



Zoning & Planning Committee **Agenda**

City of Newton **In City Council**

Thursday, November 14, 2019

7:00pm
Chamber

Items Scheduled for Discussion:

- #361-19 Appointment of Marcela Merino to the Economic Development Commission**
HER HONOR THE MAYOR appointing Marcela Merino, 66 Clover Road, West Newton, as a member of the ECONOMIC DEVELOPMENT COMMISSION for a term to expire November 30, 2022. (60 Days: 12/14/19)
- #335-19 Appointment of Leigh Gilligan to the Conservation Commission**
HER HONOR THE MAYOR appointing LEIGH GILLIGAN, 16 Bradford Road, Newton Highlands, as a full member to the CONSERVATION COMMISSION. Ms. Gilligan currently serves as an alternate member on the Conservation Commission. Ms. Gilligan will complete a new term as a full member which will expire November 1, 2022.
- #384-19 Referred to Zoning & Planning and Finance Committees**
Appropriate \$15,000 for a grant to the Newton Conservators
COMMUNITY PRESERVATION COMMITTEE requesting the appropriation of fifteen thousand dollars (\$15,000) to the Planning & Development Department for a grant to the Newton Conservators, for the costs associated with holding the required conservation restriction on open space acquired with community preservation funds at Kessler Woods.

The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

Referred to Zoning & Planning and Finance Committees

- #386-19** **Request to appropriate \$50,000 in CPC funds for Pigeon Hill Trail Design**
COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of fifty-thousand dollars (\$50,000) to the Planning & Development Department for a grant to the Newton Conservators, as the fiscal agent of the Riverside Greenway Working Group, for design of the Pigeon Hill Trail in Auburndale as described in the proposal submitted to the CPC in September 2019.

Referred to Public Facilities and Zoning & Planning Committees

- #143-19** **Discussion/Adoption of Climate Action Plan/Citizens Climate Action Plan**
COUNCILORS ALBRIGHT AND CROSSLEY on behalf of the Zoning & Planning and Public Facilities committees, requesting discussion and adoption of items within the Climate Action Plan and the Citizen's Climate Action Plan with the Sustainability Directors, Climate Action Planning team led by Jennifer Steel (Planning Department staff, MAPC and volunteers) and the Citizens' Commission on Energy. The focus will be to understand the synergies between the two complimentary plans and how items within the plans can be integrated to achieve the significant reductions in greenhouse gas emissions called for in recent national and international reports.

Public Hearing

- #13-19** **Adoption of the Climate Action Plan**
DIRECTOR OF PLANNING requesting discussion and adoption of the Climate Action Plan as an amendment to the 2007 Comprehensive Plan.

Public Hearing

- #363-19** **Amendment(s) to Chapter 30 relative to building efficiencies**
DIRECTOR OF PLANNING & CO-DIRECTORS OF SUSTAINABILITY requesting discussion and adoption of amendments to Chapter 30, the Newton Zoning Ordinance to create exemptions to building envelope standards such as height and setback to facilitate the implementation of energy efficiency and alternative energy measures in buildings including external insulation, doorway vestibules, heat pumps, and solar panels among other features.

Public Hearing

- #364-19** **Amendment(s) to Chapter 30 relative to sustainable design**
DIRECTOR OF PLANNING & CO-DIRECTORS OF SUSTAINABILITY requesting discussion and adoption of amendments to Chapter 30, the Newton Zoning Ordinance to create a new set of standards related to sustainable development design with requirements for new buildings and development projects to include environmental and energy efficiency features.

Respectfully Submitted,

Susan S. Albright, Chair



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

#361-19

Telephone
(617) 796-1100
Fax
(617) 796-1113
TDD/TTY
(617) 796-1089
Email
rfuller@newtonma.gov

October 11, 2019

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

To the Honorable City Councilors:

I am pleased to appoint Marcela Merino of 66 Clover Road, West Newton as a member of the Economic Development Commission. Her term of office shall expire on November 30, 2022 and her appointment is subject to your confirmation.

Thank you for your attention to this matter.

Warmly,

A handwritten signature in blue ink that reads "Ruthanne Fuller".

Ruthanne Fuller
Mayor

2019 OCT 15 AM 9:40
JAMES A. GUNN, CLERK
NEWTON, MA 02459

Marcela Merino Domínguez

66 Cloverdale Road, Newton, MA [REDACTED]

SUMMARY: Bilingual professional with 10+ years experience in economic development, research and strategy consulting. Fields of expertise: regional competitiveness, cluster analysis, workforce development and SME growth.

PROFESSIONAL EXPERIENCE

-
- Greater Boston Chamber of Commerce (GBCC)** Boston, MA
Senior Manager, Economic Growth Team 2018 to present
- Manage the implementation of the Pacesetters initiative, a collective effort of large corporations and anchor institutions aimed at increasing market access for underserved SMEs. Conduct business assessments, help shape program strategies and measure economic impact
- Harvard Business School – HBS Online**
Associate Product Manager Boston, MA
 2016-2017
- Led the launch of new online courses and managed ongoing product lifecycle and delivery across multiple teams. Conducted research to identify new markets and channels to support product growth
- Harvard Business School - Institute for Strategy and Competitiveness (ISC)**
Research Associate (RA) Boston, MA
 2013-2016
- Worked with Professor Michael Porter as the primary Research Associate in the areas of strategy, competitiveness and social development (Creating Shared Value); acting as team lead for junior RAs
 - Managed content and relationships with host organizations and partners. Conducted research and developed presentations for private, academic and public policy engagements
 - Co-author HBS entrepreneurship case “Naranya: Created in Mexico” and Shared Value case “InterCorp: Innova Schools”
- McKinsey & Company**
Research Analyst Waltham, MA
 2010-2012
- Provided research and analytical insights for multiple economic development and social sector engagements, including competitive assessment of urban areas and jobs mismatch
 - Contributed to leading economic policy papers: “MGI Urban America: US Cities in the Global Economy” and “Innovation and Investment: Building Tomorrow’s Economy in the Bay Area”
- Initiative for a Competitive Inner City (ICIC)** Boston, MA
Researcher, ICCC Company Report, Investing in America’s Inner Cities Summer 2008
- Evaluated the progress of inner city companies on raising capital; identified emerging issues around capital access and growth in the inner city. Enhanced report by benchmarking the characteristics and sources of funding for inner city business with the rest of the economy
- Urban & Associates** Boston, MA
Market Analyst 2005-2007
- Performed detailed quantitative market analysis, population sampling and projection for media and consumption research studies. Designed survey questionnaire, supervised local field work, prepared final reports and presented key market recommendations to clients
- Economic Competitiveness Group** Berkeley, CA
 2003-2004
- Business Consultant, Nicaraguan Competitiveness Program (World Bank):** Facilitated dialogue and strategy meetings between government and industry groups. Identified market opportunities for local coffee producers and furniture makers in the US, and managed project resources

EDUCATION

-
- Brandeis University** Waltham, MA
 2009
- Master of Arts, International Economics and Finance. Concentration: Economic Policy
 Recipient Global Leader Fellow Scholarship. GPA: 3.59/4
- UC Berkeley** Berkeley, CA
 2002
- Project Management Certificate
- Antonio de Nebrija University** Madrid, Spain
 2001-2002
- MBA, International Business
- Central American Technological University** Honduras
 1994-1999
- Bachelor of Science, Industrial and Business Management

ADDITIONAL

-
- Computer Skills:** SPSS, Excel, Word, Power Point **Languages:** English and Spanish
- Other:** •Member MSPCA •Content Chief Officer, ALPFA •Student mentor, Brandeis University
 •Active tennis player, member Tennis northeast



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

#335-19
Telephone
(617) 796-1100
Fax
(617) 796-1113
TDD/TTY
(617) 796-1089
Email
rfuller@newtonma.gov

September 16, 2019

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

RECEIVED
CITY CLERK
2019 SEP 18 AM 11:37
DANIEL A. GILLIGAN
Newton, MA 02459

To the Honorable City Councilors:

I am pleased to appoint Leigh Gilligan of 16 Bradford Road, Newton as a full member of the Conservation Commission. Her term of office shall expire on November 1, 2022 and her appointment is subject to your confirmation. Ms. Gilligan currently serves as an alternate member on the Conservation Commission. Ms. Gilligan will complete a new term as a full member for the Conservation Commission which will end on November 1, 2022.

Thank you for your attention to this matter.

Warmly,

Ruthanne Fuller

Ruthanne Fuller
Mayor

Application Form**Profile**

Leigh

First Name

A.

Middle Initial

Gilligan

Last Name

Email Address

16 Bradford Road

Home Address

Suite or Apt

Newton

City

MA

State

02461

Postal Code

What Ward do you live in?☒ Ward 5

M

Primary Phone

Alternate Phone

McCarter & English, LLP

Employer

Partner

Job Title

Which Boards would you like to apply for?

Conservation Commission: Submitted

Interests & Experiences

Please tell us about yourself and why you want to serve.

Why are you interested in serving on a board or commission?

I have been a Newton resident since 2000, and an environmental attorney since 1990. I am keenly interested in applying my skills to become an engaged and active member of the Conservation Commission to participate in its able stewardship of Newton's important wetlands and conservation resources and find that this is a good time for me to make a substantial commitment to our community. I have worked in the wetlands regulatory world on behalf of many clients over the decades and greatly enjoy this aspect of my professional life. I have a wide body of experience within wetlands law and regulation at the local, state and federal level. I would greatly appreciate the opportunity to apply this experience in the Commission context. I greatly enjoyed sitting with Jennifer Steel and Claire Rundelli (City of Newton) and hearing about the Commission's important work, priorities and methodologies. I think I would be a good addition to the Commission and would greatly look forward to working with these impressive professionals.

Leigh_Gilligan_Bio.pdf

Upload a Resume

McCARTER & ENGLISH

ATTORNEYS AT LAW

www.mccarter.com

BOSTON | HARTFORD | STAMFORD | NEW YORK | NEWARK
EAST BRUNSWICK | PHILADELPHIA | WILMINGTON | WASHINGTON, DC



LEIGH A. GILLIGAN PARTNER BOSTON

PRACTICE GROUP Environment & Energy

CONTACT

265 Franklin Street
Boston, MA 02110
617.449.6520

lgilligan@mccarter.com

EDUCATION

J.D., George Washington University Law
School, 1990 (formerly George
Washington University, The National Law
Center)

B.A., University of Vermont, 1987

ADMITTED TO PRACTICE Massachusetts

U.S. District Court, District of
Massachusetts

U.S. Court of Appeals, First Circuit

MEMBERSHIPS AND PROFESSIONAL ACTIVITIES

American Bar Association, Section of
Natural Resources, Energy and
Environmental Law

Boston Bar Association, Environmental
Law Section

New England Women in Real Estate
(NEWIRE), Member of the Steering
Committee (2004-2007), Programs and
Seminars Committee, Chair, Legacy
Council



Clients report Gilligan "explains complex
legal situations in clear ways and makes
excellent recommendations for solving
our problems." - Chambers USA

Leigh Gilligan of McCarter & English, LLP
"displays a perfect blend of commanding
legal knowledge and creative business
know-how," clients say. - Chambers USA

Ms. Gilligan is a partner in the firm's Environment & Energy Practice Group. She has extensive experience in many aspects of environmental and land use law including licensing and permitting, compliance counseling, and representation in connection with business and lending transactions, as well as real estate development.

Ms. Gilligan represents parties involved in federal and state hazardous waste sites including legal proceedings, private cost recovery actions and dealings with governmental agencies. She regularly represents lenders in the evaluation, management and resolution of environmental issues. She also has extensive experience in environmental issues involved in transactions for the purchase and sale of land and businesses, including confirming and securing liability protections and economic incentives in connection with Brownfields redevelopment. Her representation also includes preparation of environmental opinions in connection with loans and bond issuances; compliance counseling to businesses of all sizes; representation of parties in environmentally-related state and local administrative and enforcement proceedings (including wetlands, tidelands and Massachusetts Environmental Policy Act review and facility site assignments); and working with site owners and developers in the management of environmental issues and permitting in the context of development. Ms. Gilligan is a frequent author and lecturer on environmentally related topics. She has in the past been an Instructor/Guest Lecturer at MIT's Center for Real Estate.

The "very helpful and responsive" Leigh Gilligan has a solid and broad-ranging environment and land use practice and she leads the team's Boston offering. Ms. Gilligan is recognized in *Massachusetts Super Lawyers* for 2004-2018, and is listed in *Chambers USA* from 2010-2019. Her broad practice includes the representation of clients in compliance, licensing and permitting matters.

**CITY COUNCIL
CITY OF NEWTON**

DOCKET REQUEST FORM

2019 OCT 24 PM 5:06

DEADLINE NOTICE: Council require items to be docketed with the Clerk of the Council **NO LATER THAN 7:45 P.M. TUESDAY, PRIOR TO THE MONDAY FULL COUNCIL MEETING** in order to be voted to be assigned to Committee(s) that evening.

To: Clerk of the City Council

Date: 16 September 2019From (Docketer): Alice E. Ingerson, for Community Preservation Committee

Address/phone/email: Planning & Development Dept., Newton City Hall, aingerson@newtonma.gov,
617.796.1144

Additional sponsors:

1. Please docket the following item (edit if necessary):

The COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of \$15,000 to the Planning & Development Department for a grant to the Newton Conservators, for costs associated with holding the required conservation restriction on open space acquired with community preservation funds at Kessler Woods.

2. The purpose and intended outcome of this item is:

- | | |
|--|---|
| <input type="checkbox"/> Fact-finding & discussion | <input type="checkbox"/> Ordinance change |
| <input checked="" type="checkbox"/> Appropriation, transfer, expenditure, or bond authorization | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Special permit, site plan approval, zone change (public hearing required) | <input type="checkbox"/> License or renewal |
| | <input type="checkbox"/> Appointment confirmation |
| | <input type="checkbox"/> Other |

3. I recommend that this item be assigned to the following committees:

- | | | |
|---|---|--|
| <input type="checkbox"/> Programs & Services | <input checked="" type="checkbox"/> Finance | <input type="checkbox"/> Real Property |
| <input checked="" type="checkbox"/> Zoning & Planning | <input type="checkbox"/> Public Safety | <input type="checkbox"/> Special Committee |
| <input type="checkbox"/> Public Facilities | <input type="checkbox"/> Land Use | <input type="checkbox"/> No Opinion |
| <input type="checkbox"/> Post Audit & Oversight | | |

4. This item should be taken up in committee:

- ☐ Immediately (Emergency only, please). Please state nature of emergency: _____
- ☐ As soon as possible, preferably within a month
- ☒ **In due course, at discretion of Committee Chair**
- ☐ When certain materials are made available, as noted in 7 & 8 below
- ☐ Following public hearing

PLEASE FILL OUT REVERSE SIDE

- 5. I estimate that consideration of this item will require approximately:**

☒ One half hour or less
☐ More than one hour
☐ More than one meeting

☐ Up to one hour
☒ An entire meeting
☐ Extended deliberation by subcommittee

6. The following people should be notified and asked to attend deliberations on this item. (Please check those with whom you have already discussed the issue, *especially relevant Department Heads*): Please note that I will also notify everyone listed below. --Alice Ingerson

Please note that I will also notify everyone listed below. --Alice Ingerson

City personnel

Others

✓ Alice Ingerson, CPA Program Manager,
x1144, aingerson@newtonma.gov

✓ Ted Kuklinski, President, Newton Conservators,
617.763.3470, tkuklinski@aol.com

✓ Barney Heath, Director of Planning &
Development, x1131,
bheath@newtonma.gov

Community Preservation Committee current officers:

✓ James Freas, Deputy Director of Planning & Development, x1137,
jfreas@newtonma.gov

✓ Mark Armstrong, Chair, 617.840.7174, mark@oma-architect.com

✓ Dan Brody, Vice Chair, 617.512.5724,
danielsbrody@gmail.com

- 7. The following background materials and/or drafts should be obtained or prepared by the Clerk's office prior to scheduling this item for discussion *:**

8. I have or ✓ intend to provide additional materials and/or undertake the following research independently prior to scheduling the item for discussion. *

Newton Conservators funding proposal to the CPC and CPC funding recommendation.

*(*Note to docketer: Please provide any additional materials beyond the foregoing to the Clerk's office by 2 p.m. on Thursday before the upcoming Committee meeting when the item is scheduled to be discussed so that Councillors have a chance to review all relevant materials before a scheduled discussion. Materials not submitted 48 hours in advance of a meeting to discuss an item will require a vote to suspend the rules the night of the Committee's discussion.)*

Please check the following:

9. ____ I would like to discuss this item with the Chairman before any decision is made on how and when to proceed.

10. ☒ I would like the Clerk's office to contact me to confirm that this item has been docketed,
☒ and inform me of the docket item number.

Email contact preferred: aingerson@newtonma.gov

My daytime phone number is: 617.796.1144 (mobile 617.529.9337)

11. ☒ I would like the Clerk's office to notify me when the Chairman has scheduled the item for discussion.

Thank you.

Alice E. Ingerson

Signature of person docketing the item

[Please retain a copy for your own records]

City of Newton



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

384-19

Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Barney S. Heath
Director

Community Preservation Committee Funding Recommendation for Conservation Restriction Grant to Newton Conservators

date: 20 September 2019
from: Community Preservation Committee
to: The Honorable City Council

PROJECT GOALS & ELIGIBILITY

This request is for costs associated with monitoring and enforcing a permanent conservation restriction on the Kessler Woods parcels in south Newton acquired by the City of Newton with CPA funds in 2003-2004, as documented under Proposals & Projects at www.newtonma.gov/cpa.

