

**COMMUNITY PRESERVATION COMMITTEE
TOWN OF NEEDHAM, MASSACHUSETTS**

**Minutes of Meeting
January 11, 2017**

PRESENT: Gary Crossen - Chair, Mark Gluesing – Vice Chair, Peter Pingitore, Paul Alpert, Artie Crocker, Chris Gerstel, Robert Boder

STAFF: Patricia Carey, Staff Liaison
Kristen Wright, Recording Secretary

GUESTS: Andrea Carter, School Committee Representative
Alice Ingerson, Newton Community Preservation Program

Mr. Crossen called the meeting to order at 7:31PM in the Highland Room at Town Hall.

Updates from Liaisons:

Mr. Crossen asked the project liaisons to discuss each project and the questions that were submitted by Committee members. (*See Appendix A*)

FY2017-6 Echo Bridge Railings

This request is for \$250,000 for the reconstruction of the railings on Echo Bridge, requested under Historic Preservation. Project Liaison Mr. Gerstel stated that the Newton Community Preservation Committee will appoint someone from Newton CPC to work with this Committee. Mr. Gerstel stated that he is still waiting on a call back from the applicant to discuss the questions from the Committee. Ms. Carey shared the letter from the Needham Historical Commission that stated this project is historically significant (*Appendix B*). MWRA will be asked to make a presentation at the February 8th meeting.

FY2017-1 Rosemary Recreation Complex

This request is for \$12,000,000 for the Rosemary Recreation Complex construction, requested under Recreation. Project Liaison Mark Gluesing discussed the answers he received from the proponents in response to the Committee's questions (*Appendix C*). Mr. Gluesing stated that the final bids are due on April 19th and that Permanent Public Building Committee is pre-qualifying the bidders since the project is over \$10 million. Mr. Gluesing stated he would like to see an updated report of all the future Town projects and cost projections. Mr. Crocker asked about the multi-purpose space. Mr. Gerstel reported that the room would primarily be used for programming by the Park and Recreation Department, and program ideas are currently being developed. Ms. Carey stated that the department's Outdoor Living program will be housed at the Recreation Complex during the summer. Mr. Pingitore asked if there is an expected increase of users. Ms. Carey stated the Park and Recreation Commission and staff are reviewing estimates, length of season, programs and revenue projection, and anticipate having an increase of users. Mr. Gluesing asked if any neighboring communities that have opened new pools have seen an increase. Park and Recreation will be asked to present at the February 8th meeting.

FY2017-2 Rosemary Lake Sediment Removal

This request is for \$2,100,000 in funds to remove sediment that has been building up in Rosemary Lake from Rosemary Brook and Sportsman's Pond, requested under Open Space. Project Liaison Paul Alpert discussed the answers he received from Town Engineer Anthony DelGaizo in response to the Committees' questions (*Appendix D*). Mr. Alpert stated that the water coming into Rosemary has already been remedied and this project is a part of a Federal mandate. The work is anticipated to begin in September 2017. Without weather delays, the project should be finished by July 2018. . Mr. Alpert stated that the lake would need to be drawn down and ramps would be built, then trucks will drive down and be filled with sediment and then exit the lake. Mr. Alpert stated the project is closer to \$2

million instead of the \$1.5 million dollar amount as it is a lot more contaminated than expected. Mr. Crocker asked how much depth this would add to the lake. Ms. Carey said it won't add depth. DPW will be asked to make a presentation at the January 25th meeting.

FY2017-3 Cricket Field Renovations

This request is for \$285,000 in funds for Cricket Field renovations, requested under Open Space and Recreation. Project Liaison Artie Crocker discussed the answers he received from Parks and Forestry Superintendent Ed Olsen (*Appendix E*). Ms. Carey stated that Mr. Olsen has a request into the Town Manager to increase the request amount from \$285,000 to \$330,000. Mr. Crossen asked how critical this project is to keep the field in the same playable state. School Committee Liaison Andrea Carter asked if the Soccer Club would help with the cost of the project since their original project wasn't completed properly. Ms. Carey stated that the Soccer Club makes annual donations for field improvement projects at a number of fields, so would not be asked to contribute to this project. Mr. Pingitore asked about other field projects and how this project fits. Ms. Carey said that Parks and Forestry has a 5 year plan. Mr. Crocker stated that he'd ask Mr. Olsen to provide his schedule. DPW will be requested to make a presentation at the January 25th meeting.

FY2017-4 Hillside School Walking Trails

This request is for \$210,000 in funds to construct a trail walk behind the new Hillside School, requested under Open Space and Recreation. Project Liaison Peter Pingitore discussed the answers he received from Project Manager Hank Haff (*Appendices F, G, H*). Ms. Carey stated that each school has access to outdoor space either on site or nearby and this would fill this need for the new school. Public Facilities-Construction will be asked to make a presentation at the February 8th meeting.

FY2017-5 Needham Accessible Reservoir Trail

This request is for \$860,000 in funds to construct a fully accessible perimeter trail around the Needham Reservoir, requested under Open Space and Recreation. Project Liaison Robert Boder discussed the answers he received from Director of Conservation Matt Varrell (*Appendix I*). Ms. Carey stated that the project will also decommission the old water wells, which is funded separately. Mr. Gluesing requested to see the project plans. Mr. Crocker asked about animal habitats near the Reservoir. Ms. Carey stated that the plan includes plantings native to New England. The Conservation Department will be asked to make a presentation at the January 25th meeting.

Minutes: December 14, 2016:

Mr. Gluesing made a motion to approve the minutes of the December 14, 2016 meeting and the motion was seconded by Mr. Alpert. The minutes were approved, with a vote of 7-0.

Adjournment:

Mr. Alpert made a motion to adjourn the meeting at 9:11PM. Mr. Gerstel seconded the motion and the meeting adjourned at 9:11PM.

Respectfully submitted,

Kristen Wright,
Recording Secretary

FY2017-1 Rosemary Recreation Complex (Liaisons: Mark and Gary)

- How does the construction cost compare to standard public pool costs?
- If the cost is more, why?
- Have other Towns used CPC funds to build a seasonal public pool?
- What are the projected figures for users of the pool and how much of an increase over the current user number is the projection?
- Are there projected revenues for daily and seasonal user fees?
- What are the long term operational costs, and how will those costs be covered?
- What project(s) has Park and Rec considered but “back burned” in favor of this project?
- Park and Rec is tying in the Board of Health on programs related to the proposed complex, is Park and Rec tying in the Needham Public Schools and the Library (the site is in close physical proximity to each)?

FY2017-2 Rosemary Lake Sediment Removal (Liaison: Paul)

- How has this been funded in the past?
- If CPC does not fund this project, will the Town still go forward with the project using other sources of funds?
- Is there a state mandate that the project go forward?
- Please detail the community input that resulted in this proposal.
- What is the timetable for removal related to potential Rec Complex schedule
- Is all the sediment required to be disposed of at the out of state facility or is there a mix. What is the cost difference between the types of materials being disposed of and is there an estimate of the amount of the moderate and severe types of material in the 30k c.y.
- Is there any financial support available from the state DEP or any federal agency
- How specialized is this work ie: are there likely to be very limited number of bidders?
- Please explain the information used in establishing the estimated cost.

FY2017-3 Cricket Field (Liaison: Artie)

- What is the full scope of the project?
- What is the projected cost of design and construction?
- What is the timeline?
- What is projected start time?
- Are there other sources of funding?
- How does this project fit in to any long term capital plan of Park and Rec to replace and improve the sports playing fields at the Town’s various neighborhood fields?
- Is this project part of a larger project to repair or replace playground equipment and other structures at Cricket Field?
- What are the increases in operational costs as a result of this project, and how will those costs be covered?

- Please detail the community input that resulted in this proposal.
- CPC has funded this type of work before, the application states the similarities to other projects, are there any unique issues being dealt with here.
- Is the work limited to turf improvements only (grading, irrigation, grass replacement) or are other features on the site like the playground being replaced.
- How does the potential of the P&R building renovations impact this project? Totally separate? Some overlap in work areas?
- Related to long term costs, is there more maintenance anticipated than currently done? Is there an increase in the Town's water bills when fields are irrigated? (does the town charge itself for water?!?!?!?)
- As a project with a short window of installation, will sodding be required and if so what is the cost difference between planted turf.

