

Horizon For Youth Reuse Committee

Sharon, Massachusetts

Meeting February 24, 2011



Meeting of February 24, 2011

In Attendance: members: Mike Bossin, Gary Bluestein, Jay Bronstein , Town counsel Lisa Whelan, Everwood Partners Scott Brody, Dane Pickles, Counsel David Weiner

- 1: 7:00 **Meeting called to order.**
- 2: 7:01 Committee discussed upcoming hearing and steps to close it. It was decided that Attorney Whelan will submit to the Committee a letter authorizing her to submit to the Board of selectmen the information presented by Everwood Partners as amended if needed by this hearing.
- 3: 7:11 Mike will write up a report to be included in the Town Report
- 4: 7:15 Continued Open Hearing from December 13, 2010

Everwood Partners handed out the following answers to the committees request for additional information based on the feedback from the Town Departments (see February 7, 2011 minutes)

The Town of Sharon Engineering Division of the Department of Public Work:

- 1) **The plans for site usage are varied and the impact on traffic is difficult to determine for such varied events and possible attendee numbers. It appears that the daily camp usage of 200 campers and 40 staff members should not cause a traffic flow problem, since we are looking at about 5 to 6 bus's and 30 to 40 cars. However, the special events with 1000 people will require parking that does not currently exist at the site and a clear delineation of where that parking would be was not provided. Those concerns apply to staff parking as well. A better parking plan is needed, so**

it can be determined how many parking spaces currently exist and how many spaces can be added and where. It is proposed on the “Traffic and Parking” two-page report that the septic area will be used for parking. Septic areas are not usually an acceptable location for parking and approval from the Board of Health will be required if that proposal is to be pursued. In summary, a more detailed parking plan with current number of spots and proposed number of spots with locations will be needed. The reason for this request is to ensure that Lakeview Street traffic can continue to flow during drop-off times and during special events. The Engineering Division would like to include in any agreement that we have the right to request actions to be taken by the camp owners, in the event that traffic is negatively impacted by activities at the camp.

The Engineering Division has no turning radii information on the entry or exit driveways, so we will leave it to Camp Everwood and/or the Reuse Committee to ensure that bus traffic can enter and exit the site without backing up or making turns that would stop traffic on Lakeview Street. If the Reuse Committee would like this issue pursued in greater detail, the Engineering Division recommends that a trial bus run be made to demonstrate that bus traffic can enter and exit the site safely. It is my understanding through questioning Town officials that bus traffic has entered and exited the site, in the past, as shown on the camp’s traffic plan.

Please see the revised traffic and parking plan now included with our Submission of Materials for the February 24th Meeting of the Horizons for Youth Reuse Committee. You will find that it addresses all of the materials points raised by the Town Engineer. Specifically, it includes an expanded parking and traffic plan for regular camp events and current parking capacity, a description of how plans will be developed for Town-wide special events, and a confirmation that the leach field for the septic system behind Buildings 17 and 18 can in fact be utilized to provide additional parking for parent pick-up and drop-off and for other purposes. It also addresses the issue raised about turning radii for traffic circle entrances and exits.

2) Page 3 of the “Submission of Materials” describes use of fertilizers and hazardous materials. It should be noted that the camp is in a Water Protection District and all the requirements of Section 4500 of the Zoning By-Laws of the Town of Sharon apply to this site with respect to the storage of chemicals and the use of fertilizers. Specifically, section 4532 prohibits storage of chemicals in excess of 5 gallons without a Special permit from the ZBA. See Section 4532 for all prohibitions that require a Special permit and 4531 for prohibited uses. Camp Everwood officials should contact Kevin Weber of the Sharon Forestry and Grounds Department regarding the use, application rate and type of fertilizer to be

allowed on grassed areas.

Please note that Article 6.1 of the Ground Lease between the Town and Everwood Camp Partners LLC provides that Everwood must comply with all Applicable Laws (which is defined broadly to include all applicable governmental approvals, laws, ordinances and regulations); and procure and comply with all Approvals required by Applicable Law.

