CITY OF NEWTON

IN BOARD OF ALDERMEN

PROGRAMS AND SERVICES COMMITTEE AGENDA

WEDNESDAY, JUNE 19, 2013

7:30 PM NOTE TIME CHANGERoom 222

ITEMS SCHEDULED FOR DISCUSSION:

A Public Hearing will be held on the following item:

#198-13

THE ORGANIZERS OF THE WABAN NEIGHBORHOOD SERVICE AREA requesting the Board of Aldermen to establish by resolution a Waban Neighborhood Service Area pursuant to Article 9, Section 9-3, of the City of Newton Charter. [05/15/13 @ 4:09 PM]

- #145-12 <u>ALD JOHNSON</u> requesting a review by the Solicitor's office as to what constitutes "reorganization" per our City Charter. [05/16/12 @ 10:24PM]
- #336-12 HIS HONOR THE MAYOR, ALD. BAKER, FULLER AND LAREDO, requesting a discussion to include possible uses, process, timeline, opportunity for community input and funding sources, with the affected neighborhood community and with members of the Board of Aldermen, on the potential acquisition for passive or active recreational uses of the five acre parcel in Ward 7 on Manet Road currently held by the MWRA as an obsolete open water reservoir.
- #7-13 <u>HIS HONOR THE MAYOR</u> seeking Home Rule Legislation relative to the acquisition from the Commonwealth of the Waban Hill Reservoir located on Manet Road. [12/31/12 @ 12:50 PM]
- #68-12(2) <u>ALD. YATES, MERRILL</u> requesting that a detailed inventory of the more than 100 photographs, paintings, drawings and other images of the Civil War, World War I, World War II in the office section of the War Memorial Hall be prepared and a plan be developed for their public display in whole or in part before or during the city's observance of the 150th anniversary of the Civil War through 2015 and the centennial of World War I from 2014-2015. [03/23/12 @1:43 PM]
- #68-12 <u>ALD. YATES, MERRILL</u> asking that the Executive Department develop a detailed plan for the storage of the veterans archives currently housed in the War Memorial that allows for proper access to the records by veterans, their families, and historians, both amateur and professional. [03/05/12 @ 9:40 PM]

The location of this meeting is handicap accessible, and reasonable accommodations will be provided to persons requiring assistance. If you have a special accommodation need, please contact the Newton ADA Coordinator Trisha Guditz, 617-796-1156, via email at TGuditz@newtonma.gov or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting date.

- #67-12 <u>ALD. ALBRIGHT</u> seeking a discussion with the Executive Department regarding a plan and timeline for funding an archivist/records manager position for the city to oversee the preservation, cataloguing, and organization of the city archives; provide guidance and assistance to city departments that are maintaining their own archives in order to ensure that records are preserved, accessible, and maintained; and, plan for future storage needs as the collection continues to expand. [03/12/12 @10:28 AM]
- #34-13

 ALD. DANBERG, ALBRIGHT, BLAZAR, RICE, LINSKY AND CROSSLEY requesting a prohibition on polystyrene-based disposable food or beverage containers in the City of Newton if that packaging takes place on the premises of food establishments within the City. [01/03/13 @ 11:01 AM]

 REFERRED TO SUBCOMMITTEE

REFERRED TO PROG & SERV, PUB. FAC., ZAP, AND FINANCE COMMITTEES

#256-12 ALD. HESS-MAHAN, SANGIOLO & SWISTON proposing an ordinance promoting economic development and the mobile food truck industry in the City of Newton. [08/06/12 @4:46 PM]

REFERRED TO SUBCOMMITTEE

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#254-12

ALD. HESS-MAHAN, SANGIOLO, DANBERG, KALIS, CROSSLEY proposing an ordinance relating to plastic bag reduction that would add a fee to single-use plastic and paper bags that are not at least 40% post-consumer recycled content, at certain retail establishments in Newton.