FY2017-4 Hillside School Walking Trail (Liaison: Peter)

- The property is owned by Wellesley which has licensed the property to Needham, are there permanent restrictions in place to ensure a public benefit?
- Does the license (terminable after notice) constitute site control?
- Why is the license only for a 10 year term, and why is it terminable after notice?
- Wellesley is essentially a private party in this transaction, have there been other CPC projects where walking trails are installed on privately owned land for use by the public? Did those projects include permanent restrictions to ensure a public benefit?
- Wellesley will have access to the Trail, have the proponents discussed with Wellesley sharing the cost of the Walking Trail.
- What are the maintenance costs and how will those costs be covered?
- Can the Student Conservation Association do any of this work?
- Could we see a map of the properties involved, and the potential route for the trail(s).
- Could we clarify the ownership issues: is the land in Wellesley, or in Needham but owned by Wellesley, or a mix? This could be explained in a map.
- CPA funding typically requires lease or ownership in perpetuity, is this being explored with Wellesley?
- Is this land, boardwalk combo similar to Eastman trail at Newman? Too early to know?
- Could we clarify the school construction schedule and the trail construction schedule, the application is confusing on the timing.
- SCA is being considered for some of this work. Is there already a trail of some sort in existence?

FY2017-5 Needham Accessible Reservoir Trail (Liaison: Bob)

- How does it compliment the other town trail systems?
- What aspects of the design allow fishing, small children, and disabled users to enjoy the site concurrently?

- Can access be made for a “learn to sail” program?
- How does this project fit in to any long term capital plan of Park and Rec to improve the network of walking trails under its control?
- What are the increases in operational costs as a result of this project, and how will those costs be covered?
- Please detail the community input that resulted in this proposal.
- Are there preliminary or design plans available for review?
- Was there consideration for using some type of pervious paving for the trail that is more durable than stone dust? Is this selection a cost consideration, and if so what is the increase in cost for more stable and durable options?
- What are expected maintenance costs for stone dust trails, and is this something town staff can do?
- What is the length expected for board walk and length of grade level trail?
- Will there be any parking issues or is the timing of use expected to be off hours? Could additional parking be provided ?
- Is there access from South St or Livingston Circle?

FY2017-6 Echo Bridge Railings (Liaison: Chris)

- Why wasn't this project addressed as part of the 2007 major repairs done to Echo Bridge?
- How did the MWRA arrive at the funding request of \$750,000 from Newton and Needham for the 1.44 Million restoration project?
- It looks like MWRA is not expending any funds for the project. It is using an ear-mark appropriation of \$250,000, and \$240,000 of in-kind (in house) services, is the MWRA under any express restriction not to spend its own funds to fund this project?
- Has the MWRA ever used its own funds to restore aspects of any historic structure it owns that is not integral to delivering clean water? That is, has it ever funded restoration of an historic railing, façade or fence on any of its properties?
- Are there other circumstances where a local CPC has restored a state agency (or quasi-state agency) owned historic structure?
- What is the expected category this would be funded by? Recreation? Historic?
- The compromise solution adds a code height rail outside of the deteriorated historic railing, does the reconstruction concept meet the height requirements of the building code or is the new “historic” railing slightly redesigned for the current code height requirements?
- Could we get more information about funding sources. There are the Newton and Needham CPA requests, a previous state bond appropriation, potential other agencies and foundations. (I recently saw a letter from Mass Historic Commission asking for grant applications, only eligible to municipalities and government agencies) Can this be applied for by either town or MWRA?
- Has the MWRA considered raising the funds from a short term increase in fees from Needham and Newton, and beyond? If not, why?



The Needham Historical Commission

Needham Town Hall, 1471 Highland Avenue
Needham, MA 02492

10 December 2016

Ms Marianne Connolly
Sr. Program Manager, MWRA
100 First Avenue, Bldg. 39-2
Charlestown, MA 02129

Dear Ms Connolly,

Thank you for attending the Needham Historical Commission meeting on November 17, to discuss the Echo Bridge Railing Reconstruction project.

At the meeting, the Commission voted in favor of the following motions in support of the proposed reconstruction:

- **MOVED** (Greis, seconded Doherty) that the Needham Historical Commission agrees that the railing reconstruction approved by the MWRA, the Upper Falls Historic District Commission, and the Echo Bridge Reconstruction Committee is a faithful and accurate reconstruction of the original railings on Echo Bridge, which is a designated historic asset to Needham. **Voted, 4 in favor, 0 against; 2 absent; 1 vacancy.**
- **MOVED** (Hardy, seconded Doherty) that the Needham Historical Commission vote to support the efforts of the MWRA, the Upper Falls Historic District Commission, and the Echo Bridge Reconstruction Committee to seek funding from the Needham Community Preservation Committee for this project. **Voted, 4 in favor, 0 against; 2 absent; 1 vacancy.**

This letter will be copied to Kate Fitzpatrick, Needham Town Manager, and to other interested parties.

All best wishes for the holidays!

Sincerely,

Richard Hardy
Chair, Needham Historical Commission

cc: Kate Fitzpatrick, Needham Town Manager
Patricia Carey, Needham CPC administrator
Lee Fisher, Echo Bridge Reconstruction Committee

The Needham Historical Commission

Richard Hardy, Chair . Gloria Polizzotti Greis, Secretary
Robert Boder . Rose A. Doherty . Miles Shore, MD . Jeffrey Heller



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memo

to: Michael J. Retzky
Project Manager
Public Facilities-Construction Division
Town of Needham

from: Tom Scarlata

date: January 5, 2017

Project name and number: 03255.01 Rosemary Pool

subject: CPA pool Questions

See our responses to the questions sent to us on 1/4/17.

- How does the construction cost compare to standard public pool costs?
The actual pool costs are a generally commensurate with other public pool construction projects. The pool location has contributed to a slight premium in related work.
- If the cost is more, why?
Building adjacent to Rosemary Lake requires the use of a portable dam or bracing of the existing bulkhead. Dewatering a pool site is very common; this location has greater volume to contend with.
- Have other Towns used CPC funds to build a seasonal public pool?
The Underwood Pool in Belmont, MA and the Veterans Memorial Pool at Patton Park in Hamilton, MA both were funded using CPC funds.
- What are the projected figures for users of the pool and how much of an increase over the current user number is the projection?
The existing pool has a calculated load of 1,268 bathers. The two swimming pools have a combined bather load of 798, not including patrons using the spray deck. We note that bather load assumes one bather in every 15 or 20 SF of water surface simultaneously. The calculation is done to help establish design parameters for filtration and plumbing fixture count. Actual pool usage is typically well below the calculation. Although the new pools are smaller in surface area, the configurations provide more usable water surface; the large shallow area of the existing pool contributes to the surface area but is not swimmable water. The pools also create more flexible areas within the pool to accommodate multiple pool programs that can be run individually or simultaneously. For example, lessons can be given in the slide splash down area when the slides are not in use, continually lap swimming is available in the family pool, and the family pool is available during swim meets without limiting recreational swimming or compromising the running of a the meet. The current pool averaged 250 visitors in recent years, with some days as high as 600+ and cold rainy days with a limited number. With increased parking capacity, and a new facility, it is anticipated that number will increase on a daily basis.

Comment [PC1]: Isn't there some savings since we aren't doing a major excavation that would be needed for a new pool?

Comment [PC2]: The bather load that Health Dept has used for old pool for permitting was 880.