3) It isn't clear from the documentation whether the camp will be charged for water at the site. Specific watering schedules and times of application should be discussed with Kevin Weber of the Sharon Forestry and Grounds Department and David Masciarelli of the Sharon Water Department.

Please note that Section 4.5 of the Lease requires that Everwood pay all utility charges for the property including water.

4) Page 5 of the submission of materials notes that campers from a 25-mile radius will be allowed at the camp. Is there a mechanism in place to determine the 25-mile radius? Perhaps a designation of neighboring towns of residence allowed would be more easily enforceable?

5) Finally, it is not clear from the documentation submitted to the Engineering Division of the DPW that the Town of Sharon is indemnified from any lawsuits arising from activities at the camp. It is assumed by this department that this issue has been addressed somewhere but it is important that the question be answered to the committee's satisfaction.

6) It should be noted that any building construction work at the site that involves the use of public funds requires that State purchasing laws under Chapter 149 of the Mass General Laws be adhered to. Specifically, projects under \$25,000 require three written quotes. Projects over \$25,000 require a sealed bid process. All building construction contracts paid for with public funds, at any amount, must be performed at prevailing wage.

Please acknowledge paragraph 6 as it pertains to Capital funds

Again, Article 6.1 of the Ground Lease between the Town and Everwood Camp Partners LLC provides that Everwood must comply with all Applicable Laws (which is defined broadly to include all applicable governmental approvals, laws, ordinances and regulations); and procure and comply with all Approvals required by Applicable Law. If public funds are used for any construction projects at the site, and if Chapter 149 applies, we would abide by its terms.

Comment on adding in total below to the lease

The Board of Health voted unanimously at its meeting of January 24, 2011, as follows:

In order to assure that the (Camp Everwood) facility will remain in compliance with the wastewater design limits (8750 gpd design flow), these assumptions used to design the system should be included in the lease (with Camp Everwood):

No more than 250 overnight campers and staff or 728 day campers may be allowed;

Day campers to bring own food with the exception of a weekly barbecue;

No food preparation or washing dishes;

Cabins not currently in use continue to not be used for camping activities (non-septic related use only) unless the applicant comes to the BOH for modification.

Thank you for the opportunity to comment.

Linda Rosen

Health Administrator

Current Capacity of the system is 728 day campers and that occupancy cannot be increased without the addition of septic capacity.

Everwood Camp Partners LLC understands that current Title 5 compliant septic systems on the site have been determined by the Sharon Board of Health to have a total design flow of 8750 gallons per day. Based on this current capacity, a day camp without a "Mess Hall" per title 5 (310 CMR 15.416) must allocate 10 gpd per camper. As we currently plan to serve one meal per week (Friday lunch), which might involve some level of food washing (although it will likely not involve food washing for now, as we will be utilizing a catering company which will prepare food off site), a single meal allocation of 3 gpd for that single day, or additional allocations based upon future use of the commercial kitchen for provision of lunches on other days, would impact the total number of campers and staff permissible under the 8750 gpd total.

Based upon current conditions, an approximate capacity of 728 campers per day as proposed by the Board of Health, is a reasonable benchmark and well within the current 8750 gpd design capacity of the system. Should the need arise to expand the 8750 gpd capacity of the current septic systems, including a need to utilize additional buildings on site which are not currently connected to Title 5 compliant systems, Everwood would seek to expand existing septic capacity through

construction of an additional system or systems, resulting in the potential for greater total camper numbers.

Again, Article 6.1 of the Ground Lease between the Town and Everwood Camp Partners LLC provides that Everwood must comply with all Applicable Laws (which is defined broadly to include all applicable governmental approvals, laws, ordinances and regulations); and procure and comply with all Approvals required by Applicable Law. Additionally, Section 6.3 of the Lease specifically required that Everwood comply with all Applicable Laws with respect to any improvements to the septic system.

