

The Advisory Board will brief Mayors, Select Boards, City/Town Managers and staff on MBTA issues. The Board reviews, advises, and confers with municipalities on the MBTA multi-year capital budget and operations budget.

# MEMBERSHIP

The membership of the organization consists of a representative of each city or town in the MBTA service district. This could be the municipality's Selectboard Chair, Mayor, City/Town Manager, or their designee that serves at the pleasure of the municipality. Each member represents, speaks for, and votes for their municipality on the Advisory Board.

**One (1) member of the Advisory Board sits as a member of the MBTA Board of Directors. Currently, that position is held by Mayor Koch of the City of Quincy.**

## MBTA ADVISORY BOARD MEETING MINUTES (Draft)

July 18, 2023

10:00 AM via Zoom

- A. Call to order:** Mayor Thomas P. Koch (Quincy) called the meeting to order with 47 member communities represented, present and voting at 10:02 AM. The Chair led the meeting in the Pledge of Allegiance, and a Moment of Silence for those in uniform keeping the peace around the globe.
- B. May 16, 2023 Meeting Minutes:** Alan Castaline (Brockton) offered two corrections, which will be incorporated into the final version. The first correction was to page 2 where the math showed did not add up, and the second was on page 4 wherein the minutes incorrectly showed that the Mayor of Brockton has submitted a letter to the MBTA. It was the Old Colony Planning Council that submitted the letter. These will be fixed in the updated version. Following this A. Castaline moved to approve the minutes as amended. Colette Aufranc (Wellesley) seconded the motion. The motion was approved via the Zoom poll application by a vote of 44 yes, 0 no, and 3 abstentions.
- C. Report of Bylaw Committee:** Michael Dutton (Bridgewater), Chair of the Bylaw Committee presented the report. The bylaw committee met three times to consider changes to the bylaws in advance of today's meeting. A memo accompanied the proposed changes, as well as a red-line version of the bylaws showing proposed changes. In summary the changes proposed are:
  - General updates (cover page, footer)
  - Grammatical and wordsmithing edits (pages 7, 8, 10, 12, 14)
  - Adding the Chair to those receiving resignation letters of members and designees in addition to the Executive Director (page 7)
  - Providing for the possibility of two Vice Chairs as opposed to the current limit of one Vice Chair (page 9)
  - Eliminating the distinction between standing and ad hoc committees (page 16)

- Updating the fiscal year of the organization from the state fiscal year to the calendar year as per the recently adopted Financial Policy. (page 19)
- Adding language guiding the body if it is requested to make a nomination or appointment to an external body. (pages 19 & 36)
- Updates to the voting strengths of municipalities based on FY24 Assessments (page 33)

Following this presentation, the Chair recognized Joe Collins (Norwood), who questioned why the bylaws propose moving from the state fiscal year (July 1-June 30) to the calendar year. The Chair recognized Colette Aufranc, Chair of the Budget & Audit Committee to provide an answer. Ms. Aufranc stated that the Budget & Audit Committee requested this change to the bylaws so that they conform to the recently enacted Financial Policy. With no more questions, M. Dutton moved to approve the changes as proposed. C. Aufranc seconded this motion, which was approved by a vote of 43 yes, 0 no, and 4 abstentions.

**D. Election of Officers, Committee Members, Committee Chairs, and approval of Committee Charges:** Mayor Shaunna O'Connell (Taunton) moved to approve the slate and elect the officers, committee members, committee chairs and vice chairs, and approve the committee's charges as presented. Josh Ostroff (Natick) seconded this motion, which was approved by a vote of 45 yes, 0 no, and 2 abstentions.

**E. Keynote Speaker: Undersecretary Monica G. Tibbits-Nutt:** The Chair introduced the Undersecretary of Transportation, Monica G. Tibbits-Nutt. The Undersecretary thanked the Chair and members for the invitation and opportunity to speak to the membership. The Undersecretary spoke on may points, including:

- Climate: transition to electric vehicles for both private and public vehicles.
- East/West or West/East Rail as well as improved rail connections around the entire Commonwealth.
- Ferry: The Lynn ferry is successful, and should be continued if funding can be found not just while the Sumner is closed, but also as mitigation when the station is closed.

- South Station Expansion: The administration is in active discussions with the Post Office about moving to allow South Station expansion to advance
- Commuter Rail Procurement: The 2026 contract procurement will be essential to the future of transportation in the Commonwealth. Electrification must come with this procurement.
- AFC 2.0: MassDOT is working with the T to advance this important project, as well as fare policies that improve equity across the Commonwealth.
- Financial Cliff: The financial cliff is coming and is real. The administration has a responsibility to explain to the Legislature and citizens what the number is. The number will be at least \$1b extra per year.

Following the Undersecretary's presentation, the Chair recognized members for questions:

- Bruce Leicher (Harvard) asked about EV charging at commuter rail stations, specifically Littleton. The Undersecretary mentioned that the strategy going forward is to include maintenance contracts as part of the procurements and installations. She also mentioned that negotiations are ongoing with National Grid to ensure that the grid can support increased charging.
- Matt Moran (Boston) asked about the administration's strategy towards the inner core, specifically needed expansion projects like the Red-Blue connector. The Undersecretary suggested that the focus in short term will be on maintenance of the existing system, while trying to balance important inner core projects like the transition of the Fairmount Line to rapid transit. Tough balances will be necessary especially balancing things like free fares versus the financial cliff.
- Brad Rawson (Somerville) thanked the Undersecretary for her words. He continued that as MassDOT rebuilds dozens and dozens of bridges over rail lines in the next decade, they should be future proofed to support electrification and regional rail such that these bridges do not need to be redone later. The Undersecretary mentioned that the current focus is on upgrading the electrical grid to support all the needed

electrification in the coming years. The current grid cannot support all the electrification that is required. Upgrading it will be expensive and take a long time.

- Josh Ostroff (Natick) requested a more formalized municipal engagement strategy, ensuring more consistent outreach and intake processes for projects to ensure that cities and towns in and around the project are aware of what is going on. He also states that the MBTA does not tell its own story well and that a better narrative would help. The Undersecretary agreed.
- J. Collins asked if hydrogen technology had been considered for propulsion of private and public vehicles. The Undersecretary stated that all propulsion forms are under consideration for public and private vehicles.
- Susan Barrett (Lexington) suggested that connecting RTAs and the MBTA is critically important, especially for paratransit. The Undersecretary mentioned that blended sections are under consideration to eliminate the requirement for paratransit customers to transfer. S. Barrett suggested that the administration focus on supporting increasing ridership on public transportation as opposed to supporting private EVs. The Undersecretary responded that it is true that not everyone can afford a private vehicle, and that supporting public transportation is equally important.
- Jay Monty (Everett) stated that the T is critical to achieving municipal, and regional goals.
- Duncan Allen (Needham) suggested that with respect to the fiscal cliff, a better analogy may be climbing a fiscal mountain and then remaining on that mountain with sufficient resources to not end up in a deferred maintenance valley again. The Undersecretary responded that it is clear that additional dedicated revenues are needed, that there are no additional federal or other funds forthcoming, and that the T's current cycle of deficit after deficit, crisis after crisis, and the continual threat of service cuts each year is not working.
- Michael Zullas (Milton) asked if the timeline for the Mattapan

transformation can be sped up so that it will not take a decade? The Undersecretary responded that she is not briefed on that project and cannot comment.

- Roy Epstein (Belmont) asked about rail electrification. He suggested that since total electrification will take decades, what is the strategy for procuring new, reliable locomotives to continue supporting robust ridership while the transition continues? The Undersecretary noted that it is clear that the transition will take a long time and that a strategy is needed to transition from diesel to electric.
- Lenard Diggins (Arlington) asked how the lack of counties harms the Commonwealth's abilities to access federal funds. The Undersecretary mentioned that it is complicated, but that the feds like to see things like regional plans, corridor plans, and coordinated plans across more than one municipality.
- Brian Kane (Executive Director) asked when the MBTA will regain its ability to plan for its own future again? The Undersecretary responded that all possibilities are under consideration, including a review to see if the Office of Transportation Planning is meeting the goals of the MBTA.

With all questions answered, the Chair thanked the Undersecretary for attending, for her forthrightness, and for her attention to detail. On behalf of the membership, he wished her well. The Undersecretary departed.

**F. Executive Director's Report:** B. Kane gave the report. A member survey remains open and all are requested to respond to assist leadership in planning what policy areas to work on over the next year and into the future. The link to the survey was shared.

**G. Adjournment:** With all business transacted, the Chair requested a motion to adjourn. M. Dutton moved to adjourn, which S. O'Connell seconded. This motion was approved unanimously, and the meeting adjourned at 10:49 AM

Abington	Alex Hergerty	Everett	Jay Monty
Acton		Fitchburg	
Amesbury		Foxborough	
Andover		Framingham	
Arlington	Lenard Diggins	Franklin	
Ashburnham		Freetown	
Ashby		Georgetown	
Ashland	Rob Scherer	Gloucester	Greg Verga Greg Cademartori
Attleboro		Grafton	
Auburn		Groton	
Ayer		Groveland	
Bedford		Halifax	
Bellingham		Hamilton	
Belmont	Roy Epstein	Hanover	Jim Hoyes
Berkley		Hanson	Laura Bennett
Beverly		Harvard	Bruce Leicher
Billerica		Haverhill	
Boston	Matt Moran	Hingham	
Bourne	Pete Meir	Holbrook	
Boxborough		Holden	
Boxford		Holliston	
Braintree		Hopkinton	
Bridgewater	Michael Dutton Bob Rulli	Hull	
Brockton	Alan Castaline	Ipswich	Linda Alexson
Brookline	Rob King	Kingston	
Burlington		Lakeville	Lia Fabian
Cambridge	Suzanne Rassmussen Andy Reardon	Lancaster	
Canton	Chris Podgurski	Lawrence	
Carlisle		Leicester	
Carver		Leominster	
Chelmsford		Lexington	Susan Barrett
Chelsea		Lincoln	
Cohasset		Littleton	
Concord		Lowell	
Danvers		Lunenburg	
Dedham		Lynn	
Dover		Lynnfield	
Dracut		Malden	
Duxbury		Manchester	
East Bridgewater		Mansfield	
Easton		Marblehead	Dan Albert
Essex		Marlborough	Meredith Harris
Marshfield		Salem	Tom Devine
Maynard	Chester Osborn	Salisbury	

Medfield	Gus Murby	Saugus	Mike Serino
Medford	Breanna Lungo-Koehn Todd Blake	Scituate	Karen Canfield
Medway		Seekonk	
Melrose		Sharon	Hanna Switlekowski
Merrimac		Sherborn	
Methuen		Shirley	
Middleborough		Shrewsbury	
Middleton		Somerville	Brad Rawson
Millbury		Southborough	
Millis		Sterling	
Milton	Mike Zullas	Stoneham	
Nahant		Stoughton	Deb Roberts
Natick	Josh Ostroff	Stow	
Needham	Duncan Allen	Sudbury	Dan Carty
Newbury		Sutton	
Newburyport		Swampscott	
Newton	David Koses	Taunton	Shauna O'Connell
Norfolk	Kevin Kalkut	Tewksbury	
North Andover		Topsfield	
N. Attleborough		Townsend	
North Reading		Tyngsborough	
Northborough		Upton	
Northbridge		Watertown	
Norton		Wayland	
Norwell		Wakefield	Jonathan Chines
Norwood	Joe Collins	Walpole	
Paxton		Waltham	
Peabody		Wareham	Alan Slavin
Pembroke		Wellesley	Colette Aufranc
Plymouth		Wenham	
Plympton		West Boylston	
Princeton		W. Bridgewater	
Quincy	Thomas Koch Frank Tramontozzi	West Newbury	
Randolph		Westborough	
Raynham		Westford	
Reading		Westminster	
Rehoboth		Weston	
Revere		Westwood	Steve Olanoff
Rochester		Weymouth	Owen MacDonald
Rockland		Whitman	
Rockport		Wilmington	Frank West
Rowley		Woburn	
Winchester		Worcester	Todd Kirrane
Winthrop		Wrentham	

## **Special Town Meeting**

### **Monday, December 4, 2023**

Friday, September 22, 2023	Select Board closes the warrant
Tuesday, September 26, 2023	Select Board approves articles for Inclusion in the warrant
Wednesday, September 27, 2023	E-mail Articles to the Warrant Committee
Tuesday, October 24, 2023	Select Board to approve the Warrant
Thursday, November 2, 2023	Final Warrant to printer
Monday, November 13, 2023	Printer to deliver Warrant to the Post Office and Warrant Posted at the Post Office
Friday, November 17, 2023	Warrant delivered to Town Meeting Members
Monday, December 4, 2023	Special Town Meeting
Monday, December 11, 2023	
Tuesday, December 12, 2023	

*\*\*As soon as articles are received by the Select Board, the Town Administrator will transmit the articles to the Warrant Committee \*\**

# Request for Proposals (RFP)

To select a developer to design, construct, operate and manage affordable rental units consisting of no more than 35 units on approximately 4-3.5 acres of land at 165 Governor Stoughton Ln. Milton, MA 02186



## Important Dates

Pre-Proposal Meeting/Site Tour:  
[REDACTED]

Proposal Submission Deadline:  
[REDACTED]

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- II. **Proposal Submission and Selection Process**
- III. **Site Tour and Briefing**
- IV. **Development Objectives**
- V. **Property Description**
- VI. **Proposal Submission Requirements**
- VII. **Developer Selection Criteria**
- VIII. **Selection Process**
- IX. **Post Selection**
- X. **Attachments**

## I. Invitation to Bid

The Town of Milton (“Town”), through its Select Board, is seeking proposals from qualified developers to develop no more than 35 units of **affordable** rental housing at a range of incomes on a parcel of land owned by the Town of Milton. The property, totaling +/- 4 acres, is located at 165 Governor Stoughton Lane Milton MA 02186, and is further described in deeds recorded with the Norfolk County Registry of Deeds in Book 35777, Page 371. At least 50% of the units shall be affordable to households having an income of no more than 80% of AMI, with a preference for units targeted to households with a range of incomes between 50% and 80% AMI. Increasing the percentage of affordable units and/or the range of affordability is encouraged.

**MAHT Comment:** We believe the word affordable should remain. The scoring criteria does suggest the units should be targeted to 80% AMI households. Proposer's can include market rate or units targeted to higher income households but it may an “unacceptable” score in the evaluation criteria (please see current version of Attachment A)

**Commented [LS1]:** Mixed-income?

**Commented [JEL2R1]:** The AHT would like to see the maximum possible affordability, ideally 100%

The Town intends to enter into a Land Development Agreement and to **lease** the property to the developer, with affordability restrictions. The developer will be responsible for the design, construction, development, and operation of the rental units at the property.

**MAHT Comments:** We believe the land should be leased to the selected developer. This is fairly common practice in the development of affordable housing and will keep the ownership of the land with the town and the Governor Stoughton Trustees.

**Commented [LS3]:** Not decided yet

**Commented [JEL4R3]:** AHT believe a long-term lease would be in keeping with how other communities have approached this type of project, and better preserve the Town's ownership over this land

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The purpose of this RFP is to select a developer with demonstrated experience and capacity to carry out a development project that best addresses the needs and goals of the community as described in this RFP. The most advantageous proposal, from a responsive and responsible proposer, taking into consideration all evaluation criteria set forth in the RFP, will be selected.

Request for Proposal documents can be obtained at the Town of Milton Office of Select Board 525 Canton Ave. Milton, 02186 or by email request to Josh Eckart-Lee at [jlee@townofmilton.org](mailto:jlee@townofmilton.org).

## II. Proposal Submission and Selection Process

The Town has determined that the award of this contract is subject to the Uniform Procurement Act. M.G.L. c. 30B. The provisions of M.G.L. c. 30B are incorporated herein by reference.

Applicants shall submit on or before 11:00 a.m., [REDACTED], 2023, a clearly marked original proposal plus seven copies, including an electronic copy on a flash drive, to:

**Tim Czerwienski**  
**Town of Milton**  
**525 Milton Ave.**  
**Milton, MA 02186**

Faxed or electronically mailed proposals will be deemed non-responsive and will not be accepted.

Proposals submitted after the submission deadline will not be accepted. In order to be considered a complete submission, proposals should be marked "***Milton's Town Farm Housing Proposal***" and must include all required documents completed and signed by a duly authorized signatory, including the following:

1. Cover page labeled Milton's Town Farm Housing Proposal to the Town of Milton for the development of rental family housing, specifying: (1) the development entity, (2) primary contact person, and (3) all contact information.
2. One clearly marked original, in a three-ring binder, and 7 copies of the proposal with required attachments.
3. An electronic version of the complete proposal submission on a flash drive.

**The Town reserves the right to reject any or all proposals or to cancel this Request for Proposals if that is deemed to be in the best interest of the Town.**

#### **Inquiries on RFP**

All inquiries should be made via e-mail and directed to: Josh Eckart-Lee at [jlee@townofmilton.org](mailto:jlee@townofmilton.org) no later than **4:00 p.m. on [REDACTED], 2023**. Inquiries should have a subject line entitled: *Milton's Town Farm Housing RFP Inquiry*. Any inquiries after such date will not be accepted. All inquiries for which a response is provided, together with the responses, will be shared with all proposers who have provided their contact information.

#### **Proposers' Responsibility for due diligence**

Proposers should undertake their own review and analysis concerning physical conditions, environmental conditions, applicable zoning, required permits and approvals, and other development and legal considerations.