[07/18/12 @4:34 PM]

REFERRED TO SUBCOMMITTEE

ITEMS NOT YET SCHEDULED FOR DISCUSSION:

Appointment by His Honor the Mayor

- #197-13 BYRON DUNKER, 10 Southwick Road, Waban, appointed as a member of the PARKS AND RECREATION COMMISSION for a term to expire April 29, 2016 (60 days 08/02/13) [05/15/13 @ 4:59 PM]
- #223-13

 ALD. HESS-MAHAN proposing an amendment to the City of Newton Charter, Section 2-5 Filling of Vacancies, to delete the requirement that "the Board of Aldermen *shall forthwith* call a special election to fill a vacancy" and replace it with "the Board of Aldermen *may* call a special election to fill a vacancy."

 [06/07/13 @1:31 PM]
- #200-13 <u>ALD. JOHNSON</u> requesting a discussion with the Parks & Recreation Department and the Department of Public Works to establish a process for managing the placement and removal of City, for-profit, and non-profit signs advertising events. [05/28/13 @ 9:26 AM]
- #199-13 <u>ALD. JOHNSON AND SANGIOLO</u> requesting an update from the School Committee and School Department regarding the request from the Board of Aldermen to reduce the family cap on activity fees. [05/20/13 @ 11:05 PM]

REFERRED TO PUB. FACIL., PROG. & SERV. AND FINANCE COMMITTEES

- #138-13 <u>HIS HONOR THE MAYOR</u> requesting authorization to appropriate an amount that is yet to be determined from bonded indebtedness for the purpose of funding the Carr School renovation project. [03/25/13 @ 3:58 PM]
- #95-13 HIS HONOR THE MAYOR, SETTI WARREN AND BOARD PRESIDENT, SCOTT LENNON seeking an amendment to Chapter 12, Section 68 of the Newton City Ordinances to increase the number of members of the Health Care Advisory Committee if there are any concerns relative to the composition of the committee. [02/25/13 @ 2:24 PM]

Appointment by the President of the Board

- #91-13 MARK WENNEKER, 223 Upland Road, Newtonville, appointed as a member of THE HEALTH CARE ADVISORY COMMITTEE for a term to expire February 25, 2016. (60 days 05/03/13) [02/25/13 @ 5:06 PM]
- #199-13 <u>ALD. JOHNSON AND SANGIOLO</u> requesting an update from the School Committee and School Department regarding the request from the Board of Aldermen to reduce the family cap on activity fees. [05/20/13 @ 11:05 PM]

REFERRED TO PROG & SERV AND PUBLIC FACILITIES COMMITTEES

- #245-10 <u>ALD. SCHNIPPER</u> requesting discussion with National Grid regarding the possible damage to trees as a result of gas leaks. [09/01/10 4:00 PM]
- #334-12 <u>ALD. SWISTON AND LINSKY</u> requesting a discussion with the Licensing Board regarding the licensing and permit requirements for non-profit organizations. [10/10/12 @ 3:52 PM]
- #144-12 <u>ALD. HESS-MAHAN</u> proposing to repeal the time restrictions for filing special permit applications/site plan reviews for Major Projects during July and August in Article X Section 5 of the Rules and Orders of the Board of Aldermen.
- #229-12 <u>RECODIFICATION COMMITTEE</u> recommending a review and possible amendment to the *Board of Aldermen Rules & Orders 2012-2013* relative to review of draft ordinances by the Law Department.
- #230-12 <u>ALD. SANGIOLO</u> requesting the establishment of guidelines and policies regarding the creation of Neighborhood Area Councils particularly with respect to (1) boundary delineations and (2) description of area council authority. [08/06/12 @ 4:39PM]
- #335-12 <u>DAVID OLSON</u> requesting a discussion of Mayor Warren's Executive Order #1 which authorizes the use of remote participation for City Boards and Commissions as it relates to and effects the Board of Aldermen's Committee and Full Board meetings, and to make any necessary changes to the Board Rules to allow and regulate remote participation should it be deemed acceptable. [10/3/12 @ 4:56PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

REFERRED TO RULES SUBCOMMITTEE

- #165-12 <u>HIS HONOR THE MAYOR</u> submitting (1) the report prepared by Kopelman & Paige PC, the consultant engaged to review the city's election procedures, and (2) proposing that Charter Sections 2-1(b) and 4-1(b) be amended to establish a particular date by which nomination papers are made available. [05/25/2012 @ 1:35PM]
- #111-13

 CLERK OF THE BOARD requesting a change in the Board of Aldermen Rules & Orders to define which committee Community Preservation Committee appointments should be referred. [03/05/13 @ 12:46 PM]