This restriction is required, and this funding is allowed, as follows by the Community Preservation Act:

MGL Ch. 44B, Section 12. (a): A real property interest that is acquired with monies from the Community Preservation Fund shall be bound by a permanent restriction, recorded as a separate instrument, that meets the requirements of sections 31 to 33, inclusive, of chapter 184 limiting the use of the interest to the purpose for which it was acquired. The permanent restriction shall run with the land and shall be enforceable by the city or town or the commonwealth. The permanent restriction may also run to the benefit of a nonprofit organization, charitable corporation or foundation selected by the city or town with the right to enforce the restriction. **The legislative body may appropriate monies from the Community Preservation Fund to pay a non-profit organization created pursuant to chapter 180 to hold, monitor and enforce the deed restriction on the property.**

The current request reflects the Conservators' past experience and expected costs associated with holding this restriction. The Conservators will manage and report on these CPA funds separately from their other operating funds.

RECOMMENDED FUNDING

On 10 September 2019 by a vote of 6-0 (members Peter Sargent and Rick Kronish absent; member Dan Brody abstaining as a member of the Newton Conservators board) the Community Preservation Committee recommended appropriating the requested \$15,000 for this purpose, from the Community Preservation Fund's fy20 budget reserve for open space, to the control of the Planning & Development Department for a grant to the Newton Conservators.

SPECIAL ISSUES CONSIDERED BY THE CPC

The Newton Conservators already hold the CPA-required restrictions on other properties acquired by the City of Newton using CPA funds. Most recently, in January 2019 the Council approved \$30,000 recommended by the

website www.newtonma.gov/cpa

contact Alice E. Ingerson, Community Preservation Program Manager

email aingerson@newtonma.gov phone 617.796.1144

Preserving the Past  Planning for the Future

CPC for grants to the Conservators toward the costs of holding two other required restrictions on CPA-funded land acquisitions: 20 Rogers Street (Crystal Lake) and 30 Wabasso Street (Flowed Meadow Conservation Area, Auburndale). The Wabasso Street restriction has now been recorded at the Registry of Deeds. As of the date of this recommendation, the restrictions for Rogers Street and Kessler Woods have received most of their required local approvals and have been approved in final form by the Massachusetts Executive Office of Energy and Environmental Affairs. Only a few additional steps are required before these two restrictions can also be recorded at the Registry.

Finally, the state's standard language for conservation restrictions requires the landowner, in this case the City of Newton, to reimburse the restriction holder, in this case the Conservators, for the legal costs of enforcement if a court finds that a restriction has been violated. To supplement that requirement, the CPC has also recommended some specific provisions below for a combined grant agreement governing the CPA funds held by the Conservators for the restrictions on 30 Wabasso Street, 20 Rogers Street, and Kessler Woods.

ADDITIONAL RECOMMENDATIONS *(funding conditions)*

1. These funds should be appropriated to the Planning & Development Dept. for a grant to the Newton Conservators.
2. Funds should be released in full to the Newton Conservators upon execution of a grant agreement, which among other provisions should require the Conservators to track these funds separately for their intended, CPA-eligible uses and to report to the City periodically on these restricted funds.
3. While acknowledging the Conservators' legal right and responsibility to enforce this restriction, the grant agreement should also aim to minimize direct costs to the Conservators by requiring them to notify the City before either contracting for services by a third party, in case the City itself can provide these services, or taking legal action against a private abutter, to give the City itself as the landowner the opportunity to enforce the restriction. The agreement should also commit the City and the Conservators to participate in a dispute resolution process before any legal action is taken against the City itself.
4. The CPC assumes all recommended funds will be appropriated within 3 months, and this restriction will be recorded at the Registry of Deeds within 6 months, after the date of this recommendation. If either of these deadlines cannot be met, the City should request an extension of that deadline.
5. Any CPA funds appropriated but not used for the purposes stated herein will be returned to the Newton Community Preservation Fund.

KEY OUTCOMES

The Community Preservation Committee will evaluate this appropriation based on how well it meets goals 2, 3 and 4 above, and on how effectively the City collaborates with the Newton Conservators to prevent, and if necessary, to correct promptly, any violations of these conservation restrictions.

ATTACHMENTS

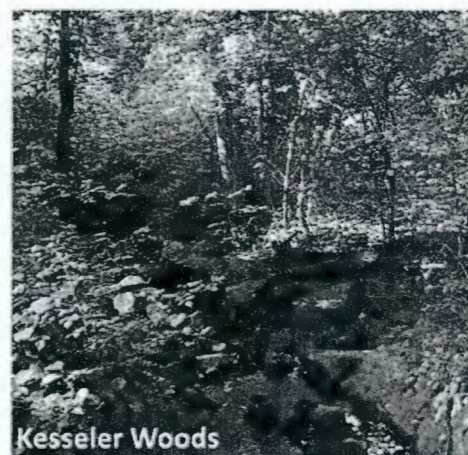
(delivered to the clerks of the Zoning & Planning and Finance Committees)

- Proposal submitted to the CPC, also available from Proposals & Projects – Pending at www.newtonma.gov/cpa, or from this direct link:
<http://www.newtonma.gov/civicax/filebank/blobdload.aspx?t=42622.49&BlobID=98219>

last updated 17 September 2019

Kessler Woods Conservation Restriction-- Summary

The Kessler Woods Conservation Restriction covers 4 parcels of land totaling 12.45 acres, located near Vine and LaGrange Streets in Newton (the "Premises"). One of the parcels, which is comprised of approximately 444 sq. ft., is located within the limits of the City of Boston. These parcels were acquired by the City of Newton from Boston Edison in 2004 using \$5,000,000 in Community Preservation Act Funds. The Conservation Restriction ("CR") will be granted to the Newton Conservators, Incorporated, a nonprofit organization in Newton which promotes protection of natural areas. The parcels are open space and heavily wooded.



This CR insures that the parcels will be permanently maintained in a natural and scenic condition. Permitted activities include outdoor passive recreational activities such as hiking and nature study. Examples of prohibited activities are the construction of structures, cutting of vegetation, removal of soil and parking or storage of motorized vehicles. Nature trails will be upgraded and built.

As of 16 September 2019, the Conservation Restriction has been approved by the state's Executive Office of Energy and Environmental Affairs (the "EEA") and the Newton Conservators. It still needs local approvals from Newton's Conservation Commission, City Council and Mayor. The EEA also requires Municipal Certifications approved and signed by Newton's Conservation Commission and Boston's Conservation Commission, respectively, certifying that the Conservation Restriction is in the public interest. Once these approvals are completed, it will be returned to the state for signature before being recorded at the Registry of Deeds.

The Community Preservation Committee's recommendation to appropriate \$15,000 in CPA funds for a grant to the Newton Conservators, to cover their expenses in managing and monitoring this CR, has now been docketed with the City Council.

For all Conservation Restrictions: The Community Preservation Act, M.G.L c. 44B, § 12a, requires that property acquired using CPA funds be bound by a permanent conservation restriction. Conservation Restrictions ("CR") for Newton's CPA acquisitions are granted to the Newton Conservators. Past examples include Angino Farm (2005) and Waban Hill Reservoir (2015). Approval procedures are the same for all of these CRs.



NEWTON CONSERVATORS

July 26, 2019

Officers

Ted Kuklinski, President
Chris Hepburn, Vice President
AnnaMaria Abernathy, Secretary
Katherine Howard, Treasurer
Beth Wilkinson, Past President

Board of Directors

David Backer
Peter Barrer
Barbara Bates
Dan Brody
Bonnie Carter
Michael Clarke
Margaret Doris
Henry Finch
Robert Fizek
Maurice Gilmore
Daniel Green
William Hagar
Ken Mallory
George Mansfield
Nyssa Patten
Larry Smith

Advisors

Margaret Albright
Lisle Baker
John Bliss
Lee Breckenridge
Lalor Burdick
Lucy Caldwell-Stair
Michael Collora
Ann Dorfman
Bart Hague
Judith Hepburn
Alison Leary
William Leitch
Don Lubin
Brooks Mathewson
Eric Olson
Anne Pearson
Richard Primack
Eric Reenstierna
Jon Regosin
Patricia Robinson
Jane Sender
William Shaevel
Willis Wang
Bruce Wenning

Newton Community Preservation Committee
Planning & Development Department
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Dear CPC Committee Members,

The Board of Directors of the Newton Conservators attests that our nonprofit 501(c)(3) organization agrees to accept and to hold a permanent deed restriction on the following property owned by the City of Newton: Kessler Woods (0 Vine St, 200 LaGrange St, Newton, MA 02467).

Our acceptance is conditional upon receiving a total of \$15,000 for monitoring the land and for enforcing the restriction in perpetuity.

We request that the money be made in one payment amount that our organization can invest to help ensure that there will be sufficient funds in perpetuity to cover our expenses associated with Kessler Woods. We will use those funds only for monitoring or enforcement on that property (and other CPA-funded land acquisitions), will account for the funds separately, and will submit documentation to the City Solicitor for all expenses incurred in that work. The Newton Conservators will submit our monitoring reports to the environmental planners/Conservation Commission in the Planning Department.

Sincerely,

Theodore T. Kuklinski

Theodore Kuklinski, President

Katherine Howard

Katherine Howard, Treasurer

on behalf of the Board of the Newton Conservators

City of Newton



Ruthanne Fuller
Mayor

Newton, Massachusetts Community Preservation Program FUNDING REQUEST

☐

PRE-PROPOSAL

☒

PROPOSAL

Last updated June 2019.

Please submit this completed file directly – do not convert to PDF or other formats.

For full instructions, see www.newtonma.gov/cpa or contact us:

Community Preservation Program Manager,

City of Newton Planning & Development Department, 1000 Commonwealth Ave., Newton, MA 02459

aingerson@newtonma.gov

617.796.1144

(For staff use)
date rec'd:

26 July 2019

You may adjust the space for each question, but the combined answers to all questions on this page must fit on this page.

Project TITLE	Funding to Hold Conservation Restrictions on Newton CPA-Funded Land Acquisitions			
Project LOCATION	Full street address (with zip code), or other precise location. Site title below links to CPC project webpage. Kessler Woods: 0 Vine St, 200 LaGrange St, Newton, MA 02467			
Project CONTACTS	Name & title or organization	Email	Phone	Mailing address
Project Manager	Ted Kuklinski, President, Newton Conservators	tkuklinski@aol.com	617.763.3470	24 Henshaw Terrace West Newton, MA 02465
Other Contacts	Beth Wilkinson, Past President, Newton Conservators	bethwilkinson@mac.com	617.966.7491	14 Trowbridge Street, Newton, MA 02459
Project FUNDING	A. CPA funds requested: \$15,000	B. Other funds to be used: \$0	C. Total project cost (A+B): \$15,000	
Project SUMMARY	Explain how the project will use the requested CPA funds.			
<p>The Newton Conservators are requesting this grant for the costs associated with holding, monitoring and enforcing permanent conservation restrictions on the property listed above, which the City of Newton previously acquired with CPA funds for open space.</p> <p>The City has already granted the Conservators similar restrictions on other open space or outdoor recreation properties acquired with CPA funds in Newton, as required by the CPA statute [MGL Ch. 44B. Section 12. (a)]:</p> <p>“A real property interest that is acquired with monies from the Community Preservation Fund shall be bound by a permanent restriction, recorded as a separate instrument, that meets the requirements of sections 31 to 33, inclusive, of chapter 184 limiting the use of the interest to the purpose for which it was acquired. The permanent restriction shall run with the land and shall be enforceable by the city or town or the commonwealth. The permanent restriction may also run to the benefit of a nonprofit organization, charitable corporation or foundation selected by the city or town with the right to enforce the restriction. The legislative body may appropriate monies from the Community Preservation Fund to pay a non-profit organization created pursuant to chapter 180 to hold, monitor and enforce the deed restriction on the property.”</p> <p>Funds should be appropriated to the Planning Dept. for this grant. Among other provisions to be mutually agreed, the grant agreement should specify that these funds will be held directly by the Conservators. The Conservators will use the funds only for monitoring or enforcement on this property, will account for the funds separately, and will submit documentation to the City Solicitor for all expenses incurred in that work. The Newton Conservators also will submit their monitoring reports to the environmental staff/Conservation Commission in the Planning.</p>				

You may adjust the space for each question, but the combined answers to all questions on this page must fit on this page.

Project TITLE		Funding to Hold Conservation Restrictions on Newton CPA-Funded Land Acquisitions	
USE of CPA FUNDS	OPEN SPACE	or	RECREATION LAND
Acquire	✓		✓
PROJECT BUDGET			
Uses of Funds			
Kesseler Woods– monitoring (est. 541,779 sq ft or 12.4 acres)			\$15,000
Note: Of the total est. 21 acres acquired with CPA funds at Kesseler Woods, only 12.4 acres are owned in fee by the City of Newton, requiring a conservation restriction held by the Newton Conservators. The City itself holds conservation restrictions / public access easements on the remainder.			
D. TOTAL USES (should equal C. on page 1 and E. below)			\$15,000
Sources of Funds		Status (requested, expected, confirmed)	
CPA funding		Requested	\$15,000
E. TOTAL SOURCES (should equal C. on page 1 and D. above)			\$15,000
Project TIMELINE	Phase or Task	Season & Year	
	full proposal submitted & CPC funding vote	fall 2019	
	City Council consideration of CPC recommendation	fall 2019	
↓ Check off submitted attachments here.			
REQUIRED	✓	PHOTOS & MAPS	of site
	SPONSOR FINANCES & QUALIFICATIONS, INSTITUTIONAL SUPPORT		
	from Newton Conservators:		
	✓	cover letter confirming Board of Directors agreement to hold permanent deed restriction, briefly explaining internal procedures for use of these funds	
	✓	summary of most recent annual operating budget (revenue & expenses) or financial statement (assets & liabilities)	
	from City of Newton:		
	✓	summary of Kesseler Woods CR, photos	
	✓	Kesseler Woods site plans	
✓	Board order appropriating CPA funds for land acquisition at Kesseler Woods (2003)		

more Kessler
Woods photos



more Kessler
Woods photos



RECORD INFORMATION:

DEED BOOK 12321 PAGE 136 RECORDED
AT THE WORCESTER COUNTY REGISTRY OF
DEEDS

PLAN INFORMATION:

PLAN OF LAND IN NEWTON, MASS. DATED JANUARY
21, 1963, SCALE 1"=40' BY BARNES ENGINEERING
COMPANY RECORDED AS PLAN 841 (SHEETS A-D) OF
1967 IN 2023 BOOK 11363 PAGE 245.

LAND COURT PLAN 14489
LAND COURT PLAN 20412
PLAN 123 (A & B) OF 1965
PLAN 1047 OF 1965
PLAN 1808 (A & B) OF 1946
PLAN 1820 (A & B) OF 1946
PLAN 3 (A & B) OF 1967
PLAN 314 OF 1991
PLAN 898 (A-C) OF 1939
PLAN 1148 OF 1951
PLAN AND PROFILE OF LAGRANGE STREET
PLAN AND PROFILE OF BROOKLINE STREET
TOWN FIELD NOTES OF THE LAYOUT OF LAGRANGE
STREET, VINE STREET AND BROOKLINE STREET

APPROVAL UNDER THE SUBDIVISION
CONTROL, LAW NOT REQUIRED

DATE: Jan 27, 2004

John Doughton
NEWTON PLANNING BOARD
ACTING AS BOARD OF SURVEY

THE ABOVE ENDORSEMENT IS NOT A
DETERMINATION AS TO CONFORMANCE WITH
ZONING REGULATIONS



PLAN PURPOSE:
1. THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE LOT E
(ENCOMPASSING LOT E-2) INTO THREE (3) SEPARATE
LOTS, LOT B, LOT H AND LOT I.
LOT B IS TO BE COMPRISED OF 361,847 S.F.
LOT H IS TO BE COMPRISED OF 905,527± S.F.
LOT I TO BE COMPRISED OF 138,291 S.F.

ZONING CLASSIFICATION:
SINGLE RESIDENCE 3 (SR3)
SINGLE RESIDENCE 2 (SR2)

ADJACENT'S REFERENCE:
Section 62, Block 37, Lot 3

DRAWN/ADJACENT:
BOSTON EDISON COMPANY
800 BOYLSTON STREET
BOSTON, MA 02199

**SUBDIVISION
PLAN OF LAND**

**IN
NEWTON, MA**

SCALE 1"=40' NOVEMBER 26, 2003
TOOMEY-MUNSON & ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
69 ACCESS RD., UNIT 12, NORWOOD, MA 02062



I CERTIFY THAT THIS PLAN HAS BEEN
PREPARED IN CONFORMITY WITH THE
RULES AND REGULATIONS OF THE REGISTERS
OF DEEDS OF THE COMMONWEALTH OF
MASSACHUSETTS.