#### **Additional Notes**

Proposals will be opened publicly at [REDACTED] on [REDACTED], 2023. A Proposer may correct, modify, or withdraw a proposal by written notice received prior to the time set for the submission of proposals, but not thereafter. Each responsive proposal will be evaluated first for compliance with the threshold (minimum) criteria and, if it meets those criteria, then evaluated according to the criteria set forth in Attachment (A) 'Comparative Evaluation Criteria'.

The Town makes no representations or warranties, express or implied, as to the accuracy and/or completeness of the information provided in this RFP. This RFP, including all attachments, is made subject to errors, omissions, and withdrawal without prior notice, and different interpretations of laws and regulations. The Proposer assumes all risk in connection with the use of the information and releases the Town from any liability in connection with the use of the information provided by the Town. Further, the Town makes no representation or warranty with respect to the property, including without limitation, the value, quality or character of the property or its fitness or suitability for any particular use and/or the physical and environmental condition of the property. The property will be conveyed in "AS-IS" condition.

Each Proposer shall undertake its own review and analysis (due diligence) concerning the physical and environmental condition of the property, applicable zoning, and other land use laws, required permits and approvals, and other development, ownership and legal considerations pertaining to the property and the use of the property, and shall be responsible for applying for and obtaining any and all permits and approvals necessary or convenient for the Proposer's use. All costs and expenses of leasing and developing the property, including, without limitation, the costs of permitting and improvements, shall be the sole responsibility of the successful proposer.

The Milton Affordable Housing Trust has applied for funding to the Community Preservation Committee for assistance in their work supporting development at the site.

### **III. Site Tour and Briefing**

Interested Proposers are encouraged to attend a voluntary on-site briefing session at 165 Governor Stoughton Lane Milton, MA 02158 on [REDACTED], 202 [REDACTED] at [REDACTED] (See Locus maps in Attachment B). The site visit is not mandatory; however, all proposers must familiarize themselves with the property by undertaking an independent review and analysis of physical conditions, regulatory constraints, required permit and approvals, and other legal considerations.

### **IV. Development Objectives**

The Town is seeking a developer to build affordable rental housing units consisting of no more than 35 units on the site. The development should be designed for a variety of households (individuals of all ages, families with children, persons with disabilities) and reflect a mix of affordability levels.

The Town would like to see an architecturally harmonious development with no more than (3) buildings. The bedroom mix should be based on the site's capacity, good site planning and landscaping considerations, and the market and financial feasibility of an affordable rental project at this location. The Town would also like the developer to honor the property's history as a working poor farm, which means considering replication of existing buildings and including green design elements such as green roofing and/or shared garden space.

The development of the property will be subject to a Land Development Agreement and Ground Lease in forms that are acceptable to the Town. Once the conditions of the Land

Development Agreement are satisfied, the Town and Developer will enter into a 99-year Ground Lease (See examples in Attachment D).

### Affordability

At least 50% of the units shall be affordable to households at or below 80% Area Median Income (AMI). The Town prefers that the development include units that are affordable to households with incomes ranging from 50% AMI to 80% AMI (See Evaluation Criteria at Attachment A for details). The proposer should include a clear analysis as to the levels of affordability proposed and the reasoning behind the proposed unit and income mix. The Town is seeking affordability in the design of the units (e.g., energy efficient utilities and maintenance) in addition to affordability by restriction. All affordable units must meet the requirements for inclusion in the Department of Housing and Community Development's (DHCD) Subsidized Housing Inventory (SHI) and the developer shall be responsible for ensuring that all units count in the SHI.

The developer shall enter into a Regulatory Agreement with the Subsidizing Agency. Proposers are advised that all mortgages and other monetary liens encumbering the property may be subject and subordinate to the Regulatory Agreement and the affordable housing restriction. The affordability requirements may survive the foreclosure of any mortgage, deed given in lieu thereof, or any similar action, to the extent financially feasible to do so.

**Commented [LS5]:** Do you know the ramifications of this on the appraisal and potential financing issues?

**Commented [JEL6R5]:** The AHT did not know the ramifications of this

### Unit Types

The development should reflect the needs of Milton and provide housing for a range of household sizes. For this reason, the Town is interested in no more than 3 buildings as well as "universally accessible" design. At least 10% of the units shall contain three or more bedrooms to satisfy the State's family housing policy. Unit layouts should emphasize efficiency. Kitchens should be sized based on the bedroom composition of the unit.

### Building Design and Aesthetics

The development's architecture should reflect and be compatible with the existing architecture and style of the Milton community. The goal is for the development to look like it belongs in Milton.

The Town encourages the following:

- Multiple buildings, no more than 3, which can be of various sizes.
- Buildings shall not be more than 3 stories.
- Native landscaping in keeping with Milton character.
- Outdoor common and recreation areas, including walkways.
- Ample storage for residents in either the basement or sheds
- Bicycle storage racks
- Onsite laundry facilities
- Parking should be scattered as much as possible.
- Areas for outdoor trash and recycling receptacles

- Sensitivity to neighborhood and adjacent properties

### Energy Efficiency

The Town is looking for proposals that include building and site designs that reduce the tenants' energy, water usage and cost, and limit the project's environmental impact. Details regarding sustainable design features should be incorporated into the proposal.

Proposals that meet Passive House, LEED or other energy efficiency standards are preferred.

### Site

The property is located at 165 Governor Stoughton Lane Milton, MA 02158, and is identified as Assessor's Parcel ID # K-6-3 (See Locus maps Attachment B). It contains approximately 4 Acres. The parcel is bound by the Milton Woods residential development to the south; residential properties to the east; forested land to the west; and the Quisset Brook residential development to the north. The Site has limited frontage on Governor Stoughton Lane to the northeast. The Site is developed with four existing buildings, a lawned field area, undeveloped wooded areas, a paved access road to Governor Stoughton Lane and is the current home of the Milton Animal Shelter.

The Site is encumbered by two easements: An access/drainage easement (Easement #1) is located within the southwestern portion of the Site and an access/utility easement is located within the eastern portion of the Site. Easement #1 appears to provide maintenance access to an infiltration basin constructed as part of the abutting Milton Woods development south of the Site. Easement #2 appears to provide emergency vehicle access to the same development in addition to providing maintenance access for several utilities. Additional utility information related to these easements can be found in Section 5.0. [These easements reduce the buildable area of the lot to approximately 3.5 acres.](#)

**Commented [JEL7]:** AHT recommends that Town Counsel review the easements so that we are presenting what they are, rather than what they appear to be

**MAHT Comments:** The RFP should include the most updated easement documents. A thorough review of these easements should be conducted by Town Counsel so that the RFP doesn't misrepresent their use and effect. Additionally, if the drainage easement was designed to accommodate the future redevelopment of this portion of this site, this information should be included in the RFP.

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### Project Permitting

The property is zoned RES A. Proposals should include a description of the permitting process that the developer plans to use. The Town anticipates permitting will be through M.G.L. Chapter 40B (Comprehensive Permit).

**Commented [JEL8]:** The AHT wants to clarify that this will be a friendly 40B/local initiative program

**Commented [JEL9R8]:** Or could potentially be a PUD

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**MAHT Comments:** Affordable Housing projects on town-owned/controlled land can benefit from the Local Initiative Program (LIP) and are sometimes referred

to as friendly 40Bs. A friendly 40B signals that the developer and Town are working collaboratively to ensure the project meets community needs.

### **Rental Management**

The successful respondent's development team must include a qualified and experienced property management firm, or, if not identified at the time of submission, a description of the process for

procuring such a firm and the performance standards to be met by the property management firm. There shall be on-site management and 24-hour emergency maintenance service.

## **V. Property Description**

### **Deed**

Norfolk County Registry of Deeds Book 35777 Page 371.  
Please see Attachment C for the Deed.

### **Zoning**

The property is currently zoned RES A; however, it is expected that the successful developer will work with the Town to gain approval of a "friendly" 40B permit utilizing a Comprehensive Permit  
development will be permitted through M.G.L. Chapter 40B.

**Commented [JEL10]:** See previous comment

### **Utilities**

- Water: Public/Town
- Wastewater/Sewer: Public/Town
- Electric: Eversource
- Gas: National Grid

### **Watershed Study**

The Milton AHT commissioned a Watershed study that summarizes the storm water characteristics of the site and surrounding area and makes recommendations for mitigating permanent and construction period impacts related to the proposed potential affordable housing development (Project) at the Site. The study can be found at Attachment F.

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**Commented [LS11]:** Was this done?

**Commented [JEL12R11]:** no

**Commented [JEL13R11]:** Delete section

**Commented [LS14]:** Decision hasn't been made on lease or sale

### **Ground Lease**

The Ground Lease shall require the Proposer to maintain insurance in amounts reasonably acceptable to the Town and name the Town as an additional insured, and shall be an absolute triple net lease, requiring the Proposer to be solely responsible for the maintenance and operation of the property, including, without limitation, the payment of utilities, taxes and

insurance of the property, among other costs. The Ground Lease shall be substantially similar to the Lease attached hereto and incorporated herein.

## VI. Proposal Submission Requirements

### The Development Team

The proposal must include a description of the development team, the individuals, and organizations involved in the development, **including the project manager**, and the experience of these parties. The development team may include, without limitation, the developer, property manager, architect, contractor, engineers, consultants, lenders, and investors.

Proposals must include:

- The name, address, e-mail address, and telephone number of the proposer; the name of any representative authorized to act on his/her behalf, and the name, title and contact information for the individual designated by the developer to receive all correspondence from the Town and its agents.
- The names and primary responsibilities of each individual on the development team.
- If the proposer is not an individual doing business under their own name, a description of the firm and legal form and status of the organization (e.g., whether a for-profit, not-for-profit, a general or limited partnership, a corporation, LLC, LLP) and the jurisdictions in which it is registered to do business. If the proposer is a non-profit entity, please include a list of the organization's Board of Directors and areas of expertise they represent.
- The ownership structure of the entity to enter into the Ground Lease and the Land Development Agreement with the Town and its relationship to any investors, lenders, and guarantors of debt, if any.
- Identification of all principals, partners, co-venturers, or sub-developers participating in the transaction, and the nature and share of each participants' ownership in the project.
- Identification of the person designated to be the property manager if the property developer will also be the property manager. If this is not the case, state the legal and financial relationship between the entities and describe the process for securing property management services and criteria and minimal qualifications it will use in selecting the property management firm.
- Identification of the development team, such as architects, engineers, landscape designers, contractor, and development consultants. In addition, provide background information, including firm qualifications and resumes for principals and employees expected to be assigned to the project.
- A summary of the developer's and the development team's experience, both collectively and individually, with similar projects. Particular attention should be given to demonstrate experience with **projects of a similar scale and complexity, site conditions, permitting issues, design and/or financing**, as well as location. Proposers should demonstrate the ability to perform as proposed and to complete the project in a

competent and timely manner, including the ability to pursue and carry out design, permitting, financing, construction, and marketing/unit absorption.

- A list of all projects in progress or planned with details of their status.

#### **Format**

Proposers should use the following format to submit the information required (above):

- For referenced projects: project name, location, project type, number of residential units, project scope, start date, projected and actual completion date, total development costs, development team, key personnel, and status.
- Narrative on why the Proposer's experience is relevant to the 165 Governor Stoughton Lane housing development.
- Description of the organizational structure of the development team and a plan for the maintenance of effective communications between the Town and the development team during all phases of the project.
- Information regarding any legal or administrative actions past, pending or threatened that could relate to the conduct of the Proposer, its principals, or any affiliates.
- Confirmation that no local, state, or federal taxes are delinquent and outstanding for the development team or any constituent thereof.
- Provision of third-party references for 3 completed projects including at least one affordable housing project. Provide contact names, title, and current telephone numbers, who can provide information to the Town concerning the Proposer's experience with similar projects.

#### **Development Concept**

The proposal must include a detailed description of the development concept for the property and its improvements, including but not limited to:

- Number and size of units (square footage and number of bedrooms) and affordability levels. Include narrative as to why/how the mix of bedrooms, sizes and affordability was determined to ensure project financial feasibility and appropriateness for the marketplace.
- Preliminary site design.
- Discussion of the physical plan and architectural character of the project and the various programmatic and physical elements of the development, including energy savings and green design elements of the buildings and site design.
- Construction staging plan and discussion of construction impacts as to how the project will be managed to limit impact on neighbors, in particular with respect to noise and traffic during the construction period.
- Project financing – provide a sources and uses pro forma (see comparative evaluation criteria), and describe previous experience in securing such funding. Describe in detail what, if any, local, state, or federal subsidy funds will be sought to create affordability and the timeline for securing those sources.
- Projected 10-year operating budget

- Letters of interest from both construction and permanent lenders (mentioned in the comparative evaluation criteria)

### **Conceptual Design Drawings**

The proposal must include 11 x 17 plans including:

- Site plan that shows parking layout and numbers of parking spaces, roadways and walkways, building footprints, any programmed outdoor space, and vegetated buffers.
- Landscape plan with sufficient detail on how the plan addresses limiting the project impact on surrounding areas and the users of those areas.
- Floor plans
- Elevations with material indications
- Typical unit plans
- Color Renderings from two perspectives

### **Management Plan**

Please provide a management plan that includes the following:

- Description of the target market (e.g., pricing and the strategy for marketing and lottery process).
- In addition, if the Proposer includes a property manager as part of the team, all relevant information as outlined under 'The Development Team', above, including details of any projects where the Proposer and Manager have previously worked together.
- Lottery for affordable units: To ensure a fair and equitable selection process for the affordable units, a lottery shall be conducted for all the affordable units. Proposals may include a lottery agent as part of the development team. A marketing/lottery plan shall be required as part of the approval of the units for inclusion on the Subsidized Housing Inventory prior to issuance of a building permit. For the proposal, the Proposer shall indicate any other lotteries they have been involved in, their role and the outcomes.
- Experience with Low Income Housing Tax Credits if proposed as a funding source.
- Experience with project-based rental assistance, Section 8, 811, and/or MRVP if proposing such subsidies.

The Proposer and/or its property manager must demonstrate:

- A clear understanding of fair housing requirements/laws.
- A clear understanding of the local preference opportunities and requirements, and how the lottery will address any local preference.
- Ability and commitment to utilize appropriate stated standards to determine program and unit eligibility – i.e., qualified tenants.
- Clear criteria for tenant selection and a fair and unbiased selection process.
- Competency for selecting properly qualified tenants.
- Ability and commitment to maintain all necessary reports and certifications required under state and federal law.

### **Implementation Plan and Timeline**

The proposed development should be completed within 4 years of the execution of the Land Development Agreement. Extensions may be granted at the discretion of the Select Board. The proposal must include a description of how the development concept will be implemented, including, but not limited to:

- Detailed development schedule for all elements of the plan including key milestones, financing benchmarks, zoning approvals and compliance, and projected completion/occupancy timeframes.
- Outline of the required land use, environmental, operation, and other governmental or regulatory approvals, including zoning, development, and environmental permits. The proposer should provide a schedule for securing approvals as part of the proposal. The Proposer should note what zoning variances, special permits, or modifications, if any, are required as part of the development plan.

#### **Price Proposal**

The Price Proposal Form (Attachment I) should be completed and submitted with the proposal. The Town expects the Lease Payment to be a nominal fee.

## **VII. Developer Selection Criteria**

#### **Minimum Threshold Criteria**

The following are minimum criteria for Proposal consideration. Proposals that do not clearly and fully convey compliance with these minimum criteria will not be considered.

- Complete conformance with all Submission Requirements (Sec. VI)

**All proposals submitted by the due date will be evaluated for conformance with the below stated minimum criteria. Those proposals that meet the minimum criteria will then be evaluated by the comparative criteria described below. Proposers may be invited to present their proposal to the review committee. The presentation will not be scored.**

- Price Proposal Form, setting forth the lease fee for the land, found in Attachment I
- Proposer must have a minimum of 5 years' experience in development. If the proposer does not have experience with affordable housing development, then a development consultant or partner must have 5 years' experience with affordable housing.
- A successful track record of similarly sized projects with at least 3 references
- Availability to begin work towards permitting within 60 days of executing the Land Development Agreement and show sufficient staff resources and availability to perform required services.
- Complete required forms found in Attachment I (Certificate of Tax Compliance), Attachment J (Certificate of Non-Collusion), Attachment K (Disclosure Statement required by M.G.L. c. 7C, Section 38 (formerly M.G.L. c. 7, Section 40J) and Attachment L (Certificate of Authority)

### **Comparative Evaluation Criteria**

Projects meeting the minimum threshold criteria will then be judged and scored based on the Comparative Evaluation Criteria further explained and outlined in Attachment A.