Michael J. Retzky, Project Manager
Rosemary Recreation Complex- CPA Questions
January 5, 2017
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- Are there projected revenues for daily and seasonal user fees? The Park and Recreation Commission is in the process of reviewing (a) length of season, likely adding a few weeks at the beginning of the season; (b) whether to extend public swimming hours on a daily basis; and (c) then staffing to cover the hours. The daily and seasonal rates will be determined based on that information, plus comparisons with other public pools and some private pools.
- What are the long term operational costs, and how will those costs be covered? The expenses are anticipated to be lower than with the prior pool; the salaries are likely to be higher, with an extended season and need for additional staff. Still to be determined is the division of operating costs directly related to the pools vs. operating costs for the year-round facility and site.
- What project(s) has Park and Rec considered but "back burned" in favor of this project? The Rosemary project has been on the table since the 1990's. Improvements to the Rosemary trails will follow the completion of this project. The desire of the community to have a Community Center is partially realized with the addition of this project, but in a campus format. The Town has a one mile corridor of community recreation/leisure spaces: Powers Hall at Town Hall, Memorial Park (and its building renovations), Needham High School, Needham Public Library, Rosemary Recreation Complex, and Center at the Heights.
- Park and Rec is tying in the Board of Health on programs related to the proposed complex, is Park and Rec tying in the Needham Public Schools and the Library (the site is in close physical proximity to each)? Needham High School already has health and physical education classes that utilize the Rosemary trails and camp property, and will be able to enhance their activities with the addition of the space in the building. Dialogue will continue with the Needham High Principal, Director of Health and Physical Education, and the Athletic Director. The Library currently requests some off-season uses of the Rosemary parking lot, when they are aware of the need for parking for a large event, and that will continue. Large events held at Memorial Park also often need some additional parking, and have used the current lots, so that will continue, and overflow parking for Rosemary Recreation Complex will go to Memorial Park. Programming coordination will continue with Library, Center at the Heights, and Community Education.

FY2017-2 Rosemary Lake Sediment Removal (Liaison: Paul)

- How has this been funded in the past?
It has not been funded in the past and should not be needed to be funded in the foreseeable future once it is done.
- If CPC does not fund this project, will the Town still go forward with the project using other sources of funds?
Other sources of funds are not available so the Town would not be able to go forward with the project until funding becomes available.
- Is there a state mandate that the project go forward?
There is a Federal mandate under the NPDES MS4 regulations that requires the Town to address water quality issues by constructing BMPs. The Rosemary sediment removal project qualifies as a significant improvement to water quality.
- Please detail the community input that resulted in this proposal.
The community input was favorable during the design phase of the project. It is anticipated to be favorable during the construction phase.
- What is the timetable for removal related to potential Rec Complex schedule
Permits required to proceed with the project are not expected to be granted until September 2017. This project would proceed as soon as permits are granted.
- Is all the sediment required to be disposed of at the out of state facility or is there a mix. What is the cost difference between the types of materials being disposed of and is there an estimate of the amount of the moderate and severe types of material in the 30k c.y.
Some of the sediment (roughly 1,200 cy at about \$70 - \$75/cy for disposal) will have to be disposed at out of state facilities and some in state. It was hoped that most of it could be used as farmland soil, but only a small portion (less than 8,000 cy at \$0/cy for disposal) may be useable at farms. The remaining amount (roughly 21,000 cy at around \$7/cy for disposal) is expected to be able to be disposed of in state. The cost for trucking/transportation is about \$9/cy for up to 100 miles plus \$8,000/day for loading. The total sediment related removal cost is roughly about \$1.5M
- Is there any financial support available from the state DEP or any federal agency
No
- How specialized is this work ie: are there likely to be very limited number of bidders?
It is fairly specialized. We hope to attract about 6 bidders.
- Please explain the information used in establishing the estimated cost.
BETA Group has recent experience with this type of work and has contacted vendors to corroborate their estimates.

FY2017-3 Cricket Field (Liaison: Artie)

Answers prepared by Parks and Forestry Superintendent Ed Olsen

- What is the full scope of the project?
Stripping the field organics
Grading
Installation of a new modern efficient irrigation system
Field soil amendments
Sodding/Seeding
- What is the projected cost of design and construction? The requested amount includes a small amount for design, and the remainder for construction. As the project is not out to bid, the request is based on informal construction estimates.
- What is the timeline? Summer 2018
- What is projected start time? Spring sports finish up in mid-June, and work would begin at that time. Park and Recreation's summer program would still have use of space not under construction.
- Are there other sources of funding? Not to my knowledge.
- How does this project fit in to any long term capital plan of Park and Rec to replace and improve the sports playing fields at the Town's various neighborhood fields? Park and Recreation and Parks & Forestry work together to develop the long-term capital plan for field improvements, with an emphasis on safety for the athletes.
- Is this project part of a larger project to repair or replace playground equipment and other structures at Cricket Field? This request represents strictly field work and nothing outside as far as amenities. The playground and other improvement projects are already completed, so the only remaining project will be the renovation of the building.
- What are the increases in operational costs as a result of this project, and how will those costs be covered? There will be no need to increase operational costs
- Please detail the community input that resulted in this proposal. Park and Recreation meets annually with sports organizations who provide input on field maintenance projects. Other projects are done in collaboration with the neighborhood, including recent tree plantings.
- CPC has funded this type of work before, the application states the similarities to other projects, are there any unique issues being dealt with here. One unique difference from other field renovations is that this field was renovated in early 2000s with private money, with all great intentions, however mistakes were made with respect to the irrigation system that will need to be corrected within this scope of work.
- Is the work limited to turf improvements only (grading, irrigation, grass replacement) or are other features on the site like the playground being replaced. This is a field improvement project only
- How does the potential of the P&R building renovations impact this project? Totally separate? Some overlap in work areas? Any work related to the building is outside the scope of this project.
- Related to long term costs, is there more maintenance anticipated than currently done? Is there an increase in the Town's water bills when fields are irrigated? (does the town charge itself for water?!?!?!?) The current maintenance program will continue, so there

is no additional cost. The Town follows irrigation restrictions, and tracks the amount of water used, but does not charge itself for water.

- As a project with a short window of installation, will sodding be required and if so what is the cost difference between planted turf. This decision will be made during the design process, but as a varsity field for soccer and lacrosse, it is possible that sod will be chosen so that the field comes back into use earlier than if seed was the chosen product.

CPC Questions- Hillside School Walking Trail – Jan. 11, 2017

FY2017-4 Hillside School Walking Trail (Liaison: Peter)

A PowerPoint show is being assembled to respond to the CPC questions.

- Could we clarify the ownership issues: is the land in Wellesley or in Needham but owned by Wellesley, or a mix? This could be explained in a map.
The attached map shows that the area for the proposed Hillside School Walking Trails. The land is within the Town of Needham but is owned by the Town of Wellesley. The 65-acre parcel included multiple lots that were purchased by Wellesley and then consolidated through a "taking" in 1926 for the purpose of ensuring their water supply. The proposed walking trails are adjacent to the new school site on the east side of the Rosemary Brook. This Knoll Trails are only accessible by land through the Hillside School site. They look across the open water toward the Wellesley Water Works which is about ¼ mile to the northwest.
- The property is owned by Wellesley which has licensed the property to Needham, are there permanent restrictions in place to ensure a public benefit?
In 1926 the Town of Wellesley consolidated their ownership with a taking that was registered at the Norfolk county Registry of Deeds. These public lands are under the jurisdiction of the Wellesley Public Works Board (WPWB). This Board approved the License Agreement, and needs to approve the final trail plan. The WPWB views the school development as an improvement over the prior farming use of the land, and the walking trails are consistent with the use of these public lands.
- Could we see a map of the properties involved, and the potential route for the trail(s).
A "Walking Trails" concept plan and Hillside School Site Plan are both included in the attached PowerPoint show.
- Does the license (terminable after notice) constitute site control?
The Town Counsels from Needham and Wellesley drafted and approved the License Agreement to enable the Town of Needham to construct and maintain the trails, bridges and playing field associated with the new Hillside School at Central Ave.
- Why is the license only for a 10 year term and why is it terminable after notice?
The maximum period for this type of License Agreement is 10-years by town bylaws.
- Wellesley is essentially a private party in this transaction, have there been other CPC projects where walking trails are installed on privately owned land for use by the public?

Did those projects include permanent restrictions to ensure a public benefit?

Patty Carey will review precedent terms.

- Wellesley will have access to the Trail, have the proponents discussed with Wellesley sharing the cost of the Walking Trail.
The walking trails will primarily serve the new school and surrounding Needham neighborhoods. While Wellesley residents are not excluded from access they would need to come through the new school site to access the trails. The Wellesley Town Manager does not anticipate much use by Wellesley residents, and therefore did not support shared cost. However, they did provide the License Agreement at no cost to Needham.