 REFERRED TO RULES SUBCOMMITTEE
- #130-13

 <u>ALD. JOHNSON & LAPPIN</u> requesting a change to the Board Rules,
 Article I, <u>Section 3. Referral of business to Committees</u>, paragraph D., to increase the majority vote to a greater than majority vote. [03/18/13 @ 9:39 PM] **REFERRED TO RULES SUBCOMMITTEE**

REFERRED TO PROGRAMS & SERV. AND PUBLIC FACILITIES COMMITTEES

#315-12 ALD. FULLER, RICE AND GENTILE of the Angier School Building Committee providing updates and discussion on the Angier School Building project as it develops through the site plan approval process.

[10/02/12 @ 3:37PM]

REFERRED TO PROG & SERV, PUB. FACIL. AND FINANCE COMMITTEES

#312-10

ALD. LENNON, LAPPIN, SCHNIPPER, SANGIOLO requesting a discussion with the School Committee on its plans to address space needs in the Newton public schools. [10/27/10 @11:07 AM]

FINANCE VOTED NO ACTION NECESSARY on 10/12/11

PUBLIC FACILITIES VOTED NO ACTION NECESSARY on 11/18/11

REFERRED TO PROG. & SERV AND PUBLIC FACILITIES COMMITTEES

- #36-12 <u>ALD. CROSSLEY & FULLER</u> requesting Home Rule legislation or an ordinance to require inspections of private sewer lines and storm water drainage connections prior to settling a change in property ownership, to assure that private sewer lines are functioning properly and that there are no illegal storm water connections to the city sewer mains.
 - A) Sewer lines found to be compromised or of inferior construction would have to be repaired or replaced as a condition of sale;
 - B) Illegal connections would have to be removed, corrected, and re-inspected in accordance with current city ordinances and codes, as a condition of sale. [01/24/12 @ 8:07 AM]

Respectfully Submitted,

Amy Mah Sangiolo, Chairman

May 20, 2013

To: Alderman Amy Sangiolo, Chair Programs and Services Committee

City of Newton 1000 Commonwealth Avenue Newton, MA 02459

From: Representatives of the coalition to form a Waban Neighborhood Area Council

Dear Alderman Sangiolo,

The residents of the Village of Waban respectfully submit our request and petition to form a neighborhood area council as provided for under Article 9 of the Charter of the City of Newton.

Through our efforts over the past year, we have obtained the signatures of 910 registered voters resident in the proposed Waban service area. These signatures – validated by the City's Election Office represent the affirmative support of more than 20% of the approximately 4,085 registered voters to create a Neighborhood Area Council for the village.

We have made strenuous efforts to ensure:

- That the proposed service area is truly and fully representative of all areas which self-represent as Waban and that no areas have been omitted
- That the village has been as educated as possible on what a Neighborhood Area Council is and the virtues and limitations of the concept
- That signatures have been obtained from as wide a cross-sampling of the proposed Waban service area as possible to display the broad support that this concept enjoys in the village of Waban

We intend our Neighborhood Area Council (NAC) to be a powerful and highly useful adjunct to the long-standing and historically effective Waban Improvement Society's community building and beautification efforts. The Waban NAC will serve the following roles and will have the associated responsibilities:

- To be a forum for discussing and resolving village-level issues;
- To act as a coordinating and representative voice of the village to the City on matters such as, but not limited to, development, traffic, infrastructure, and environmental concerns;
- To support the economic viability of local businesses and the continued quality of life of the village; and
- To be a partner to the Waban Improvement Society in continued community development and beautification efforts.

2013 MAY 20 AM II: 44

2013 MAY 20 AM II: 44

David A. Olson, CMC

Newton, MA 02459

We look forward to this petition's being brought before the full Board of Aldermen and welcome any discussion you see fit. We then look forward to working with you going forward.

Sincerely,

Sallee Lipshutz, 24 Radcliff Road

Maureen Rully-Meagher
Maureen Reilly-Meagher, 342 Quinobequin Rd

Christopher Steele, 702 Chestnut St.