### **Proposal Submission Terms and Requirements**

- A. The Town reserves the right to reject any and all proposals in whole or in part, and to waive minor informalities, when in its sole discretion to do so is deemed to be in the best interests of the Town and to the extent permitted by law.
- B. Proposals that meet all quality requirements shall be evaluated based on responsiveness to the criteria, terms and conditions contained in this RFP and its attachments. Failure to follow the instructions, meet the criteria, or agree to the terms and conditions contained in this RFP may be cause for rejection of the proposal as non-responsive.
- C. All proposals shall be submitted to the Town, as and where set forth above, on or before the proposal deadline. Proposals and unsolicited amendments to proposals received by the Town after the proposal deadline will not be considered, and requests for extensions of time will not be granted. Proposers who mail proposals should allow sufficient time for receipt by the Town by the proposal deadline. Proposals received after the proposal deadline will be returned to the Proposer unopened.
- D. All proposals shall be signed in ink by the Proposer. If the Proposer is a corporation, the authority of the individual signing shall be endorsed upon, or attached to, the proposal and certified by the clerk of the corporation.
- E. All proposals submitted shall be binding upon the Proposer for a minimum period of one hundred twenty (120) calendar days following the opening of proposals.
- F. Proposals submitted to the Town shall be securely kept and shall remain unopened until the proposal deadline and the opening of proposals.
- G. Proposals once submitted may, upon request of the Proposer prior to the proposal deadline, be withdrawn or amended. If amended, resubmission of the proposal shall comply with all requirements of this RFP. No amendments may be made, or proposals withdrawn after the proposal deadline.
- H. Negligence on the part of the Proposer in preparing the proposal confers no right of withdrawal after the proposal deadline. The Town does not assume any responsibility for errors, omissions, or misinterpretations which may have resulted in whole or in part from the use of incomplete proposal documents. Any Proposer finding an ambiguity, inconsistency, or error shall promptly notify the Town.
- I. If it becomes necessary to revise any part of this RFP or if additional data are necessary to enable an exact interpretation of provisions, such addenda will be provided to all Proposers who have requested this RFP and provided their contact information. No addenda will be issued within the immediate five (5) business day period prior to the proposal deadline.

- J. By submitting a proposal in response to this RFP, the Proposer shall be deemed to have certified that no officer, agent, or employee of the Town has a direct or substantial financial interest in the procurement, that the proposal is submitted in good faith and exclusively on Proposer's own behalf, without fraud, collusion or connection of any kind with any other Proposer for the same work or with any undisclosed party.
- K. Proposers may add additional stipulations or otherwise qualify their proposals, but the Town shall retain the sole right to judge the importance of any such stipulation or qualification. If the Town determines that the stipulation or qualification is not in its best interest and/or is materially unacceptable, and if the Proposer does not clearly indicate this to be an alternative for consideration, then the Town reserves the right to reject such proposal.
- L. Selection of a Proposer's proposal will not create any rights on the Proposer's part, including, without limitation, rights of enforcement, equity, or reimbursement, until the Land Development Agreement and all related documents are fully executed.
- M. It is understood, agreed upon and made a part hereof, and shall be a part of the Land Development Agreement, that the Agreement entered into between the Town and the Proposer and/or the Proposer's rights therein shall not be assigned, except to an entity formed by the Proposer for the purpose of entering into the Group Lease, unless or until the Town shall have first assented thereto in writing, in its sole discretion.
- N. The Town reserves the right to modify any specifications and submission requirements associated with the proposal and the scope of the project.

### **VIII. Selection Process**

A evaluation committee, which will include The evaluation committee, consisting of the Milton Affordable Housing Governor Stoughton Trustees, will review and evaluate all proposals that have been received by the submission deadline based on the criteria outlined herein, and make a recommendation to the Governor Stoughton Trustees Select Board after determining which proposal is deemed the most advantageous and responsive proposal. Evaluation of the proposals will be based on the information provided in the Proposers' submissions in accordance with the submission requirements of this RFP and any interviews, references, and additional information requested and/or gathered by the Town.

**Commented [JEL15]:** AHT would be happy to join the GST as part of the evaluation committee

Each proposer must include sufficient supporting material to allow a meaningful and comprehensive evaluation of its proposal. The Town reserves the right to disqualify any proposal or response due to insufficient supporting or explanatory information, or to request additional supporting information. The Town may request additional information of one or more proposers relative to a proposal or qualifications. Requests shall be in writing with the expectation of a written response within a specified time. Proposers may also be invited to appear before the evaluation committee and/or the Select Board. Failure to comply with this request will result in a rejection of the proposal at issue.

Following the receipt of any additional information requested of the proposers by the Town, if any, proposals will be evaluated and rated by the Town according to the

comparative evaluation criteria set forth in this RFP. The Town will select the most advantageous proposal, taking into consideration all the evaluation criteria set forth in this RFP.

The Town will notify all Proposers in writing of its decision.

The Town reserves the right to reject any or all proposals or to cancel this Request for Proposals at any time if doing so is in the best interest of the Town.

#### **IX. Post Selection**

##### **Land Development Agreement and Ground Lease**

The proposer selected by the Town will be given exclusive rights to negotiate with the Town the terms of the Land Development Agreement (LDA) and the Lease of the property, which LDA and Lease will be substantially on the same terms as the LDA and Lease attached hereto as Attachment D. If, at any time, such negotiations are not proceeding to the satisfaction of the Town, at its sole discretion, then the Town may choose to terminate said negotiations. The Town may select another proposer with whom to initiate negotiations.

The selected proposer and the Town shall enter into the LDA within ninety (90) days from the date the proposer is notified of the award unless the Town extends the same, in its discretion. Once all conditions of the LDA are met, the Ground Lease will be finalized and endorsed.

##### **Chapter 30B Real Property Developments to Promote Public Purpose Requirements**

If the Town determines that the public purpose of the project is best met by leasing the property for less than fair market rental value, the Town will post a notice in the Central Register explaining the reasons for this decision and disclosing the difference between the fair rental value and the rent to be received. This notice will be published before the Town enters into any agreement with the selected developer.

## Attachments

- A. Comparative Evaluation Criteria
- B. Locus Map and Existing Conditions Survey
- C. Deed
- D. Draft Land Development Agreement and Ground Lease
- E. Housing Production Plan
- F. Bohler Reports: Due Diligence and Watershed
- G. Conceptual Site Designs
- H. Price Proposal Form
- I. Certificate of Tax Compliance
- J. Certificate of Non-Collusion
- K. Disclosure Statement
- L. Certificate of Authority

**Commented [JEL16]:** The AHT did not believe that this constituted a watershed analysis & wants to potentially add Cliff Boehmer's study as an additional attachment

## ATTACHMENT A

### Comparative Evaluation Criteria: 165 Governor Stoughton Lane Milton, MA 02186

	Unacceptable	Advantageous	Highly Advantageous
<b>Developer Experience &amp; Capacity (Team)</b>			
<ul style="list-style-type: none"> <li>• Demonstrated experience as a principal or lead development officer in and capability for designing, permitting, developing, and managing similar residential projects.</li> <li>• Outcome of comparable projects</li> <li>• Property management experience with similar projects</li> <li>• The quality of the team's reputation and references, particularly in terms of its regulatory track record and ability to complete projects as proposed</li> <li>• Success in marketing approach, including affirmative fair housing marketing plans and lottery, meeting State requirements</li> </ul>	<p>Development team members have only minimal experience in the development of projects with similar scope – including legal, design, development, financing, and management experience with rental housing.</p>	<p>Development team members have significant experience in the development of projects of similar scope – including legal, design, financing, affordable housing management. Energy efficient buildings are not part of standard approach. Past developments demonstrate good property management structure.</p>	<p>Development team members have extensive experience in the development of projects of similar scope – including legal, design, financing, affordable housing management. Energy efficient design is their standard approach to design and development. Past developments demonstrate excellent property management structure and professionalism.</p>
<b>Affordability</b>			
Proposal meets a range of incomes. All the units must be restricted to households at or below 80% AMI	Less than 100% of the units are affordable to 80% AMI.	All units are affordable to 80% AMI	All the units are affordable to 80% AMI or below with the affordability ranging from 50% AMI to 80% AMI
<b>Site Design</b>			

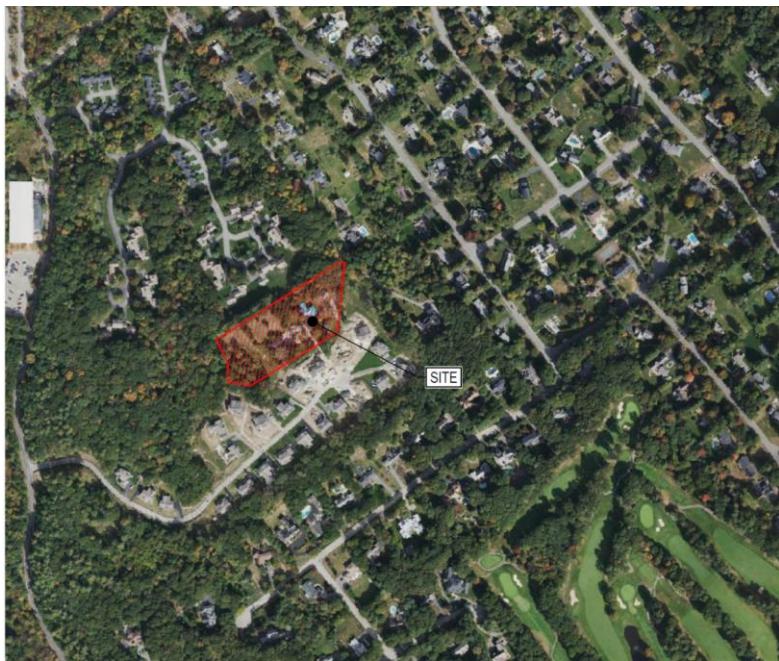
<ul style="list-style-type: none"> <li>• Thoughtful and efficient site design using the natural topography of the site as much as feasible.</li> <li>• Efficient, safe internal traffic flow</li> <li>• Underground utilities</li> <li>• Exterior lighting – minimal impact to neighbors and night sky</li> <li>• Landscape plan including within parking area includes native plantings and, when feasible, enhances rather than replaces existing vegetation.</li> <li>• Designated area for snow</li> <li>• Adequate parking and walkways for residents and visitors</li> <li>• Natural buffer to surrounding residential neighbors as required in the narrative (Section IV, Site)</li> <li>• Respects adjacent properties.</li> <li>• Provides programmed outdoor community gathering space for a variety of ages.</li> <li>• Includes bike racks.</li> </ul>	<p>Proposal fails to meet the majority of the RFP criteria for site design.</p>	<p>The proposal meets some or all of the RFP site design criteria with thoughtful building siting, safe, efficient traffic flow, and maintains the natural buffers to surrounding neighborhoods, as required.</p>	<p>Proposal meets or exceeds all of criteria</p>
<p><b>Infrastructure and Green Design</b></p> <ul style="list-style-type: none"> <li>• Underground utilities</li> <li>• Storm water management uses standards of low impact development.</li> <li>• Buildings are located for maximum solar potential.</li> <li>• Roof construction is “solar ready” (designed to support solar panels)</li> <li>• Meets green design standards for LEED, Passive House, or other comparable programs.</li> <li>• Provide charging station(s) for EVs.</li> </ul>	<p>Proposal fails to meet a majority of the RFP criteria for infrastructure and green design</p>	<p>The proposal meets some of the RFP infrastructure and green design criteria</p>	<p>Proposal meets the or exceeds all of criteria</p>

Building Design			
<ul style="list-style-type: none"> <li>Conceptual design includes no more than 3 buildings.</li> <li>Exterior is of high quality, while remaining compatible with local architectural design</li> <li>Creative design that is cost effective and high quality.</li> <li>Interior design and layouts meet a variety of household sizes, aesthetics, and resident mobility needs.</li> <li>Finishes support durability and low maintenance for tenants</li> <li>Construction maximizes soundproofing between units.</li> <li>Provides community space for residents, preferably with kitchen facilities</li> <li>Includes office space for management.</li> <li>Provides storage space, either in basements or sheds</li> <li>Prefer individual exterior space (patios or balconies)</li> </ul>	<p>Design appears incongruous with local designs, interior layout does not meet a variety of household types and mobility needs, and does not comply with a majority of the RFP criteria</p>	<p>Design reflects or complements local designs, layout provides for a variety of household types and mobility needs, Complies with a majority of the RFP criteria and preferences</p>	<p>Design proposal articulates a creative development vision that is a cost-effective, energy efficient, attractive design that reflects and/or complements the local aesthetics and provides a variety of household types and mobility needs. Complies with all the RFP criteria and preferences</p>
Financial Feasibility			
<ul style="list-style-type: none"> <li>Adequacy of proposed budgets (development and operating)</li> <li>Appropriateness of rents in relation to the market</li> <li>Track record of securing proposed financing</li> <li>Availability and likelihood of approval of proposed pre-development, construction, and permanent financing</li> </ul>	<p>Proposal does not demonstrate an understanding of development costs and operating budgets for affordable housing and/or does not have a successful record of securing financing.</p>	<p>Proposal contains realistic development and operating budgets and evidence of success in securing necessary financing.</p>	<p>Proposal contains realistic development and operating budgets and evidence of a high degree of success in securing necessary financing and other sources of funding.</p>

References, Site Visits, and Interviews			
<ul style="list-style-type: none"> <li>• A minimum of three references including references from all projects undertaken in the last 10 years</li> <li>• The evaluation committee may choose to visit proposers' completed projects.</li> <li>• The evaluation committee may require proposers to present their proposals. Presentations will not be scored.</li> </ul>	<p>Did not provide a minimum of 3 references, or references were poor and/or inadequate. Properties visited were in poor condition.</p>	<p>Strong references reflecting projects came in on time and within budget, good property management structure. Properties visited were in good condition, site layout was efficient, and buildings were well designed.</p>	<p>Strong references reflecting timely completion, excellent budget control, excellent property management structure and professionalism of developer. Properties visited were in great condition, site layout building design, and landscaping excellent, and use of energy efficient and durable materials.</p>

**Attachment B**

**Locus Map – 165 Governor Stoughton Lane Milton, MA 02186**





**Lower Neponset River**  
Milton, Quincy and Boston, Massachusetts

# **Lower Neponset River Dredge Feasibility Study**

Milton, Massachusetts

May 2023

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**Appendix A      Sediment Sampling and Analysis Summary**

**Appendix B      Neponset River Estuary ACEC RMP**

**Appendix C      Cross Sections**

**Appendix D      Preliminary Project and Permitting Schedule**

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# **Section 1**

## **Introduction**

### **1.1 Project Purpose**

The Town of Milton, partnering with the Cities of Quincy and Boston, received a Seaport Economic Council Grant for a feasibility study for maintenance dredging of a navigable channel in the Neponset River between the Milton Yacht Club and the Neponset Avenue (Route 3A) Bridge, immediately upstream of the Dorchester Bay Federal Navigation Channel. In addition, the following two areas were included in the study: the Squantum Channel between Squantum Point Park Pier and the Dorchester Bay Federal Navigation Channel, and the Columbia Point Channel between Columbia Point (John T. Fallon State Pier at the University of Massachusetts Boston) and the Dorchester Bay Federal Navigation Channel.

### **1.2 Project Summary and Scope**

The goal of this feasibility study is to identify the limits of dredging, analyze sediment for potential contaminants that would influence disposal options, and develop a permitting pathway. Existing sedimentation restricts recreational boating, water taxis, and safety in police response in these areas. Dredging of these areas will improve boating access and help stimulate the “Blue Economy” in Milton.

This feasibility study includes the results of preliminary desktop mapping and data collection, a conceptual design for sediment removal, sediment management alternatives, a recommended permitting pathway, and preliminary Opinion of Probable Construction Cost (OPCC) for permitting and project implementation. The report will serve as a decision-making document as the project moves into the next steps of design, permitting and procurement for the project. The report was initiated to provide a realistic assessment of the costs, benefits, permit requirements, and associated environmental issues associated with dredging the Neponset River between Milton Yacht Club and the Neponset Avenue Bridge, the Squantum Channel, and the Columbia Point Channel.

#### **1.2.1 Neponset River**

A bathymetric survey (map of sediment depth) was completed in October 2021 by J.R. Cashman Marine Contractors of Quincy, Massachusetts. This data was used to estimate the volume of sediment to be removed to provide a navigable channel. Sediment cores were also collected, and sediment samples were submitted for laboratory analysis to determine texture (particle size distribution) and chemical quality of the deposited material. Based on the target depth of overlying water to be attained, the surface area to be dredged, the bathymetry data, and a target channel width of 100 feet at a depth of -6 feet at Mean Lower Low Water (MLLW), with a one (1) foot overdredge, it is estimated that approximately 50,000 cubic yards of sediment would need to be removed within the Neponset River. In addition, approximately 25,000 cubic yards of sediment would potentially be generated from channel dredging and improvement dredging in the immediate vicinity of Milton Landing for a total of 75,000 cubic yards of dredged material upstream of the Dorchester Bay Federal Navigation Channel.

A primary challenge for dredging projects is identifying appropriate areas for both sediment dewatering and disposal or reuse. Tighe & Bond's sediment sampling revealed the presence of polychlorinated biphenyls (PCBs) in sediment throughout the project area, eliminating many potential reuse options, and significantly increasing potential sediment disposal costs. The presence of PCBs in sediment is attributed to migration of these contaminants from sites located along the Lower Neponset River and Mother Brook, which are both located upstream of the project area and within the recently designated Lower Neponset River Superfund Site.

The Superfund Program is administered by the United States Environmental Protection Agency (EPA). EPA anticipated that the Remedial Investigation and Feasibility Study for the Lower Neponset River Superfund Site will commence in Spring 2023 and take several years to complete. EPA has not yet indicated when they anticipate Remedial Activities to Commence or achieve substantial completion.