DATE: NOVEMBER 26, 2003

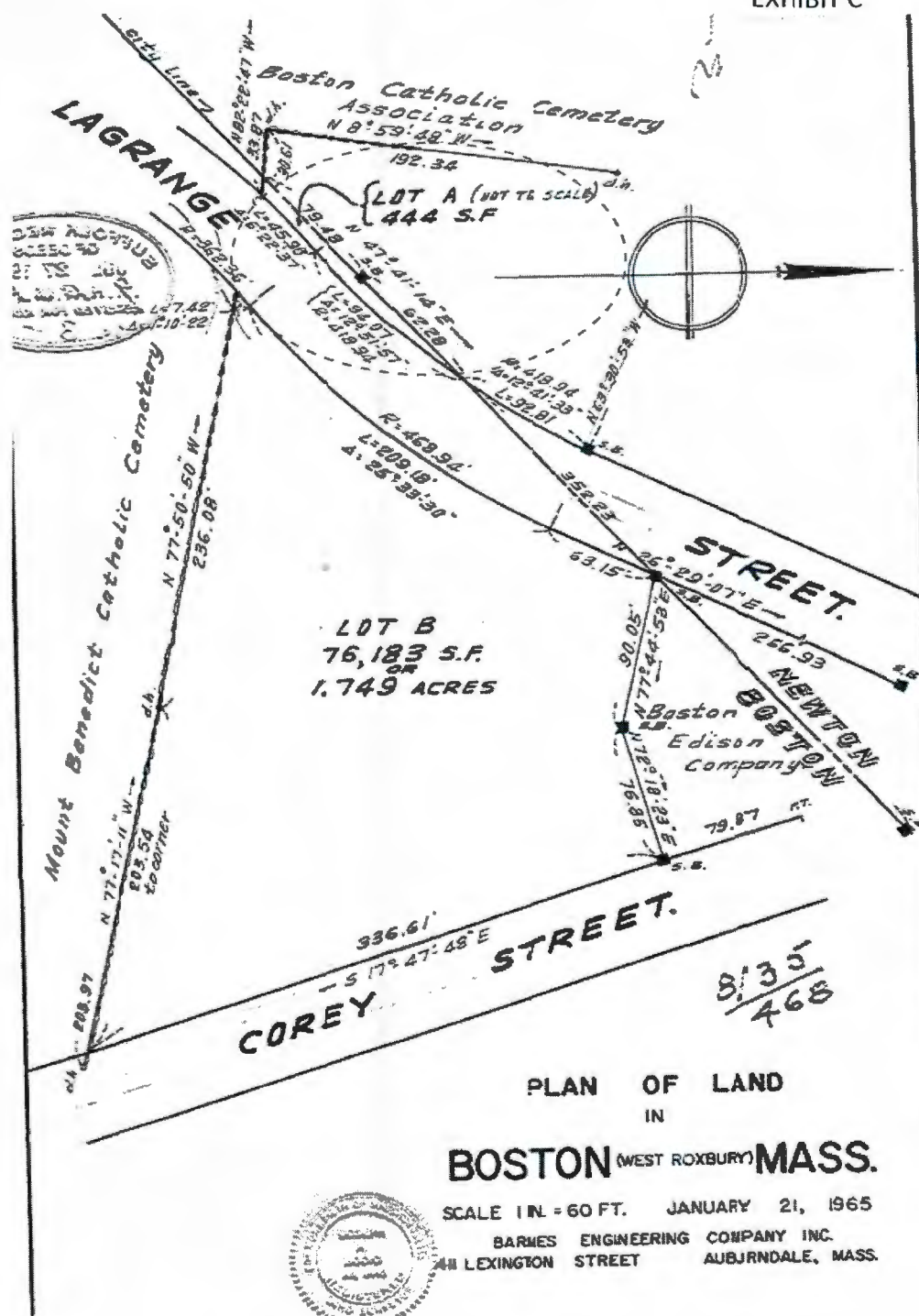
Registered Land Surveyor

PLAN NOTES:

1. PROPERTY LINE INFORMATION SHOWN IS
FROM AN ACTUAL SURVEY IN THE FIELD
BY TOOMEY-MUNSON & ASSOCIATES, INC.
PERFORMED IN AUGUST AND SEPTEMBER,
2003.

2. SITE IS NOT LOCATED IN FEMA 100-YEAR FLOOD
PLAIN. SITE IS LOCATED IN CITY OF NEWTON FLOOD
PLAIN.

EXHIBIT C



CITY OF NEWTON
IN BOARD OF ALDERMEN

June 2, 2003

ORDERED:

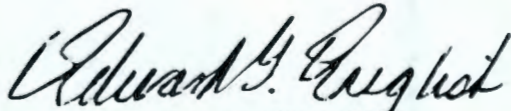
That in accordance with the recommendations of the Community Preservation Committee, through its Chairman, Jeffrey Sacks; the Board of Aldermen Ad Hoc Community Preservation Committee, through its Chairman, Alderman Amy Sangiolo; and the Finance Committee through its Chairman, Alderman Paul Coletti: the sum of Five Million Dollars (\$5,000,000) is hereby appropriated, to be expended under the direction and control of His Honor the Mayor for purposes of funding a portion of the proposed bid to Boston Edison for acquisition of the property known as Kessler Woods (parcels ##82-41-22 and #82-37-3) as detailed in the application (dated 12 May 2003) and in the Community Preservation Committee recommendation (dated 14 May 2003), and further, that to meet this appropriation, the Treasurer with the approval of the Mayor is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7(3) of the General Laws or pursuant to any other existing authority, and to issue bonds or notes of the City therefor. While any bonds or notes issued pursuant to this order will constitute general obligations of the City as required by law, and a pledge of the City's full faith and credit, it is, nevertheless, the expectation of the City that any such bonds or notes issued pursuant to this order shall be repaid from Community Preservation Funds raised by the City in each year.

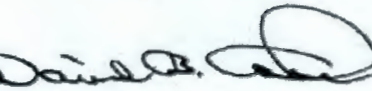
And be it further ORDERED that the Mayor is hereby authorized to take all steps necessary to carry out the purchase of real estate now owned by Boston Edison, located on and near Lagrange Street, as follows: fee purchase of the southern parcel (Assessors' parcel #82-41-22) and the southern portion of the northern parcel (Assessors' parcel #82-37-3) consisting of approximately 2.4 acres; and conservation easements, restrictions and/or such other real estate interests in the remaining areas of the northern parcel as the Mayor deems appropriate.

Under Suspension of Rules
Readings Waived and Adopted
22 yeas 1 nay (Ald. Salvucci) 1 excused (Ald. Fischman)

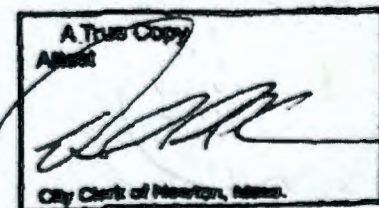
EXECUTIVE DEPARTMENT

Approved: June 4, 2003


(SGD) EDWARD G. ENGLISH
City Clerk


(SGD) DAVID B. COHEN
Mayor


(SGD) PAUL E. COLETTI
Chairman, Finance Committee





Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Barney S. Heath
Director

Community Preservation Committee Funding Recommendation for Riverside Greenway – Pigeon Hill Trail Design

date: 31 October 2019

from: Community Preservation Committee

to: The Honorable City Council

cc: Her Honor Mayor Ruthanne Fuller

PROJECT GOALS & ELIGIBILITY

This project will complete 100% design for the Pigeon Hill Trail, which follows the route of a former City street in Auburndale from Evergreen Street, under the Massachusetts Turnpike to the Charles River and along the Dept. of Conservation and Recreation (DCR) property on Charles Street. Completion of the trail's design will help it to qualify for state and federal construction funding.

This project is part of an envisioned trail system along the river from the current terminus of the Blue Heron Trail at Lyons Field on Commonwealth Avenue (Route 30) to Riverside/Grove Street in Auburndale, including connections to trails in Weston and Wellesley. The City of Newton's Commonwealth Avenue Carriageway project from Lyons Field to the Route 30 bridge over Route 95 will advance another segment of this system.

This project is eligible for CPA funding as the rehabilitation of land for outdoor recreation.

RECOMMENDED FUNDING

On 10 October 2019 by a vote of 9-0 the Community Preservation Committee recommended appropriating \$50,000 for this project from the Fy20 budget reserve for open space (which may also be used for recreation) to the Planning & Development Department for a grant to the Newton Conservators, as the fiscal agent of the Riverside Greenway Working Group, for the purposes stated or implied in this summary budget:

Uses of Funds	
design (from conceptual to 100% per Mass DoT standards)	\$164,000
plans, specifications & estimate (per Mass DoT standards)	\$16,000
engineering survey, expenses	\$32,000
Total	\$212,000
Sources of Funds	
Newton CPA funding request	\$50,000
State trails grants (DCR 2018, Mass Trails 2019)	\$152,000
Solomon Foundation Grant	\$10,000
Total	\$212,000

website www.newtonma.gov/cpa

contact Alice E. Ingerson, Community Preservation Program Manager

email aingerson@newtonma.gov phone 617.796.1144

SPECIAL ISSUES CONSIDERED BY THE CPC

Community support/public comments: The CPC received only one, supportive letter and no public comments on this proposal at its public hearing. However, widespread community support has been expressed in other settings for improved recreational access to the Charles River in Newton and for the proposed Riverside Greenway system.

Leverage: The CPC was pleased that CPA funding was requested for only about 24% of the project's projected total cost.

Legal authority for contracts: As the fiscal agent for the Riverside Greenway Working Group, the Newton Conservators must execute all contracts for this project, including any CPA grant agreement.

Project timeline: Both the proposal and the scope of work/draft contract with the design team seem optimistic, especially about the time needed for meetings with Newton commissions and departments.

Ensuring permanence of the CPA-eligible recreational use: Based on advice from CPC staff and the Newton Law Dept., the CPC is recommending this funding based on the interim assurances included in the proposal from the state Dept. of Conservation & Recreation that this trail will remain permanently in its CPA-eligible, recreational use. However, both staff and the Law Dept. recommend that any further CPA funding be contingent on legally binding assurance of this permanence, possibly through the "care & custody" agreements between state agencies described in the proposal.

ADDITIONAL RECOMMENDATIONS *(funding conditions)*

1. **Deadlines:** The CPC assumes all recommended funds will be appropriated within 6 months, and the project will be completed within 18 months, after the date of this recommendation. If either of these deadlines cannot be met, the Riverside Greenway Working Group and the Newton Conservators should submit to the CPC a written request to extend that deadline.
2. **Grant agreement requirements:** The grant agreement should include the usual requirements, including a final report to the CPC as a condition for releasing the final 10% of grant funds. It should also require:
 - sharing with the CPC for posting online any interim deliverables shared with other government bodies as well as those bodies' reviews, including the project's readiness score from the Massachusetts Dept. of Transportation's Project Review Committee
 - including in the final report the current status, committed funding, anticipated funding (including any CPA requests) and completion schedule for all segments of the Riverside Greenway system
3. **Return of unspent funds:** Any CPA funds appropriated but not used for the purposes stated herein will be returned to the Newton Community Preservation Fund.

KEY OUTCOMES

The Community Preservation Committee will evaluate this project based on whether the state agencies mentioned in the proposal as the likely sources of construction funding for the Pigeon Hill Trail determine that the project is ready for construction bidding, within the deadlines listed above.

ATTACHMENTS

(delivered to the clerks of the Programs & Services Committee and Finance Committee)

- Proposal submitted to the CPC in September 2019
- Public hearing presentation to the CPC on 10 October 2019
- CPC staff memo summarizing advice from the state Dept. of Revenue and City of Newton Law Dept. about this project's CPA eligibility (expanded from "Reader's Guide" notes provided to the CPC before the public hearing)
- Copy of the CPC's project webpage, with links to additional information not attached to this recommendation:

www.newtonma.gov/gov/planning/cpa/projects/charlesriver.asp#Pigeon-Hill

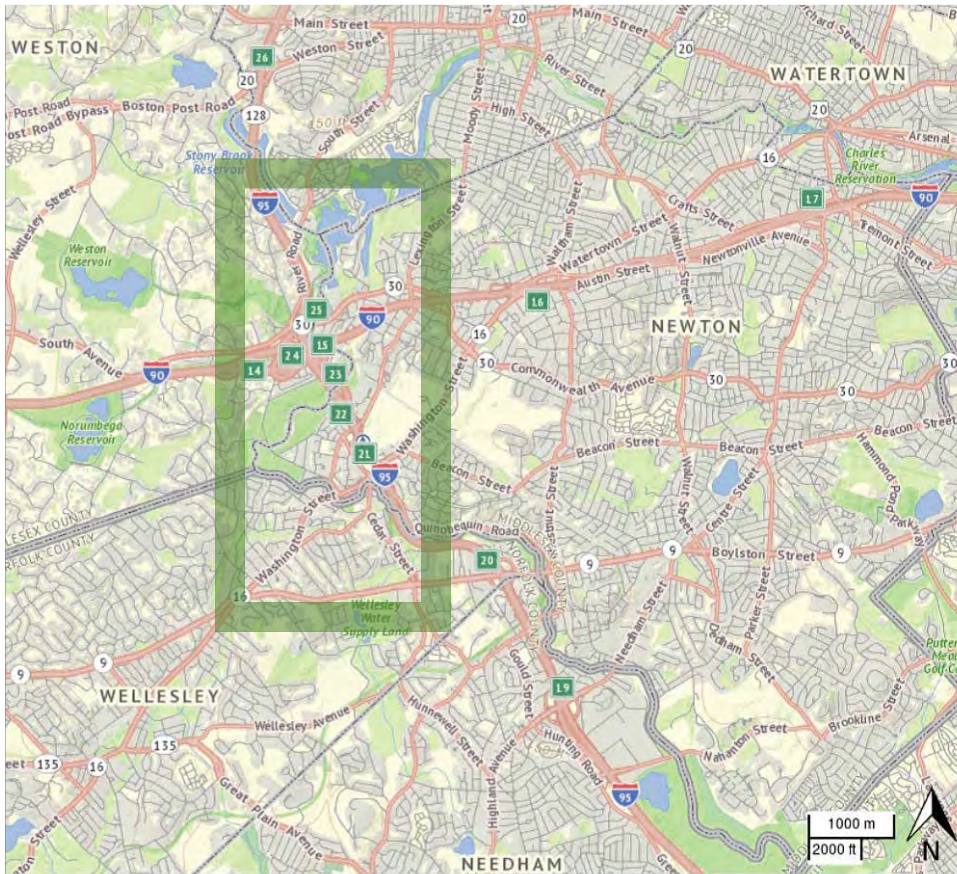
Riverside Greenway Pigeon Hill Trail 100% Design

A project of the Riverside Greenway Working Group
funded by Mass Trails and The DCR Recreational Trails Program,
requesting additional funds from
the Newton Community Preservation Committee

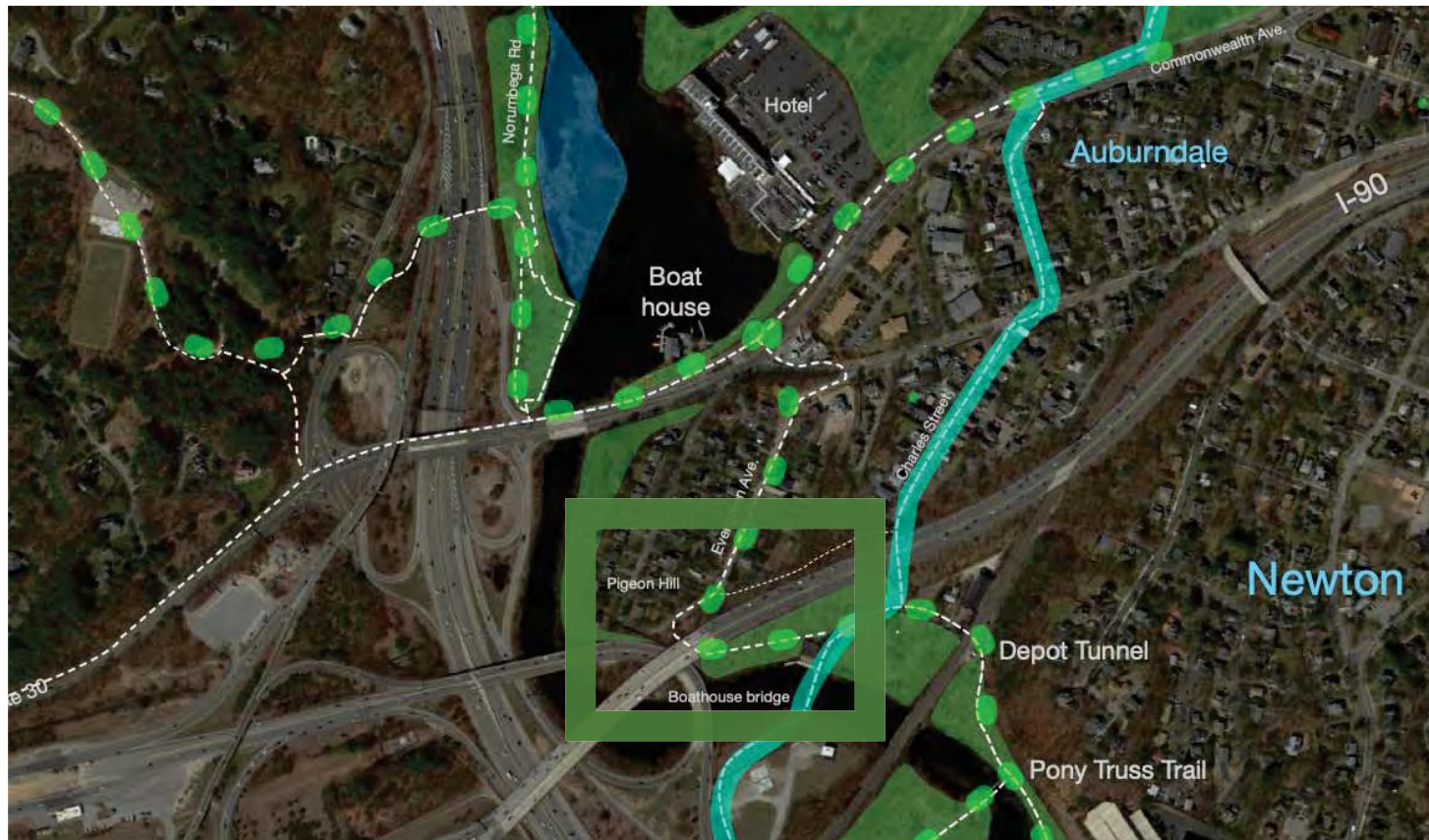
creating connections / restoring a legacy