CC: David Olson, City Clerk and Clerk of the Elections Department

The Board of Aldermen shall adopt the budget, with or without amendments, within forty-five days following the day the budget is received by it. In amending the budget, it may delete or decrease any programs or amounts, except expenditures required by law or for debt service, but it may not increase any programs or amounts.

If the Board of Aldermen fails to take action with respect to any item in the budget within forty-five days after receipt of the budget, such amount shall, without any action by the Board of Aldermen, become a part of the appropriations for the year, and be available for the purposes specified.

Sec. 5-3. Capital Improvement Program.

- (a) Submission—The Mayor shall prepare and submit to the Board of Aldermen a five-year Capital Improvement Program at least six months prior to receipt of the next fiscal year's operating budget.
- (b) Contents—The Capital Improvement Program shall include: (1) a clear summary of its contents; (2) a list of all capital improvements proposed to be undertaken during the next five fiscal years with supporting data; (3) cost estimates, method of financing, and recommended time schedules and (4) the estimated annual cost of operating and maintaining the facilities included. The above information shall be revised and extended each year.
- (c) Public Hearing—The Board of Aldermen shall publish in one or more newspapers of general circulation in the City the general summary of the Capital Improvement Program and a notice stating: (1) the times and places where copies of the Capital Improvement Program are available for inspection by the public, and (2) the date, time, and place, not less than two weeks after such publication, when a public hearing on said program will be held by the Board of Aldermen.
- (d) Adoption—After the public hearing, concurrently with the passage of the next fiscal year's budget, the Board of Aldermen shall by resolution adopt the Capital Improvement Program with or without amendment. (Referendum of 11-4-75)

Sec. 5-4. Contracts.

All contracts entered into for or in behalf of the City by any officer or City agency shall be subject to the approval of the Mayor.

ARTICLE 6. ADMINISTRATIVE DEPARTMENTS

Sec. 6-1. Reorganization Plans by Board of Aldermen.

Except as otherwise provided by law or the charter, the Board of Aldermen may by ordinance reorganize, consolidate, or abolish any existing City agency in whole or in part; establish new City agencies; and prescribe the functions of any City agencies. All City agencies under the direction and supervision of the Mayor shall be headed and administered by officers appointed by him.

Sec. 6-2. Reorganization Plans by Mayor.

(a) The Mayor may from time to time prepare and submit to the Board of Aldermen reorganization plans which may, subject to applicable law and the charter, reorganize, consolidate or abolish any City agency, in whole or in part, or establish new City agencies, as he deems necessary or expedient. Such reorganization plan shall be accompanied by an explanatory memo which shall include: (1) reference to any ordinances to be repealed or modified; and (2) summary of proposed ordinance language changes to be put into effect by such plan.

(b) Every such reorganization plan shall upon receipt by the Clerk of the Board be referred to an appropriate committee of the Board of Aldermen which shall, not more than thirty days later, hold a public hearing on the matter and shall, no later than the second regular meeting of the Board of Aldermen following such hearing, report either that it approves or that it disapproves of the plan. A reorganization plan shall become effective ninety days after the date it is received by the Board of Aldermen unless the Board of Aldermen has prior to that date voted to disapprove the reorganization plan, or unless a later effective date is specified in the plan. A reorganization plan presented by the Mayor to the Board of Aldermen under this section may not be amended by it, but shall either be approved or rejected as submitted and shall not be subject to charter objection as provided in Section 2-9(c). (Referendum of 11-4-75; Acts of 1992, chap. 174)

Sec. 6-3. Publication of Reorganization Plan.

An up-to-date record of any reorganization plan adopted under this article shall be kept on file in the office of the City Clerk and copies of all such plans shall be included as an appendix in any publication of the ordinances of the City.

ARTICLE 7. PLANNING

Sec. 7-1. Department of Planning and Development.

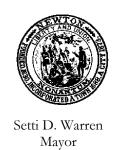
There shall be a Department of Planning and Development.

Sec. 7-2. Comprehensive Plan.

