

Newton Parks, Recreation & Culture Department
246 Dudley Road, Newton, MA 02459
Office: (617) 796-1500
TDD/TTY: (617) 796-1089
parks@newtonma.gov



April 3, 2020

Honorable City Council
Newton City Hall
1000 Commonwealth Ave
Newton, Ma 02459-1449

Dear Honorable Councilors:

The Parks, Recreation & Culture Department has worked alongside the School Department in drafting the light use policy for the NSHS Winkler Stadium. These policies are necessary and appropriate; they have also been requested by abutters who have been impacted by large school events. Installation and use of field lights is not anticipated to increase the number of “large” events that draw significant crowds. Large events primarily consist of school varsity football games that are already scheduled and played at the stadium. Light usage will result in the shifting of some of these games from daytime to nighttime. Every effort was made to put in place policies that were requested by the neighborhood group to govern the use of the field, regardless of light source (sun or light system).

It is my opinion that the City and NSHS reasonably addressed the concerns raised by the neighborhood group. The use of the lights and PA system, which are the only concerns that the neighbors raised that specifically relate to the light installation project are regulated with considerable concessions given up by the City and School.

Given the extensive stipulations agreed to by the School and City, it is my hope that the neighbors recognize the good-faith negotiations and will ultimately support the project. The Parks, Recreation & Culture Department is committed to listening and working cooperatively toward mutually agreeable outcomes with all groups that come forward and are receptive to continued discussions with this group in the coming years.

The following is a list of the overarching issues that were raised and a general summary of the agreed to policy guidelines.

Light use: curfew, frequency, season length, user groups

The neighbors have visited a stadium with a similar light system and have also seen the light spillage reports. They have expressed in writing that they are not concerned about direct light from the light system trespassing onto their property.

The lights are to be shut off by 9:00 p.m. for practices though games can go until 9:30 p.m.

Season: the lights are anticipated to be used between Mar. 1 and Nov 30. Sport leagues do not run over the winter months. There is a possibility that a Recreation program could run in the winter, though it would most likely occur in the early evening.

Frequency: The lights will be used primarily during the spring and fall seasons. Peak light times will be April - May, September - October. Over the summer the lights will rarely be activated as sunset is so close to 9:00 p.m. and sport groups are in their off-season. Lights will be programmed on when use is scheduled.

Attached is the PRC Field Use Policy section addressing restrictions on light use.

Noise:

Though light use will not contribute to increased crowd or PA system noise, games played later in the evening will displace noise to times when neighbors are more likely to be home. NSHS agrees to limit the use of the PA system to school games only. There are significant restrictions on how the PA system may be used during games. The School has agreed to contract the services of an audio specialist to maximize sound performance while minimizing noise trespass. Crowd noise is not addressed in the policy. The School does not use the field until the 3rd week of March and usually wraps up athletics in early November. They periodically schedule a Thanksgiving football game. PA system use is addressed in the Fields Use Policy

Parking during large school events:

A parking plan for large outdoor events has been established. This plan includes putting temporary gates up to prevent parking and congestion on nearby streets. The School has agreed to implementing these parking measures during large events. Non-school events do not require these parking/traffic control measures unless an event is so large that a special permit must be approved by the Parks and Recreation Commission. Implementing the school's parking plan for small events such as a youth soccer game would likely inconvenience neighbors as parking barriers would be set up to restrict access to their streets. The parking plan is for football games as they draw large crowds and other events where the school is not anticipated to have adequate and convenient parking for spectators. The action plan has been implemented with the Newton Traffic Bureau and is attached. This section is not directly related to using stadium lights.

Trash/recycle during large school events:

The City has worked with the School to implement a policy to reduce the accumulation of rubbish that will contribute to litter and pollution of the adjacent areas of the school. The school and PRC have agreed to work together to mitigate trash and debris being left around the stadium. This section is not directly related to using stadium lights.

Funding:

Though it is common for a City to invest public funds into park and recreation infrastructure projects, I understand that an assurance was made at some time to restrict appropriated funds to be used toward the purchase and installation of this light system. Thanks to the efforts the NSHS Booster club and their generous supporters, I am happy to report that the City has lived up to this promise. Though the light system is being purchased by the boosters, the Manufacturer will have the City of Newton designated as the owner. The warranty fully covers the maintenance and performance of the lights for a period of 25 years. Restricting any funds beyond that period would be unnecessary and unwise. That would more appropriately be a decision for residents of the City in 2045 and beyond.