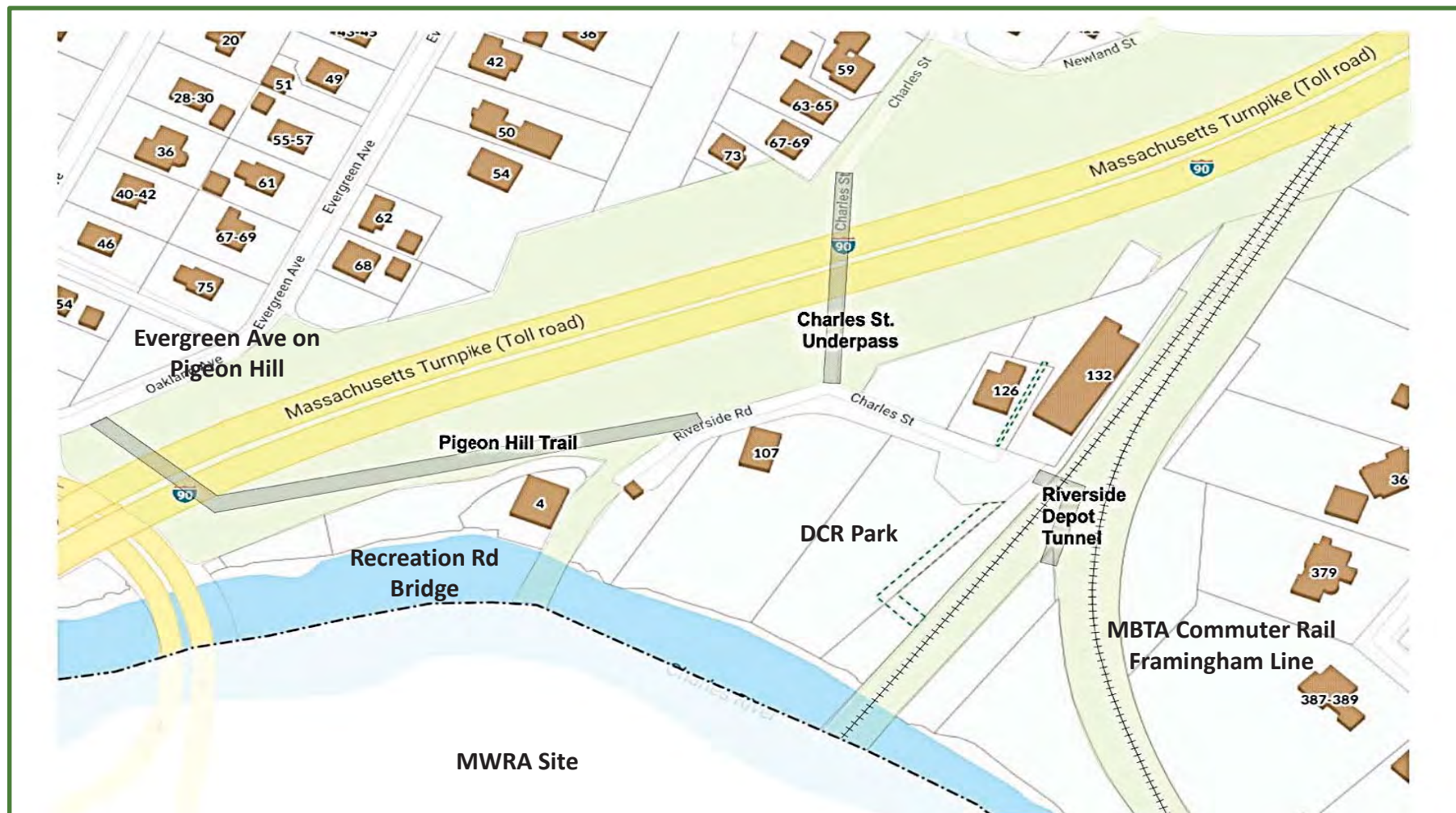
Project location



Project location







Project Timeline

Project TIMELINE	Phase or Task	Season & Year
	Harmonizing grant awards with scope of work; finalizing contract with Halvorson Design / Howard, Stein, Hudson/ Gill Engineering design team selected from a field of five respondents through a competitive selection process.	Summer 2019
	Public outreach to begin	Fall 2019
	Design and engineering for 100% Design	Fall 2019 to Spring 2020

creating connections / restoring a legacy



Project Sources of Funding

Project FUNDING	A. CPA funds requested:	B. Other funds to be used:	C. Total project cost (A+B):
	\$50,000	\$162,000	\$212,000

- **CPA funds** will bring the Pigeon Hill Trail Design from 25% to a **full 100% design**, making it eligible for construction funding through the Mass DOT, when Mass DOT replaces the Recreation Road Bridge at the Lasell Boathouse in 2021
- **CPA Funds** will provide the required **20% match** for our MassTrails and DCR Recreational Trails grants



Project Budget - expenses

SUMMARY CAPITAL/DEVELOPMENT BUDGET	
Uses of Funds	
Pigeon Hill Trail – Conceptual design	\$40,000
Pigeon Hill Trail – 25% design per Mass DOT standards	\$80,000
Pigeon Hill Trail – 100% design per Mass DOT standards	\$44,000
Pigeon Hill Trail – Plans, Specs, & Estimate submission per Mass DOT standards	16,000
Pigeon Hill Trail – Engineering studies survey, expenses	32,000
D. TOTAL USES (should equal C. on page 1 and E. below)	\$212,000

creating connections / restoring a legacy



Project Budget - income

Sources of Funds		Status
Newton CPA funding request	Requested	
DCR – Recreational Trails Grant	Awarded 2018	\$52,000
Mass Trails Grant	Awarded 2019	\$100,000
Solomon Foundation Grant	Pledged 2019	\$10,000
Newton Community Preservation Committee	Requested	\$50,000
E. TOTAL SOURCES (should equal C. on page 1 and D. above)		\$212,000

creating connections / restoring a legacy



Significance of CPA Funding

- CPA Funds will move the Pigeon Hill Design from 25% to 100%.
- CPA Funds provide the match for the RGWG's DCR-RTP and Mass Trails grants.
- CPA funds help leverage \$1M in construction funding.



RGWG's Greenway Projects

- Commonwealth Ave Carriage Rd – Lyons Field to Boat House – City of Newton and Solomon Foundation 25% design - in process
- Two Bridges Trail 25% Design – recreational trail over I-95 and C-D Road from Lower Falls to Riverside MBTA — completed by BSC Group
- Auburndale to Riverside MBTA conceptual design – completed by Jacobs Engineering
- Pony Truss Trail restoration - funded, to be completed by December 2020
- Depot Tunnel 100% design – application to MassTrails 2020
- Recreation Road Bridge replacement – Mass DOT scheduled for 2021
- Rt. 30 Bridge replacement – with multiuse trail connections to Weston trails – scheduled for 2022
- Trails in Leo J. Martin Golf Course – under discussion with Mass DCR master planning process



creating connections / restoring a legacy

Riverside Greenway Working Group

A coalition of

- Newton Lower Falls and Auburndale Residents
- Bike Newton
- The Newton Conservators
- The Lawrence and Lillian Solomon Foundation, Wellesley, MA

Contact:

Ted Chapman, Project Manager

91 Cornell St

Newton Lower Falls, MA 02462-1320

617-680-5278

RiversideGWG@gmail.com

<https://riversidegreenwayma.wildapricot.org/>

creating connections / restoring a legacy



Riverside Greenway Working Group

91 Cornell St
Newton, MA 02462-132
(617) 680-5278

<https://riversidegreenwayma.wildapricot.org/>

To: The Newton Community Preservation Commission

September 8, 2019

Riverside Greenway, Pigeon Hill Trail Proposal

The Riverside Greenway Working Group is pleased that the CPC after review of our pre-proposal has elected to consider our application for \$50,000 to support moving our vision of the Riverside Greenway from concept to reality. The Pigeon Hill Trail is a critical element connecting the Auburndale street grid to the Recreation Rd Footbridge, which is to be restored in 2022, by converting an historic road from Pigeon Hill, that was covered by the Mass Pike in the 1960s, to create a multiuse, accessible trail.

The Riverside Greenway Working Group is a coalition advocating for a Greenway along the banks of the Charles River - creating connections between Newton's neighborhoods, transportation, & recreational resources; reconnecting to the invaluable resource of the Charles River; and restoring a legacy that stretches back to the mid 1800s, when parks lined the river and its waters were filled with canoes.

We are fortunate to have partnered with

- Massachusetts Department of Recreational and Conservation – Recreational Trails Program and the new Mass Trails Program that have made 3 grants to the RGWG
- The Newton Conservators, for greenspace advocacy and serving as our 501(c)3 fiscal Agent.
- Bike Newton for their wisdom regarding pedestrian and bike advocacy
- Solomon Foundation for their inspiration, technical assistance and funding for this work.
- The City of Newton – Mayor's office, and Departments of Planning, Parks and Recreation, and Public Works.

Our members include:

Larry Smith	Newton Conservators Board and Principal, Charles River Canoe and Kayak
Tod Cochran	Attorney and Auburndale resident
Katherine Howard	Treasurer for the Newton Conservators
Henry Finch	Newton Conservators Board, architect
Alicia Bowman	President of Bike Newton
Herb Nolan	Director of the Solomon Foundation, Wellesley
Nathan Phillips	Vice President, Bike Newton; Professor Boston University Department of Earth and Environment; Acting Director of the Sustainable Neighborhood Lab
Ted Chapman	Physician, Landscape Designer; Treasurer, Lower Falls Improvement Association

We deeply appreciate the support of Alice Ingerson in helping us prepare this application.

Thank you,



Ted Chapman
RGWG, Project Manager



creating connections / restoring a legacy



August 23, 2019

Community Preservation Committee
Attention: Alice Ingerson
City of Newton
1000 Commonwealth Ave.
Newton MA 02459

Dear Ms. Ingerson:

This is to confirm that Newton Conservators, Inc is serving as the fiscal agent for the Riverside Greenway Working Group in its DCR grant to accomplish the following:

- Renovation of the historic Pony-truss Bridge Trail, which is in danger of falling into the river in its mid-section near the Pony Truss Bridge
- The design of the "Auburndale Links" – the connections from Lyons field, across the Charles River and highways, to communities to the west.

Newton Conservators will accept Solomon Foundation funds, including the \$20,000 it has pledged for this project, CPC funds, and other donations to support the project and meet grant match needs.

Newton Conservators, Inc. is a 501(c)(3) organization that promotes the protection and preservation of natural areas, including parks, park lands, playgrounds, forests and streams, which are open or may be converted to open spaces for the enjoyment and benefit of the people of Newton for scientific study, education, and recreation.

Sincerely,

Theodore T. Kuklinski

Ted Kuklinski
President, Newton Conservators

Officers

Ted Kuklinski, President
Chris Hepburn, Vice President
AnnaMaria Abernathy, Secretary
Katherine Howard, Treasurer
Beth Wilkinson, Past President

Board of Directors

David Backer
Peter Barrer
Barbara Bates
Dan Brody
Bonnie Carter
Michael Clarke
Margaret Doris
Henry Finch
Robert Fizek
Maurice Gilmore
Daniel Green
William Hagar
Ken Mallory
George Mansfield
Nyssa Patten
Larry Smith

Advisors

Margaret Albright
Lisle Baker
John Bliss
Lee Breckenridge
Larry Burdick
Lucy Caldwell-Stair
Michael Collora
Douglas Dickson
Ann Dorfman
Bart Hague
Alison Leary
William Leitch
Don Lubin
Brooks Mathewson
Eric Olson
Anne Pearson
Richard Primack
Eric Reenstierna
Jon Regosin
Patricia Robinson
Jane Sender
William Shaevel
Willis Wang
Bruce Wenning

City of Newton



Ruthanne Fuller
Mayor

Newton, Massachusetts Community Preservation Program FUNDING REQUEST



PRE-PROPOSAL



PROPOSAL

Last updated May 2019.

For full instructions, see www.newtonma.gov/cpa or contact us:

Community Preservation Program Manager,

City of Newton Planning & Development Department, 1000 Commonwealth Ave., Newton, MA 02459

aingerson@newtonma.gov

617.796.1144

(For staff use)
date rec'd:

9-11
September
2019

You may adjust the space for each question, but the combined answers to all questions on this page must fit on this page.

Project TITLE	Riverside Greenway – Pigeon Hill Trail 100% Design			
Project LOCATION	The <i>Pigeon Hill Trail</i> begins in Auburndale on Evergreen Ave., runs under I-90 (Mass Pike) downhill to Riverside Rd. and the Lasell Boathouse Bridge that crosses the Charles River to the DCR trail in the MWRA site in Weston.			
Project CONTACTS	Name & title or organization	Email	Phone	Mailing address
Project Manager	Ted Chapman, Project Manager, Riverside Greenway Working Group	ehchapman@verizon.net	617-680-7278	91 Cornell St., Newton Lower Falls, MA 02462-1320
Project Fiscal Agent	Katherine Howard, Treasurer, The Newton Conservators	katherineh998@gmail.com	(617) 363-8253	PO Box 590011, Newton, MA 02459
City Contacts	Nicole Freedman Jennifer Steel	nfreedman@newtonma.gov jsteel@newtonma.gov	(617) 796-1481 (617) 796-1134	Planning Department Newton City Hall
Project FUNDING	A. CPA funds requested: \$50,000	B. Other funds to be used: \$162,000		C. Total project cost (A+B): \$212,000
Project SUMMARY	Explain how the project will use the requested CPA funds. You may provide more detail in attachments, but your PROJECT SUMMARY MUST FIT IN THE SPACE BELOW. Use a cover letter for general information about the sponsoring organization's accomplishments.			
<p>This application by the Riverside Greenway Working Group (RGWG) will help achieve the goal of completing the 100% design of one of three key Riverside Greenway links in Auburndale connecting to the Charles River – the Pigeon Hill Trail. The RGWG is a coalition of the Newton Conservators, Bike Newton, and the Solomon Foundation, with residents of Newton Lower Falls and Auburndale that formed to administer the 2017 Two Bridges Trail grant from the DCR Recreational Trails Program (DCR-RTP). The RGWG's long-term vision is to enhance the regional trail network from Lyons Field along the Charles River in Newton linking to the extensive trail systems in Wellesley and Weston. This vision was the basis for a second 2018 DCR-RTP award to 1) restore the Pony Truss Trail and 2) develop a preliminary design for the three Auburndale links to the Charles River; and 3) a third grant from MassTrails awarded in 2019 to advance the design of the Pigeon Hill Trail to 100% based on stringent MassDOT standards.</p> <p>The budget for advancing the Pigeon Hill Trail to 25% design is \$152,000, and \$60,000 to advance it toward a 'shovel ready' 100% design, including a topographic survey, essential engineering studies, and a Plans, Specs, & Estimate, totaling \$212,000. The combined 2018 DCR-RTP and 2019 MassTrails awards provide \$152,000 with a required 25% (\$38,000) match. A grant of \$50,000 from the CPC is needed to meet the match obligation and provide additional funds for design services. The Solomon Foundation has pledged \$10,000 to complete the funds needed for this phase. The design team, selected through a competitive process, is prepared to start work this fall. Construction funding for the Pigeon Hill Trail and the Charles Street underpass will likely come from MassDOT as part of the Recreation Rd. Bridge replacement project at the Lasell Boathouse scheduled for 2022; or by inclusion in a regional State Transportation Improvement Program (STIP) in association with the Rt. 30 Charles River Bridge reconstruction.</p>				

You may adjust the space for each question, but the combined answers to all questions on this page must fit on this page.

Project TITLE	Riverside Greenway – Pigeon Hill Trail 100% Design																						
CPA-eligible purposes	✓	RECREATION LAND	✓ rehabilitate/ restore																				
COMMUNITY NEEDS	<p>From each of at least 2 plans linked to the Guidelines & Forms page of www.newtonma.gov/cpa, provide a brief quote with plan title, year, and page number, showing how this project meets previously recognized community needs. You may also list other community benefits not mentioned in any plan.</p> <p>This project addresses the Newton <i>Comprehensive Plan</i> (2007) Open Space Vision and Goals, section d, bullet 3 (Page 3-13) of “creating Green-space linkages between recreation and conservation areas.” It will provide a conceptual greenway plan linking the Upper Charles River Blue Heron paths at Lyons Field in Auburndale to Newton Lower Falls. This is a key regional link in the upper Charles River Path system along the Charles River, an important a recreation and conservation area.</p> <p>This project also addresses the City of Newton’s <i>Open Space & Recreation Plan</i> (2014-2010), Section 6, “Community Vision” Open Space and Recreation Goals, which encourages appropriate use of each site while seeking to network open space resources (Section 6, Page 2 of 10: B) and to integrate compatible recreation and conservation uses (Section 6, Page 8 of 10). This project will increase accessibility and utility of this open space allowing greater public access and creating more opportunities for bicycling, hiking, jogging, cross-country skiing, and other passive recreational activities while connecting open space resources.</p>																						
COMMUNITY CONTACTS	<p>List at least 3 Newton residents or organizations willing and able to comment on the project and its manager’s qualifications. No more than 1 should be a supervisor, employee or current work colleague of the project manager or sponsor. Consult staff on the community contacts required for your specific proposal.</p> <table border="1"> <thead> <tr> <th>Name & title or organization</th> <th>Email</th> <th>Phone</th> <th>Mailing address</th> </tr> </thead> <tbody> <tr> <td>Beth Wilkinson, Past President Newton Conservators</td> <td>bethwilkinson@mac.com</td> <td>(617) 966-7491</td> <td>Newton Conservators PO Box 590011 Newton, MA 02459</td> </tr> <tr> <td>Alicia Bowman, President Bike Newton</td> <td>alicia@bikenewton.org</td> <td>(617) 257-8270</td> <td>19 Chestnut Terrace Newton, MA 02459</td> </tr> <tr> <td>Tod Cochran</td> <td>tod.cochran@gmail.com</td> <td>(617) 833-7144</td> <td>56 Chaske Ave, Auburndale, MA -2466</td> </tr> <tr> <td>Kay Khan, State Rep.</td> <td>kaykhan@comcast.net</td> <td>617-527-1451</td> <td>18 St. Marys St. Newton Lower Falls, MA 02462</td> </tr> </tbody> </table>			Name & title or organization	Email	Phone	Mailing address	Beth Wilkinson, Past President Newton Conservators	bethwilkinson@mac.com	(617) 966-7491	Newton Conservators PO Box 590011 Newton, MA 02459	Alicia Bowman, President Bike Newton	alicia@bikenewton.org	(617) 257-8270	19 Chestnut Terrace Newton, MA 02459	Tod Cochran	tod.cochran@gmail.com	(617) 833-7144	56 Chaske Ave, Auburndale, MA -2466	Kay Khan, State Rep.	kaykhan@comcast.net	617-527-1451	18 St. Marys St. Newton Lower Falls, MA 02462
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Project TITLE	Riverside Greenway – Pigeon Hill Trail 100% Design	
SUMMARY CAPITAL/DEVELOPMENT BUDGET		
Uses of Funds		
Pigeon Hill Trail – Conceptual design		\$40,000
Pigeon Hill Trail – 25% design per Mass DOT standards		\$80,000
Pigeon Hill Trail – 100% design per Mass DOT standards		\$44,000
Pigeon Hill Trail – Plans, Specs, & Estimate submission per Mass DOT standards		\$16,000
Pigeon Hill Trail – Engineering studies survey, expenses		\$32,000
D. TOTAL USES (should equal C. on page 1 and E. below)		\$212,000
Sources of Funds		Status
Newton CPA funding request	Requested	\$50,000
DCR – Recreational Trails Grant	Awarded 2018	\$52,000
Mass Trails Grant	Awarded 2019	\$100,000
Solomon Foundation Grant	Pledged 2019	\$10,000
E. TOTAL SOURCES (should equal C. on page 1 and D. above)		\$212,000
SUMMARY ANNUAL OPERATIONS & MAINTENANCE BUDGET (cannot use CPA funds)		
Uses of Funds		
Post construction routine maintenance per DCR standards		
Note: Pigeon Hill Trail would be conveyed to the DCR by MassDOT for care and control		\$2,500
F. TOTAL ANNUAL COST (should equal G. below)		\$2,500
Sources of Funds		
Mass DCR (see letter of commitment)		\$2,000
Local volunteer hours (RGWG organized)		\$500
G. TOTAL ANNUAL FUNDING (should equal F. above)		\$2,500
Project TIMELINE	Phase or Task	Season & Year
	Harmonizing grant awards with scope of work; finalizing contract with Halvorson Design / Howard, Stein, Hudson/ Gill Engineering design team selected from a field of five respondents through a competitive selection process.	Summer 2019
	Public outreach to begin	Fall 2019
	Design and engineering for 100% Design	Fall 2019 to Spring 2020

Attachments struck out here are posted separately on the Newton CPC website.