Additional Questions/Requests On FY2017-14 Hillside School Walking Trail

1. I would like to see the License Agreement. Can you forward it to me?

Yes, a copy is attached.

2. I understand the License Agreement is terminable at will. Why?

In order to be a license it must be terminable at will. We do not want the arrangement with Town of Wellesley to be a disposition of land that is subject to Article of Amendment 97 of the state constitution. Since the land was acquired by Wellesley for water supply purposes, it is subject to Article 97 (Art. 49). In order to be outside the requirement of Article 97, that a disposition of such land needs an act passed by a 2/3 vote of the General Court, we limit it to a license so that it is not considered a disposition. (See Miller v DEP, Mass App Ct 968).

3. Will there be recorded restrictions in place to ensure the trails remain in place. Put another way, what assurances do we have that Wellesley will not terminate the license and restrict access or simply remove the trails (say for some unforeseen environmental concerns?)

The project must go through permitting and approvals by the Town of Needham Conservation Commission (CC) and Planning Board (PB). These approvals are required by a project of this size but also help satisfy the terms of the license agreement including "compliance with the Wetlands Protection Act and any local wetland bylaws." These approvals will be recorded at the Norfolk County Registry of Deeds. Future modifications to these trail and /or field improvements would require a review and approval by the respective boards. The Wellesley Conservation Commission does not have jurisdiction over these improvements because they are within the Town of Needham.

In all of the discussions between the two Town Managers, Town Engineers, and related departments it is clear that the Town of Wellesley sees the new school as an important improvement to the water quality compared to the prior farming use. The new school is subject to stormwater management requirements which were not present in the prior use. As part of the new school approvals there will be improvements within the wetland jurisdictional areas restoring wetland planting and adding infiltration improvements that will mitigate runoff impacts compared to the prior farming use. The redevelopment of the property in compliance with the CC regulations is in the mutual best interest of both towns.

There are multiple benefits to the Town of Wellesley with this project. Having an appropriate storm water system on the school property provides protections to their body of water. In addition, it is challenging for them to monitor property which is remote or not easily accessed. The school on site provides a new layer of security for Wellesley Water Lands.

4. I would like additional details on the other CPC projects on land controlled by "another Public entity" (I am not familiar with the walking trail on Needham Public Housing Land)

The Rail Trail project was partially funded by CPC. The Town has a 99 year lease that can be revoked at any time by the MBTA if needed for public transportation.

5. Are there any CPC projects on land owned by a private party?

Wellesley is a public entity, so the comparisons wouldn't be identical. CPC funds have been awarded to a number of organizations that do not fall under Town of Needham government. When awarded, they sign an agreement with the Town Manager on how the funds can be disbursed, and states the documents that are required to receiving the funding. These include Needham Housing Authority, Needham Historical Society, The Charles River Center, and Needham Community Farm.

6. Can we have a bit more detail on the need for the Knoll Trail and Knoll Class Room.

Park and Recreation Department and Conservation Department have been working on projects over the past ten years to improve access to trails and nature. Park and Recreation has been part of an initiative for several years to "get every child outdoors". Each school now has something at their property, or nearby, that provides an opportunity to visit more natural settings – for curriculum purposes, after school activities, or just because it is interesting and fun. *Broadmeadow: creating an access route to the Greendale Avenue trail; Eliot: Sudbury Aqueduct Trail from their parking lot; Hillside: currently has trail to Booth Street, and new site would have more options with this project; Mitchell: Mitchell Woods with recent trail improvements; Newman: Eastman Conservation trail with outdoor classroom and amphitheatre – used by system Science Center; High Rock: adjacent property and nearby access to Town Forest and Rail Trail; Pollard: adjacent to property, and Reservoir on other side of DeFazio; High School: Rosemary trails used for some classes.* The nature trails at the Central Ave site would need to include the knoll trail to provide enhanced outdoor access for these Hillside students and improve parity with the other schools in the district.

7. Why not just pursue the pond trail, much of which appears to be located within the property limits of the Hillside School Site?

Constructing only the pond trail on the Needham owned land would lead to a dead end and a very limited trail that only accesses a single ecosystem on the property. The pond bridge and knoll boardwalk and trail proposed on the Wellesley land provide access to the upland wood lot, field and wetlands ecosystems that surround the new school. The existing trees and habitat of the upland woods integrate well with the Science curriculum for tree identification, and the knoll outdoor classroom provides a promontory overlooking the different ecosystems found on the east and west side of that land. The walking trails proposed on the Wellesley land will be about three times longer than the trail on the Needham land. This quarter mile loop will also be an important opportunity for the wellness program that is accessible to students of all abilities. Having two outdoor classrooms on the west side of the school site will enable multiple classes to use the space simultaneously each with a distinct ecosystem.

The northern end of the new school site has some upland wooded area, but it is only assessable through abutting residential properties or by constructing a 450 foot long boardwalk across the intervening wetland. This would complicate and likely delay the permitting process and be a more expensive project to construct and maintain. There is also no elevated flat area at the northern side of the Needham property to construct a second outdoor classroom.

LICENSE AGREEMENT

License Agreement entered into this 9th day of FEBRUARY, 2016, by and between the Town of Wellesley, a municipal corporation, 20 Municipal Way, Wellesley, Massachusetts, 02481, acting through its Board of Public Works ("Licensor"), and the Town of Needham, Massachusetts, a municipal corporation, acting through its Town Manager ("Licensee").

In consideration of the full and faithful performance by Licensee of all covenants and agreements contained herein and subject to the following terms and conditions, the Licensor grants to Licensee and Licensee takes from the Licensor the right to use specified areas owned by the Town of Wellesley in the Town of Needham for passive and active recreation in conjunction with the construction of a new elementary school on or about 585 Central Avenue in Needham (the "Premises"), as shown on a plan entitled "CONCEPTUAL SITE PLAN" and attached here to as Exhibit A.

1. The Licensee shall have the exclusive right to enter upon the Premises and to make the Premises available to the staff and students at the proposed elementary school and to the general public for passive and active recreation, as described herein.
2. The term of the Agreement shall be January 1, 2016 through December 31, 2025.
3. The Licensee is authorized to construct, maintain and use a multi-purpose playing field (Area A – approximately 150 feet by 75 feet) all or a portion of which will be located on land owned by the Licensor (as shown on Attachment X). No such improvements shall be made unless and until the plan for such improvements (to include a description of materials to be used in construction and an operation and maintenance plan) is approved by vote of the Licensor. Licensee shall ensure that it complies with all laws, including, but not limited to, the Wetlands Protection Act and any local wetland bylaws when making such improvements.
4. The Licensee is authorized to make and maintain improvements such as re-grading, fencing, planting, and/or wetlands replication to the small pond (Area C), a portion of which is on land owned by the Licensor as identified on the attached plan. No such improvements shall be made unless and until the plan for such improvements (to include a description of materials to be used in construction and an operation and maintenance plan) is approved by vote of the Licensor. Licensee shall ensure that it complies with all laws, including, but not limited to, the Wetlands Protection Act and any local wetland bylaws when making such improvements.
5. The Licensee is authorized to construct, maintain and use a trail and / or walkway on land owned by the Licensor (Area B – Uplands), a portion of

which will be accessible to individuals with limited mobility on land owned by the Licensor. No such trail and/or walkway shall be constructed unless and until the plan for such construction (to include a description of materials to be used in construction and an operation and maintenance plan) is approved by vote to the Licensor.