It should be noted that use of this field by youth groups in the evenings may contribute to the resting of some overused grass fields. Synthetic turf requires replacement every 10-12 years. The more it is used, the more value attained.

Binding contract:

The City is not able to enter into an agreement with a collection of neighbors. The City is seeking to enhance a recreational facility for the benefit of all Newton residents. I am fully cognizant that this light system, despite our best efforts to allay concerns through appropriate policies, will nevertheless have an impact on direct and proximal abutters. I believe the policies put forward provide the balance between quality of life/enjoyment of personal property and the enhancement of value to all city residents. It has been a pleasure working with the neighborhood representatives who have been generous with their time to move this agreement forward. I believe the Parks, Recreation & Culture Department can speak for the City and the School Department in saying that we understand and appreciate the concerns that have been raised by the neighbors and that we are committed to continued open dialogue to address any unanticipated future issues. We are a City of neighbors and we must and will always be committed to working together.

During the City Council's Finance Committee meeting, I explained to the Councilors that the MOU document that had been worked on was not something that could be signed as a binding legal contract between the City and neighbors.

Having rules for light and PA system use incorporated into the Field Use Policy is the best way to hold everyone accountable to what has been agreed to between the groups. I have attached this Field Use Policy subsection.

The neighbors have asked that the guidelines agreed to between the school and neighborhood group be referenced in the Filed Use Policy. The agreement is referenced in the Field Use Policy to memorialize the terms of agreement between the School and neighbors.

Accommodations made:

lights off at 9 p.m. (city ordinance is 10 p.m.)

PA restrictions: 9:30 p.m. latest for football games (city ordinance is 11 p.m.)

Restricting non-resident adult group bookings

School agrees to meet with neighbors twice per year

School agrees to implement trash and parking plan for home football games

School agrees to dimming the field lights at the end of a game, if after 9:00 p.m.

Lights will be not be programmed to operate when field use isn't scheduled.

Outstanding Issues:

Music: The City cannot ban individuals from playing music that is allowable under the City noise ordinance.

Parking Permits: The City retains discretion on which non-school events require submission of trash/parking plans for issuance of a field use permit. Such plans have not been required for permits in the past.

Respectfully,

Nicole Banks

Parks, Recreation & Culture Commissioner

Cc: Mayor Ruthanne Fuller, Jonathan Yeo, Maureen Lemieux

DRAFT: For Adoption into Newton Parks, Recreation & Culture Field Use Policy

Stadium Lights and Public Address Systems Policy

Adopted: XXX 2020

The Newton Parks, Recreation & Culture Department (PRC) recognizes that stadium lights enable the School and City to enhance opportunities for athletes, however, the use of stadium lights can have an impact on surrounding neighborhoods. The following regulations shall guide the use of stadium lights and the accompanying public address system during evening events.

1. School Games After Daylight Hours

The School District's athletic games draw a number of families and friends to participate in the athletic experience of their students. While there is a significant school and community value to these well attended evening sports events, football games have the greatest impact on the surrounding neighborhood. Therefore, the following outlines the use of stadium after daylight hours for all school sports, including football games:

A. Number of Games

- Every effort will be made by the school to schedule half of their games as away games.
- There is a potential for additional home playoff games.
- The School will schedule no more than 25 games under lights.

B. Use of Lights

- Competition level lighting shall be dimmed shortly after the completion of the game.
- Lights may remain on to allow for stadium cleanup and safe crowd egress.
- Lights should be off no later than 9:30 p.m. though game delays, exigent circumstances, and safety may require later lighting use.

C. Public Address (PA) System

- The PA system for contests shall be used during football games to share key game facts such as naming a player who assisted or scored a goal or players involved in a completed pass. Additional announcements such as notifications for raffles, concessions, school announcements may be made. Game commentary should not include back and forth discussion between announcers about previous play. Music beyond anthem is limited to Cheer halftime performance. Non-football game PA use is limited to the national anthem, announcing seniors on senior day, goal scorers, and announcing events during track meets.