Project TITLE		Riverside Greenway – Pigeon Hill Trail 100% Design	
↓ Check off submitted attachments here.			
REQUIRED.	✓	PHOTOS	of existing site or resource conditions (2-3 photos may be enough)
	✓	MAP	of site in relation to nearest major roads (omit if project has no site)
	PROJECT FINANCES printed and as computer spreadsheets, with both uses & sources of funds		
	✓	development pro forma/capital budget: include total cost, hard vs. soft costs and contingencies, and project management – amount and cost of time from contractors or staff (in-kind contributions by existing staff must also be costed)	
	✓	operating/maintenance budget, projected separately for each of the next 10 years (CPA funds may not be used for operations or maintenance)	
	✓	non-CPA funding: commitment letters, letters of inquiry to other funders, fundraising plans, etc., including both cash and est. dollar value of in-kind contributions	
	✓	purchasing of goods & services: written confirmation from City of Newton Purchasing Dept. that past and proposed procedures meet City requirements	
	SPONSOR FINANCES & QUALIFICATIONS, INSTITUTIONAL SUPPORT		
	✓	for sponsoring organization, most recent annual operating budget (revenue & expenses) & financial statement (assets & liabilities)	
	✓	for project manager: relevant training & track record of managing similar projects	
	✓	CITY LETTER(S)	Letters of support from City staff
	SITE CONTROL, VALUE & DEED RESTRICTIONS		
	✓	deed or other legal confirmation of ownership (DOT and/or DCR)	
		owner's agreement to a permanent deed restriction for open space conservation or public recreational use (DOT) – A. Ingerson has requested Law Dept. guidance on alternatives to a deed restriction; no response yet rec'd as of the date of application.	
	ZONING & PERMITTING		
	✓	brief property history: at least the last 30 years of ownership & use	
	NA yet	environmental mitigation plans: incl. lead paint, asbestos, underground tanks	
	NA yet	other approvals required: Newton Conservation Commission, Newton Commission on Disabilities, Massachusetts Architectural Access Board, etc.	
	DESIGN & CONSTRUCTION		
	✓	professional design & cost estimates: include site plan, floor plans & elevations – See Halvorson proposal for scope of work, schedule and fee.	
NA yet	materials & finishes; highlight “green” or sustainable features & materials		
OP-TIONAL.	✓	LETTERS of SUPPORT	from Newton residents, organizations, or businesses

Pigeon Hill Trail 100% Design

Capital Budget

The expenses in this budget are based the proposal (attached) from the design team of Halvorson, Howard Stein Hudson, and Gill Engineering that was hired by the RGWG through a competitive bidding process to complete the 25% Design of the three Auburndale Links of the Riverside Greenway funded by the 2018 DCR-RTP Grant. Our 2019 Application to MassTrails was funded at 50% with the request of the Mass Trails Committee to limit the design scope to only one of the three Auburndale Links in the 2019 application, the Pigeon Hill Trail. The goal is to bring this design to as close to 100% as possible. Having a 'shovel ready' design will make it possible for the Pigeon Hill Trail to be built in association with the construction of the Recreation Road Bridge or Rt. 30 Bridge projects scheduled for 2022-23.

The income in the budget combines the funds from two grants: 1) the DCR-RTP in 2018 and 2) MassTrails in 2019 with an additional \$10,000 from the Solomon Foundation. **CPC funding is needed to move beyond 25% design of the Pigeon Hill Trail toward 100%.**

2019-2020

Expenses by Phase (all phases per Mass DOT standards)

	Halvorson	HSH
Phase 2: Pigeon Hill Trail – Conceptual design	\$25,000	\$ 15,000
Phase 2: Pigeon Hill Trail – 25% design	\$17,000	\$ 63,000
Phase 3: Pigeon Hill Trail – 100% design	\$12,000	\$ 32,000
Phase 4: Pigeon Hill Trail – PS&E documentation	\$ 6,000	\$ 10,000
Primary Fee Subtotal (Halvorson and HSH combined)		\$180,000

Fees per vendor

Electrical Engineer	\$ 10,000
Structural Engineer	\$ 10,000
Survey	\$ 7,500
Soil borings	\$ 2,500
Expenses	\$ 2,000
Total Fees and expenses	\$212,000

Income

2018 Mass DCR- Recreational Trails Grant	\$ 52,000
2019 MassTrails Grant	\$100,000
Solomon Foundation	\$ 10,000
<u>Newton Community Preservation Program</u>	<u>\$ 50,000</u>
Total	\$212,000

2022-23 Construction Budget

\$800,000-\$1,000,000, estimated construction costs

MassDOT Project Manager Michael Trepanier has indicated that the Pigeon Hill construction costs will likely be covered as part of MDOT's replacement of the Recreation Road Bridge at the Lasell Boathouse, scheduled for 2022. To meet DOT standards this pedestrian bridge must connect to a accessible multiuse path. The construction of the trail and bridge will occur in close proximity; having a uniform design connecting these elements is an efficient use of funds.

Maintenance budget

Paul Jahnige, Director of DCR's Trails and Greenways provided an estimate for the maintenance budget for a project of this type (see attached letter). He shared DCR's general maintenance budget with us. Based on DCR's Typical Tasks, the 10-year Operating Budget for maintenance of the trail post construction is \$2500 per year, which includes \$500 in volunteer labor from local RGWG volunteers. A detailed list of all anticipated maintenance is below:

Weekly

- Clean / service bathrooms / porta-potties, if present
- Empty trash receptacles, if present
- Check and restock brochures

Biweekly or (as needed) During the Season

- Mow / weedwack 2-feet of shoulders pathways
- Blow debris from paved and stabilizer pathways
- Remove fallen or immediate hazard trees and limbs
- Remove graffiti and dumping when it occurs

Annually

- Inspect culverts, swales and other drainage structures clean as needed
- Trim / remove potential hazard trees AND those that appear to be causing root damage
- Inspect for emerging invasive populations and hand pull as possible.
- Inspect trail signs and replace as needed, avoid "sign clutter" and remove excess / old signage
- Inspect and identify beginning root damage to pavement, pick / dig / remove roots, or root cut along shoulders

Every 10-15 Years

- Saw-cut, excavate and repave targeted areas of root damage or cracks
- Consider mill and overlay to extend pathway life
- Repair deteriorated decking on any bridges or boardwalks
- Loam and seed shoulders to address edge issues

The anticipated maintenance costs for the first 10 years based on 3% inflation rate are shown:

Auburndale Links – Charles River Trail											
10-year Operating Budget											
Estimated 3 % annual inflation	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
	\$2,500	\$2,575	\$2,652	\$2,732	\$2,814	\$2,898	\$2,985	\$3075	\$3167	\$3262	\$3360

Note: The CPC staff requested details about the 15-year budget.

Paul Jahinge responded to our query:

The letter (23 May 2019) already clearly documents a commitment of DCR's part for long-term maintenance of this e portion of the Upper Charles Greenway that come into our "Care and Control" or fee ownership. This level of maintenance will be commensurate with our existing maintenance and as resources allow. I can't commit to or provide more details because this is based on state staffing and funding but suffice it to say that we to provide maintenance of assets and trails under our jurisdiction.

(Email 8-9-2019)

Budget related attachments:

1. 2019 MassTrails Grant Contract
2. 2018 Mass DCR-RTP Contract
3. Copy of Jahinge email 8-9-29
4. Solomon Foundation Pledge
5. Newton Conservators Sponsorship - Fiscal Agent / Financial Statement



May 23, 2019

Ted Chapman
Riverside Greenway Working Group
Newton, MA

Dear Mr. Chapman;

Thank you for your inquiry regarding the Department of Conservation and Recreation's (DCR) commitment to the long term maintenance of the Upper Charles River trail and greenway through the "Riverside" area in Newton and Weston.

As you know, the DCR has been collaborating with the Massachusetts Department of Transportation (MassDOT), the Riverside Greenway Working Group and other stakeholders to realize the vision of accessible, shared use, bicycle and pedestrian connections linking the existing Upper Charles River Greenway paths at Lyons Field near Commonwealth Avenue and Concord Street in Newton Lower Falls surmounting the barriers posed by I-90, the Charles River and I-95/128. This connection may involve local roads, MassDOT property, Massachusetts Bay Transportation Authority (MBTA) property, and DCR parkland.

As the trail is developed and certain rights are transferred to or acquired by the DCR, we are committed to the long term maintenance of this greenway and trail as we are to the entire Upper Charles River Greenway.

We look forward to the opportunity to collaborate in this maintenance with local stakeholder groups and communities through memoranda of understanding, but ultimately, DCR will have the long term maintenance responsibility on properties under our ownership or care and control.

Please let me know if you have any questions or if I can provide any additional information.

Sincerely,

Paul Jahnige, Director
DCR Trails and Greenways

Cc: Dan Driscoll, Director, DCR Recreational Facilities Planning

COMMONWEALTH OF MASSACHUSETTS · EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS

Department of Conservation and Recreation
136 Damon Road
Northampton, MA 01060
(413) 586-8706
www.mass.gov/orgs/departments-of-conservation-and-recreation



Charles D. Baker
Governor

Karyn E. Polito
Lt. Governor

Kathleen A. Theoharides, Secretary,
Executive Office of Energy & Environmental Affairs

Leo P. Roy, Commissioner
Department of Conservation & Recreation

Subject: RE: Revised Letter to Newton CPC DCR maintenance commitment
Date: Friday, August 9, 2019 at 3:18:49 PM Eastern Daylight Time
From: Jahnige, Paul (DCR)
To: Ted Chapman
CC: Allison Burson, Herbert Nolan, Driscoll, Dan (DCR), Lewis, Amanda (DCR)
Category: Bike Trail
Attachments: image001.png

Dear Ted,

I have finally gotten a chance to review this.

I am not sure that I will be able to assist much beyond the letter that I have already provided.

The letter already clearly documents a commitment of DCR's part for long-term maintenance of the portions of the Upper Charles Greenway that come into our "Care and Control" or fee ownership. This level of maintenance will be commensurate with our existing maintenance and as resources allow.

I can't commit to or provide more details because this is based on state staffing and funding, but suffice it to say that we to provide maintenance of assets and trails under our jurisdiction.

The second question is a question for our land and legal folks, but is pre-mature. We do intend to negotiate and accept "Care and Control" agreements or transfer of interests in land or easements from MassDOT or MBTA, but until those are negotiated and agreed to by the agencies, I can't describe them in further detail.

Sorry not to be more helpful at this stage.

Paul

Paul Jahnige
Trails Section Head, Project Planning and Design
Department of Conservation and Recreation
paul.jahnige@mass.gov
office: 413-387-4332



From: Ted Chapman [mailto:ehchapman@verizon.net]
Sent: Wednesday, August 07, 2019 3:28 PM
To: Jahnige, Paul (DCR)
Cc: Allison Burson; Herbert Nolan; Driscoll, Dan (DCR); Lewis, Amanda (DCR)
Subject: Revised Letter to Newton CPC

Paul -

As you know we have received two grants for the Pigeon Hill Trail, Charles Street Underpass and Riverside Depot Tunnel Design. The 2019 Mass Trails Grant award was 50% of what we requested. Consequently, we have asked the team we selected (from among 5 proposals) – Halverson, Howard-Stein-Hudson, and Gill Engineering, to combine the scope of the work defined in the grant proposals, in coordination with Michael Trepanier of Mass DOT, to get to a full 25% design of the first two elements per Mass DOT standards, and to 25% design of The Depot Tunnel per DCR standards.

Michael (and we) hope to roll the first two elements into funding of the replacement of the Recreation Road Bridge or the Route 30 - Charles River Bridge using TIP funds. HE clearly stated that Mass DOT cannot justify construction on the Depot Tunnel since it does not connect to an accessible trail, and therefore this piece is in the hands of Mass DCR.

After approving our preproposal, we now have the go-ahead to put in a full proposal the Newton CPA to fund the \$50K we need to fund the match for the 2019 MassTrails grant **Pigeon Hill Trail Riverside Depot Tunnel 100% Design Project.**

You kindly provided us with a letter for the preproposal. We receive the attached feedback for the CPC staff person.

- deed or other legal confirmation of ownership (DOT and/or DCR)(note: all we have is the Mass GIS property records. Any searches we have done have come up empty.)
- please ask DCR to update letter provided with pre-proposal to both
 - (a) estimate/accept responsibility for long-term operating costs and
 - (b) describe the inter-agency “restriction” or “transfer” arrangement, which so far has been mentioned only by RGWG

I hope this is something you can do. The Newton CPC seems quite concerned about documenting every contingency. I believe they were sued for lack of due-diligence.

Thank you for your cooperation on this matter and your ongoing support for our advocacy.

Best,

Ted

Ted Chapman
Project Manager
Riverside Greenway Working Group
(617) 680-5278
ehchapman@verizon.net
<https://riversidegreenwayma.wildapricot.org/>

cc

We had a good meeting with Erica Aubin regarding moving forward on the Pony Truss Trail restoration. We are hoping that Conservation works will be doing the work.



THE LAWRENCE & LILLIAN
SOLOMON FOUNDATION

August 8, 2019

Ted Chapman
Riverside Greenway Working Group
91 Cornell St.
Newton Lower Falls, MA 02462

Riverside Greenway Working Group

Re: \$20,000 pledge

Dear Ted,

We are pleased to pledge \$20,000 to the Newton Conservators as fiscal agent of the Riverside Greenway Working Group to support the ongoing work of the Riverside Greenway Working Group. \$10,000 of this pledge is meant to be used to for the match for the 100% design for the Pigeon Hill Path. The rest of this match may be used for design and/or construction work. We commit to making this match in advance of the first reimbursable payment reimbursable by MassTrails and/or DCR Rec Trails Program to ensure that the Newton Conservators have the cash on hand to pay the consultants.

In addition to this financial contribution, the Solomon Foundation also pledges technical assistance in support of the Riverside Greenway Working Group.

Please let us know how these efforts progress and how we can continue to be of assistance.

All my best,

Herb Nolan



Katherine Howard
Newton Conservators, Inc.
P.O. Box 590011
Newton, MA 02459

RE: Authorization to Proceed with the Pony-truss Trail Restoration, Pigeon Hill Trail and
Riverside Depot Tunnel Access, and 25% Design Project

Dear Ms. Howard:

The following is provided as formal authorization to proceed with your Recreational Trails Grant project as described in your proposal for the Pony-truss Trail Restoration, Pigeon Hill Trail and Riverside Depot Tunnel Access, and 25% Design Project. The authorization is effective as of the date signed below and the reimbursable portion of the project is not-to-exceed the grant amount of \$91,419. All work is expected to be completed by December 31, 2020.

Please review the RTP Grant Agreement before beginning any phase of your RTP project and review the document periodically to ensure compliance with the program. Any changes to the scope or budget of this project must be reported and approved by DCR before proceeding. All requirements and conditions specified for your project must be met before work can proceed.

Department oversight will be provided by Amanda Lewis, DCR Recreational Trails Program Coordinator, and any questions concerning the above can be directed to her attention at 413-387-4333 or amanda.lewis@mass.gov.

Sincerely,

Patrice Kish
Acting Chief, Division of Planning & Engineering

10/31/18
Authorization Date



From: Alice Ingerson <aingerson@newtonma.gov>
Sent: Monday, September 09, 2019 7:32 AM
To: Maureen Lemieux <mlemieux@newtonma.gov>; Nick Read <nread@newtonma.gov>
Subject: Thank you

Thank you, both.

From: Maureen Lemieux <mlemieux@newtonma.gov>
Sent: Sunday, September 08, 2019 9:18 PM
To: Nick Read <nread@newtonma.gov>
Cc: Alice Ingerson <aingerson@newtonma.gov>
Subject: RE: RGWG CPC application - confirming procurement policy waiver

Nick,

By way of this email, I approve the procurement of the CPA-funded portion of the Riverside Greenway design (\$50,000) using quotes.