6. The Licensee shall indemnify the Licensor from all claims by all parties arising at any time on or adjacent to, and related in any way to the use of the Licensor's property for educational use up to \$100,000 per claim, unless such claim is a result of the negligence or misconduct of the Licensor, its agents, servants, employees, members or their guests.
7. It is agreed that the above described property is and shall remain the property of the Licensor and the Licensee shall not make any improvements, alter or remove any of it without the Licensor's express prior written consent, except as provided for in this License.
8. Licensee shall procure and maintain, during the term of this License Agreement, comprehensive general liability insurance naming the Licensor as an additional named insured, subject to a combined single limit of at least \$1,000,000 each occurrence and \$3,000,000 in the aggregate for bodily injury and \$1,000,000 property damage. The Licensee shall provide the Licensor with a certificate of insurance.
9. Licensee shall not assign this License Agreement or any rights hereunder without the prior written consent of the Licensor.
10. It is agreed that this License is subject to termination by either party upon ninety (90) days written notice. The Licensor's notice shall be delivered by leaving a copy thereof with the Town Manager, 1471 Highland Avenue, Needham, Massachusetts. The Licensee's notice shall be delivered by mailing a copy to the Licensor at 20 Municipal Way, Wellesley, MA 02481.
11. All the terms and provisions of this License Agreement shall be binding upon and inure to the benefit of and be enforceable by and against the parties hereto, and their respective successors and assigns. This License Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts; sets forth the entire understanding between the parties with respect to the Town of Needham's permitted use of the Licensed premises; and shall not be modified or amended except by written instrument signed by both parties hereto.
12. The parties hereby submit to the jurisdiction of the courts of the Commonwealth of Massachusetts and the United States District Court of Massachusetts for the resolution of any disputes relative to this License Agreement. Each of the parties hereto represents that this License Agreement

has been signed and sealed by its duly authorized representatives, and agrees that this License Agreement shall take effect as a sealed instrument

15. The Licensor agrees that it shall commence and litigate all actions or proceedings arising in connection with this Agreement exclusively in the Dedham District Court or in the Norfolk Superior Court, both of which are located in the County of Norfolk, Commonwealth of Massachusetts. The aforementioned choice of venue is intended to be mandatory and not permissive in nature, thereby precluding the possibility of the Licensor commencing or prosecuting any litigation against the Licensee, with respect to or arising out of this Agreement, in any court or forum other than those specified in this paragraph.

EXECUTED under seal on this 9th day of FEBRUARY, 2016.

The Town of Needham (Licensee)

By: Kate Fitzgerald

1-19-2016

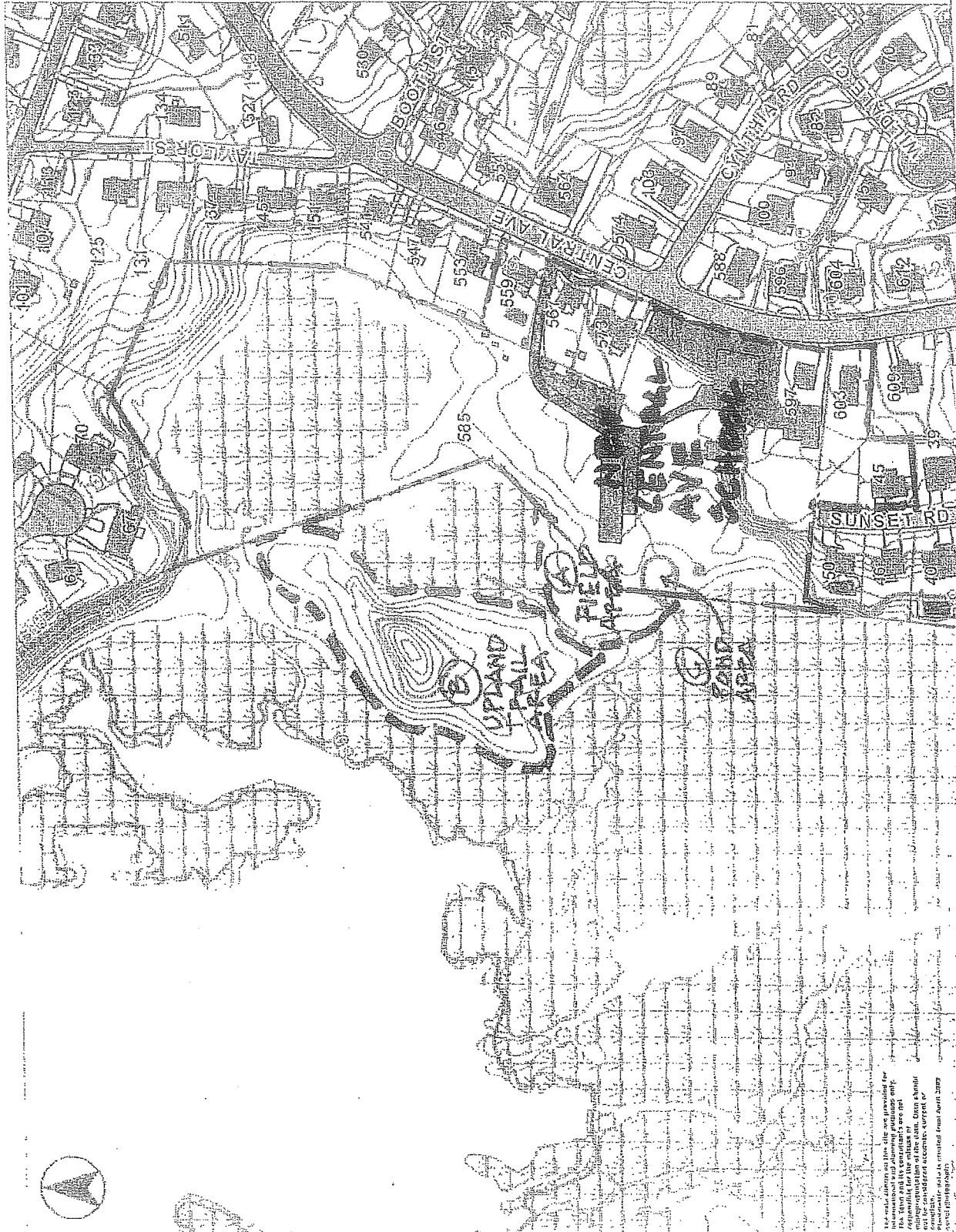
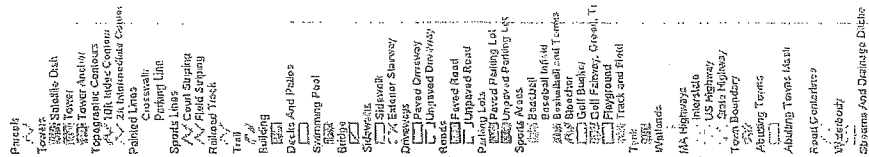
Its: Town Manager

The Town of Wellesley (Licensor)

By: Candace L. Dine

Its: Charmian B. W.