From Sharon Conservation Commission
Dear Gentlemen:

At the Committee's request, I have reviewed Everwood's Site Operation plans related specifically to the protection of Lake Massapoag, adjacent wetlands resources, proposed water conservation measures, use of pesticides, herbicides, and hazardous materials, among other items. I have been in communication with the Camp's personnel and land consultants in the preparation of the above stated procedures and find them to be thorough and very suitable.

Should the Committee wish any further feedback, don't hesitate to contact me.

For the Commission,
Greg

From the Chief of Police:

I discussed several issues w/Gary. Camp tuition will include busing in an attempt to limit traffic. Buses will use circle, all entering at same location and exiting at other end. Other issue was band and chorus practicing until 10:30 PM. Will noise carry and disturb residents behind camp. Gary said he will make sure noise issue addressed. Based on our conversations, I am all set.

Joe B
Joseph S. Bernstein
Chief of Police
Sharon Police Department
Sharon, MA 02067

FBINA Session 155

Pursuant to Section 5.4.1, Everwood has recognized that the Town of has a continued interest in making portion of the Premises available for community uses by certain Community Groups, and Everwood has agreed to allow the Premises to be used by such Community Groups on a limited basis as set forth a schedule which is attached to the lease. That schedule, which was dictated by the Town and accepted by Everwood, provides for the use of the site by the Community Chorus and the Community Band on Tuesday and Thursday nights, up until 10:30pm. If the Police Department is concerned that such use may violate local noise ordinances, it is imperative that the Chief addresses this issue with the Board of Selectmen, so that alternative arrangements can be made for these Community Group users. As a general rule, Everwood does not intend to utilize that facility in any way that would violate local noise ordinances, and Section 6.1 specifically precludes us from doing so.

Gary

For the record (as discussed), 4 (b) the three bullets re speed bumps, pedestrian crossing stand, & "ample signage" provision should be at Everwood's expense not the Town's.

Pursuant to Section 7.2.1 of the Ground Lease, any improvements that are made to the property are at the sole expense of Everwood. This would naturally include traffic and pedestrian crossing enhancements.

Ben

Please respond to the need for speed bumps are they needed? If so it must be acknowledged that this is done through the Towns engineering Dept as well as approval from the Police and Fire Department and will need a public hearing

We understand there is no current requirement for speed bumps. As stated above, Everwood is required under the terms of the lease to obtain all necessary permits for any construction, or for any alterations that routinely require a permit.

Ben,

I've reviewed the documents and am satisfied with their contents. My occupancy file is consistent with the intended "uses" and the descriptions Everwood provided are already established at the facility. The beachfront does need some restoration and the original beach is still identifiable if you

walk the shoreline.

Thanks
JJK

Everwood agrees with the Building Inspector's conclusions.

FIRE CHIEF
RE: HFY Reuse

Response to #1.(c)

Any chemicals, cans of gasoline, or equipment i.e. lawn mowers or snow blowers, should be kept in uninhabited storage areas in proper containers. Inspections should be made by building inspector, board of health and fire department personnel yearly. All permits for storage of flammable liquids and propane should be obtained and inspected prior to occupancy.

Evergreen will obtain any necessary storage permits as it is required to do pursuant to Article 6.1 of the Ground Lease.

#2. (c) All buildings occupied should have working smoke and carbon monoxide detectors as required by code.

General:

1. Parking of staff vehicles should not prevent emergency response vehicles from gaining access during emergencies.
2. Emergency response and evacuation plans are the responsibility of the tenants and should be in place and staff should be instructed in each prior to occupancy.

We have incorporated the first item into our Traffic and Parking Plan. As for Emergency response and evacuation plans, pursuant to MA Camp licensing regulations, as well as the requirements associated with accreditation by the American Camp Association, we will have a fully developed plan before the opening of camp which will be shared with emergency response personnel prior to the opening of Camp each summer. This plan will be developed in consultation with an expert in the development, testing, and implementation of such plans. This has been included in our additions to Answers.