Thanks,
Maureen

From: Nick Read <nread@newtonma.gov>
Sent: Sunday, September 8, 2019 8:17 PM
To: Maureen Lemieux <mlemieux@newtonma.gov>
Cc: Alice Ingerson <aingerson@newtonma.gov>
Subject: Fw: RGWG CPC application - confirming procurement policy waiver

September 8, 2019

Hi Maureen--A couple of weeks ago you gave me a verbal OK to allow the procurement of the CPA-funded portion of the Riverside Greenway design (\$50,000) using quotes. See below for background. Can you also give a written approval for the file?

Thanks.
NICK

From: Alice Ingerson <aingerson@newtonma.gov>
Sent: Sunday, September 8, 2019 3:00 PM
To: Nick Read <nread@newtonma.gov>
Subject: Re: RGWG CPC application - confirming procurement policy waiver

Hi Nick,

Soon after you sent the email below, you left me a voice message saying Maureen Lemieux had agreed to waive the City's CPA grant procurement requirements for this Riverside Working Group (RGWG) design proposal.

Can you send me back a short email confirming that the waiver was granted?

... on closer reading, I see that [your email below] recommends the waiver but does not actually grant it.

Thanks,
Alice

Alice E. Ingerson, Ph.D.
Community Preservation Program Manager
City of Newton, Massachusetts
www.newtonma.gov/cpa
aingerson@newtonma.gov, 617.796.1144

From: Nick Read <nread@newtonma.gov>
Sent: Friday, August 23, 2019 1:16 PM
To: Maureen Lemieux <mlemieux@newtonma.gov>
Cc: Jonathan Yeo <jyeo@newtonma.gov>; Allison Burson <allisonburson@solomonfoundation.org>; Herbert Nolan <herbnolan@solomonfoundation.org>; Ted Chapman <ehchapman@verizon.net>; Alice Ingerson <aingerson@newtonma.gov>
Subject: RGWG CPC application - clarification

August 23, 2019

Hi Maureen--Riverside Greenway is an unincorporated interest group promoting the development of trails in the Riverside area of Newton. Its agent is Newton Conservators, a non-profit corporation.

The project first requires a design, and Riverside Greenway has solicited prices from multiple firms and received 5 bids. It accepted the lowest responsive and responsible bidders. (The lowest bidder was not responsible.)

The total proposed design fee is \$212,000, which is being provided as follows:

Funding Source	Amount
DCR Recreational Trails Grant	\$52,000
Mass (State) Trails Grant	\$100,000
Solomon Foundation Grant	\$10,000
Newton CPA Grant (Proposed)	\$50,000

The state grants are conditional on the grantee awarding a contract based on a competitive bid. Riverside Greenway's solicitation of quotes meets the state requirements.

Riverside Greenway has applied to the City of Newton for a \$50,000 CPA grant. The Riverside Greenway request is subject to the City's Procurement Policy for Procurement Policy for City of Newton Community Preservation Program Grants to Private Organizations, attached ("CPA Policy").

Under the CPA Policy quotes for less than \$25K; bids are required for grants of \$25K or more.

The basis for the CPA Policy is the adherence to "sound management practices." In this case, Riverside Greenway used a quote process that met the applicable state standard. The City's requested contribution is only 23.5% of the proposed total designer fee. Finally, inasmuch as a designer has been selected, it would, in my opinion, be an unnecessary hardship to require Riverside Greenway, to start the procurement process anew. A waiver to Policy is requested to allow the \$50,000 grant on the basis of the solicitation of quotes.

Newton Conservators as fiscal agent

Newton Conservators Inc. Unrestricted Income Statement Calendar Year 2019 YTD through June 30, 2019

	2019	2019	2019			Prior Year Actuals			
	YTD Jun Actual	YTD Jun Budget	YTD Jun Variance		2019 Budget	CY 2018 Actual	2017 Actual	2016 Actual	2015 Actual
REVENUES									
Dues - Members	4,325	5,250	(925)		21,000	19,444	20,644	17,899	16,305
Gifts - Members	1,000	1,250	(250)	5/8Q4	5,000	5,911	3,175	3,818	3,470
Credit card fees	(118)	(75)	(43)	5/8Q4	(300)	(322)	(263)	(292)	(151)
Misc. (escrow interest, Amazonsmile)	167	200	(33)		400	362	303	191	274
Almanac sales	70	200	(130)		400	520	183	85	120
Trail Guide Sales	293	525	(232)		1,050	947	806	833	1,594
Total revenues	5,738	7,350	(1,612)		27,550	26,861	24,847	22,534	21,611
EXPENSES									
Annual Meeting - net cost	(785)	-	785	Q2	-	(94)	(289)	(136)	(574)
Board Administrative Expenses	576	450	(126)		900	887	838	802	576
Board Development	314	100	(214)		200	194	265	-	-
Dues	75	450	375		900	745	745	450	400
Fees	35	27	(8)		54	54	54	79	50
Grants	2,650	1,500	(1,150)		3,000	3,750	3,000	2,750	4,800
Insurance	3,784	3,784	-	Q1	3,784	3,685	3,785	3,575	3,517
Almanac, Guide, Brochures	-	-	-		-	-	-	3,608	-
Membership Development	302	1,650	1,348		3,300	2,625	1,770	2,008	2,402
Newsletter	1,985	2,422	437		4,844	7,993	10,810	9,852	8,337
Ordway Maintenance	740	900	160		1,800	1,980	1,795	1,575	1,030
Programs - General	134	100	(34)		200	805	3,093	661	737
Programs - Invasives, natives	-	375	375		750	105	182	953	
Website	1,914	1,868	(46)	Q1	1,868	849	321	298	298
Total expenses	11,723	13,626	1,903		21,600	23,578	26,370	26,475	21,574
Net income from operations before special projects	(5,986)	(6,276)	290		5,950	3,284	(1,522)	(3,941)	37
SPECIAL PROJECTS									
Inc. from Board-Design. Endowment	3,215	2,965	(250)		5,929	6,160	5,965	5,839	5,929
Exp - General	-	250	250		500	-	1,000	-	-
Exp - CR Monitoring	-	-	-		-	-	57	2,743	-
Exp - Bracebridge CR Work	2,019	2,019	-	Q1	2,019	250	4,475	2,103	
Exp - Land Acq. Program (research)	-	250	250		500	-	-	-	-
Exp-Property Maint. beyond donor funds	-	-	-	Q3-Q4	20,000	7,030	1,506	-	-
Net Income from Board-Designated funded special projects	1,196	446	250		(15,071)	(1,120)	(1,073)	993	5,929
Net income from operations	(4,790)	(5,831)	540		(9,121)	2,164	(2,596)	(2,948)	5,966
INVESTMENT INCOME AND GAINS									
Interest - Money Market/Checking	502	25	477		50	419	122	32	8
Investment Income - 4-in 1 Fund	1,249	2,100	(851)		4,200	11,615	5,419	4,557	4,257
Interest - Treasury Bills	180	50	130		100	177	157	98	77
Unrealized Gain (Loss) - 4-in-1 Fund	29,031	1,300	27,731		2,600	(25,158)	30,415	9,710	(4,219)
Sub-total investment income before transfers	30,963	3,475	27,488		6,950	(12,947)	36,112	14,396	123
Interest - Transfer to Ordway Endow.	(2,262)	(500)	(1,762)		(1,000)	984	(2,840)	(1,162)	17
Less: board designated endowment spending policy transfer to operations	(3,215)	(2,965)	(250)		(5,929)	(6,160)	(5,965)	(5,839)	(5,929)
Total investment income after transfers	25,487	11	25,476		21	(18,123)	27,307	7,395	(5,789)
Total changes in unrestricted net assets	20,697	(5,820)	26,017		(9,100)	(15,960)	24,712	4,447	177
Beginning Unrestricted Net Assets	206,688	206,688	-		206,688	222,647	197,935	193,488	193,311
Plus: change in unrestricted net assets	20,697	(5,820)	26,017		(9,100)	(15,960)	24,712	4,447	177
Ending Unrestricted & BD Net Assets	227,384	200,868	26,017		197,588	206,688	222,647	197,935	193,488

Balance Sheet - Newton Conservators - As of 6/30/19

	Unrestricted	Temporarily Restricted	Permanently Restricted	6/30/2019 Balance	12/31/2018 Balance
ASSETS					
Citizens/Village Bank Checking	1,145	4,608		5,753	26,799
Accounts Receivable at 123Signup	-			-	5,468
Post Office; Golf/Reservoir Escrows	331	52,775		53,106	52,912
TOTAL Cash and AR Assets	1,476	57,383	-	58,859	85,179
Fidelity 4 in 1 Index Fund (Mkt Val)	201,935		21,560	223,495	193,214
Fidelity Money Market	10,137	40,789		50,927	28,425
Treasury Notes	2,936	11,813		14,749	14,749
TOTAL Investments	215,008	52,602	21,560	289,170	236,388
60 Prospect Park Lot B; Awtrey Lot A			2	2	2
Ordway Park	10,900			10,900	10,900
TOTAL Property	10,900	-	2	10,902	10,902
TOTAL ASSETS	227,384	109,985	21,562	358,932	332,468
LIABILITIES & NET ASSETS					
A/P, Golf/Reservoir Escrow	-	52,775		52,775	55,130
Board Designated Endowment	148,221			148,221	148,221
Spending Policy BD Endow.	5,217			5,217	4,022
TOTAL LIABILITIES & BRD DES.	153,438	52,775	-	206,213	207,373
NET ASSETS					
Unrestricted Net Assets	73,946			73,946	54,445
Weeks Field		4,750		4,750	4,750
60 Prospect Park Maint. Fund; Land		5,000	1	5,001	5,001
Awtrey Lot A Maint. Fund; Land		9,744	1	9,745	9,745
Land Stewardship		1,100		1,100	350
Friends of Cold Spring Park		9,863		9,863	4,853
Friends of Houghton Gardens		5,540		5,540	5,540
Friends of Webster Woods		4,488		4,488	4,488
Nahanton Woodcock Meadow		1,097		1,097	1,097
Ordway Park Endow/UF Greenway		1,146	21,560	22,706	22,706
Ordway Park Improvement Fund		2,170		2,170	2,170
Ordway Endow. Interest		10,463		10,463	8,201
Riverside Trails Fund		100		100	-
Save the Cove(formerly Regan Fund)		1,750		1,750	1,750
TOTAL NET ASSETS	73,946	57,210	21,562	152,719	125,096
TOTAL LIABILITIES & NET ASSETS	227,384	109,985	21,562	358,932	332,468

Changes in Restricted Net Assets

	6/30/2019			2018
	Temporary	Permanent	Total	Total
Balance at beginning of year				
Weeks Field	4,750		4,750	4,750
60 Prospect Park Maint. Fund; Land	5,000	1	5,001	1
Land Stewardship	350		350	-
Friends of Cold Spring Park	4,853		4,853	-
Awtrey Lot A Maint. Fund; Land	9,744	1	9,745	9,745
Friends of Houghton Gardens	5,540		5,540	5,540
Friends of Webster Woods	4,488		4,488	4,488
Nahanton Woodcock Meadow	1,097		1,097	1,097
Ordway Park Endow/UF Greenway/Kennard	1,146	21,560	22,706	22,706
Ordway Park Improvement Fund	2,170		2,170	2,170
Ordway Park Endow. Interest	8,201		8,201	9,185
Save the Cove (formerly Regan)	1,750		1,750	2,730
Total	49,089	21,562	70,651	62,412
Changes during Q1 & Q2 2019				
Land Stewardship donations	750		750	350
Friends of Cold Spring Park donations (net of \$80 Zervas exp)	5,010		5,010	4,853
Riverside Trails donation (PY- Dexter Woods grant)	100		100	5,000
Save The Cove (PY tr to DCR 2730 offset by new gifts 1750)	-		-	(980)
Ordway Endow. Interest earned	2,262		2,262	(984)
Total	8,122	-	8,122	8,239
Balance as of 6/30/19				
Weeks Field	4,750		4,750	4,750
60 Prospect Park Maint. Fund; Land	5,000	1	5,001	5,001
Awtrey Lot A Maint. Fund; Land	9,744	1	9,745	9,745
Land Stewardship	1,100		1,100	350
Friends of Cold Spring Park	9,863		9,863	4,853
Friends of Houghton Garden	5,540		5,540	5,540
Friends of Webster Woods	4,488		4,488	4,488
Nahanton Woodcock Meadow	1,097		1,097	1,097
Ordway Park Endowment Fund/UF Greenway	1,146	21,560	22,706	22,706
Ordway Park Improvement Fund	2,170		2,170	2,170
Ordway Park Endow. Interest	10,463		10,463	8,201
Riverside Trails Fund	100		100	
Save the Cove (formerly Regan Fund)	1,750		1,750	1,750
Total	57,210	21,562	78,772	70,651

***Documentation of Relevant Experience for
Ted Chapman, Project Manager***

1983 - current	Principal, operating a private medical office, 3 employees, and 8,000 patients.
2003 - current	Principal, operating Ted Chapman Landscape Design with multiple projects for clients, including coordination with subcontractors.
1978 - current	Managing Partner for 660-acre property in the White Mountains of NH, including management of forestry contracts, USDA Natural Resources Conservation Service grants totaling \$95,000, as well as negotiating Conservation Easements with The Nature Conservancy
1999 - 2003	Primary Investigator and Manager for a National Institutes of Health \$40,000 grant for the Study of the Homeopathic Treatment of Mild Traumatic Brain Injury conducted at Spaulding Rehabilitation Hospital, Boston.
2017 - 2019	Project manager for the 2017 - DCR - Recreational Trails Program \$47,260 grant for the Newton Lower Falls to Riverside Trail 25% Design (Two Bridges Trail).
2018 - current	Project manager for the 2018 - DCR - Recreational Trails Program \$114,294 grant for the Pony Truss Trail Restoration, Pigeon Hill Trail / Riverside Depot Tunnel 25% Design Project
2019 - current	Project manager for the 2019 MassTrails \$100,000 grant Pigeon Hill Trail 100% Design Project



9 September 2019

Mr Ted Chapman
Project Manager
Riverside Greenway Working Group
91 Cornell St.
Newton Lower Falls, MA 02462-1320

Re: **Auburndale River Link: Pigeon Hill Trail Conceptual Design through PS&**
Newton, Massachusetts
Proposal for Landscape Architectural Services

Dear Ted:

Halvorson Design Partnership, Inc. ("HDP") is pleased to provide this proposal for landscape architectural design services for the Auburndale River Link project in Newton, Massachusetts. The proposal is based on our current understanding of the design services required by the Riverside Greenway Working Group ("Client").

Scope of Improvements

In preparing this proposed scope of services and fees, we have made the following assumptions based on the current information and our understanding of the projects' requirements. They include:

- > The Site Area is defined as a single trail linkage: Pigeon Hill path connecting Oakland/Evergreen St to Riverside Road near the Lasall Boathouse.
 - a. The projects requires working collaboratively with the Client, City of Newton, MassDOT, MBTA, and DCR to understand the site opportunities and constraints for the proposed improvements.
 - b. The Halvorson team shall create a single design option conceptual design illustrative plan, sketch, and section which creates an implementable vision, builds community/stakeholder support, and provides direction for subsequent MassDOT standard documentation.

Scope of Services

Halvorson Design Partnership and team proposes the following services:

Phase 1: Conceptual Design

Task 1A and 1B: Kick Off, Site Visit and Analysis

1. Review and summarize the work done to date by Jacobs and other initiatives, including work being conducted by Halvorson and HSH at Riverside and Commonwealth Greenway.
2. Review proposed scope and schedule to confirm the Client Team and consultant team are aligned in strategy and breadth of documentation, public outreach, and project goals.
3. Conduct site walk with Client team to determine scope, project objectives, and detailed design initiatives.
 - a. Includes visual assessment by Structural Engineer of retaining walls along Pigeon Hill
4. Provide a 'Resource Brief' which:
 - a. Highlights key information gathered from researched reports and site walk.
 - b. Creates a refined project schedule, which identifies meeting dates, outreach groups, and roles and responsibilities for Project Team.
5. Initiate and execute a topographic survey (per MassDOT standards) for Pigeon Hill linkage Survey shall rely on GIS information for property boundaries. Utilities will be limited to documentation research and limited field verification. Survey work does not include the layout and instrument in order to record any easement.

Task 1C: Conceptual Design

1. Synthesize discussions during walk through into a distinct design directions by creating visuals and participating in a review meeting with Client team.
2. Refine design visuals for client to use in public outreach meeting managed by Client Team.

Task 1D: Pre-Permitting Review

1. Review existing conditions and regulatory requirements to frame the discussion of feasible design options for Agency meeting.
2. Prepare for and attend a joint agency review meeting with DCR, MassDOT, MBTA, City of Newton Planning and Public Works, and Newton Conservation Commission. (total of 1 meetings)
3. Prepare meeting summary and compliance analysis of concept designs based on current regulatory requirements and meeting feedback to identify and evaluate any permitting challenges or fatal flaws for the developed conceptual design ideas.

Task 1E: Design Development

1. Based upon community outreach, permitting meetings, and Client team feedback, the initial graphics shall be revised/edited to create a singular refined design.
2. In addition, our team will develop a draft MassDOT Highway Division Project Need Form (PNF) and Project Initiative Form (PIF) for the project. Our team will work with the City of Newton and MassDOT staff in using the Massachusetts Project Intake Tool (MaPIT) to map out the project's extents and enter the necessary information to initiate the project with the MassDOT Highway Division. Once the conceptual design documents and detailed project information are inputted into MaPIT, MassDOT's Project Review Committee (PRC) will score the project for worthiness of state construction funding. Pending a favorable score, the project will receive a MassDOT project information number and become eligible for state construction funding.

Phase 2: 25% Design/Documentation

Task 2A: Kick Off/Scope Confirmation

1. Review and summarize the work done to date in previous phase, including work being conducted by Halvorson and HSH at Riverside and Commonwealth Greenway.
2. Review proposed scope and schedule to confirm the Client Team and consultant team are aligned in strategy and breadth of documentation, public outreach, and project goals.
3. Confirm preferred design direction from previous.
4. Conduct soil borings along Pigeon Hill linkage for structural bearing capacity of existing soil.