Hereunto duly authorized



Architectural

Printed on 11/13/2015 at 02:03 PM

Response to the CPC Questions regarding the
Hillside School - Walking Trails

Draft response prepared

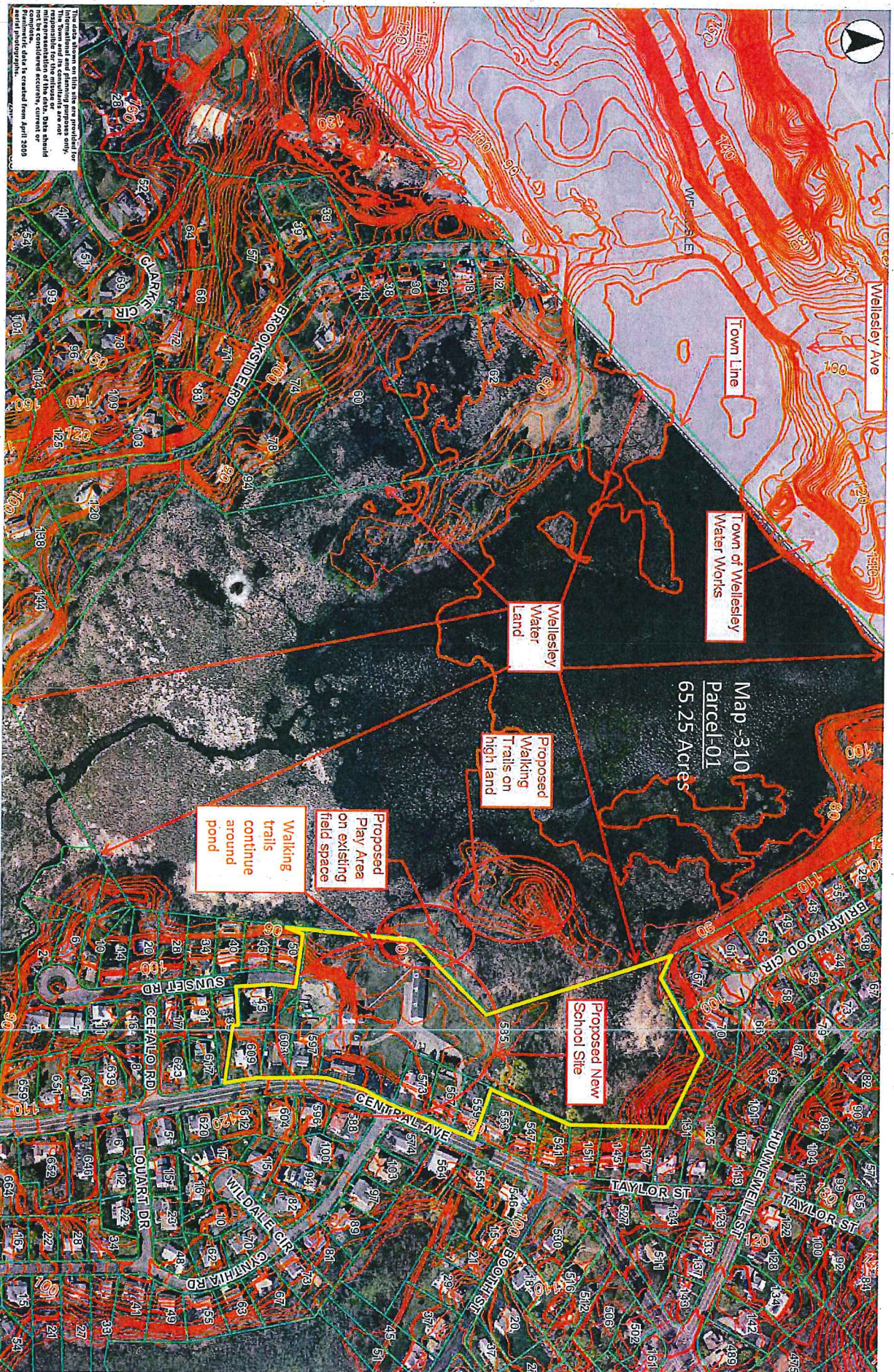
by

Town of Needham OPM

for

CPC meeting on 1/11/2017

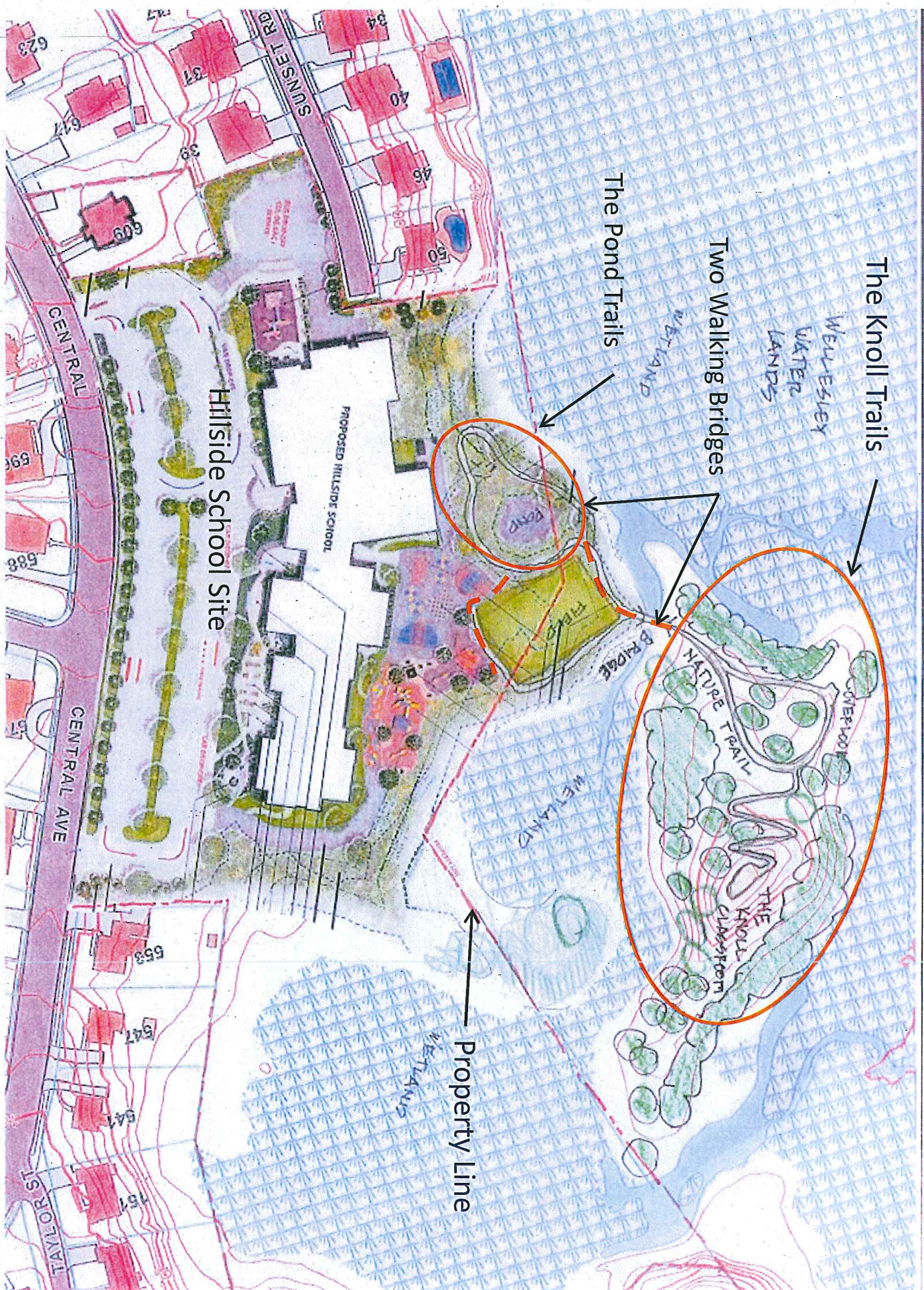
Could we clarify the ownership issues: is the land in Wellesley, or in Needham but owned by Wellesley, or a mix? This could be explained in a map. The land is in the Town of Needham but owned by the Town of Wellesley. It is noted as Map 310- Parcel 01 as Wellesley Water Land on the Needham Assessors Map.



The new trails will include A) Pond Trail, 2) Knoll Trails and two bridge / walks



The information on this map is provided for informational and planning purposes only. The Town and its consultants are not responsible for the accuracy of the data. Data should not be considered accurate, current or definitive. Preliminary data is created from April 2009 aerial photographs.



License Agreement

- The property is owned by Wellesley which has licensed the property to Needham, are there permanent restrictions in place to ensure a public benefit?
- The Town of Wellesley Public Works Board has jurisdiction over this land and other lands within Wellesley which protect their water supply. Wellesley could not sell a portion of their 65-acre parcel of land to the Town of Needham without an act of the State Legislature.
- There are a variety of permanent restrictions in place for uses for the Wellesley Water land, however Wellesley views the walking trails as consistent with their conservation policy.
- The knoll is only accessible by land through the Central Ave school site.