- (a) Content—There shall be a Comprehensive Plan setting forth in graphic and textual form policies to govern the future physical development of the entire City. Such plan shall cover the entire City and all of its functions and services, or shall consist of a combination of plans governing specific functions and services or specific geographic areas.
- (b) Adoption—Upon receipt from the Mayor of a proposed Comprehensive Plan or a proposed modification of the existing plan, the Board of Aldermen shall refer such proposal to the Planning and Development Board, which shall within a time specified by the Board of Aldermen report its recommendations thereon. After receipt of the recommendations of the Planning and Development Board, the Board of Aldermen shall hold a public hearing on the proposed Comprehensive Plan or the proposed modification thereof and shall by resolution adopt the same with or without amendment. The Board of Aldermen may thereafter from time to time modify the Comprehensive Plan.
- (c) Effect—The Comprehensive Plan shall serve as a guide to all future action by the Board of Aldermen concerning land use and development regulations, urban renewal programs, and expenditures for capital improvements.

Sec. 7-3. Implementation of the Comprehensive Plan.

- (a) Land Use and Development Regulations—In accordance with applicable provisions of the General Laws, the Board of Aldermen may by ordinance adopt land use and development regulations, including but not limited to an official map and zoning regulations.
- (b) Urban Renewal—In accordance with applicable provisions of the General Laws, the Board of Aldermen may by ordinance provide for redevelopment, rehabilitation, conservation, and renewal programs for the alleviation or prevention of slums, obsolescence, blight, or other conditions or deterioration.



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

Candace Havens Director

INTER-OFFICE CORRESPONDENCE

DATE: June 19, 2013

TO: Programs and Services Subcommittee, Board of Aldermen

FROM: Candace Havens, Director Planning and Development

Alexandra Ananth, Chief Planner for Current Planning

Katy Hax Holmes, Senior Planner

SUBJECT: #336-12, HIS HONOR THE MAYOR, ALD. BAKER, FULLER AND LAREDO,

> requesting a discussion to include possible uses, process, timeline, opportunity for community input and funding sources, with the affected neighborhood community and with members of the Board of Aldermen, on the potential acquisition for passive or active recreational uses of the five acre parcel in Ward

7 on Manet Road currently held by the MWRA as an obsolete open water

reservoir.

CC: Mayor Setti D. Warren

Ward 7 Alderman Lyle Baker

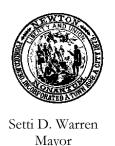
Alderman-at-Large Ruthanne Fuller Alderman-at-Large Marc Laredo

The Planning Department will present a brief PowerPoint presentation to accomplish the following goals at this meeting:

- Introduce discussion of timeline and process in support of purchasing the decommissioned Waban Hill Reservoir property in Chestnut Hill as accessible open space;
- Present possible uses consistent with this designation, including those recommended by the Waban Hill Reservoir Advisory Group (WHRAG) in their final report;
- Discuss possible funding sources for acquisition and improvements to the site.

The WHRAG final report is posted online at the following link, but a paper copy of the report will be distributed at the meeting. The Planning Department memo is attached.

http://www.newtonma.gov/civicax/filebank/documents/52513



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

Candace Havens Director

MEMORANDUM

DATE: June 6, 2013

TO: Board of Aldermen

Mayor Setti D. Warren

Candace Havens, Director of Planning and Development FROM:

Alexandra Ananth, Chief Planner, Current Planning

Katy Hax Holmes, Senior Planner

SUBJECT: Potential Purchase of Waban Hill Reservoir

Cc: Robert R. Rooney, Chief Operating Officer

> Maureen Lemieux, Chief Financial Officer Dave Turocy, Commissioner of Public Works

Members of the Waban Hill Reservoir Advisory Group

EXECUTIVE SUMMARY

The Massachusetts Water Resources Authority (MWRA) is seeking to decommission and sell the Waban Hill Reservoir property located on a parcel bordered by Ward Street, Woodlawn Drive,

Reservoir Drive, and Manet Road in Ward 7, Chestnut Hill. To gather community input, the City organized an advisory group comprised of Chestnut Hill and greater Newton residents (WHRAG), to develop their vision for future uses of the property. This group mirrored a JAPG-style format in its proceedings and its meetings were attended by the Ward 7 Aldermen, Planning Department staff, Parks and Recreation Department staff, and the public. In its final report, the WHRAG recommended that the City purchase this parcel as dedicated open space. Potential uses for this site were



envisioned by the WHRAG to be consistent with the City of Newton Open Space Plan, Comprehensive Plan, and the funding goals for the Community Preservation Act (CPA), and to enable public use and access to open space that has been off limits to the public for decades. Planning staff agrees that its best use is for open space and recreation, and further suggests consideration of a broad range of potential such uses to serve the needs of the community.