Task 2B: 25% Design Documentation

1. Provide all design and documentation services required to advance Pigeon Hill to a MassDOT standard 25% documentation set.
2. 25% set shall include site improvements, material, planting, grading, stormwater infiltration, electrical/lighting for under bridge, and structural drawings.
3. 25% Design process will include QC review and preliminary construction estimate.
4. 25% Design process shall include Public hearing per MassDOT standards.
5. Structural work shall be limited to retaining walls required along Pigeon Hill linkage. Retaining walls are assumed to be Mechanically Stabilized Earth (MSE). Detailed design shall be provided by MSE supplier as part of construction contract. Structural design as part of this scope will include plans, elevations and section to define limits and geometry of walls.
6. Coordination during Documentation phase shall include:
 - a. Team meetings as required
 - b. 4 coordination/review meetings with Client
 - c. One joint meeting with Client, City of Newton, DCR, and MassDOT.
 - d. One working meeting with MassDOT.
 - e. MassDOT public hearing.

Phase 3: 100% Design/Documentation

Task 3A: Design and Documentation

1. Provide all design and documentation services required to advance Pigeon Hill link to a 100% Design documentation level per MassDOT standards.
2. Work shall include response to 25% review comments
3. Work shall include environmental permitting including NOI and ENF.
4. Coordination during Documentation phase shall include:
 - a. Team meetings as required
 - b. One working meeting with Client.
 - c. One working meeting with MassDOT

Phase 4: PS&E Design/Documentation

Task 4A: Design and Documentation

1. Provide all design and documentation services required to advance Pigeon Hill link to a PS&E Design documentation level per MassDOT standards.
2. Work shall include response to 100% review comments
3. Coordination during Documentation phase shall include:
 - a. Team meetings as required
 - b. One working meeting with Client.
 - c. One working meeting with MassDOT

Limitations to the scope of services

HDP's scope of services will be limited to the work efforts identified above and exclusions listed below. To allow HDP to respond flexibly to unforeseen issues and opportunities, HDP may provide other specifically requested services as Additional Services at the current prevailing billing rates as requested by the Client.

- a. Meeting or additional services beyond those outlined in this proposal shall be provided additionally on an hourly basis as directed by the client.
- b. 4F documents and design exceptions are not included in this scope of work.
- c. Electrical service location is assumed to be nearby and contains capacity to add additional circuit for mounting lighting fixtures under Turnpike overpass.
- d. Retaining wall height is assumed to be 36" or less.
- e. Construction phase services not included.
- f. All existing soils shall remain on site.
- g. No modifications or additions to existing stormwater system are included in scope of work.

Fee Compensation

The fees for the professional services outlined above are proposed to be invoiced on lump sum basis and billed by a percentage complete of the total project to an upset limit as detailed below, and are in accordance with the Appendix A: Halvorson Design Partnership, Inc. Terms and Conditions (see attachment.)

The estimated fees are as follows:

Team Compensation	Fee Including Expenses	
	Halvorson	HSH
Phase 1: Conceptual Design	\$25,000.00	\$15,000.00
Phase 2: 25% Documentation	\$17,000.00	\$63,000.00
Phase 3: 100% Documentation	\$12,000.00	\$32,000.00
Phase 4: PS&E Documentation	\$6,000.00	\$10,000.00
<hr/>		
Primary Fee Subtotal (combined Halvorson and HSH)		\$180,000.00
<i>Survey and Borings are estimates (final proposal forthcoming)</i>		
Survey		\$7,500.00
Soil Borings – Pigeon Hill		\$2,500.00
Electrical Engineer		\$10,000.00
Structural Engineer		\$10,000.00
Expenses		\$2,000.00
<i>Estimated Fees and Expenses Total:</i>		<i>\$212,000.00</i>

As indicated above, the scope of work outlined in this proposal represents our understanding of the project requirements. In the event that you would like to make changes in the scope of work or are in any way uncomfortable with any of the contents of this proposal, we would be pleased to discuss modifications at your convenience.

If this proposal is satisfactory and is suitable as a contract agreement, please sign and return the enclosed duplicate copy for our records.

Sincerely,
Halvorson Design Partnership, Inc.

A handwritten signature in black ink, appearing to read "R. ADAMS." with a stylized flourish.

Robert Adams
Principal

Attachments:

Billing Rates
Appendix A – Halvorson Design Partnership Terms and Conditions

Accepted as a Contract:

A handwritten signature in black ink, appearing to read "R. ADAMS." with a stylized flourish.

9/9/2019

For: Halvorson Design Partnership, Inc.

Date:

For: Riverside Greenway Working Group

Date:

SECTION 100 PROJECT DEVELOPMENT ENGINEERING

104 Alternatives Analysis and Report Preparation

Select engineering and environmental solutions to accomplish the project's purpose and need and prepare a report that presents all findings. The written evaluation of alternatives shall include a description of the alternatives, a comparison of the advantages and disadvantages of each alternative, and supporting data for the conclusions. Those alternatives that are eliminated from further study shall be graphically illustrated and should be accompanied by descriptions of the locations with statements as to why further consideration is not warranted.

105 Project Design Schedule Development and Monthly Updates

Develop and submit for approval a project design schedule in accordance with the requirements of Division I, Section 4.01 as amended by the language included above.

SECTION 150 ENVIRONMENTAL

151 Early Environmental Coordination Design Submission Checklist

Complete the 25% Design Submission Checklist Early Environmental Coordination for Design Projects. This involves ensuring that coordinating with local, regional, state, and federal resource agency staff has been completed. This effort provides project stakeholders with an opportunity to comment on the presence of environmental resources in the project area, their extent and potential significance. Documentation that an adequate level of consideration has been made to avoid and minimize impacts to identified environmental resources shall be presented; completion of the early coordination requirements ensures necessary deliverables (CE, WQDF, etc) have been prepared and design plans are adequate for environmental review. Written responses are required for each item, and supporting documentation must be included.

**MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION**

154 Hazardous Materials Research/Review

Provide information generated in accordance with the requirements of Section 2.4.2.5, *Environmental Requirements for Preliminary (25 Percent) Design Submission* of the *Project Development & Design Guide* to the MassDOT Hazardous Materials Unit during its review. Also include responses to comments from local and state agencies and attendance meetings, as agreed upon between MassDOT and the Consultant.

157 NEPA – Categorical Exclusion (CE)

Prepare a Categorical Exclusion (CE) Determination Checklist for Federal-Aid Actions in accordance with the *Programmatic Agreement For Approval Of Categorical Exclusions Between The Federal Highway Administration And The Massachusetts Highway Department*, dated May 17, 2005, and Federal Highway Administration Regulation 23 CFR § 771.117 (1987).

Typically, the NEPA and MEPA Environmental Documents for major projects are prepared jointly, that is, as either an EA/EIR or as an EIS/EIR. In some cases, the NEPA and MEPA documents are prepared and processed separately. The Consultant shall perform the tasks described in Sections 155 through 158 and 161 through 163, as agreed upon by MassDOT and the Consultant.

163 MEPA – Environmental Notification Form (ENF)

Prepare an ENF and associated correspondence to various agencies, as necessary, in accordance with the Massachusetts Environmental Policy Act and MEPA Regulations 301 CMR 11.00. Prepare associated filing attachments, such as a distribution list and public notice; responses to comments, as necessary; and attend public meetings.

179 WPA Notice of Intent (NOI)

Prepare and submit an NOI to the local conservation commission in accordance with the WPA. Tasks include preparation of all associated forms and backup documentation; permit plans, coordination during review, site walks, and attending conservation commission hearings.

SECTION 200 FUNCTIONAL DESIGN REPORT

201 Establish Purpose and Need

Establish purpose and need statement of the project.

203 Evaluate Existing Conditions / Context

Provide a narrative of the existing study area including lane configurations, key dimensions, design speed, posted speed, Speed Regulations, functional classification, environmental constraints, Roadway context, roadway users, etc. Include a project locus map.

**MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
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209 Development of Alternatives

Provide a discussion of alternatives considered. Alternatives should be developed using the design guidance provided in the MassDOT Project Development and Design Guide. Develop alternatives to comparable levels and present in an evaluation matrix.

211 Preferred Alternative

Provide a detail description and graphical presentation of the preferred alternative. Include a discussion how selections of the following were made.

- Typical Sections
- Horizontal and vertical alignment
- Clear Zone
- Bicycle / Pedestrian accommodation
- ROW impacts / Mitigations
- Environmental impacts / mitigations
- Safety Improvements

212 Complete Streets

Document how the project addresses bicycle and pedestrian accommodation in accordance with Complete Streets policies and the principles of the Project Development and Design Guide and associated Engineering Directives. Address desirable accommodation parameters and the context and impacts associated with the selection of the project cross-section.

215 Construction Cost

Provide an estimated construction cost.

216 Conclusion and Recommendation

Provide a conclusion and recommendation.

217 Report Preparation

Prepare a report detailing the various design alternatives with appropriate graphics, descriptive text and cost estimates justifying the recommendations presented.

SECTION 300 25% HIGHWAY DESIGN SUBMISSION

301 Project Initiation and Data Compilation

**MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION**

Compile and review all available documents of existing features and planned projects in the vicinity of the proposed work. Included, as part of this task, is the investigation of utility installations, previous subsurface explorations, traffic data, and right of way research.

302 Utility Coordination

Contact utility companies to verify locations of existing utilities and to assess impacts to those facilities. Ensure that the proposed design addresses impacts associated with accommodating both existing and proposed utilities. Provide a list of utility companies that may be affected by the proposed work, as part of the 25% submission.

303 Survey Coordination and Controls

Coordinate ground survey effort, review survey controls and closures, baseline ties and overall quality of survey.

304 Base Plans, Profiles and Typical Sections

Perform field review of base plan information. Verify the location of existing features, note legends on all warning, regulatory and route marker signs. Verify that the plans provide sufficient information regarding existing drainage and sewer systems. Verify that the cross sections include existing features such as walls, hydrants, poles, trees, sills, wells, ledge, layout lines, etc. Verify that profiles include station equations, cross culverts, bridge structures, sills, high-tension lines, benchmarks, etc.

305 Field Reconnaissance

Perform site investigations to observe the general site conditions, traffic patterns, traffic management, potential detour routes, wetland and cultural resources and other relevant features. Take photographs and/or video existing facility and surrounding environment.

309 Preliminary Horizontal Geometry

Develop horizontal geometry based on the proposed cross section, horizontal clearances, the proposed design speed and functional classification. Develop horizontal roadway geometry at intersections.

310 Preliminary Vertical Geometry

Develop vertical geometry based on the proposed design speed giving consideration to drainage, vertical clearances, construction cost and the interfacing with the proposed horizontal geometry.

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312 Prepare Cross Sections

Prepare cross sections to determine the tops and bottoms of slope. Evaluate the impacts to resource areas, the need for retaining walls and determine the limits of work at driveways.

313 Plot Proposed Layout and Easements

Plot proposed alterations to existing layouts and proposed permanent or temporary easements and rights of entry, based on the limits of work determined by the cross sections.

314 Pavement Design

Prepare a pavement design in accordance with the Guidebook for review by MassDOT. Perform pavement cores, prepare pavement design checklist, determine DBR value, and assemble traffic data. For bridge R&R projects refer to the 11/12/09 MassDOT Memorandum on standard bridge deck pavements.

315 Typical Sections

Prepare representative typical sections for mainline, ramps and secondary roadways. Label the location of roadway crown line; describe the method of banking, guardrail location, pavement structure and material types in accordance with Standard Nomenclature and Materials Specifications.

316 Construction Details

Provide details of key features not satisfactorily described in the Construction and Traffic Standard Details. Key details shall include the labeling of key materials in accordance with the Standard Nomenclature and Materials Specifications.

318 Preliminary Drainage and Utility Studies

Investigate project impacts on existing surface and closed drainage systems. Evaluate hydraulics and structural adequacy of existing culverts. Establish preliminary limits of proposed open and closed drainage system improvements and outlet locations.

321 Signs and Pavement Markings

Prepare preliminary sign and pavement marking plan to document changes associated with conceptual design.

322 Traffic Management

Develop a general methodology for constructing the proposed project to minimize the impact to all facility users and abutters, while at the same time addressing construction costs and

**MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION**

constructability. Prepare preliminary temporary traffic control plans. The preparation of these plans should include a preliminary estimate that takes into account the use of police and/or flaggers to be used for traffic control.

324 Constructability Review

Review the proposed project to ensure that the project does not present unusual matters that would unduly increase the cost the project or present potential scheduling delays during construction resulting in claims for extra work. Particular attention must be given to the proposed construction staging and available right of way.

325 Quality Control (QC) Review

Perform review of the quality and accuracy of the documents to ensure that key aspects of the information to be presented to MassDOT are prepared in accordance with the Guidebook, the Standard Specifications for Highways and Bridges and the most recent Supplemental Specifications, Standard Nomenclature and Engineering Directives. Particular attention is directed to Chapter 2 of Guidebook for the 25% submission requirements. The design should also be reviewed for conformity to design standards. Deviations from the 13 controlling criteria in Chapter 2 of the Guidebook must be documented under Section 220, Design Exception Report.

326 Preliminary Construction Estimate

Prepare a preliminary cost estimate using MassDOT's Weighted Average Bid Application (WABA). The estimate should be prepared with a level of detail commensurate with a 25% submittal. Refer to Chapter 2 of the Guidebook for the 25% cost estimating requirements.

327 Submission Checklists

Prepare and submit the 25% Highway Design and Traffic Checklists.

SECTION 350 DESIGN PUBLIC HEARING

352 Hearing Preparation

Prepare the graphics and other visual aids per the negotiated scope of services to display at the public hearing. Prepare a public hearing handout.

353 Design Public Hearing

Attend Design Public Hearing, present the project to the public and respond to questions. Assist MassDOT in preparing written responses to letters received from concerned individuals as a result of the hearing.

**MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION**

SECTION 400 75% / 100% HIGHWAY DESIGN SUBMISSION

401 Response to 25% Comments

Prepare a formal written response to all comments received regarding the 25% review and address revisions stemming from the Design Public Hearing that MassDOT and the Consultant deem necessary.

404 Utility Coordination

Contact utility companies affected by the proposed work. Discuss project impacts and note the locations of relocated utilities (poles, pipes, etc.) on the plans. Include estimate and special provisions for publicly owned utility work that is to be performed by the construction contractor.

405 Final Horizontal Design Geometrics

Adjust the horizontal geometry based on the 25% review comments and comments stemming from the Design Public Hearing. Plans must clearly show all aspects of the horizontal geometry, including curve components such as Point of Curvature (PC), Radius (R), DELTA, Length of Curve (L), Tangent (T) and Point of Tangency (PT) along with a description of roadway widths, station equations and horizontal offsets between survey baseline and design centerline.

406 Final Vertical Design Geometrics

Adjust vertical geometry based on 25% review comments and comments stemming from the Design Public Hearing. Plans must clearly show all pertinent aspects of the vertical geometry including Stopping Sight Distance (SSD), Passing Sight Distance (PSD), Grade 1 (G1), Grade 2 (G2), Length of Vertical Curve (L), K (factor), station and elevation of Point of Vertical Curvature (PVC), Point of Vertical Tangency (PVT) and Point of Vertical Intersection (PVI). Profiles are to be prepared in accordance with the Guidebook.

407 Pavement Design

Respond to Pavement Design Engineer's review comments and prepare a detailed pavement design with updated data sheets, per the Guidebook. For bridge R&R projects refer to the 11/12/09 MassDOT Memorandum on standard bridge deck pavements.

408 Typical Cross Sections

Finalize the typical cross sections ensuring that materials and dimensions are clearly labeled in accordance with the proposed pavement structure approved by the Pavement Management Section.

**MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
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411 Construction Plans

Prepare the Construction Plans in accordance with the Guidebook. Each item of work within the project limits must be clearly labeled. Drawings must be formatted as described in the Guidebook.

412 Grading and Tie Plans

Prepare grading and tie plans as applicable showing detailed information regarding proposed curve geometry and grades.

413 Drainage and Water Supply Details

Clearly show all existing and proposed drainage and water supply installations. The drainage and water supply design must address all work required to accommodate the proposed roadway improvements.

During the Project's design development, the plan presentation of proposed drainage facilities will show rim and invert elevations. These will be included in a separate CADD layer, so that they can be frozen off in the PS&E documents. These elevations shall not be shown on the final plans.

414 Traffic Signs

Identify locations for all warning, regulatory and route marker signs. Indicate on the construction plans the status of existing sign structures.

423 Quantity & Cost Estimate (Weighted Average Bid Application)

Prepare a detailed estimate using MassDOT's Weighted Average Bid Application (WABA). Also prepare a calculation book based on the latest edition of the Standard Nomenclature. Check that every item of work shown on the plans has a pay item.

Provide tracking of significant changes (greater than 10%) since the 25% estimate.

424 Special Provisions

Prepare draft special provisions based on the latest edition of the Standard Specifications for Highways and Bridges and Supplemental Specifications, and verify that every item in the estimate that is listed in the Standard Nomenclature with an asterisk (*) has a special provision. Ensure that special provisions are drafted only when absolutely necessary to describe a specific or unique activity to be performed by the contractor.

**MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION**

425 Constructability and Quality Control (QC) Reviews

Perform an independent review of the project using an experienced engineer, who is not directly involved in the preparation of the contract documents. The review shall focus on the practicality of constructing the project based on access to site, equipment needs, material properties, etc. Also provide an overall review of the plans, specifications and estimate for conformity to the Guidebook, the Standard Specifications for Highways and Bridges, the latest Supplemental Specifications, the Bridge Manual, the Construction and Traffic Standard Details, and the latest Engineering and Policy Directives.

426 Submission Check List

Prepare and submit the 75% Design Check List.

