

MarketStreet Advisory Committee (MSAC)

Meeting Minutes

November 30, 2017

7:00 p.m. – 8:15 p.m.

Merritt Room, 600 MarketStreet

**Attendance: J. Bayer, R. Dalton, D. Breen, P. Parziale,
J. Fleming, S. Yerardi, A. Ferullo, W. McKenzie, A. Mitchell,
P. Doucette**

Absent: B. Charville, T. McClory, G. Covino, G. Gioioso

NEXT MEETING: THURSDAY JAN. 25, MERRITT ROOM 7:00 P.M.

1. Chairperson, Ms. Bayer, calls meeting to order
 - a. Welcome National Development: Introduction of Ted Tye and Doug Straus attending the meeting.
 - b. Ms. Bayer reviewed the mission of the MSAC and outlined work done by the MSAC to date.
 - c. Ms. Bayer (MSAC) reviewed the Noise sub-committee and Berm sub-committee recommendation presentations from the MSAC meeting held on Oct. 26, 2017.
2. Update on the development of Building 1350;
 - a. Ted Tye (ND) commented the MarketStreet website has been updated with the construction schedule of building 1350 and will be updated weekly.
 - b. Doug Straus (ND) commented that the species of trees planted this fall (on the berm) were selected by the arborist. He mentioned they are a very good quality tree. They are watching to see how they survive the winter.
 - c. Doug Straus (ND) informed the group that building 1350 foundation will start next week. Prepping for steel delivery first week of January. Planning to open early fall 2018.
 - i. Ted Tye (ND) commented the goal is to enclose the building as quickly as possible. They are in communication with the construction company daily stressing the 7 a.m. work start. Any issues or complaints regarding construction starting prior to 7 a.m. please contact WS management (Nanci Horn). It will be addressed immediately.
 - ii. Dick Dalton asked what is happening with parking by CPK and barricaded area?
 - Ted Tye responded that area is to provide replacement parking due to the building 1350 construction. Barricades are for safety.

- d. Ted Tye (ND) also commented there will be no pile driving or blasting for the building 1350 project. These 2 factors create loud noise but will not be occurring during this construction.
- 3. Traffic Improvement update;
 - a. Chief Breen (MSAC) commented on traffic patterns;
 - i. Several meetings have occurred with Nanci Horn (WS) and Whole Foods manager Bill Ford and staff as to where they will be directing traffic once on property. Certain turns were prohibited which kept the flow from backing up during Thanksgiving food shopping period.
 - ii. Chief Breen commented he has spoken to a lot of citizens with ideas;
 - Resident Joe DeMaina discussed a thought with the Chief regarding a slight light delay to allow better flow onto 95S ramp (left turn) from Walnut street.
 - Chief Breen has contacted Paul Steadman District 4 director to discuss the possibility but has not received a return call yet.
 - The Chief believes this may be an additional safety measure.
 - iii. Chief Breen stated that police details began. There is a good security presence on property. They will review after the season is over to compare results with last year.
 - b. Sal Yerardi (MSAC) reviewed issues for Colonial residents;
 - i. HEATHER/KING RAIL INTERSECTION;
 - Issue: Resident concern with diminished site line when taking left and retaining wall process.
 - A meeting was held with Doug Straus (ND), Sal Yerardi, Chief Breen and Jim Boudreau (TA) on October 12, 2017 to discuss the four areas of concern:
 - 1. Retaining wall (shown and approved on July 30, 2013)
 - 2. Enforcement of road violations (MGL Chp. 60 sec 17/18 prima facia evidence (easier to disprove) of rate of speed greater than reasonable and proper)
 - 3. Private road compliance with regulations (ND/Stantec responded to the 4 questions regarding compliance with MGL, ASSHTO and MUTCD on October 24, 2017)
 - 4. Traffic improvements. It was determined that the existing speed bumps would be removed for the winter and then reinstalled later. Information from Brian Paglia, MktSt. operations manager called for a mid-November

removal and April reinstallation – actual removal 11/28/17. Jim Boudreau (TA) stated that damage to the plow would occur from the exposed 18” steel spikes if left in place over winter. Asphalt was also considered to damage the plow (note: this should be re-evaluated since it would be a permanent solution).

4. Advisement on potential theater/cinema proposal;
 - i. Ted Tye (ND) Regarding a theatre proposal: ND hasn't brought anything forward. The thought now is to complete some of the “other stuff” which is very important before bringing anything else forward.
 - Ted Tye also commented that the question of a cinema has been talked about by ND for a long time. He (Ted Tye) feels it is important for the health of the center to get it done.
 - Other comments from Ted Tye;
 - The cinema proposal has been on ice waiting for the MSAC to do their work.
 - Would like to talk about a procedure with the MSAC. Make it a working situation, evaluate all pieces of a cinema.
 - Ultimately MSAC would make a recommendation to the Board of Selectmen.
 - If MSAC thinks it will be difficult, it will be difficult with the town.
 - Possibly discuss with individual sub-committees of the MSAC would be most productive. Is this committee willing to entertain this discussion?
 - i. If MSAC is willing to discuss, would like to lay out a schedule with each sub-committee and ask what information the sub-committee would like to see.
 - ii. Set up a series of meetings with the committees to assist with them recommendations.
 - Chairperson Jen Bayer (MSAC) affirmatively answered the question if the committee would be willing to have discussions regarding the cinema. Stating that is what we (MSAC) are here for.
 - Ted Tye (ND) acknowledged that ultimately town meeting voters make the choice but with

a commitment such as the MSAC's, the recommendation has a lot of weight.