2. School Athletic Practices After Daylight Hours

- The lights must be off by 9:00 p.m.
- The PA system shall not be used at all including announcements or playing music.

3. Organized Use After Daylight Hours

PRC recognizes the high demand for well-maintained fields in the community. With this in mind the following applies:

- Newton-based youth sports teams may use the field until 9:00 p.m.
- Permitted groups may not use speaker systems beyond personal headphones/ earbuds.
- PRC may run community programs under the lights.
- Lights will not be programmed to run when no use is scheduled.
- The PA system shall not be used.

4. Newton South High School guidelines for the stadium field use

In order to foster cooperation between the School and Neighborhood, the parties have agreed to guidelines for the School's use of the field for games, practices, and events. The following addendum memorializes the terms agreed to between these parties and the parties may revisit these terms to find mutually agreeable improvements. This section (4) is not governed by, nor does it fall under the jurisdiction of the Parks, Recreation & Culture Department and/or the Parks and Recreation Commission for enforcement purposes.

The City of Newton and School Department are not bound by any limitations herein in the event of an emergency.

Policy adopted: XXX 2020

Newton South High School guidelines for the stadium field use

1. It is anticipated that there will be approximately 25 lighted school games per year.
2. During the times that the stadium lights are in use for practice or non-games, they are to be turned off by 9:00 p.m.
3. During games, the lights will be on no later than 9:30 p.m. This will be to accommodate delays, overtimes and other unforeseen conditions that require extended periods of lighting. At game's end, the lights will be dimmed to a level that will still provide for safe egress.
4. NSHS athletic schedules will be posted in advance on the NSHS Athletic Department's webpage. Season schedules for the school teams that use the athletic fields, will be sent to the neighborhood representatives before the start of the fall and spring seasons.
5. Newton South High School administrators will continue to work with the Newton Traffic Bureau to control parking during *significant school events and athletic competitions. Specifically, we will endeavor to restrict the access to Burdean Road and Littlefield Road, to residents only during these events. The neighborhood group has stated that the area accessed by these streets, has been impacted by spillover parking, due to its location behind the stadium.

*Significant school events may include those that take place within the school, such as graduation exercises and back to school night, or lighted stadium games, when higher than normal attendance is anticipated.

6. The Newton South administration recognizes the neighbor's concerns regarding amplified noise from speakers during stadium events, and will continue to work on developing techniques to reduce sound levels. The School is working with an audio specialist to determine what methods and equipment will best meet this objective, while still maintaining an acceptable level for spectators and participants.
7. There will be no amplified music during practices on NSHS fields.
8. Newton South administration will work with the Parks, Recreation Culture Department, in an effort to minimize trash and debris in the surrounding neighborhood as a result of sanctioned stadium events.
9. Representatives of NSHS and the group representing the neighborhood, shall meet two times per year, so as to maintain communication, and to review policies pertaining to Newton South High School's use of the playing fields. Comments/concerns relating to non-school use of the fields can be directed to PRC. So as to maintain a line of communication going forward, should someone no longer be able to remain a contact, another person shall replace them.

The current contacts are listed below:

NSHS: Joel Stembridge, Principal

Patricia Gonzalez, Athletic Director

Doug McCarthy, coach

Neighborhood: Susan Allen

Stephen Farrell

Jonathon Bamel

Action Plan: NS High School

Parking

Parking: Newton South High School administrators will continue work with the Newton Traffic Bureau to control parking during significant school events and athletic competitions. The neighborhood group has stated that the area accessed by Burdean Rd. and Littlefield Rd. has been impacted by spillover parking due to the location behind the stadium. We will endeavor to have those two streets marked as resident access only, during significant events. This has been accomplished in the past using traditional street barriers dropped-off by the city and placed by a detail officer. The barriers are portable A-frame style and generally 6' feet wide, which provides for ample traffic and emergency vehicle access without the need to move the barriers.

Trash/recycling

The issue of litter within the neighborhood has mainly resulted from having an adequate number of bins. The bins were removed when the big belly systems were situated at the stadium. Certain large items such as pizza boxes are often left beside the bin. PRC is working on a plan to have more trash containers available and for school personnel to empty waste into the school's dumpster.