SECTION 500 RIGHT OF WAY

501 Preliminary Right of Way Plans

Review the relationship between the limits of work necessary to satisfactorily construct the proposed improvements and the existing layout. Determine appropriate limits of alterations to existing layouts, takings, permanent easements, temporary easements, etc. Prepare Preliminary Right of Way Plans in accordance with Chapter 18 of the Guidebook. The Right of Way Plans include Title Sheet, Typical Sections, Parcel Summary Sheet, Location Maps and Property Plan Sheets.

504 Final Right of Way Plans

After the FHWA has granted authority to the State and approved Federal participating funds to acquire the right of way takings and/or the Right of Way Bureau accepts the Preliminary Right of Way Plan, the Preliminary Right of Way Plan will become the Final Right of Way.

SECTION 800 PS&E SUBMISSION

Upon approval of the plans submitted for the preliminary design submission, the Consultant shall proceed with the preparation of the contract plans and documents in accordance with the relevant guidelines set forth in the Guidebook, the Bridge Manual, the Standard Specifications for Highways and Bridges, and other related publications as listed in Division I.

801 Respond to 100% Comments

Prepare a formal written response to all comments received regarding the 100% review.

802 Finalize Plans, Specifications and Estimate

**MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION**

Ensure that all comments from 100% review are addressed and reflected in the contract documents.

803 Prepare Detail Sheets

Prepare Detail Sheets in accordance with Chapter 13 of the Guidebook. All items of work not adequately reflected on the plans are to be described in the Detail Sheets.

805 Quality Control (QC) Review

Have an experienced engineer who is not directly involved in the preparation of the contract documents perform an independent review of the project. Log on to the MassDOT website for the latest reference documents such as Engineering Directives and Policy Directives, and verify that the Plans, Specifications and Estimate are prepared in accordance with these documents. Review all environmental permits and ensure that the contract documents provide a means of compensating the construction contractor for performing work described in the permits.



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Department of Planning and Development
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Barney S. Heath
Director

September 9, 2019

City of Newton Community Preservation Committee
ATTN: Alice Ingerson, CPA Program Manager
1000 Commonwealth Avenue
Newton, MA 02459

Dear Ms. Ingerson:

In my capacity as the agent for the Newton Conservation Commission, I write this letter of support for the proposed use of Community Preservation Act (CPA) funds to help in completing the 100% design plans for the Pigeon Hill Trail.

The Riverside Greenway Working Group is working on an ambitious plan for a shared use path from Lyon's field to Wellesley.

As a part of this overall vision, the Pigeon Hill trail provides a key connection across currently inaccessible interstates, connecting Newton's villages.

A large portion of this trail falls within 200 feet of the Charles River. The Conservation Commission will review any work proposed within this wetland jurisdiction.

I fully support the project as a significant regional amenity. This trail connection would be a tremendous asset to the Newton Community; helping to bring people closer to the multiple natural, recreational, and cultural resources of the Charles River has to offer.

For the Commission,

A handwritten signature in blue ink, appearing to read "Jennifer Steel".

Jennifer Steel
Chief Environmental Planner

MEMORANDUM

To: The Newton Community Preservation Committee (CPC)
From: Jini Fairley, ADA Coordinator
Date: September 9, 2019

I have reviewed the proposed Riverside Greenway plans and specifically the **Pigeon Hill Trail 100% Design** in Auburndale with Ted Chapman, Project Manager for the Riverside Greenway Working Group.

The ambitious plan for an ADA compliant shared use path from Lyons field to Wellesley would be a tremendous asset to the Newton Community, especially residents and visitors with mobility disabilities, bringing us closer to the multiple natural, recreational, and cultural resources of the Charles River has to offer.

I am confident the required ADA compliance issues will be addressed by the design team to comply with Mass DOT standards for accessible, multiuse trails outlined in Chapter 11 of their January 2006 publication.

I fully support the CPC consideration of a grant to support this design work.

Much appreciated,

Jini

Jini Fairley
ADA Coordinator
City Hall, Rm. 213
1000 Commonwealth Avenue
Newton, MA 02459
617-796-1253
jfairley@newtonma.gov



Alicia Bowman, President

Nathan Phillips, Vice President

Lois A Levin, Founder

Helen Rittenberg, President Emeritus

Molly Schaeffer, Treasurer

Julian Phillips

Andreae Downs

John Pelletier

Maria Arvelo

Nathan Aronow

Nick Carter

Srdjan Nedeljkovic

August 21, 2019

Alice Ingerson
Community Preservation Program Manager
1000 Commonwealth Avenue
Newton, MA 02459

Dear Ms. Ingerson:

I am writing on behalf of Bike Newton in support of the Newton CPC grant application for the Riverside Greenway - Auburndale Links 25% Design.

One of Bike Newton's strategic goals is creating safe and pleasant routes for people to bike. Creating "low stress" routes has been shown as a critical factor in increasing the number of people who bike for recreation and short trips. Connecting Auburndale at Lyons Field through to the Lasell Boat House with low stress routes would be beneficial to the many residents in this area as a means of recreation, use of recreational areas along the river and access to regional transportation options. This is a key part of the greater plan for the Riverside Greenway.

It has been my pleasure being a member of the Riverside Greenway Working Group. The group has been very effective in moving forward on the design of the many parts of the Greenway, including the difficult job of bringing together the stakeholders in agreement. The Riverside Greenway is an amazing opportunity to create usable, accessible open space.

I appreciate your consideration.

Sincerely,

Alicia Bowman
President, Bike Newton

Celebrating 29 Years of Environmental Leadership



GreenNewton

Vice President

Sharon Cushing
Treasurer

Jack Cheng
Clerk

Cory Alperstein
Karen Bray
Beverly Craig
Joana Canedo
Craig Forman
Paul Holt
Sunwoo Kahng
Brita Lundberg
Ken Mallory
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Mindy Gregory Sieber
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Barbara Herson
Ira Krepchin
Lois Levin
Brooke Lipsitt
Jean MacRae
Eric Olson
Matt Pawa
Heather Tausig
Jay Walter

August 22, 2019

To Newton's Community Preservation Program Manager,

My letter is written behalf of Green Newton to express our support for The Riverside Greenway Working Group to receive \$50,000 in matching CPC funds for their 2018 and 2019 MassTrails Grants.

If the CPC will grant the requested funds, then our community will benefit by seeing the completion of the 25% design of three key Riverside Greenway links in Auburndale connecting to the Charles River: 1) Pigeon Hill Path, 2) Charles Street Underpass, and 3) the Riverside Depot Tunnel. (See Diagram) The RGWG is a coalition of the Newton Conservators, Bike Newton, the Solomon Foundation, with residents of Newton Lower Falls and Auburndale that formed to administer the 2017 Two Bridges Trail grant from the DCR Recreational Trails Program (DCR-RTP). The RGWG's long-term vision is to enhance the regional trail network from Lyons Field along the Charles River in Newton linking to the extensive trail systems in Wellesley and Weston.

Respectfully,

Marcia Cooper, President of Green Newton

September 17, 2019

Alice Ingerson
Community Preservation Program Manager
1000 Commonwealth Avenue
Newton, MA 02459

To the Newton Community Preservation Committee (CPC):

The Riverside Greenway Working Group (RGWG) is applying for a CPC grant of \$50,000 to complete a 100% Design of the Pigeon Hill Trail from Evergreen Avenue crossing under I-90 to reach Riverside Road Bridge, which the Massachusetts Department of Transportation (MassDOT) has committed to replace in the next few years. The Pigeon Hill Trail is a critical element of the accessible, multiuse path from Lyon's Field in Auburndale to the Trestle Bridge connecting Newton Lower Falls to the trail system in Wellesley. This vision, outlined in the 1975 *Charles River Pathway Plan* developed by the Newton Conservation Commission, had lain dormant until this group began its work.

Charles River Watershed Association (CRWA) has worked for decades to protect and restore the Charles River and its watershed. As part of our Blue Cities Initiative, CRWA has worked with numerous environment and open space advocates to create accessible parks and resilient waterways. The RGWG vision will allow residents of Newton and other communities to access this invaluable resource.

The work of the RGWG has included multiple state agencies, including Mass. Department of Conservation and Recreation (DCR) and MassDOT, who have awarded them three grants in as many years, with a total value of \$250,000. This application by the RGWG to the CPC will make possible the 100% design of this critical element of the Riverside Greenway.

Thank you for considering this application.

Sincerely,



Pallavi Kalia Mande
Director of Watershed Resilience

Attachments struck out here are posted separately on the Newton CPC website.

Project TITLE		Riverside Greenway – Pigeon Hill Trail 100% Design	
↓ Check off submitted attachments here.			
REQUIRED.	✓	PHOTOS	of existing site or resource conditions (2-3 photos may be enough)
	✓	MAP	of site in relation to nearest major roads (omit if project has no site)
	PROJECT FINANCES printed and as computer spreadsheets, with both uses & sources of funds		
	✓	development pro forma/capital budget: include total cost, hard vs. soft costs and contingencies, and project management—amount and cost of time from contractors or staff (in-kind contributions by existing staff must also be costed)	
	✓	operating/maintenance budget, projected separately for each of the next 10 years (CPA funds may not be used for operations or maintenance)	
	✓	non-CPA funding: commitment letters, letters of inquiry to other funders, fundraising plans, etc., including both cash and est. dollar value of in-kind contributions	
	✓	purchasing of goods & services: written confirmation from City of Newton Purchasing Dept. that past and proposed procedures meet City requirements	
	SPONSOR FINANCES & QUALIFICATIONS, INSTITUTIONAL SUPPORT		
	✓	for sponsoring organization, most recent annual operating budget (revenue & expenses) & financial statement (assets & liabilities)	
	✓	for project manager: relevant training & track record of managing similar projects	
	✓	CITY LETTER(S)	Letters of support from City staff
	SITE CONTROL, VALUE & DEED RESTRICTIONS		
	✓	deed or other legal confirmation of ownership (DOT and/or DCR)	
		owner's agreement to a permanent deed restriction for open space conservation or public recreational use (DOT)—A. Ingerson has requested Law Dept. guidance on alternatives to a deed restriction; no response yet rec'd as of the date of application.	
	ZONING & PERMITTING		
	✓	brief property history: at least the last 30 years of ownership & use	
	NA yet	environmental mitigation plans: incl. lead paint, asbestos, underground tanks	
	NA yet	other approvals required: Newton Conservation Commission, Newton Commission on Disabilities, Massachusetts Architectural Access Board, etc.	
	DESIGN & CONSTRUCTION		
	✓	professional design & cost estimates: include site plan, floor plans & elevations—See Halvorson proposal for scope of work, schedule and fee.	
NA yet	materials & finishes; highlight “green” or sustainable features & materials		
OPTIONAL.	✓	LETTERS of SUPPORT	from Newton residents, organizations, or businesses

Properties Associated with Riverside Greenway - Auburndale Links

A Brief Property History

Charles Eliot, the architect of the Metropolitan Park Commission, now the DCR, called this segment of the Charles River 'one of the most beautiful rivers in the world.' In the late 1890s, there were boat houses where as many as 5000 canoeists would congregate on the river on summer weekends; a park with the largest swimming pool in New England and tennis courts; and Norumbega amusement park with a dance and concert hall. All this disappeared with the advent of the car. The trolley to the Riverside Depot stopped running, and the river was blocked by the construction of highways, first Route 128 and then I-95 and I-90. The river itself was neglected, abused by abutting communities and became little more than sewer.

Beginning in the 1980s billions of dollars were spent restoring the water quality, through the advocacy of groups like the Charles River Watershed Association working with federal, state, and local stakeholders. The DCR owns the land along this part of the Charles. The DCR constructed the Charles River (Blue Heron Trail) from Boston to Lyons field in Auburndale.

The Riverside Greenway Working Group (RGWG) and neighbors have been working to create connections along the Charles River to trails in Wellesley and Weston along the now underutilized banks of the Charles, restoring the legacy that existed 100 years earlier. In 2017, the RGWG was awarded a DCR-RTP grant for the *Newton Lower Falls to Riverside Bridges Design*. In 2018 the Riverside Greenway Working group received a second DCR-RTP grant for the *Pony-truss Trail Restoration and Pigeon Hill Trail / Riverside Depot Conceptual Design*, and a follow up grant in 2019 to bring the design for the *Pigeon Hill Trail* to 100%.

In 2021 MassDOT is planning to replace the Recreation Rd. Footbridge, also known as the Lasell Boathouse Bridge. This bridge will carry an accessible, multiuse path across the Charles River through the MWRA site to Riverside. Construction of the Pigeon Hill Trail and Charles Street Underpass may be included in this bridge project.

Ownership

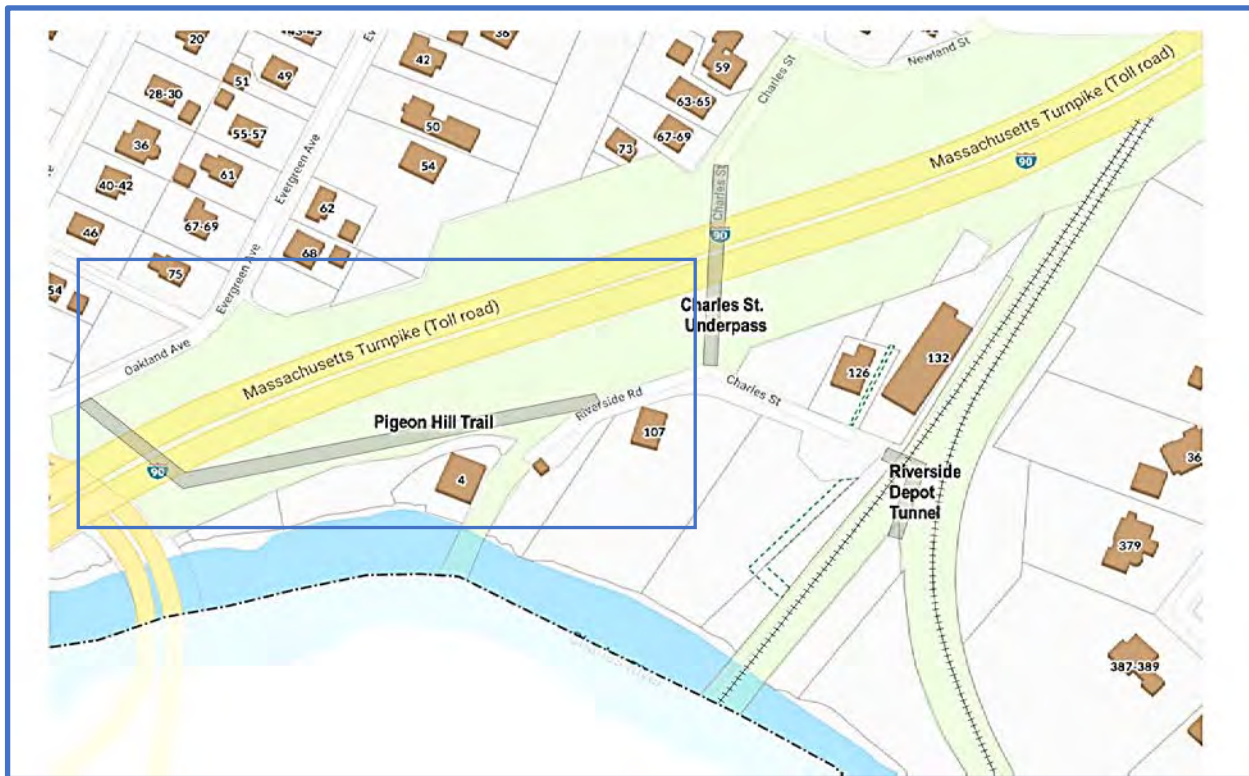
Using current Mass GIS and Newton Assessors Databases we documented that the ownership of all the land involved in this project lies in the hands of the Commonwealth of Massachusetts. The Pigeon Hill Trail lies entirely within the right-of-way of the Mass Pike (I-90) owned by the Mass DOT. The same is true of the Charles St Underpass. The bulk of the Riverside Depot Tunnel project is owned by DOT and MBTA, with DCR owning the connecting Pony Truss Trail. Most abutting properties on the south side of the Turnpike are also owned by the Commonwealth; whereas on the north side all but one property along Evergreen and Oakland Avenues are privately owned.

Once constructed the MassDOT and Mass DCR will negotiate transfer agreements for trail segments, as stated by Paul Jahnige from the DCR Mass Trails Program:

We do intend to negotiate and accept "Care and Control" agreements or transfer of interests in land or easements from MassDOT or MBTA, but until those are negotiated and agreed to by the agencies, I can't describe them in further detail.

(Email 8-9-2019)

Figure 1. The Pigeon Hill Trail lies within the blue rectangle



The Newton Assessors Database maps below show existing ownership.

ID	Site Address
South Side	
41002 0001	81 EVERGREEN AUB
41006 0026	126 CHARLES ST AUB
41001 0002	21 RIVERSIDE RD
41001 0001	11 RIVERSIDE RD
41006 0013	CHARLES ST AUB
41005 0003	139 CHARLES ST AUB
41001 0002A	0 EVERGREEN AVE
41005 0004	149 CHARLES ST AUB
41005 0001	1 RIVERSIDE RD
41006 0014	132 CHARLES ST AUB
North Side	
41005 0002	107 CHARLES ST
41002 0004	54 OAKLAND AVE
41003 0013	40-42 OAKLAND AVE
41003 0011	75 EVERGREEN AVE
41002 0003	58 OAKLAND AVE
41002 0002	64 OAKLAND AVE
41003 0010	67-69 EVERGREEN AVE
41003 0012	46 OAKLAND AVE
41004 0010	EVERGREEN AVE

Abutters

Abutters on the **south** side of the Mass Pike are properties owned by the Commonwealth with the exception of #4 (11 Riverside Rd) and 126 and 132 Charles St, which are in private ownership. On the **north** side the lot at 81 Evergreen Ave., directly opposite the Pigeon Hill trailhead, is owned by the Commonwealth; other than this lot all abutting properties are privately owned.

By definition the abutting properties (highlighted outlines) lie within 100 ft (purple band) of the selected property.