- i. Anne Mitchell (MSAC) asked if a proposal from ND will be presented to the group prior to beginning discussions.
 - ii. Ted Tye (ND) replied that parameters will be provided but not a full proposal.
 - 1. i.e. traffic sub-committee may ask "what are issues, what do you want us to study" which at that point we would come back with our proposals.
 - 2. Would discuss what parking might look like etc.
 - iii. Anne Mitchell (MSAC) asked how could potential traffic be determined if we do not know how many seats planned?
 - 1. Ted Tye replied for traffic determination we would provide number of seats.
- Chairperson Jen Bayer asked Ted Tye for a basic theater review for those that were not familiar with the theater proposal process presented a few years ago.
 - i. Ted Tye stated he preferred to discuss around the MSAC table with facts. Issues are very identifiable. A presentation of theater 101 is scheduled for the next MSAC meeting 1-25-18.
 - ii. Ted Tye stated that the MSAC sub-committees do research and come back with recommendations just as they have been working thus far.
- Dick Dalton asked what is the next step? MSAC or ND, whose court is the ball in now?
 - i. Ted Tye (ND) responded that if the MSAC is willing to entertain discussions, they will present the background at the January meeting. Info on how it started, why it's compelling.

5. Advisement on Financial Impact;
 - a. Phil Doucette (MSAC) discussed FI beginning with 3 basic questions under review by the FI sub-committee;
 - i. What has been the overall financial impact of Market Street on the town from a Revenue and Expense standpoint.
 - ii. How do these results compare to the financial impact of MarketStreet presented in the original proposal prepared by Connery and Associates in 2007.
 - iii. Assuming that the financial impact has been favorable, how come my taxes did not go down? Where did the money go?
 - Discovery:

The discovery process began with a complete review of the report prepared by Connery and Associates which was the original financial document used as the basis of the entire MarketStreet proposal.

 1. Met with the Town Administrator, Jim Boudreau who shared his thoughts on MarketStreet and how favorable he felt it was to the town. He stressed that many of the projects like the Fields project and the Center Farm purchase would not have been possible without the incremental revenue from MarketStreet. He also mentioned that the town budget had grown significantly to the current 52-million-dollar level. Most of Jim's comments were general statements without any specific numbers.
 2. Assumed Jim (TA) would be a great resource in helping us to get specific numbers relating to the incremental MarketStreet revenue and expense impact on Lynnfield. Due to Jim's job change to another town, this turned out to be an erroneous assumption.
 3. The sub-committee met with Ted Tye of National Development, who emphasized that our analysis will show that MarketStreet has been a real Financial win for the town both from up-front money paid as well as money paid in advance for permits to help the town with its cash

needs along with the tax revenue and meals tax generated by MarketStreet. Ted also mentioned two other major points:

- a. He has concerns about the fact that MarketStreet is heavily dependent on retail, which is currently going through a major change due to on line shopping
 - b. The tax rates for MarketStreet are at the top of the spectrum and they may not be able to continue because they are passed through to the businesses that make up MarketStreet, which may affect their viability from a profit standpoint.
4. Fire Chief was asked about incremental costs on the Fire Department and Emergency Medical Services. He felt MktSt. was successful and hasn't required a tremendous amount of resources. The fire budget has only grown a small amount. Lahey's opening fall 2018 may add calls to fire dept. emergency services.
 5. A request was sent to Julie Mallett on the cost to the town for the concerts at MarketStreet. Her response was \$12,950 for the time period 2014 thru 2017.
 6. A request was sent to Ted Tye asking how many Lynnfield residents are employed by Market Street and how much MarketStreet has contributed to Lynnfield Charities.
 7. Other contributions from ND to the town;
 - a. The Merritt meeting room was donated to the town
 - b. 103 acres donated to the town for King Rail
 - c. 6-7 acres donated for senior housing
 8. Other info;
 - a. The Colonial golf course (previous use) generated \$152K in tax revenue per year.
 - b. Education budget grew 2007-2017 +50% but enrollment -6%
 - i. Ted Tye will get accurate student number living on the

property to match up with info
provided by the
Superintendent of schools.

9. MarketStreet development has far
exceeded the Connery report.

iv. FI sub-committee working to explain where revenue is
going. Why property taxes are not decreasing. This
information will help people going forward.

6. Chairperson Jen Bayer: All sub-committees are to review the Lynnfield
resident comments and concerns document to be sure residents are
updated.

7. Public Comment;

a. D. Moynihan: asked about snow removal behind the property
across from BCC.

i. Response from Paula Parziale (MSAC): Conservation
Commission did not approve.

b. Dave Miller: MSAC should request the meeting be broadcast on
Lynnfield public TV so residents that cannot attend have access
to watch meetings.

c. Dave Basile: 2-3 nights later after snowstorm, snow removal
being done at night vs. day hours.

i. Response from Anne Mitchell (MSAC): This issue was
addressed at the prior meeting when the noise
subcommittee presented on this topic. In short, it is a
safety issue to move snow around during the day with
patrons walking around the property. Due to timing of
snowstorms and the impact of larger snowstorms it is
impossible to come up with a resolution that guarantees
no noise in the evenings. MarketStreet (WS
Development) has been made aware of the complaints
about the noise from moving around the snow late at
night (especially the second and third nights after the
storm).

8. Adjourn: 8:17 p.m.