A preliminary OPCC was developed as part of this report, based on our experience with similar projects, and consultation with industry experts in dredging and materials management. Our preliminary OPCC indicates that the total project for the Neponset River dredging could range from \$25,000,000 to \$37,500,000. The estimated sediment disposal costs for the alternatives range from approximately \$15,000,000 to \$22,500,000.

The preliminary estimated project costs above are based on a unit cost of \$500 per cubic yard of dredge material. Significant additional coordination with Federal and State regulatory agencies will be necessary to satisfy the requirements established in the Toxic Substance Control Act (TSCA), which regulates management and disposal of materials contaminated with PCBs. It will be important to coordinate pre-permitting meetings with regulatory agencies early in the process to initiate discussions regarding any time of year restrictions (fisheries), project staging and support area constraints, and sediment management options.

Based on the significant costs associated with the proposed maintenance dredging project, the Town of Milton may elect to lobby EPA for the project area to be included as an Operable Unit (OU). During investigation and remediation, a Superfund Site can be divided into several distinct areas depending on the complexity of the problems associated with the site. These areas (OUs) may address geographic areas of a site, specific site problems, or areas where a specific action is required. Inclusion into the Superfund Site as an OU would likely allow the Town to realize significant cost savings over proceeding with the project independently, however, the timeline for EPA's investigation and remediation of the Superfund Site may result in the project extending into the late 2020s or 2030s.

### **1.2.2 Squantum Channel and Columbia Point Channel**

Bathymetric survey of the Squantum Channel and the Columbia Point Channel was conducted in February 2023 by J.R. Cashman Marine Contractors of Quincy, Massachusetts. Tighe & Bond has requested the authorized channel widths and depths from the Army Corps of Engineers. At this time, the Corps has not provided Tighe & Bond with this information, and the anticipated dredge volumes have not been determined for the Squantum Channel and Columbia Point Channels.

## 1.3 Neponset River – Existing Conditions

The Neponset River flows 27 miles (45 km) from the Neponset Reservoir in Foxboro to Dorchester Bay. The total drainage area of the watershed is 323 miles. The project area consists of the Lower Neponset River from the Milton Yacht Club to the Neponset Avenue (Route 3A) Bridge and shown on Figure 1-1. The proposed dredge area is shown in orange on Figure 1-2 and is located between stations 1+00.00 and 41+00.00 as depicted on Figure 1-1. The entire project area is located within the Neponset River Estuary, which is designated as an Area of Critical Environmental Concern (ACEC) and subject to a Resource Management Plan (RMP). The proposed dredge site is immediately upstream of the Dorchester Bay Federal Navigation Channel and immediately downstream of the Lower Neponset River Superfund Site.

Shoaling has significantly reduced the ability of recreational boats, water taxis, and police and fire boats to access Milton Landing, as well as areas within the Neponset River, the Squantum Channel, and the Columbia Point Channel. At Milton Landing, the existing boat ramp and floating dock are only usable during high tide. There is not enough depth within the channel to provide consistent adequate draft for water taxis that could support alternative transit and the Blue Economy within Milton, as well as the adjacent communities of Quincy and Boston. Furthermore, access by first responder boats is significantly restricted to the higher tide cycles by the shoaling.

Previously, the state dredged a channel from Milton Landing to the Neponset Avenue Bridge. This connects with the Dorchester Bay Federal Navigation Channel that is 100 feet wide by 15 feet deep. In 1982, the Massachusetts Department of Environmental Quality Engineering Division of Waterways commissioned a feasibility study for the dredging of this portion of the Neponset River that constitutes the project site. The study recommended the federal channel width of 100 feet be extended upstream to the Milton Town Landing with the following depths: -10 feet Mean Low Water (MLW) from the upstream terminus of the federal channel to the Granite Avenue Draw Bridge; a tapering depth of -10 to -6 feet MLW through the mooring area of the Neponset Valley Yacht Club to a point about 1,050 feet upstream of the Granite Avenue Bridge; and from this point to the Milton Town Landing, a proposed depth of -6 feet MLW. This project was not implemented as described due to lack of funding and permit concerns about dredging and disposal impacts, but maintenance dredging did take place in the area of Milton Yacht Club.

Figure 1-1 shows the proposed project area within the Neponset River.

**FIGURE 1-1**  
**STATIONING MAP**



**FIGURE 1-2**  
**DREDGING AREA**



### **1.3.1 Area of Critical Environmental Concern (ACEC)**

The estuarine section of the river extends from Lower Mills Dam to its mouth at Commercial and Squantum Points, an area of approximately 1,300 acres. Among its resources are one of the two remaining salt marshes in Boston Harbor, fisheries and wildlife habitat, active and passive recreation, historic and anthropological sites, and natural and urban vistas. The estuary is also an economic resource. A variety of industrial, commercial, and residential uses and infrastructure exist within and alongside the natural resources. The value of these resources was found to be of regional significance in the ACEC designation for their outstanding and natural and cultural characteristics, and for the intrinsic value of the estuarine ecosystems.

In 1996, a Resource Management Plan (RMP) was developed for the Neponset River Estuary Area of Critical Environmental Concern (ACEC). One of the goals of the RMP was to preserve and encourage water dependent uses. The RMP recognizes that dredging is key for water-dependent uses and allows maintenance dredging, which is defined as the dredging of areas that have in the past been authorized for dredging regardless of whether dredging has ever been done.

The RMP identifies previous authorizations for dredging within the Project Area. These include:

- South of the Neponset Avenue Bridge to the Granite Avenue bridge, dredging was authorized at 100 feet wide, -6.0 MLW.
- From the Granite Avenue Bridge to Godfrey's Coal Wharf, dredging was authorized at 75 feet wide, -6.0 MLW.
- In front of Godfrey's Coal Wharf, dredging was authorized not less than 50 feet wide. The mooring basin in front of Vose's Grove was authorized to -6.0 MLW. In addition, dredging and maintenance of a 2-mile-wide channel between the Neponset Bridge and the Milton Mills to -6.0 MLW was required.
- Dredging was also required of the Commonwealth as a condition of ACOE dredging north of the Neponset Bridge in 1907.

This information can be found in the ACEC RMP and Table 1-1 below. The project aims to conduct maintenance dredging at the maximum limits previously authorized, which is a 100' wide channel from the Neponset Avenue Bridge to Milton's Landing to a depth of -6 MLW and within the limits of Milton's Landing.

The RMP defines improvement dredging as new dredging of an area that has not been authorized previously and prohibits improvement dredging in the ACEC, except for the sole purpose of fisheries or wildlife enhancement. As such, improvement dredging is not proposed for this project.

Table 1-1 lists areas previously authorized for dredging in the Neponset River from the ACEC RMP, which is included as Appendix B. Based on the previously authorized dredging areas, the Milton Landing area and a 100-foot-wide channel between Milton Landing and Neponset Avenue Bridge are authorized. Therefore, our feasibility study focused on these areas.

**Table 1-1:** Permits and Licenses for Previous Structures, Dredging and Fill in the Neponset Estuary ACEC

Location	Date	Permit	Permittee	Agency	Dredging	Conditions
<b>Milton Yacht Club</b>	May 1983	Contract No. 3002	DEQE - Division of Waterways		Maintenance dredge channel in Neponset River to -6.0 MLW (min width 100')	COE 404 permit prohibits dredging between March 1 through June 30 for protection of anadromous fishery
	July 1967	Contract No. 2585	DPW – Division of Waterways	DPW	Dredge channel and basin in Neponset River to -6.0 MLW (min width 100'; plan shows wider area)	
<b>Neponset River south of Neponset Avenue Bridge</b>	August 2023	Contract No. 84; Authorized by chapter 353 of the Acts of 1923			Neponset Avenue Bridge to Granite Ave bridge: 100' wide, -6.0 MLW Granite Ave. Bridge to Godfrey's Coal Wharf: 75' wide, -6.0 MLW	Narrative with ACOE's condition survey of 1985 states this dredging was done and has been maintained since 1910.)
					In front of Godfrey's Coal Wharf: not less than 50' Mooring basin in front of Vose's Grove to -6.0 MLW	
					Dredge and maintain a 2-mile reach of channel between the Neponset Bridge and Milton Mills to -6.0 MLW. (This dredging was required of the Commonwealth as a condition of ACOE dredging north of Neponset Bridge in 1907.)	
<b>224 Adams Street, Milton</b>	August 1984	C. 91 #1098	Marion R. Lynch	DEQE	Maintain a pier and float; construct and maintain a boat launching ramp and wall	
	December 1983	WQ Certification #83W-140	Marion R. Lynch	DEQE / DWPC	Maintain existing pier and float, construct and maintain a boat launching ramp	Remove unauthorized fill
	May 1976	C. 91 #125	Teresa L. Grogan	DEQE	Dredging 37' x 75' to depth of -4.0 MLW	Build and maintain a pier and float; asphalt boat launching ramp extending 95' into tideware
<b>Neponset Valley Yacht Club</b>	March 1956	Contract No. 1594	DPW- Division of Waterways	DPW	Dredge channel to -8.0 MLW (min width 200')	

### **1.3.2 Superfund Site Designation**

On March 16, 2022, the EPA listed the Lower Neponset River on the National Priorities List. The Lower Neponset River Superfund Site currently consists of a 3.7-mile section of the Neponset River between its confluence with Mother Brook in Hyde Park and the Walter Baker Dam in Milton. Based on preliminary studies, this portion of the river contains sediment contaminated with elevated levels of PCBs. As PCBs are also present in sediment within the Project Area, the impacted sediment would likely be designated as a PCB remediation waste in accordance with Federal Regulations 40 CFR 761 (TSCA). Future coordination and correspondence with EPA representatives are necessary to determine if sediment generated by the project might be managed in conjunction with Superfund site restoration activities, or if the Project Area would be designated as an OU.

### **1.3.3 Mother Brook Remediation**

Mother Brook is located at the upstream extent of the Lower Neponset River Superfund Site. Remediation of PCB-impacted sediment at Mother Brook from 2007 to 2011 included sediment sampling, diversion of stream flow, dredging, and bank restoration. Most of the removed sediment was managed as PCB remediation waste under TSCA.

In addition to the data provided in the 2014 USGS study, Tighe & Bond completed a file review of MassDEP records associated with the Mother Brook remedial effort to better understand potential requirements for dredging PCB-contaminated sediments. Several MassDEP Release Tracking Numbers (RTNs) are associated with Mother Brook, addressing different reporting conditions and discrete areas of contamination. The following RTNs are associated with the site and the surrounding area: 3-27168, 3-0730, 3-27067, 3-27790, 3-27791, 3-28336, and 3-28835. Two companies were primarily responsible for the Mother Brook remediation project, Thomas and Betts, and New Albertsons. A summary of remediation efforts and remedial waste disposal locations is provided for each of the RTNs below.

In October of 2007 MassDEP issued directives to require remediation of PCB impacted bank areas as a stand-alone project and eliminate the need to link RTN 3-27168 to multiple source area RTNs. The bank remediation project was conducted concurrently under RTN 3-0730 by Thomas and Betts. TSCA Hazardous Waste was transported under RTN 3-27168 to EQ Wayne's Disposal Inc. Landfill in Belleville, Michigan. Non-TSCA remediation waste was transported under a BOL to Waste Management of Northern New England's Turnkey Recycling and Environmental Enterprises (TREE) in Rochester, NH.

Under RTN 3-0730, TSCA and Non-TSCA Waste was excavated, and a site dewatering system operated under the Remediation General Permit (RGP) permit number MAG910251 to address contaminants including TPH, VOCs, and PCBs. Non-TSCA material was transported to TREE in Rochester, NH. TSCA material was transported to Wayne's Disposal Site Landfill in Michigan.

Under RTN 3-27791, TSCA waste was transported to Wayne's Disposal Landfill in Belleville, MI (6,446.39 Tons) and CWM Chemical Services LLC at 1550 Balmer Road in Model City, NY (4,207.42 tons). Non-TSCA waste was transported to Environmental Soil Management Inc. (ESMI) in Loudon, NH (7091.41 tons) and TREE in Rochester, NH (2,386.55 tons).

Under RTN 3-28835, approximately 8,720 tons of TSCA waste was transported to Wayne's Disposal Landfill in Belleville, MI and CWM Chemical Services in Model City, NY.

Approximately 5,563 tons of non-TSCA waste was transported as Non-TSCA to TREE in Rochester, NH and ESMI in Loudon, NH.

### 1.3.4 Potential PCB Contamination Sources

In 2014, the U.S. Geological Survey (USGS) released a detailed study of the PCBs present in the Neponset River and the Neponset River estuary to determine potential sources. The concentrations, loads, and sources of PCBs in the Neponset River and Neponset River Estuary were determined by collecting, analyzing, and interpreting sampling data from several different types of media, including bottom sediment, extracts from passive-water samplers, fish tissue, and directly collected water. Some bottom-sediment samples in the Neponset River and the Neponset River Estuary contained PCBs in concentrations well above sediment-quality guidelines (2,000 nanograms per gram [ng/g] or parts per billion [ppb]) and could be classified as moderately regulated waste (50 to 499 milligrams per kilogram [mg/kg]) according to the TSCA.

PCBs were commercially manufactured and sold as specific mixtures under the trade name Aroclor and are a group of organic compounds that consist of 209 distinctly different compounds (known as congeners) based on the number of attached chlorine atoms. The specific congeners present in environmental samples (i.e. sediment or water samples) provide a "fingerprint" of PCB-congener patterns. Data collected as part of the 2014 USGS study found that the PCB congeners present in sediment downstream of the Walter Baker Dam were consistent with those found in upstream areas, particularly those that originated from Mother Brook.

Data collected as part of the 2014 USGS study are consistent with the hypothesis that widespread PCB contamination of the lower Neponset River (originating from Mother Brook and other upstream sources) likely started prior to 1955, at which time the failure of several dams along the river released PCB-contaminated sediment downstream and into the estuary. Subsequently, all but one of the dams were rebuilt, but PCBs from upstream locations continue to act as a source area. The volume of PCBs being discharged to the Estuary varies throughout the year, increasing during periods of higher river flow, as determined by USGS through the collection of water samples at the Milton Village stream gage. PCBs either diffuse into water or are entrained back into the water column with suspended sediment, and are transported downstream by river water; PCBs also are taken up by fish and wildlife and transported in their tissue.

The sediment sampling conducted by Tighe & Bond in 2022 revealed that PCB contamination continues to be present downstream of the Walter Baker Dam, and that the Arocolor and congener makeup of those PCBs remains consistent with those found during the 2014 USGS study. Further details regarding the 2022 sediment sampling at the proposed project site can be found in Section 2 and attached in Appendix A.

## 1.4 Information Sources

Previous studies/information sources evaluated as part of the project include the following:

- Massachusetts Executive Office of Environmental Affairs. Neponset River Estuary Area of Critical Concern Resource Management Plan. March 1996.
- J.R. Cashman Marine Contractors of Quincy, Massachusetts. Bathymetric Survey of the Lower Neponset River. 2021.

- J.R. Cashman Marine Contractors of Quincy, Massachusetts. Bathymetric Survey of the Lower Neponset River. 2023.
- Lower Neponset River Boston / Milton Superfund Site website: [www.epa.gov/superfund/lowerneponset](http://www.epa.gov/superfund/lowerneponset)
- U.S. Geologic Survey. Concentrations, Loads, and Sources of Polychlorinated Biphenyls, Neponset River and Neponset River Estuary, Eastern Massachusetts. Volume 1.1, June 2014.

## Section 2

# Sediment Quality and Quantity Evaluation

### 2.1 Methodology - Sediment Characterization

In July 2022, Tighe & Bond completed a preliminary sediment quality evaluation in the project area. Based on the urban watershed, the industrial history of the Neponset River upstream of the project area, and the recently designated Lower Neponset River Superfund Site, the presence of contaminants in sediment was not unexpected. Table 2-1 shows the summary sediment quality table for the eleven sediment samples taken from the proposed maintenance dredging area. Samples SED-101 through SED-109 were taken in the Neponset River. SED-110 was taken in the Squantum Point Channel and SED-111 was taken in the Columbia Point Channel. Sample locations are shown on Figure 2-1.