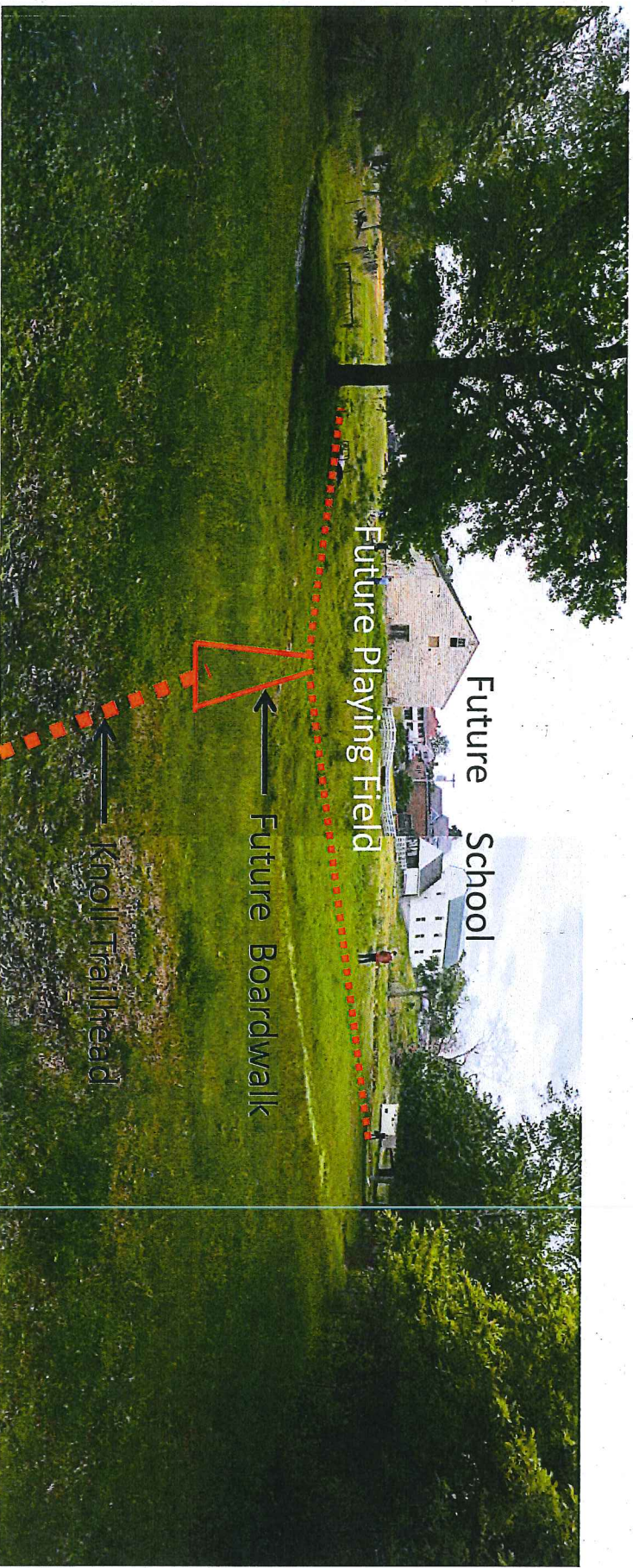
View of Wellesley Water Lands from Central Ave School Site
with small farm pond in foreground



Future Bridge

Pond

View from proposed trail head to Future School



“Knoll Trail ” crosses the farm field to enter the wood uplands



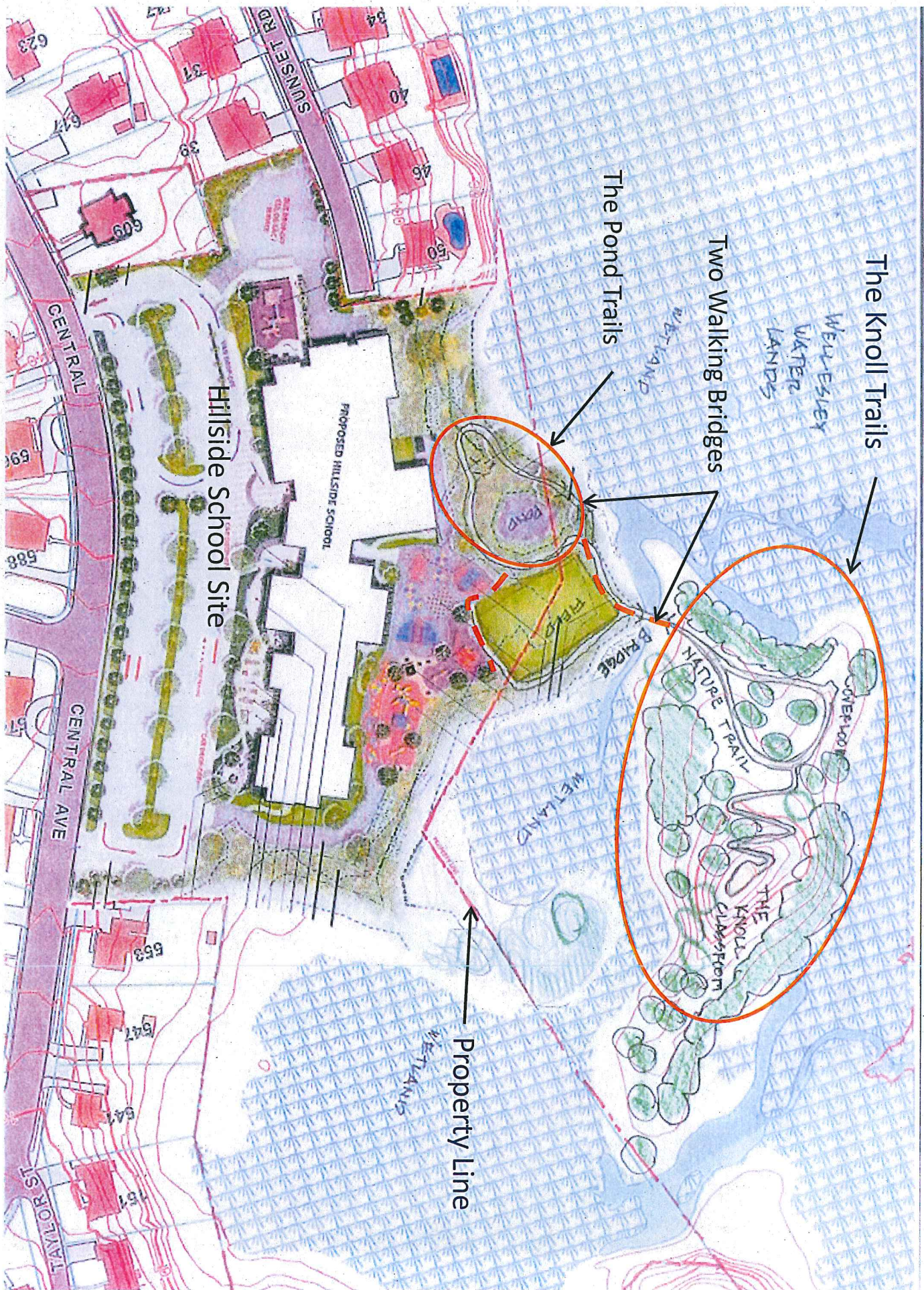
“Knoll Trail” weaves through the uplands following some existing paths



Overlook of Wellesley Water Lands and Rosemary Brook from the proposed Knoll Nature Trail



Wellesley Water Works Bldg



The Knoll Trails

Two Walking Bridges

The Pond Trails

Property Line

Hillside School Site

Proposed Hillside School

CENTRAL AVE

CENTRAL AVE

TAYLOR ST

SUNSET DR

WETLANDS
WATER
LANDS

WETLANDS

BRIDGE

WETLANDS

WETLANDS

NATURE TRAIL

THE KNOLL
CLASSROOM

COVERED

623

637

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FY2017-5 Needham Accessible Reservoir Trail (Liaison: Bob)

- How does it compliment the other town trail systems?
 - **This trail has been specifically designed to accommodate visitors with disabilities. Other trails in town have been built to allow use by disabled visitors, but we anticipate the NART will become a destination for disabled users.**
- What aspects of the design allow fishing, small children, and disabled users to enjoy the site concurrently?
 - **The design includes a loop trail around the perimeter of the reservoir. Within this loop, there will be areas with an emphasis for fishing access and other areas where other passive recreation uses will be promoted. Two portions of the trail have been designed to extend over the open water to maximize fishing access. These areas are large enough to allow fishing to occur and will have railing to protect small children, while other users can pass unimpeded. Of course, personal responsibility by those fishing and those with young children is required to ensure the safety of all.**
- Can access be made for a “learn to sail” program?
 - **Currently, the project design does not include any upgraded or new designated areas for the launching of watercraft. However, the area that is currently used for launching of watercraft will not be blocked and we do not see any conflict if someone were to implement a “learn to sail” program.**
- How does this project fit in to any long term capital plan of Park and Rec to improve the network of walking trails under its control?
 - **The land surrounding the Needham Reservoir is currently under the control of the Board of Selectmen. This project was identified in the 2008 Trails Master Plan as follows: *The new trail would be a 5 to 6-foot wide hardened or paved surface that would meet the ADA criteria for an accessible trail. Trail improvements would also include ramped structures for wetland crossings and an ADA accessible fishing area (Similar to the one located at Rocky Woods Reservation, Medfield, MA). This upgrade of the existing trail is a high priority for the new trails because it would provide a desired recreational off-road trail opportunity that does not currently exist in Needham.***
- What are the increases in operational costs as a result of this project, and how will those costs be covered?
 - **Upon completion of its construction, the NART will require minimal regular maintenance which will be overseen by the Parks and Forestry Department. Regular annual maintenance is anticipated to be consist of vegetation management along the trail and inspection of boardwalks and other surfaces for maintenance needs. Over time, maintenance will be required on the walking surfaces. Such “normal” operating costs are anticipated to be covered by the Parks and Forestry annual budget. In the long-term,**

significant replacement or upgrades of trail components may be funded through future CPA requests.