As always, fire department personnel can assist on any of the above issues

upon request.

Chief Dennis Mann

comment on adding this to the lease

After looking over the packet, Everwood Partners should have a professional with a Massachusetts pesticide license if they plan to apply any pesticides to either the grounds or the buildings themselves. I believe they are required by law to have someone with a license apply any pesticide to a non residential property.

To date they have been very cooperative whenever they do any work to the facility. As long as they continue to keep the town in the loop prior to any major projects, I am looking forward to the continued upgrades to the facility.

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Kevin Weber Supervisor forestry and grou

TOWN OF SHARON

HORIZONS REUSE COMMITTEE

MIKE BOSSIN
JAY BRONSTEIN
GARY BLUESTEIN

To Scott Brody Everwood Partners LLC:

The Horizons Reuse Committee had requested feedback from different Departments within the Town on the Submission of Materials that you provided to the Committee on December 13, 2010. Please see the attached responses. We request that you provide a response to each item highlighted in **Red** of the Request for Additional Information. We would like you to incorporate your responses into a revised edition of your prior Submission of Materials. Our goal is to continue the open Hearing of December 13, 2010 to Thursday February 17, 2011 at 7:15 pm at the Sharon Community Center. If this date does not allow you sufficient time to properly respond, please let us know so that we may reschedule to a future date.

Please confirm receipt of this email and if you would like a hard copy that can be arranged

Horizons Reuse Committee
Jay Bronstein
Mike Bossin
Gary Bluestein

SUBJECT: Review of Traffic and Parking and Submission Materials for December 13, 2010 Meeting of the Horizons for Youth Reuse Committee

Dear Committee Members:

The Town of Sharon Engineering Division of the Department of Public Work has reviewed the "Submission of Materials for December 13, 2010 Meeting of the Horizons for Youth Committee" and the two-page "Traffic and Parking" submission and we have the following comments:

- 1) **The plans for site usage are varied and the impact on traffic is difficult to determine for such varied events and possible attendee numbers. It appears that the daily camp usage of 200 campers and 40 staff members should not cause a traffic flow problem, since we are looking at about 5 to 6 bus's and 30 to 40 cars. However, the special events with 1000 people will require parking that does not currently exist at the site and a clear delineation of where that parking would be was not provided. Those concerns apply to staff parking as well. A better parking plan is needed, so it can be determined how many parking spaces currently exist and how many spaces can be added and where. It is proposed on the "Traffic and Parking" two-page report that the septic area will be used for parking. Septic areas are not usually an acceptable location for parking and approval from the Board of Health will be required if that proposal is to be pursued. In summary, a more detailed parking plan with current number of spots and proposed number of**

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Kevin Weber Supervisor forestry and grounds Town of Sharon

The committee had many questions that included septic capacity, parking on septic areas, Event Parking, on street parking, evening closing time, Emergency Evacuation plan. These will all be added to the Everwood final submission.

5: 8:18pm Motion by Mike Bossin second Jay Bronstein moved:

Horizons for Youth Property Reuse Committee

At a duly called public meeting of the Sharon Horizons for Youth Property Reuse Committee on February 24, 2011, the Committee voted as follows:

Upon motion duly made and seconded, the Committee hereby authorize Town Counsel, to draft the report of the Committee to the Board of Selectmen relative to the imposition of reasonable conditions to the use of the former Horizons for Youth property by Everwood Camp Partners, LLC, based on the information gathered by the Committee and contained in the minutes of the meetings and to present the report of the Committee as an agenda item action and to file the Committee's final submittal with the Board of Selectmen for its review and action. And we further authorize Town Counsel to take such actions as may be required to carry out the foregoing.

Town of Sharon
Horizons for Youth Property Reuse Committee

Gary Bluestein

Michael Bossin

Jay Bronstein

Dated: _____

Vote was unanimous

8:20 Next meeting March 3,2011 Motion to Adjourn Jay Bronstein, second Mike Bossin
passed unanimous