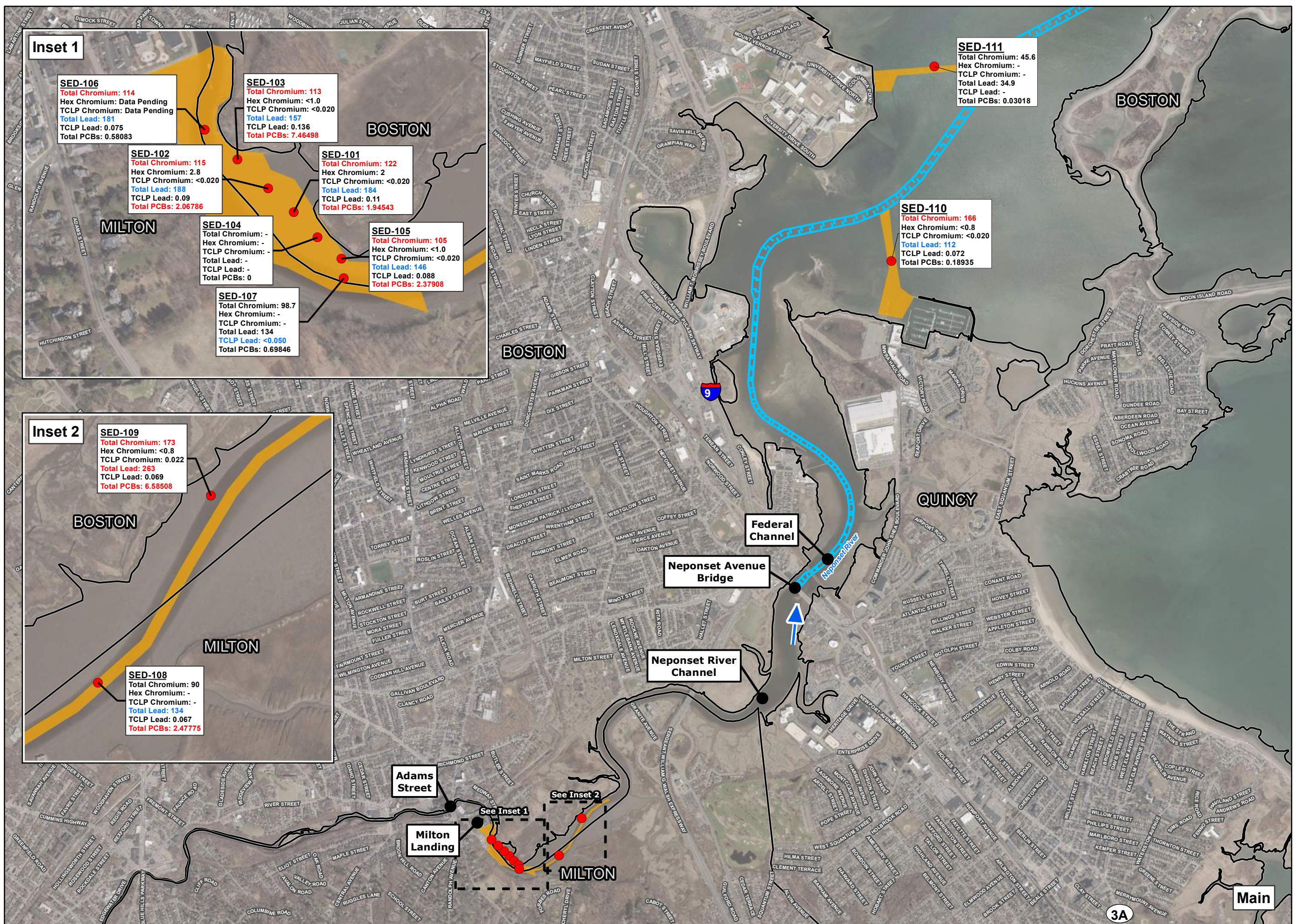
**Table 2-1** Summary Sediment Quality Table

Sample ID	Date	Water Depth <sup>1</sup>	Penetration <sup>1</sup>	Recovery <sup>1</sup>	Total Chromium	Total Lead	TCLP Lead	Total PCBs
SED-101	6/28/2022	6.7	6	5.5	122	184	0.110	1.95
SED-102	6/28/2022	7.2	6	5.2	115	188	0.090	2.07
SED-103	6/28/2022	7.5	6	5.5	113	157	0.136	7.46
SED-104	6/28/2022	7.2	6	5.5	-	-	-	0.00
SED-105	6/28/2022	7.4	6	5.5	105	146	0.088	2.38
SED-106	6/28/2022	9.4	6	4.9	114	181	0.075	0.581
SED-107	6/28/2022	11.4	6		98.7	134	<0.050	0.698
SED-108	6/28/2022	11.8	6	5.5	90	134	0.067	2.48
SED-109	6/28/2022	11.2	6	5.4	173	263	0.069	6.59
SED-110	6/28/2022	20.8	6	5.5	166	112	0.072	0.189
SED-111	6/28/2022	13.9	5.3	4.6	45.6	34.9	-	0.0302

Laboratory analytical results were compared to the MassDEP RCS-1 and COMM 94-007 lined landfill acceptance criteria to aid in evaluating potential management options for the sediment. Laboratory results indicated that PCBs, total chromium, and total lead are present in sediment at concentrations greater than MassDEP RCS-1 values. The presence of these contaminants at concentrations above RCS-1 values eliminates the potential for unrestricted (upland) reuse of sediment during dredging activities (i.e. for beach nourishment). As previously mentioned, the presence of PCBs in sediment will likely require that the majority of sediment within the project area be managed as TSCA remediation waste, increasing sediment disposal costs due to the limited number of facilities that are permitted to accept TSCA remediation waste.

The full Sediment Sampling and Analysis Summary is included in Appendix A.

**FIGURE 2-1**  
**SEDIMENT SAMPLING LOCATIONS**



## **2.2 Proposed Estimated Dredge Volume**

In October 2021, J.R. Cashman Marine Contractors of Quincy, Massachusetts completed a bathymetric survey of the Neponset River project area on behalf of the Project Team. In accordance with Chapter 353 of the Act of 1923, the channel has a permitted width of 50 feet and depth of -6.0 feet at MLW. Previous authorizations indicate that dredging in a 100-foot-wide channel had been approved. Tighe & Bond utilized the 2021 bathymetric data and previously authorized channel width and depth to develop preliminary dredge volume estimates for the project area.

Based on preliminary calculations for the dredge areas assuming a 100-foot-wide channel to a depth of -6.0 feet MLW, approximately 50,000 cubic yards of sediment would be generated in the channel portion of the project area between Stations 1+00 and 41+00 on Figure 1-1. Downstream of Station 41+00, sufficient water column exists at MLW and maintenance dredging does not appear to necessary. In addition, approximately 25,000 cubic yards of sediment would potentially be generated from the channel dredging and improvement dredging in the immediate vicinity of Milton Landing, shown in orange on Figure 1-2. Cross sections of the dredge areas are provided in Appendix C. The preliminary calculations for the Milton Landing area are based on the approximate limits of an area previously authorized to be dredged, as shown in Figure 11A of the Neponset River Estuary ACEC RMP, and the dredge area proposed by Childs Engineering Corporation in their Results Summary Report for the Hydrographic Survey at Milton Landing and Proposed Site Improvements, dated May 18, 2018.

Bathymetric survey of the Squantum Channel and the Columbia Point Channel was conducted in February 2023 by J.R. Cashman Marine Contractors of Quincy, Massachusetts. Tighe & Bond has requested the authorized channel widths and depths from the Army Corps of Engineers. At this time, the Corps has not provided Tighe & Bond with this information, and the anticipated dredge volumes have not been determined for the Squantum Channel and Columbia Point Channels.

# Section 3

## Sediment Management Alternatives

### 3.1 Removal Methods

General construction industry practice is to allow construction contractors to establish the means and methods for undertaking the subject work. Dredging projects differ in that contractor means and methods can greatly affect the impact of the work on regulated resource areas, typically requiring the project to be planned and permitted based on the intended dredging method.

The main driver of the method of dredge that is best suited for a particular project is usually based on specific site constraints. There are few typical dredging methodologies in practice today and each methodology exhibits its own advantages and disadvantages. A general overview of dredging methodologies is summarized below.

#### 3.1.1 Wet Mechanical Dredging

Wet mechanical dredging incorporates the use of heavy equipment such as excavators or cranes using clamshell buckets but deploying and operating this equipment from barges or from land. Downgradient siltation controls must be installed to prevent sediment migration outside the limits of work. However, the use of specialized environmental clamshell buckets can allow increased control of sediment suspension compared to hydraulic dredging, making this method preferred for dredging contaminated sediments where dry mechanical dredging is not feasible. In most cases, this methodology eliminates the need for cofferdam and dewatering of the work area, reducing water control costs on the project site. However, barge operations are costly and production rates can be slow when transfer of the sediment on-land is involved, adding to the cost.

A benefit of mechanical wet dredging is limiting impacts to aquatic habitat and the use of the remaining resource area during construction. Since the dredged sediment is saturated, the costs associated with dewatering of the dredge material are increased when compared to a dry dredge operation. Mechanical wet dredging is generally understood to result in a water to sediment ratio of approximately 1:1. A laydown area to allow excess water to drain off of the dredged material would be necessary, and excess water would need to be treated to remove any dissolved or suspended contaminants prior to discharge.

#### 3.1.2 Hydraulic Dredging

Hydraulic dredging consists of using barges, pumps, and piping to create a slurry composed of sediment and water and pump it to a discharge location. Discharge sites often can consist of a series of detention/settling basins, geotextile tubes that retain sediment while releasing water, or mechanical dewatering equipment.

The cost effectiveness of hydraulic dredging increases in proportion to project size. Hydraulic dredging allows for the removal of large amounts of sediment very quickly, so projects that require the removal of large amounts of sediment are more likely to absorb more expensive mobilization costs presented by hydraulic dredging and realize savings through lower per unit costs. However, hydraulic dredging greatly increases the water content of sediment from in-situ levels, significantly increasing the volume of dredged

material that must be managed and dewatered. Hydraulic wet dredging is generally understood to result in a water to sediment ratio of approximately 10:1.

The ideal hydraulic dredging project is one in which dredging can continue unimpeded for extended durations without stopping and with a free discharge of the sediment slurry. Hydraulic dredging contractors will sometimes operate on a 24 hours per day, five to seven day per week basis to realize these savings.

If project constraints result in dredging downtime, such as discharging the sediment to mechanical dewatering equipment with limited throughput capacity or the need to selectively segregate sediments with differing contamination levels, the cost advantages of hydraulic dredging can be significantly reduced. Sunken logs, stumps, coarse rock, or significant vegetation can also cause significant delays in dredging production. Hydraulic dredging contractors may recommend that aquatic vegetation be harvested from weedy areas prior to dredging.

Feasibility concerns regarding the Neponset River include its location within the tidal zone, which may limit/impact hydraulic dredging options, and limited availability of upland areas where sediment dewatering could occur.

## **3.2 Dewatering Options**

Technologies for the dewatering of dredged sediments are generally broken down into passive dewatering methods and mechanical dewatering technologies. Passive methods rely on natural evaporation and gravity to remove water from sediments and typically involve the pumping or trucking of dredged sediments to a centralized dewatering location consisting of settling basins or other means by which sediment particles settle out of the water for subsequent recovery and disposal. The discharged water is treated as necessary and returned to the water body. Chemical additives can be used at the front end of the dewatering process to enhance the initial separation of solids and reduce settling times or during the polishing processes to reduce turbidity of the final discharge.

Mechanical dewatering technologies rely on physical means to remove water from the sediment. These means involve various equipment technologies, such as belt filter presses, cyclones, or centrifuges to squeeze or spin or press water out of the sediment.

Passive dewatering approaches generally require larger land area and longer drying times to achieve the desired solids content prior to transporting off site for disposal. Drying times can be affected by local weather conditions at the time of the project. Additionally, measures must be incorporated into the final design of the dewatering area to reduce the risk of contamination of underlying soils and groundwater. To help conceptualize the area of land necessary to accommodate dewatering of 50,000 cubic yards of dredge material, the entire Squantum Point parking lot (approximately 750 feet long by 350 feet wide), would be covered in 5 feet of dredge material.

Active methods are typically employed in areas where little upland area is available and where rapid dewatering of the sediment is necessary to remove the material from the site due to inadequate storage space. Integrated approaches to dewatering sediment can include various combinations of passive and active technologies to achieve project goals.

### 3.2.1 Dewatering Basins

The use of dewatering basins to dewater sediment has been implemented in a number of instances for inland and coastal dredging projects in Massachusetts using both hydraulic and mechanical dredging techniques.

**Mechanical Dredging** - Wet mechanical dredging processes may require the use of containment basins to allow the dredged sediment to dewater. The required basin volume may be smaller than for wet mechanical dredging since mechanically dredged sediment has a lower water content (approximately 1:1) and less dewatering time is needed to prepare the material for hauling. Additionally, there is likely to be less mixing of freshly dredged sediment with sediment that has been consolidating in the basin, allowing removal and hauling of the sediment to the disposal site while dredging is still occurring.

**Hydraulic Dredging** – When hydraulic dredging is used, the required basins tend to be quite large to accommodate the higher water content (approximately 10:1), with the typical design approach planned for the 'last day' of dredging. A typical basin treatment train would consist of a primary 'containment' basin, sized to store the dredged sediment, and one or more secondary 'clarifying' or 'polishing' basins to reduce turbidity levels in the containment basin effluent.

The volume of the containment basin is sized to hold the total volume of sediment to be dredged plus an additional factor to allow for bulking of the sediment. The sediment suspended in the water discharged from the hydraulic dredge settles in the basin, with excess water flowing over the basin's outlet weir. Sand and some fine material will settle in the basin, while the discharge from the basin may contain finer particles that contribute to turbidity. On the last day of dredging, given generally sandy sediment the interface between the bulked sediment and excess water would reach the crest of the basin's outlet structure, at which point the basin becomes non-functional. In the case of finer sediments, the turbidity level of the discharge may begin to increase more gradually before the basin nears capacity.

The effluent of the containment basin is treated in the polishing basin, often with a flocculant added to improve settleability. Flocculant can also be added upgradient to the containment basin to improve overall settling, although the flocculant consumption would be much higher.

After dredging is completed, the sediment sits in the basin for an extended period, allowing the sediment to consolidate. A provision in the basin's outlet structure, such as stoplogs, will allow the water level to be lowered gradually, ultimately dewatering the basin and allowing the sediment to be removed. The consolidation/drawdown period can take years for fine sediment. Sandy sediments may bulk less and consolidate more quickly.

Several acres of land area would be required for construction of a basin of this size, neglecting the need for an additional polishing basin. Sufficient free land has not been identified for such a basin. As such, this option is not likely to be feasible.

In some instances, smaller containment basins have been used. Smaller basins require performing the work in stages, over the course of several years. Doing so increases the overall cost of the project by adding contractor mobilization and demobilization cycles.

Alternatively, rather than allowing for consolidation at the end of each dredging cycle, the sediment could be mechanically removed from the basins while the hydraulic dredging is occurring. This method was used to dredge large underwater tunnels at a power facility since inadequate land area was available for a full containment basin and access for mechanical dredging was not possible. For the Neponset River project, however, there is little advantage to this approach, since the sediment dredged from the containment basin would then need to be dewatered prior to trucking, in the same manner that sediment mechanically dredged directly from the project area would be.

### **3.2.2 Geotextile Dewatering Systems**

Geotextile tubes are constructed of polypropylene woven fabrics in various lengths with inlets designed to meet the specific project needs. They are generally used to dewater hydraulically dredged sediment, since sediment can be pumped directly into the tubes from the dredging barge. Large debris drawn in by the dredge must be screened before sediment can be introduced into the tubes.

Liquids pass through the tube wall while sediments are trapped inside. Polymers may be added to accelerate the precipitation of fine suspended particles from the water column. Filled tubes will require additional drying time before they are cut open and the contents removed for disposal. Alternatively, in some cases, the sediment remains in the filled tubes for disposal. Purchase and set-up of the tubes can be expensive and additional disposal costs will be incurred in the disposal of the tube materials. The use of tubes reduces dredging production rates as a result of the additional setup time and the additional head loss imposed on the dredging pipeline.

Since using the tubes accelerates dewatering, a reduced land area is typically required compared to the use of a containment basin. Tubes can also be stacked, filled and dewatered in phases to further reduce land area requirements. However, the quality of effluent discharged from geotubes can be too turbid to discharge directly to a receiving water. Additional treatment is typically required. As a project of this magnitude would take several months to complete, the availability of sufficient land areas that are in close proximity to the Project Area (i.e., Squantum Point parking lot) must be evaluated in advance of project permitting to determine viability in light of construction period impacts.

### **3.2.3 Mechanical Dewatering Systems**

A number of mechanical systems are available to dewater sediment following dredging. These systems are typically used for hydraulic dredging processes but some have the potential to be used for mechanical dredging. The primary advantage of mechanical dewatering systems includes greatly reduced land area requirements and the flexibility to meet stringent turbidity standards. Mechanical dewatering systems can also be implemented in such a way to reduce the risk of contaminating the soils at the dewatering area through contact with the sediment or excess water. The primary disadvantages include decreased production rates and higher cost. Increased energy consumption may also be a factor. Systems may use a series of processes to separate progressively smaller particles from the dredged slurry.

Technologies include

- Shale shakers (course sediment and debris)
- Screens (debris, coarse sediment, available for fine sediment)

- Hydrocyclones/desanders (coarse sediment)
- Belt filter presses (fine sediment)
- Centrifuges (fine sediment)
- Other proprietary technologies (e.g. capillary dewatering systems)

It is not typically necessary to specify the required technology during the planning or permitting phases. The planning or permitting approach would include designating the area where staging and dewatering would occur, developing water quality requirements, and then allowing prospective contractors to bid competitively using their preferred technology given the constraints. Based on the limited staging areas along the Project Area and significant volume of dredge sediment, mechanical dewatering will likely be necessary.