BACKGROUND

Known as the Waban Hill Reservoir Advisory Group (WHRAG), this group is comprised of 14 members, 12 of whom are Ward 7 residents and included two professional planners, local neighbors, representatives from active recreation organizations, and advocates for affordable housing, conservation, and public art. This group met bi-monthly from February to May 2013 and its efforts have culminated in a separate report. Though not an official JAPG, the group was nevertheless assembled using the JAPG format. Two members attended most of the meetings but resigned from the group before the report was completed, and one member did not attend any meetings. Hence, the report lists the names of 11 individuals.

The WHRAG was conscious of the need to create a space that would serve the community at large and actively worked to devise a vision for the site that it believed met the needs of the Newton community, particularly the young and the elderly. Members of the Planning Department who worked on the acquisition of the Hannon property on Crystal Lake recall concerns of this nature arising when the Newton Center house lot was acquired for open space. This site has subsequently become a lovely lakeside park for picnickers, swimmers, and walkers and in a short time has become a year-round destination in Newton. In neither case was the City in the position to choose where these open space opportunities occurred. The Planning Department believes the City should continue to position itself in such a way as to take advantage of unexpected open space opportunities when they arise.

The WHRAG report is not intended to design the new open space, but to recommend a course of action for the reservoir property. The Planning Department supports the consideration of planning mechanisms to allow for universal access, such as connections between the reservoir and buses along Commonwealth Avenue, and parking and transportation improvements to the village that further enliven the area and potentially contribute to the City's tax base over time. Both the WHRAG and the Planning Department hope that appropriate use of what could be a City-owned parcel will encourage continued communication and cooperation amongst property owners and the high number of renters in the neighborhood.

The Planning Department recognizes this as a unique opportunity to create active and passive recreational opportunities to serve the community and recommends the City purchase this property for open space.

I. SIGNIFICANT ISSUES FOR CONSIDERATION

When deciding whether to allocate money toward the purchase of this site, the Board should consider whether:

- purchase of the site would provide universal access to open space that no one has legally been able to enjoy for decades;
- this parcel might act as a catalyst for the enlivenment of the commercial corridor along Commonwealth Avenue;
- the project could add revenues to the City, either in the short- or long-term or, preferably, both;
- the project would assist the City in meeting its goal for creating and providing opportunities to enjoy open space in the City as stated in the 2007 Comprehensive Plan and the 2013-1019 Open Space Plan; and
- the use of this land will require additional parking to satisfy the anticipated increased demand for parking expected with the creation of new, accessible open space that can be met either on-site or off-site.

II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

A. Neighborhood and Zoning

The Waban Hill Reservoir site is surrounded by a residential neighborhood that is densely developed on relatively small lots. Staff agrees with the WHRAG that usage of the reservoir property should be compatible with its residential context, including but not limited to compatibility in visual scale.

This site is currently zoned Public Use. The surrounding neighborhood is zoned Single Residence 2 and Multiple Residence 1, which allows for single and two-family dwellings, and uses such as a congregate living facility, hospital, cultural center, riding school, stock farm, and private garage. However, these uses do not seem to immediately fit in to this Chestnut Hill neighborhood. In the MR1 zone, subject to a special permit, uses such as boarding houses, non-profit organizations, single-family attached dwellings and 'cluster developments' may be allowed, provided the site meets dimensional and parking controls.

The Planning Department believes that the Public Use zone most closely resembles what is suitable for this site, and allows by right much of what was envisioned by the WHRAG, including commons, public gardens, parks, conservation areas, playgrounds, public parking lots, waterworks reservations, public purposes, and accessory uses to those listed above. Allowed uses in the Public Use zone also include railroads, public streets and highways, and public cemeteries, though these latter uses are less likely for this five-acre site. As the property owner, the City could limit the intensity of the uses allowed on the site to only those believed to meet its goals for the area. The Board of Aldermen may also vote to approve temporary licenses for farm stands, markets, fairs and festivals at the site except where other City departments may have jurisdiction.