- Please detail the community input that resulted in this proposal.
 - As stated above, the improvement of this trail was originally identified in the Town of Needham Trails Master Plan. During the design phase of the project, the Town conducted two general public informational sessions to garner public input on the design. On March 17, 2015, a meeting was held with the Needham Commission of Disabilities to present the project and solicit feedback. Invaluable suggestions on “real world” design considerations were received at this meeting. Meetings were also held with the Board of Selectmen and Conservation Commission to provide updates and obtain feedback during the design process.
- Are there preliminary or design plans available for review?
 - Yes. The project has been fully permitted by the Needham Planning Board and Conservation Commission and the approved permitting plans are available for review. The final bid plans and specifications are currently in development by the consultant.
- Was there consideration for using some type of pervious paving for the trail that is more durable than stone dust? Is this selection a cost consideration, and if so what is the increase in cost for more stable and durable options?
 - The proponent believes that the proposed surfaces will be durable and provide the necessary stable surface for ADA accessible use. The proposed specification for the stone dust is a proven surface that has been used on other accessible trails in the region. At this time, the proponent does not have a cost comparison for a pervious pavement surface. However, such a surface would be anticipated to be significantly higher due to the challenges for installation in addition to base material costs.
- What are expected maintenance costs for stone dust trails, and is this something town staff can do?
 - The proposed surfaces are similar to those constructed at the Eastman Conservation Area. Town staff will be capable of performing normal maintenance to the NART.
- What is the length expected for board walk and length of grade level trail?
 - XXXXXXXXXXXXXXXX – data from BETA
- Will there be any parking issues or is the timing of use expected to be off hours? Could additional parking be provided ?
 - The proposed design includes the construction of additional parking spaces, which will have signage designating them for trail use (a requirement of the Planning Board). However, it is anticipated that the bulk of the trail use will be during “off hours” when there will be abundant parking.
- Is there access from South St or Livingston Circle?
 - The design does not include any formal access from South Street or Livingston Circle. South Street does not have sidewalks and creating a formal trail to the NART from South Street would create a potential safety hazard for users. There are no town easements or town-owned properties

that allow a connection to Livingston Circle. However, a number of abutting properties on Livingston Circle have connections to the existing trail.

**COMMUNITY PRESERVATION COMMITTEE
TOWN OF NEEDHAM, MASSACHUSETTS**

**Minutes of Meeting
December 14, 2016**

PRESENT: Gary Crossen - Chair, Mark Gluesing – Vice Chair, Peter Pingitore, Paul Alpert, Artie Crocker, Chris Gerstel, Robert Boder

ABSENT: Ron Furman

STAFF: Patricia Carey, Staff Liaison
Kristen Wright, Recording Secretary

GUESTS: Andrea Carter, School Committee Representative
Alice Ingerson, Newton Community Preservation Program

Mr. Crossen called the meeting to order at 7:30PM in the Highland Room at Town Hall.

Chairman's Updates:

Mr. Crossen reviewed the discussion about changing the start time of the Community Preservation Committee from 7:30pm to 7:00pm. The Committee determined that the start time should remain at 7:30pm.

Determination of Eligibility:

Mr. Crossen asked the CPC to review each project under the rules of the legislation to determine whether it is eligible to be considered for funding. Those that are eligible will have a liaison appointed to work with the proponents and gather information to help the CPC determine later in the winter whether to recommend for funding to Town Meeting.

FY2017-6 Echo Bridge Railings

This request is for \$250,000 for the reconstruction of the railings on Echo Bridge, requested under Historic Preservation. Mr. Crossen invited Alice Ingerson to share on behalf of the Newton Community Preservation Committee. Ms. Ingerson stated that at their last meeting the Newton CPC voted 8-0 to accept a full proposal regarding this project in Fall 2017 and shared the potential schedule. Mr. Boder stated that the Needham Historic Preservation Committee met with the proponents and voted its support as an historic project, but did not discuss how it can be funded. **Mr. Gluesing made a motion that this proposal was eligible for CPA funding. The motion was seconded by Mr. Gerstel and was approved 7-0.**

FY2017-1 Rosemary Recreation Complex

This request is for \$12,000,000 for the Rosemary Recreation Complex construction, requested under Recreation. **Mr. Alpert made a motion that this proposal was eligible for CPA funding. The motion was seconded by Mr. Gerstel and was approved 7-0.**

FY2017-2 Rosemary Lake Sediment Removal

This request is for \$2,100,000 in funds to remove sediment that has been building up in Rosemary Lake from Rosemary Brook and Sportsman's Pond, requested under Open Space. **Mr. Alpert made a motion that this proposal was eligible for CPA funding. The motion was seconded by Mr. Gerstel and was approved 7-0.**

FY2017-3 Cricket Field Renovations

This request is for \$285,000 in funds for Cricket Field renovations, requested under Open Space and Recreation. Ms. Carey stated that the renovations would be similar to the ones that were previously done at Walker-Gordon, Newman, and Greene's Field. **Mr. Gluesing made a motion that this**

proposal was eligible for CPA funding. The motion was seconded by Mr. Gerstel and was approved 7-0.

FY2017-4 Hillside School Walking Trails

This request is for \$210,000 in funds to construct a trail walk behind the new Hillside School, requested under Open Space and Recreation. Mr. Boder asked how much the trails were currently used. Ms. Carey stated that there is not an actual count, but most shown sign of use. Mr. Gluesing stated the new site would be similar to the Newman project with trails near the school playing fields. **Mr. Alpert made a motion that this proposal was eligible for CPA funding. The motion was seconded by Mr. Gerstel and was approved 7-0.**

FY2017-5 Needham Accessible Reservoir Trail

This request is for \$860,000 in funds to construct a fully accessible perimeter trail around the Needham Reservoir, requested under Open Space and Recreation. **Mr. Alpert made a motion that this proposal was eligible for CPA funding. The motion was seconded by Mr. Gerstel and was approved 7-0.**

FY2017-7 Preservation of Open Space – Purchase of Land

There is no current parcel under consideration, so this is a placeholder request.

Appointment of Liaisons:

FY2017-1	<i>Rosemary Recreation Complex</i> – Mark Gluesing and Gary Crossen
FY2017-2	<i>Rosemary Lake Sediment Removal</i> – Paul Alpert
FY2017-3	<i>Cricket Field Renovation</i> – Artie Crocker and Mark Gluesing
FY2017-4	<i>Hillside School Walking Trail</i> – Peter Pingitore
FY2017-5	<i>Needham Accessible Reservoir Trail</i> – Robert Boder and Ron Furman
FY2017-6	<i>Echo Bridge Railings</i> – Chris Gerstel
FY2017-7	<i>Preservation of Open Space – Purchase of Land</i> – None Appointed

Next Steps: Mr. Crossen stated that the next steps would be for liaisons to reach out to the proponents by January 11th to gain a better understanding of their proposal. Questions about each project will be submitted to Ms. Carey so she can forward to the proponents. Each proposal will then be scheduled for discussion at a January or February meeting.

Minutes: October 26, 2016:

Mr. Gerstel made a motion to approve the minutes of the October 26, 2016 meeting and the motion was seconded by Mr. Gluesing. The minutes were approved, with a vote of 5-0-2.

Adjournment:

Mr. Gluesing made a motion to adjourn the meeting at 8:06PM. Mr. Alpert seconded the motion and the meeting adjourned at 8:06PM.

Respectfully submitted,

Kristen Wright,
Recording Secretary