### 3.3 Intermediate Facility Siting Requirements

An Intermediate Facility, as regulated by the Massachusetts Section 401 Water Quality Certification Regulations of 314 CMR 9.00 is defined as:

*A site or location that is to be utilized, on either a project-specific temporary or permanent basis, to manage dredged material prior to its ultimate reuse or disposal (e.g., barge unloading, stockpiling or storage, dewatering, processing or treatment, truck or train loading or unloading).*

This definition would apply to locations to be used for dewatering or temporary stockpiling. The requirements for intermediate facilities are more restrictive than the typical dredge requirements recognizing the potential for contaminants to be present in dredged material. An intermediate facility cannot be located:

- Within a drinking water source area (310 CMR 40.0006: Terminology, Definitions, and Acronyms), which includes:
  - A public groundwater supply Zone II or interim wellhead protection area.
  - The Zone A of a surface water supply.
  - Within 500 feet of a private water supply well.
- Less than ¼ mile upgradient or 250 feet downgradient of a surface drinking water supply.
- Within 500 feet of a health care facility, prison, elementary school, middle school, high school, pre-school, licensed day care center, senior center, or youth center, excluding storage or maintenance areas.
- Where traffic impacts from the facility would constitute an unacceptable impact to the public.
- Proximity to Environmental Justice populations.
- Where there would be a permanent adverse impact on rare species, an ecologically significant natural community, the habitat of any Wildlife Management Area, or an Area of Critical Environmental Concern.
- In a location where emissions would not meet state and federal air quality standards or criteria or that would constitute an unacceptable risk to the public or the environment.

Additional requirements are placed on the intermediate facility to further limit the impact to underlying soils and off-site areas.

- Dredged material shall be secured and activities performed so as not to threaten public health or the environment.
- Soil erosion and sedimentation is minimized, and control issues addressed.
- Material contaminated above RCS-1 standards is stored in containers or placed on an impermeable liner and covered.

Staging in proximity to dense residential areas including Environmental Justice populations and within the ACEC likely is not permittable or feasible for the project. Due to these constraints, there is limited upland available for staging for a maintenance dredge.

## 3.4 Sediment Reuse or Disposal Alternatives

As discussed in Section 2, preliminary sediment sampling data indicates that the sediment in the Project Area contains PCBs, chromium, and lead. Based on these findings, a preliminary review of disposal alternatives in accordance with 314 CMR 9.07 (as well as other more "site-specific" options) is presented below. The remediation of the Mother Brook site upstream of the proposed project site has served as a model for potential sediment disposal options.

### 3.4.1 Overview of Disposal Options

#### 3.4.1.1 Ocean Disposal – Not Feasible

This disposal location option was determined not likely to be feasible based on preliminary sediment sample results that include elevated levels of PCBs. In general, there are a few select ocean disposal locations, including MassBay. EPA has guidelines for sampling parameters. After a permit application / dredging plan is submitted to the Army Corps of Engineers, review is case by case and holistic, including contaminant history, likelihood of contamination sources, and development of the adjacent area. "Trace" elements above specific detection levels would likely lead to required biological testing.

#### 3.4.1.2 Beach Nourishment – Not Feasible

This disposal location option was determined not likely to be feasible based on preliminary sediment sample results that include elevated levels of PCBs, chromium, and lead, which are not suitable in areas of public access.

#### 3.4.1.3 RCS-1 Facility Reuse – Not Feasible

Based on the preliminary sediment quality results, it was determined that the sediment will likely not be able to be reused at a facility licensed to accept materials below RCS-1 thresholds. In 8 out of 10 sediment samples collected during Tighe & Bond's sediment sampling program, PCBs or other contaminants exceeded RCS-1 standards. Advantages with these options are that the facilities are already able to accept these types of re-use materials. Disadvantages include greater hauling distances, the need to pay tipping fees, and the need to perform much more intensive sediment sampling beyond what is required for the 401 Water Quality Certification regulations.

#### 3.4.1.4 MCP Site – Not Feasible

Dredged material containing oil and/or hazardous materials and that is not otherwise a hazardous waste may be brought from another location to a disposal site and utilized as part of a comprehensive remedial action under the MCP, provided that the material is reused at a location with similar contaminants, and other limitations. This is likely not

feasible for this project due to the volume of dredging material and complications related to permitting for the contaminated sediment.

#### **3.4.1.5 Management under TSCA – May be Feasible**

Sediment disposal resulting from this dredging project will likely need to be managed as waste in accordance with Federal Regulations 40 CFR 761 (TSCA) due to PCB contamination. This was the method used upstream during the Mother Brook site cleanup in 2009. Additional coordination and correspondence with EPA representatives will be necessary to determine if sediment generated from the Project Area might be managed in conjunction with the Lower Neponset River Superfund Site restoration activities. Following the 2022 designation of the Lower Neponset River Superfund Site, EPA is in the very early stages of determining initial project parameters, including target restoration goals. Whether the Project Area will be included in the delineated extent of the Superfund Site also remains to be determined. The current downstream extent of the Superfund Site is the Walter Baker Dam, which represents the transition from a freshwater river to the tidally influenced estuary that the Project Area falls within.

#### **3.4.2 Analytical Testing Requirements**

Tighe & Bond's preliminary sediment sampling program identified the presence of PCBs and metals at concentrations above RCS-1 values, and therefore upland reuse options would be limited. The presence of PCBs in sediment within the Project Area can be attributed to the Lower Neponset River Superfund Site, based on the similar PCB profile and the Project Area's location immediately downstream of the Superfund Site. While an EPA determination of whether the Project Area will be included in the designated Superfund Site will likely not occur for some time, Tighe & Bond is of the opinion that any disposal of sediment from the Project will be subject to EPA review and approval. The review and approval process will require additional collection of sediment samples to supplement existing data and delineate PCB distribution across the project area. Disposal facilities will also require additional sediment quality data prior to disposal, typically on a sample per volume basis (i.e., one sediment sample per 500 cubic yards).

#### **3.4.3 Beneficial Use Determination**

If the sediment has potential to be reused as a secondary material in various applications, approval by MassDEP must occur to evaluate the potential risk to public health, safety and the environment. The Beneficial Use Determination (BUD) application process includes three phases: Determination of Applicability, Pre-Application and Application. The Determination of Applicability is typically a desktop evaluation of potential use for the secondary material based on available contamination level data.

In addition to the results of the physical and chemical composition analysis, narrative describing the proposed use of the secondary material, the material the secondary material is replacing, and a description of how the proposed facility will re-use the material will accompany a pre-application to MassDEP. Furthermore, risk management techniques to be used during the processing and use of the secondary material shall be identified. A formal application can then be submitted to MassDEP further detailing any items requiring additional information as identified during the pre-application process. The permit timeline is typically 60-90 days.

### **3.5 Constraints**

Based on review of previous studies/information sources and field reconnaissance, the following constraints are anticipated for the Neponset River Maintenance Dredging Project:

- Public support / abutters
- Regulatory requirements
- Access/staging locations
- Property available for dewatering system
- Analytic results of elevated PCBs
- Fisheries Time of Year restrictions; Shellfish habitat

# **Section 4**

## **Regulatory Compliance**

### **4.1 Summary of Anticipated Permits**

Table 4-1 contains a list of federal, state, and local agencies from which permits or other actions are or may be required for the proposed dredge activities.

**TABLE 4-1**

Summary of Anticipated Permits

Agency	Permit, Review, or Approval
Federal	
U.S. Army Corps of Engineers (Corps)	<p>Authorization under Section 10 of the Rivers and Harbors Act of 1899, Section 404</p> <p>Authorization under 33 USC 408 (Section 408) of the Clean Water Act may be required for dredge at Squantum Channel and Columbia Point Channel due to proximity to the Federal Navigation Channel</p>
U.S. EPA	<p>PCB Disposal Plan / Risk-Based Cleanup Plan</p> <p>National Pollutant Discharge Elimination System (NPDES) Construction General Permit</p>
State	
Executive Office of Energy and Environmental Affairs (EEA)	MEPA Review/Certificate of the Secretary on the ENF and mandatory EIR
Massachusetts Department of Environmental Protection (MassDEP)	<ul style="list-style-type: none"> <li>401 Water Quality Certification</li> <li>Superseding Order of Conditions (only required upon appeal of local Order of Conditions)</li> <li>Chapter 91 Permit</li> </ul>
Massachusetts Historical Commission (MHC) & Massachusetts Board of Underwater Archaeological Resources (MA BUAR)	Determination of No Adverse Effect
Coastal Zone Management	Federal Consistency Review
Local	
<u>Massachusetts Wetlands Protection Act (WPA)</u>	
Milton Conservation Commission	Order of Conditions per MA WPA and Milton Wetland Bylaw
Quincy Conservation Commission	Order of Conditions per MA WPA and Quincy Wetlands Protection Ordinance (QWPO)
Boston Conservation Commission	Order of Conditions per MA WPA and Boston Wetlands Protection Ordinance (BWPO)

## **4.2 Local Permits**

### **4.2.1 MA Wetlands Protection Act and Local Wetlands Protection**

#### **Milton Wetland Bylaw**

An Order of Conditions will be required from the Milton Conservation Commission as the dredging project would entail temporary and permanent Land Under Water (LUW) impacts. A Notice of Intent (NOI) must be prepared to procure an Order of Conditions from the Milton Conservation Commission pursuant to the MA WPA and Milton Wetland Bylaw. It is important to note that copies of the NOI are also reviewed concurrently by the MassDEP regional office.

#### **Quincy Wetlands Protection Ordinance**

An Order of Conditions will be required from the Quincy Conservation Commission as the dredging project would likely entail temporary and permanent LUW impacts within Quincy City limits. An NOI must be prepared to procure an Order of Conditions from the Quincy Conservation Commission pursuant to the MA WPA and QWPO.

#### **Boston Wetlands Protection Ordinance**

An Order of Conditions will be required from the Boston Conservation Commission as the dredging project would likely entail temporary and permanent LUW impacts within Boston City limits. An NOI must be prepared to procure an Order of Conditions from the Boston Conservation Commission pursuant to the MA WPA and BWPO.

## **4.3 State Permits**

### **4.3.1 MEPA Environmental Notification Form (ENF) & Mandatory Environmental Impact Report (EIR)**

The MEPA review process provides for coordinated state agency and public review of projects that meet certain review thresholds at 301 CMR 11.03, and that require a state agency action (e.g., permit, financial assistance, or a land transfer). Through the MEPA process, relevant state agencies are required to identify any aspects of the proposed project that require additional analysis or mitigation prior to completion of the agency action.

The proposed project requires several state approvals, including MassDEP 401 Water Quality Certification (WQC) and Chapter 91 permit. MEPA review encompasses the entirety of the project. Based on our understanding of the proposed project, the mandatory EIR threshold of alteration of ten or more acres of land of any other wetland impacts will be exceeded as approximately 14 acres of LUW are proposed to be altered. The project also exceeds MEPA's ACEC threshold. Therefore, the project will require an Environmental Notification Form (ENF) and Mandatory Environmental Impact Report (EIR). As the project is in proximity to Environmental Justice populations, enhanced outreach is required.

### **4.3.2 Section 401 Water Quality Certification**

The 401 Water Quality Certification (WQC) Program is a program administered by MassDEP under the regulations set forth at 314 CMR 9.00. A Section 401 WQC is triggered by the filing of a federal permit if the project results in a temporary or permanent loss of 5,000 square feet cumulatively of bordering or isolated vegetated wetlands and/or land under water, the amount of any proposed dredging is greater than 100 cubic yards, or if any of the other thresholds listed in 314 CMR 9.04 are met. The 401 WQC application largely mimics the Corps filing detailed below, which requires application forms, a detailed narrative describing the project, site photographs, site plans and details, resource and municipal maps, and other required information. The removal of accumulated sediment will trigger the need to file an individual 401 WQC application with MassDEP for review and approval. Sediment sampling for the project has already been conducted and has identified significantly high levels of PCBs in the sediment. Sediment removal and management will need to be conducted in a manner that ensures the protection of human health, public safety, public welfare and the environment [33 U.S.C. 1251].

### **4.3.3 Chapter 91 MA Public Waterfront Act**

Specific activities in flowed or filled tidelands are regulated by MassDEP under Chapter 91 and the Waterways regulations at 310 CMR 9.00, including subaqueous disposal of dredged spoils and dredging activities in any waterway in the Commonwealth. Dredging activities require a Chapter 91 Permit.

### **4.3.4 Massachusetts Historical Commission/Underwater Archaeological Resources**

Projects that involve state or federal funding and/or approvals require review by the Massachusetts Historical Commission (MHC) to determine potential impacts to historic and/or archaeological resources and to ensure compliance with MGL c.9 § 26-27(c) and Section 106 of the National Historic Preservation Act. Additionally, underwater projects must contact the Board of Underwater Archeological Resources (MA BUAR) to determine whether the project will disturb underwater archaeological resources. It is generally recommended that a copy of the Project Notification Form (PNF) be submitted to MHC, MA BUAR and Tribal Historic Preservation Officers (THPOs) early in the permitting process.

## **4.4 Federal Permits**

### **4.4.1 US Army Corps of Engineers Section 10 & 404**

Corps Authorization under Section 404 of the Federal Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899 is anticipated due to work within waters of the United States. We have assumed the project qualifies as "maintenance dredging" and that the project requires review under General Permit (MA GP) Category 5 Dredging. Section 404 and Section 10 can be filed as one application.

A permit application will be prepared and submitted to MassDEP, the Corps, the Office of Coastal Zone Management (CZM), and will be concurrently reviewed by the U.S. Environmental Protection Agency, the National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS) and the U.S. Fish & Wildlife Service (USFWS).

In addition to environmental factors, the MA GP requires notification of the State Historic Preservation Officer (SHPO, e.g. Massachusetts Historical Commission), Tribal Historic Preservation Officers (THPOs) and the MA Board of Underwater Archeological Resources (MA BUAR) per Section 106.

#### **4.4.2 US Army Corps of Engineers, Section 408**

Corps Authorization for work in proximity to a Federal Navigation Channel is required under 33 USC 408 (Section 408). Coordination with the Corps will be initiated as part of the permitting process to confirm Corps standards. An application will be submitted to the Corps for review and approval.

#### **4.4.3 NPDES Construction General Permit**

If terrestrial (i.e. access, staging) and dewatered aquatic project areas will result in impacts greater than one acre of ground disturbance, the contractor will be required to register under the CGP and prepare a Storm Water Pollution Prevention Plan (SWPPP).

#### **4.4.4 CZM Federal Consistency Review**

Massachusetts Coastal Zone Management (CZM) implements the federal CZM Act federal consistency review process in Massachusetts. Federal consistency review is required for project proposals that are in or can reasonably be expected to affect the resources or land or water uses of the Massachusetts coastal zone; and require a federal license or permit, are federally funded or are a direct activity of a federal agency. The Massachusetts Coastal Zone Management Plan includes enforceable CZM program policies and underlying statutory and regulatory authorities. The policies provide Massachusetts priorities for protection and management of its coastal resources. The project must demonstrate that the proposed activities are consistent with enforceable CZM program policies.

### **4.5 Regulatory Coordination**

Based on the resources in the project area, the following regulatory concerns are anticipated for the Neponset River dredge:

- MA Department of Marine Fisheries Time of Year restrictions: Alewife and Blueback Herring, American shad, Rainbow Smelt, American eel, White Perch, Atlantic tomcod, Winter flounder, and shellfish
- Shellfish habitat
- 401 WQC Project Specific Sediment Sampling Plan
- Army Corps Section 10 – Mitigation
- Disposal Location restriction due to PCBs
- Minimization of impacts to ACEC resources

## Section 5

# Opinion of Probable Conceptual Cost

A Preliminary OPCC for the project was developed based on our current understanding of the project, including site investigation activities completed to date, survey conducted by others, and review of existing data. The data was reviewed and compared to projects with similar constraints (i.e. TSCA regulated waste disposal), and Tighe & Bond consulted with industry experts in dredging and materials management to determine current estimated costs. At this early stage in the project, the anticipated accuracy range is +/-30% of the given value, although it is important to note that unknown factors (unidentified site conditions, Superfund Site OU designation, permitting requirements) could increase costs beyond this range.

Based on a unit cost of \$500 per cubic yard (cy) of dredge material, our preliminary OPCC indicates that the total project could range from \$25,000,000 (50,000 cy) to \$37,500,000 (75,000 cy). The estimated sediment disposal costs for the alternatives range from approximately \$15,000,000 to \$22,500,000. For comparison, if the dredge material were free of contaminants and eligible for open water disposal (i.e. Mass Bay, Foul Area), disposal costs would be expected to be in the range of \$50 per cy (\$2,500,000 to \$3,750,000).

As we have identified throughout this summary report due to the PCBs in the sediment, significant additional coordination with Federal and State regulatory agencies will be necessary to satisfy TSCA requirements. It will be important to coordinate pre-permitting meetings with regulatory agencies early in the process to initiate discussions regarding any time of year restrictions (fisheries), project staging and support area constraints, and sediment management options.

Based on the significant costs associated with the proposed maintenance dredging project, the Town of Milton may elect to lobby EPA for the project area to be included as an OU under the Lower Neponset River Superfund Site. During investigation and remediation, a Superfund Site can be divided into several distinct areas depending on the complexity of the problems associated with the site. These areas (OUs) may address geographic areas of a site, specific site problems, or areas where a specific action is required. Inclusion into the Superfund Site as an OU would likely allow the Town to realize significant cost savings over proceeding with the project independently, however, the timeline for EPA's investigation and remediation of the Superfund Site may result in the project extending into the late 2020s or 2030s.

## **Section 6**

# **Preliminary Project and Permitting Schedule**

A Preliminary Project and Permitting Schedule is provided in Appendix D.

J:\M\M5087\_Town\_of\_Milton\003\_Neponset\_Dredge\Reports\Draft\_Technical\_Report\Draft\Draft Feasibility Study 02-27-2023.docx



TOWN OF MILTON  
MASSACHUSETTS

SUSAN M. GALVIN  
*Town Clerk*

Memorandum

TO: Nicholas J. Milano, Town Administrator

FROM: Susan M. Galvin, Town Clerk *SMG*

DATE: June 23, 2023

RE: ELECTION OFFICER APPOINTMENT- MASSACHUSETTS GENERAL LAW, CHAPTER 54§12

The Board of Registrars hereby submits the 2023-2024 list of Election Officers for the Town of Milton.

In accordance with Massachusetts General Law, Chapter 54, Section 12, "The selectmen of every town shall annually, not earlier than July fifteenth nor later than August fifteenth, appoint as election officers for each voting place or precinct, except as provided in section twenty-four, one warden, one deputy warden, one clerk, one deputy clerk, two inspectors and two deputy inspectors, who shall be enrolled voters in the commonwealth, except as otherwise provided in this section.."

As always, thank you for your assistance and consideration.

Encl.



## 2023-2024 ELECTION OFFICER APPOINTMENTS

LAST NAME	FIRST NAME	MIDDLE NAME	SX	ADDRESS
Ahearn	Francis	D.		
Albright	Sandra	K.		
Barber	Nancy			
Barber	Robert			
Barr	Sarah	E.		
Bogner	William	J.		
Bravo	Jennifer			
Caputo	Rita	A.		
Chin	Jarrod			
Clements	Jean	A.		
Cormack	Robert	A.		
Cronin	Maritta	Manning		
Daly	Ellen			
DeFrancesco	Sally			
Dickerson	Donna	M.		
Dieman	Elizabeth			
Dillon	Agnes	G.		
Domino	John			
Domino	Marylou			
Duzan	Alice	M.		

Fernsten	Andrew	J.	
Finch	Tracey		
Fisher	Joanne		
Flukes	Susan		
Freeman	Michelle	M.	
Gauthier	Cecilia	C.	
Gibbons	Elizabeth	A.	
Gimbrone	Nichole	M.	
Huntington	Kathleen		
Huntington	Patrick		
Jackson	Peter		
Joyce	Peter	M.	
Kelly	Arlene	M.	
Kennedy	Marnie		
Kennedy	Regina	L.	
Keohane	John	C.	
Lambert	George	A.	
Lannon	Joseph	E.	
Lavalle	Lindsay	Mahoney	
Levy	David		
Lovett	William	B.	Jr.
Manning	Jennifer		

Martin	Emily	R.	
McCarthy	Veronica	J.	
McCarty	Andrew		
McDermott	Rena	A.	
McDonough	Eleanor	M.	
McFadden	Sean		
Morgan	Edward		
Neville	William	J.	
Newell	Kaitlyn		
O'Brien	Robert		
O'Connor	Elizabeth	A.	
Plunkett	Kathleen		
Rota	Robert	J.	
Russo	Richard	A.	
Schroth	Frank	D.	
Shea	Susan		
Shields	Martin		
Sorgi	Kevin	G.	
Soucy	Judith	Ruth	
Sweeney	Paula	R.	
Tangney	Eileen	R.	
Taugher	David		

**POLICY, PERMIT APPLICATION AND RELEASE FOR USE OF  
THE TOWN GREEN AND/OR THE BARON HUGO GAZEBO**

moncarmelle@yahoo.com

**APPLICATION**

Applicant's Name: Moncarmelle Isidore

Applicant's Address: Hyde Park, MA 02136

Applicant's Phone: \_\_\_\_\_

Description of proposed use: Wedding ANNiversary

(Please provide as much detail as possible.)

Proposed Event Date: Anniversary

Proposed Event Start Time: (August 5th, 2023) 6:00 pm

8/5/23

Proposed Event End Time: (6:00pm) 7:00 pm

Time

Number of Guests and/or Attendees: (7:00pm) 20 guests

Change

Vow renewal / Photos 7pm - 8pm

The Applicant certifies that he/she has read the foregoing policy and agrees to comply therewith, that all of the information provided in this application is true and correct, and that the applicant shall abide by any conditions of this permit.

Signature of Applicant: Moncarmelle Isidore Date: 05/30/23

Printed Name: Moncarmelle Isidore Printed Title: N/A

-----For Completion by the Select Board/Town Administrator-----

Approved by:

Select Board / Town Administrator

Date

Conditions of Approval: \_\_\_\_\_

Use Charge(s): \_\_\_\_\_

# **POLICY, PERMIT APPLICATION AND RELEASE FOR USE OF THE TOWN GREEN AND/OR THE BARON HUGO GAZEBO**

## **RELEASE AND INDEMNITY AGREEMENT**

I, Mon Carmelle Isidore of [REDACTED]

(Applicant Name)

[REDACTED] (Applicant Address)

Hyde Park, MA 02136

in consideration of the grant of permission to use the Town Green and/or the Baron Hugo Gazebo located in front of the Milton Town Office Building at 525 Canton Ave, Milton, MA 02186 for the purpose of Anniversary on the date of 08/05/23,

(Description of event)

(Date)

forever release, indemnify and hold harmless the Town of Milton, Massachusetts, and all of its officers, employees, boards, commissions and committees, including without limitation the Milton Select Board and the Town Administrator (the "Indemnities") from all claims, causes of action, costs, damage and liability of any kind, including without limitation death, personal injury, property damage and attorney's fees, including without limitation those related to COVID-19, which the Applicant now has or may have or hereafter may have against any of the Indemnities resulting from the Applicant's and or the Applicant's invitees' use of the Town Green and/or the Baron Hugo Gazebo. This provision is limited to claims for ordinary negligence, and shall not apply to claims for gross negligence or reckless or intentional conduct.

Signature of Applicant: Mon Carmelle Isidore Date: 05/30/23

Printed Name: Mon Carmelle Isidore Printed Title: N/A



# Town of Milton

TEL 617-898-4846

TOWN OFFICE BUILDING  
525 CANTON AVENUE  
MILTON, MASSACHUSETTS

## SPECIAL ONE DAY LIQUOR LICENSE APPLICATION

Applicant's Name:

Karla Rosenstein

Applicant's Address:

1424 Canton Avenue, Milton, MA 02186

Applicant's Contact Information:

Telephone #

E-Mail Address

Organization Name:

Eustis Estate, Historic New England

Name of Event:

David Chesnut Jazz Festival

Description of Event:

Daytime music festival

The Applicant is:

Non-profit Organization

or

For Profit Organization

Date of Event:

8-19-23

Hours of Event:

11:30 am - 6:00 pm

Location of Event:

Eustis Estate, 1424 Canton Avenue

Number of Participants:

300

License For:

All Alcoholic Beverages - Issued only to a non-profit organization

Wine and Malt Beverages Only

Recommended Number of Police Officer(s) to be assigned:

**SIGNATURE:** \_\_\_\_\_  
Chief of Police

**SIGNATURE:** \_\_\_\_\_  
Town Administrator on behalf of Select Board

**APPLICANT'S SIGNATURE:** \_\_\_\_\_  
Karla Rosenstein (electronically signed)

**Date:** 6-28-23

Applicants must attest to the information provided in order for the license to be approved. Completed applications should be submitted to the Select Board Office along with payment in the form of a check in the amount of \$50.00 made payable to the Town of Milton. The Select Board, as the Town of Milton's Licensing Authority, requires approval at a scheduled public meeting. Please submit the application 30 days in advance of the event for which the license is being applied.

## Nicholas Milano

---

**From:** Karla Rosenstein [REDACTED]  
**Sent:** Monday, July 17, 2023 9:53 AM  
**To:** Nicholas Milano  
**Subject:** Re: Historic NE Jazz Fest - Special Permit questions

[External Email- Use Caution]

Dear Nicholas,

Thank you for checking in with me.

As you say, that section of our special permit relates to "non-museum related activities such as social events" meaning rentals of our property by outside entities. Public programs put on by the museum have always been considered museum related activity.

The David Chesnut Jazz Festival, is a museum related activity as it is a family-friendly public program put on by Historic New England and a community partner (Mandorla Music). It also directly relates to an exhibition that is being put on at the museum starting in August and the research that has informed our new tour about the staff who worked at the Eustis Estate. The event will be August 19, from 11:00 a.m. to 6:00 p.m. and will not be unreasonable in volume. You can find more information on the event here where you can see we are selling the tickets: <https://my.historicnewengland.org/18691/chesnut-jazz-festival>

Incidentally, we do not have any amplified rental events in August, but as I indicated I don't believe that is relevant here.

I'd be happy to come and chat with you more about this if you have any other questions.

Thanks,

Karla Rosenstein  
Site Manager, Eustis Estate  
1424 Canton Avenue  
Milton, MA 02186

---

**From:** Nicholas Milano <nmilano@townofmilton.org>  
**Sent:** Monday, July 17, 2023 8:31 AM  
**To:** Karla Rosenstein [REDACTED]  
**Subject:** Historic NE Jazz Fest - Special Permit questions

Hi Karla –

We received two emails with questions about jazz fest and the special permit for the Eustis Estate. Can you provide more information on the event?

The special permit allows for two such events per month (non-museum related) and I wanted to confirm that there would be only be one other such event in August?



CURRY COLLEGE

1071 BLUE HILL AVENUE, MILTON, MASSACHUSETTS 02186  
TELEPHONE (617) 333-0500  
[www.curry.edu](http://www.curry.edu)

July 13, 2023

Mr. Nicholas Milano  
Town Administrator  
Town of Milton  
525 Canton Avenue  
Milton, MA 02186

RE: **Curry College PILOT Payment**

Dear Mr. Milano:

I am pleased to enclose Curry College's check in the amount of \$110,000.00 representing Curry's voluntary PILOT payment for the fiscal year commencing July 1, 2023. The College values its relationship with the Town of Milton and hopes the Town will welcome our continued support during these tough economic times.

Best wishes to you and the Select Board for much continued success.

Sincerely,

A handwritten signature in black ink, appearing to read "David M. Rosati".

David M. Rosati  
Executive Vice President and Chief Financial Officer

Enclosure

**DRAFT****Select Board Meeting Minutes**

**Meeting Date:** 6/27/2023

**Members in Attendance:** Michael Zullas, Chair; Erin G. Bradley, Vice Chair, Roxanne Musto, Secretary; Richard G. Wells, Jr., Member; Benjamin Zoll, Member; Nicholas Milano, Town Administrator and Lynne DeNapoli, Executive Administrative Assistant to the Select Board

**Special Note:** Mr. Wells left at 7:14PM

**Meeting Location:** Council on Aging - Hybrid

**Time Meeting called to Order:** 7:06PM

**Time Meeting Adjourned:** 11:11PM

**1. Call to Order****2. Pledge of Allegiance**

Chair Zullas called the meeting of the Select Board to order at 7:06 PM under Chapter Two of the Acts of 2023. The Chairman led the Pledge of Allegiance.

**3. Discussion–Decorum and curtsey at Public Meetings**

Chair Zullas reviewed the recent decision of the Massachusetts Supreme Judicial Court ruling dated March 7, 2023 that a public comment policy used by the Town of Southborough was unconstitutional.

The Court stated: "Although civility of course is to be encouraged, it cannot be required."

Chair Zullas encouraged Milton residents and local leaders practice civility. During the annual Town Meeting in May and at a Select Board Meeting there were instances that lacked civility, courtesy and kindness. Sometimes it seemed intentional, sometimes it seemed to be a slip of the tongue, an offhand remark or an unguarded Zoom mistake. It has not been one person or one manner of action.

Chair Zullas noted that when in a public setting, leaders such as the Select Board Members are seen as models to adults and children. In his opinion, it is best for the town and the efficient conduct of the Select Board Meetings to encourage each member to re-commit within the context of their own style to seek the highest levels of courtesy and civility and respect to one another and all who participate in our meetings. Milton is a town of neighbors and one that is forgiving to those who make mistakes.

Ms. Bradley apologized to the residents of Milton for her choice of words during the Select Board Meeting on June 13<sup>th</sup>. She explained that she was not swearing at anyone, it was said out of frustration. She is deeply sorry and stated that she is taking responsibility for her action.

Mr. Wells began his remarks by sharing a life lesson passed on by his father "to live a life of service to the public is a true honor." Mr. Wells stated that as Members of the Select Board, we serve as defenders and champions of everything that is important to our citizens, our employees and the community.

The mission of the Board includes respecting human dignity and integrity. Respect for individual rights can never be abused or trampled upon, especially by an elected official of Milton. Mr. Wells shared some of Ms. Bradley's actions/comments.

Mr. Wells requested Ms. Bradley's resignation. Mr. Wells noted that he would not participate in any future public meetings where Ms. Bradley is in attendance but would continue to serve in other capacities as a Member of the Select Board. He apologized to the residents of Milton.

Mr. Wells left the meeting at: 7:14PM

Ms. Musto began her remarks by sharing the roles and responsibilities of the Select Board. Ms. Musto stated that the Board represents the people in the community and sets the bar on behavior, respect and integrity. There are always different viewpoints, but we must respect those viewpoints.

Ms. Musto highlighted Ms. Bradley's pattern of behavior and stated that they do not emulate the characteristics outlined in the Select Board duties/guidelines. She shared feedback from Milton residents regarding Ms. Bradley's recent comments. Ms. Musto noted that any Select Board member who displays belittling, bullying and disrespect has no business representing the people of Milton. Milton residents deserve better.

Mr. Zoll began his remarks by accepting Ms. Bradley's apology. He hopes the lesson that we can send to our children about this discussion is that we are neighbors, and we should try to work together. We are not perfect, mistakes are made, but we can ask for forgiveness and then move on.

#### **4. Public Comment**

Mr. Zullas noted that there is a 15-minute allotment for Public Comment. He asked residents who are participating to sign in and limit their remarks to three minutes. Mr. Milano and Chair Zullas will keep time.

Beverly Ross Denney- 107 Columbine Road

Ms. Denny shared her support in favor of Ms. Bradley. Ms. Denny suggested that we use Ms. Bradley's gaffe as an opportunity to learn, grow and forgive.

Andrew D' Amato – Town Meeting Member, Precinct 7 (REMOTE)

Mr. D'Amato shared his concerns regarding the comments Ms. Bradley made during the June 13<sup>th</sup> Select Board Meeting regarding a small business grant that Ms. Lombardi received through the Town's ARPA funds for her restaurant, The Plate.

Paul Hogan-56 Pierce St

Mr. Hogan shared his concerns regarding the proposed intersection improvement project at Randolph Ave. and Chickatawbut Road. Mr. Hogan noted that the Town's concerns have not been well

received by MassDOT. A petition in opposition to the roundabout has been signed by 1,800+ Milton residents.

**Jackson Humphreys- 34 Hoy Terrace**

Mr. Humphreys shared his thoughts on the MBTA Communities Zoning Law and suggested that the Town request to be re-classified. Milton is currently a Rapid Transit Community.

**Jim Davis – 345 Center St. (REMOTE)**

Mr. Davis shared his thoughts on the MBTA Communities Zoning Law and suggested that the Town request to be re-classified. Milton is currently a Rapid Transit Community.

**5. Presentation/Discussion/Approval – MassDOT Project at Randolph Ave and Chickatawbut Road**

Josh Bartus of MassDOT, Steven Tyler and Jessica Lizza from Howard Stain and Hudson (“HSH”) joined the Select Board to provide a project update and answer questions related to the current design.

Mr. Bartus informed the Board that the Massachusetts Department of Transportation (“MassDOT”) has continued progress towards 100% design and is preparing various submittals for permitting and land acquisition.

Mr. Bartus and the representatives from Howard Stain and Hudson notified the Board that MassDOT has engaged HSH for a corridor traffic study to determine short term, medium term and mobility improvements, analyze alternatives in MPO Route 28 Corridor Study and conduct road safety audits at the intersections of Route 28 and Reedsdale Road and Route 28 and Hallen Avenue. The Study will also include the development of conceptual sketches and planning level cost estimates for up to three corridor alternatives as well as control strategies for several area intersections.

Following the update from Mr. Bartus, Mr. Tyler and Ms. Lizza the Select Board Members inquired about several areas of concern:

- ❖ Detailed traffic report information regarding alternative options for the Route 28 and Chickatawbut intersection.
- ❖ Short term safety improvements that could be implemented prior to construction.
- ❖ How will the results of the Corridor Traffic Study be incorporated into the design when it is nearly complete?

The Board Members agreed to a draft a letter to MassDOT Secretary Gina Fiandaca to request that MassDOT pause its design and permitting work on the proposed roundabout until additional

information is shared with the Town and until the Route 28 Corridor Traffic Study has been completed.

## **6. Discussion/Update – Milton Coalition re: Teen Activity**

Margaret Carels, Co-Chair of the Milton Coalition, Chief of Police, John King and Tony Wells from the Cunningham Park Foundation joined the meeting to share their concerns with the Board Members regarding after dark teen activity at Cunningham Park. The woods at Cunningham Park is no longer a safe place for teens to congregate. Once considered a rite of passage, times have changed. Alcohol, drugs and peer pressure are triggers for inappropriate behavior that could please serious consequences. The Select Board Members were receptive of their concerns and offered their support.

## **7. Discussion/Approval – Animal Shelter Building Project Site Selection /Request for Proposals**

Mr. George Toulias, a Member of the Animal Shelter Advisory Committee joined the Select Board to provide them with an update on the Committee's timeline and progress.

Ms. Musto moved to approve the Animal Shelter Building Project Site Selection / Request for Proposals. The motion was seconded by Mr. Zoll. The Board voted unanimously (4-0) to approve.

## **8. School Building Committee Update and Report re: evaluation of land (Blue Hill Ave: B 7 5 and 676 Brush Hill Road: B 7 4)**

Mr. Sean O'Rourke, Chair of the School Building Committee joined the Board Members to provide an overview of the Committee's progress in determining whether a new school can be built on the parcel of land located on Blue Hill Ave and Brush Hill Road that total 6.8 acres.

The School Building Committee has completed their site walk and have an overlay design for the land on Blue Hill Ave. The School Building Committee Members will now assess using a score sheet as they have done in the past.

The property on Blue Hill Ave includes 400 ft of frontage space, 750 ft in length as well as a slope. An overlay design of a school will fit, but there is limited space for parking, a play area and a loop for public safety vehicles. The design also adheres to the two zoning offsets (50 ft), that will shrink the overall parcel from 6.8 acres to approximately 4.8 acres.

The adjacent property on Brush Hill Road contains three structures: two historic homes and a barn. The Town could meet resistance if it plans to demolish the homes to make space for roadway access for the school.

Mr. O'Rourke informed the Select Board that the parcel of land must be purchased as a whole.

Ms. Musto asked Mr. O'Rourke to provide the Select Board Members with the overall building specifications for this location and how it compares to the Pierce Middle School. Mr. Zoll inquired about zoning bylaws and the Americans with Disabilities Act, ("ADA") compliance regulations regarding the land slope.

### **Municipal Broadband Committee update re: I-Net Design including Lower Mills**

Chair Zullas, a Member of the Municipal Broadband committee provided an update on their progress. The current I-Net design does not include Lower Mills. The Committee would like to extend their design plan and request a cost specification for including Lower Mills. The Select Board agreed to the Municipal Broadband Committee's request.

### **9. Discussion/Update – Multi-Family Zoning Requirements for MBTA Communities**

The Board Members weighed the benefits of drafting a letter to the Department of Housing and Community Development, (DHCD) to request a re-classification as a Rapid Transit Community per the suggestion of the Planning Board.

Chair Zullas will follow up with Mr. Czerwienski, Director of Housing and Community Development and Ms. Hall, Chair of the Planning Board on this matter.

### **10. Discussion/Approval - Class II Dealer License Renewal- RBM Motor Masters, Inc. d/b/a Milton Auto Repair located at 944 Canton Ave., Milton, MA move to before committee appointments**

Following an update from Mr. Milano, Ms. Musto moved to approve the Class II Dealer License Renewal- RBM Motor Masters, Inc. d/b/a Milton Auto Repair located at 944 Canton Ave., Milton, MA. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

### **11. Discussion/Approval – Committee Appointments and Reappointments**

#### **a. Airplane Noise Advisory Committee**

Mr. Zoll moved to reappoint Andrew Schmidt to the Airplane Noise Advisory Committee for a one-year term to expire on June 30, 2024. The motion was seconded by Ms. Musto. The Board voted unanimously to approve.

#### **b. Keeper of the Lock-Up**

Ms. Musto moved to reappoint John E. King, Chief of Police, as Keeper of the Lockup for a one-year term to expire on June 30, 2024. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

**c. Local Historic District Study Committee**

Ms. Musto moved to reappoint the following individuals to the Local Historic District Study Committee for a one-year term to expire on June 30, 2024: Larry Lawfer, Williams S. Mullen and Mallory Walsh. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

**d. Municipal Broadband Committee**

Ms. Musto moved to reappoint the following individuals to the Municipal Broadband Committee for a one-year term to expire on June 30, 2024: Mark Day, Robert F. Lynch, Jr., Johns E. Sullivan, Jr. and Jospeh Chamberlin. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

Ms. Musto moved to increase the Membership to the Municipal Broadband Committee to two Members and update the Charge. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

**e. Equity and Justice for All Committee**

Ms. Musto moved to appoint Ralph Parent and Kenji Metayer. to the Equity and Justice for All Committee for a one-year term to expire on June 30, 2024. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

**f. Open Space and Recreation Planning Committee**

Ms. Musto moved to reappoint Winston Daley as the Parks and Recreation Designee to the Open Space and Recreation Committee for a one-year term to expire on June 30, 2024. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

**g. Select Board Landing Committee**

Ms. Musto moved to reappoint the following individuals to the Select Board Landing Committee for a one-year term to expire on June 30, 2024: Richard Burke, Theodore Carroll and Tim Czerwienski. Ms. Musto moved

**h. Youth Task Force**

Mr. Zoll moved to appoint Christina Lilliehook to the Youth Task Force for a term of one year to expire on June 30, 2024. The motion was seconded by Ms. Musto. The Board voted unanimously to approve.

**i. Sign Review Committee**

Mr. Zoll moved to appoint Deborah Azerrad Savona and Lara Simondi to the Sign Review Committee for a one-year term to expire on June 30, 2024. The motion was seconded by Ms. Musto. The Board voted unanimously to approve.

**j. Community Preservation Committee**

Ms. Musto moved to appoint Cheryl Toulias as the Planning Board Designee and Kathleen O'Donnell as the Select Board Designee to the Community Preservation Committee for a three-year term to expire on June 30, 2026. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

Mr. Milano noted that Ms. O'Donnell will complete Mr. Levash's term through June 2025. Ms. Musto and Mr. Zoll accepted the amended term for Ms. O'Donnell.

**k. Council on Aging Board of Directors**

Ms. Musto moved to reappoint Roberta Leary as a Member of the Council on Aging Board of Directors for a three-year term to expire on June 30, 2026 and appoint Denisse Rochlin and re-appoint John Fleming as Associate Members for a one-year term to expire on June 30, 2024. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

**l. Commission on Disability**

**m.**

Ms. Musto moved to reappoint the following individuals to the Commission on Disability for a (three-year term to expire on June 30, 2026): Diane DiTullio-Agostino, Coleman Irwin, Charlene Neu, Alex Rosenberg and Kathryn Upatham. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

**13. Discussion/Approval – Grant of Easement to USC LLC over the Dump Access Road**

Ms. Musto moved to approve the Grant of Easement to USC LLC over the Dump Access Road and authorize the Town Administrator to sign on the Board's behalf. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

**14. Discussion/Approval - Contracts:**

**a. Contract with Foulsham Corp. for the Milton Public Library Handicap Ramp project**

**b. Contract with Foulsham Corp. for the Colicott/Cunningham Stormwater BMP**

Following a brief update by Mr. Milano, Ms. Musto moved to approve the contract with Foulsham Corp. for the Milton Public Library Handicap Ramp project. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

Ms. Musto moved to approve the contract with Foulsham Corp. for the Colicott/Cunningham Stormwater BMP. The motion was seconded by Mr. Zoll. The Board voted unanimously to approve.

**15. Discussion/Approval - Town Administrator's Annual Performance Evaluation**

Ms. Bradley shared the results of the Select Board Members' evaluations of Mr. Milano's job performance. Three of the five members submitted their evaluations. Per the results, Mr. Milano has done exceptionally well.

Ms. Musto raised concerns regarding the evaluation process as a whole. She requested that the results are shared with the Board Members before they are presented to the Town Administrator and the public.

The Board Members agreed to move forward and approve the evaluation in accordance with Mr. Milano's contract. Ms. Bradley will share the report/results with the Members so they can review and ratify.

Mr. Zoll moved to approve the Town Administrator's Annual Performance Evaluation in accordance with his contract. The motion was seconded by Ms. Musto. The Board voted unanimously to approve.

**16. Town Administrator's Report**

Mr. Milano provided an update on the goings on at Town Hall.

Mr. Milano welcomed Emily Conner, the new Assistant Health Director to Milton. He also noted that there were new employment opportunities in the Health Department, Department of Public Works, Information Technology and the Treasurer's Office.

The MBTA hosted a public meeting on June 20<sup>th</sup> regarding the Mattapan Line Transportation program.

The Department of Planning and Community Development hosted a Public Forum on June 15<sup>th</sup> to discuss the MBTA Communities Zoning Law.

The MBTA is conducting a sound study of the Hyde Park - Readville line. While the MBTA requested input from Milton residents, the questionnaire was not made available. The link will be made available on the Town of Milton's website for residents who wish to participate.

## **17. Chair's Report**

Chair Zullas thanked the Eustis Estate for hosting a Juneteenth Celebration.

On behalf of the Select Board and the Town of Milton, Chair Zullas offered congratulations to the Milton High School Wildcat Baseball Team on their second consecutive Championship victory.

Chair Zullas expressed his appreciation to the "We Are Milton" team for hosting the Milton Music Festival. It was a great event!

## **18. Public Comment Response**

Ms. Bradley expressed her apologies to Ms. Lombardi of the Plate and Mr. D'Amato for her remarks on June 13<sup>th</sup> regarding ARPA grant award disbursements.

Ms. Musto expressed her appreciation to all the residents who participated in this evening's meeting. She also reiterated her concerns regarding the recent actions/remarks made by her colleague.

## **19. Discussion/Approval -Meeting Minutes – June 3, 2023, June 13, 2023**

Mr. Zill moved to approve the meeting minutes for June 3, 2023 and June 13, 2023. The motion was seconded by Ms. Musto. The Board voted unanimously to approve the meeting minutes.

## **20. Future Meeting Dates**

The Board will meet on Tuesday, July 11, 2023, Tuesday, July 25, 2023 and Tuesday, August 8, 2023

## **21. Executive Session - Pursuant to M.G.L. c. 30A, § 21(a)(3) – To discuss strategy with respect to collective bargaining.**

- a. Milton Clerical Unit of the Southeastern Public Employees Association**
- b. Milton Professional Management Association**
- c. Milton Firefighters, Local 1116**

At 10:27PM, Chair Zullas moved to enter into Executive Session to discuss strategy with respect to collective bargaining.

- a. Milton Clerical Unit of the Southeastern Public Employees Association**
- b. Milton Professional Management Association**
- c. Milton Firefighters, Local 1116**

based on my belief that discussion of this matter in open session may have a detrimental effect on the litigating position of the Select Board. The Select Board will return to Open Session. The motion was seconded by Mr. Zoll. The Board voted unanimously by roll call (4-0) to enter Executive Session.

**MUSTO: YES**

**ZULLAS: YES**

**BRADLEY: YES**

**ZOLL: YES**

**22. Executive Session - Pursuant to M.G.L. c. 30A, § 21(a)(6) – To discuss the purchase, exchange, lease or value of real property (Blue Hill Ave: B 7 5 and 676 Brush Hill Road: B 7 4)**

Chair Zullas moved to enter into Executive Session to discuss the purchase, exchange, lease or value of real property (Blue Hill Ave: B 7 5 and 676 Brush Hill Ave: B 7 4) based on my belief that discussion of this matter in open session may have a detrimental effect on the litigating position of the Select Board. The Select Board will return to Open Session. The motion was seconded by Mr. Zoll. The Board voted unanimously by roll call (4-0) to enter Executive Session.

**MUSTO: YES**

**ZULLAS: YES**

**BRADLEY: YES**

**ZOLL: YES**

**23. Executive Session - Pursuant to M.G.L. c. 30A, § 21(a)(6) – To discuss the purchase, exchange, lease or value of real property (Town Landing, Wharf Street)**

Chair Zullas moved to enter into Executive Session to discuss the purchase, exchange, lease or value of real property (Town Landing, Wharf Street) based on my belief that discussion of this matter in open session may have a detrimental effect on the litigating position of the Select Board. The Select Board will return to Open Session. The motion was seconded by Mr. Zoll. The Board voted unanimously by roll call (4-0) to enter Executive Session.

**MUSTO: YES**

**ZULLAS: YES**

**BRADLEY: YES**

**ZOLL: YES**

**24. Discussion/Approval - Memorandum of Agreement with the Milton Clerical Unit of the Southeastern Public Employees Association for July 1, 2022 to June 30, 2025**

Prior to Entering Executive Session, Chair Zullas noted that this matter will be deferred.

The Board returned from Executive Session at 10:55PM.

## **25.. Discussion/Approval - Lease Agreements for the Town Landing, Wharf Street**

This matter has been deferred.

## **26. Adjourn**

At 10:55PM, Ms. Musto moved to adjourn. The motion was seconded by Mr. Zoll. The Board voted unanimously to adjourn.

Respectfully submitted by Lynne DeNapoli, Executive Administrative Assistant to the Select Board.

### Documents:

Statement from Richard Wells, Select Board Member regarding curtsey and decorum.

Correspondence between the Town of Milton and MassDot regarding the intersection improvements at Route 28/ Randolph Ave and Chickatawbut Road.

Memo dated June 21, 2023 from the Animal Shelter Advisory Committee

RFP-Modular Construction of the Milton Animal Shelter

Report from the Town of Milton, Board of Appeals -Decision relative to 944 Canton Ave.

Application of Rawad Bouumjahed: RBM Motor Masters, Inc. d/b/a: Milton Auto Repair located at 944 Canton Ave. for a Class II Dealer License

Volunteer applications for the Equity and Justice for All Committee

Ralph Parent

Kenji Metayer

Volunteer Applications for the Youth Task Force

Lisa Courtney

Allison Gagnon

Christina Lilliehook

Neal Piliavin

Stephen Popkin

E-mail from Tim Czerwienski, Director of Planning and Community Development re: Sign Review Committee Members

Volunteer Applications for the Sign Review Committee

Lara Simondi

Deborah Azerrad Savona

E-mail from Robert Levash, Chair of the Community Preservation Committee

Volunteer Application for the Community Preservation Committee

Kathleen O'Donnell

E-mail from Christine Stanton, Director of the Council on Aging and Lorraine Summer, Chair of the COA Board of Directors regarding Committee Appointments

Grant of Easement to USC LLC over the Dump Access Road

Contract with Foulsham Corp. for the Milton Public Library Handicap Ramp project

Contract with Foulsham Corp. for the Colicott/Cunningham Stormwater BMP

Meeting Minutes: June 3, 2023 and June 13, 2023

DRAFT

**DRAFT****Select Board Meeting Minutes**

**Meeting Date:** 7/6/2023

**Members in Attendance:** Michael Zullas, Chair; Erin G. Bradley, Vice Chair; Roxanne Musto, Secretary; Benjamin Zoll, Member; Nicholas Milano, Town Administrator and Lynne DeNapoli, Executive Administrative Assistant to the Select Board

**Members Absent:** Richard G. Wells, Jr.

**Meeting Location:** REMOTE

**Time Meeting called to Order:** 3:03PM

**Time Meeting Adjourned:** 3:32PM

**1. Call to Order**

Chair Zullas called the meeting of the Select Board to order at 3:03PM under Chapter Two of the Acts of 2023 of the M.G.L.

**2. Discussion/Approval - Letter to MassDOT regarding the intersection improvement project at Randolph Ave. and Chickatawbut Road**

Mr. Milano provided an update on the intersection improvement project and highlighted a few key components of the draft letter to MassDOT.

The Board Members discussed the content of the letter, comments offered by Chair Zullas and the overall tone of the message.

The Members agreed to include Chair Zullas' suggestions and to reincorporate the request to MassDOT to pause the design and permitting work.

"At this time, the Select Board cannot support the final roundabout design and is asking that MassDOT pause its design and permitting work on the proposed roundabout design until additional traffic report information is shared with the Town and until the completion of the Route 28 Corridor Traffic Study."

Ms. Musto moved to approve the letter with changes to MassDOT regarding the intersection improvement project at Randolph Ave. and Chickatawbut Road. The motion was seconded by Mr. Zoll. The Board voted unanimously by roll call (4-0) to approve the letter.

**MUSTO: YES**

**ZOLL: YES**

**BRADLEY: YES**

**ZULLAS: YES**

### **3. Discussion/Approval - Committee Appointment**

#### **a. Youth Task Force**

##### **i. Maile Panerio-Langer (Milton Coalition)**

Ms. Musto requested that the Board consider deferring this Appointment to the next regular scheduled Select Board meeting on Tuesday, July 11<sup>th</sup> in an effort to remain transparent.

Mr. Zoll explained that he requested that this Appointment be added to today's agenda. There is a tentative date scheduled for the first Youth Task Force meeting. Mr. Zoll wants to give all members time to complete the appointment process and share their feedback on agenda topics. Mr. Zoll hopes that the Youth Task Force can address the growing concerns regarding teen activity at Cunningham Park.

Following an exchange among the Board members, Ms. Bradley moved to appoint Maile Panerio-Langer of the Milton Coalition to the Youth Task Force for a term to expire on June 30, 2024. The motion was seconded by Mr. Zoll. The Board voted unanimously by roll call (4-0) to appoint Ms. Panerio-Langer to the Youth Task Force.

**MUSTO: YES**

**ZOLL: YES**

**BRADLEY: YES**

**ZULLAS: YES**

### **4. Adjourn**

At 3:32PM, Ms. Musto moved to adjourn. The motion was seconded by Ms. Bradley. The Board voted unanimously by roll call (4-0) to adjourn.

**MUSTO: YES**

**ZOLL: YES**

**BRADLEY: YES**

**ZULLAS: YES**

Respectfully submitted by Lynne DeNapoli, Executive Administrative Assistant to the Select Board.

### Documents

Letter to MassDOT regarding the intersection improvement project at Randolph Ave. and Chickatawbut Road

Comments from Michael Zullas, Chair- Letter to MassDOT regarding the intersection improvement project at Randolph Ave. and Chickatawbut Road

Youth Task Force:

Volunteer Application of Maile Panerio-Langer