B. Site

Built in 1877, the Waban Hill Reservoir is a 1,100-foot long earthenware embankment dam. The dam is 22 feet tall at its highest point and has a crest width of approximately

15 feet. The large embankment surrounds approximately three quarters of the total site. The City owned and operated this water repository until it sold it to the Massachusetts Water Board (now the Massachusetts Water Resources Authority) in 1900. At that time, the reservoir served to regulate water pressure during periods of high use and as a backup water supply during times of emergency. The reservoir stores

water off-stream, has no watershed area, and does not store water for human consumption. A brick gatehouse currently standing at the south end of the reservoir was built c.1900 and replaced a frame structure at this location that stood until at least 1889. This dam is located in a residential neighborhood and has been rendered inaccessible to pedestrian traffic by a tall protective fence.

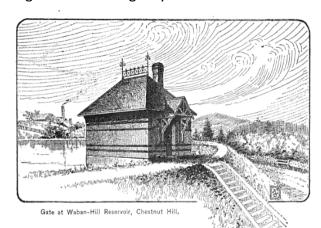


Image from King's Handbook of first gate house on Reservoir site

III. REUSE ANALYSIS

A. Land Use

The Division of Capital Asset Management (DCAM) could declare this parcel open space under Article 97, thus reducing its value as non-developable land and cutting the



purchase price of the property. As this site is not currently envisioned as an income-producing property, the sale of the City-owned Pump House lot (photo at left), located in Chestnut Hill and currently landlocked by house lots on the west side of Woodlawn Drive (SBL 63005-0002), could generate income toward the reservoir property's long-term maintenance. This lot could be rezoned and sold as a house lot or divided into smaller parcels to be sold to adjacent

neighbors. This parcel is approximately 7,750 square feet in size and is zoned Public Use, with an assessed value of \$163,600.

B. Open Space

The WHRAG recommends that 100% of the site be devoted to open space. This requirement may include small pocket parks or pedestrian ways in and around the site and need not be in one contiguous portion of the site. The Planning Department agrees with this recommendation.

Purchase of this parcel as open space meets the primary objective of the Open Space Plan, which addresses the City's "ongoing need to preserve, protect and provide additional open space including pocket parks in the more densely populated neighborhoods of Newton." (Section 1 – Plan Summary, page 1 of 2). The Open Space Plan acknowledges a deficit of available land for passive and active recreation, particularly for the growing populations of the very young and the very old in Newton. Although the Open Space Plan also acknowledges a deficit in active playing fields in the City, the Planning Department believes further study is necessary to assess whether the site is conducive to funding and accommodating athletic fields and the necessary amount of parking and accompanying vehicular traffic that comes with team athletic events. The WHRAG noted this deficit but in its report stated its belief that due to issues related to increased traffic and noise the site was not conducive to use by sports teams.

In the City of Newton's *Comprehensive Plan*, the Open Space element incorporates four goals for its non-developed parcels. Beneath each goal is a listed example in the Plan which would be met on the Waban Hill Reservoir site.

a. <u>To recognize, preserve and maintain the City's important natural assets and resources</u>

• Distinctive landscapes- land with scenic character and land that affords vistas and panoramic views. The Waban Hill Reservoir has one of the highest scenic vantage points in Newton.

b. <u>To protect and preserve remaining large open spaces, including golf courses and parcels owned by institutions and private entities</u>

• The Waban Hill Reservoir, though not a large parcel, is one of the few remaining in the City for possible purchase.

c. <u>To ensure an adequate amount, variety, and distribution of open space for both public</u> benefit and biodiversity

• Distribution— opportunities to enhance and expand active and passive recreation sites in northern parts of the city. The Waban Hill Reservoir would provide open space in a neighborhood that currently has no public land available for passive or recreational use.

d. <u>To integrate compatible recreation and conservation uses.</u>

Passive recreation- sensitively manage the increased demand for playing fields with the
increased popularity of passive activities (walking, bird-watching, cross-country skiing
etc.) and interests (plant identification, scenic effects, etc.) The Waban Hill Reservoir has
been envisioned as a destination for all of the passive activities listed in the Plan.

The site features steep berms topped with a wide, flat rim and historic vestiges of turn-of-the-century water engineering. The reservoir is on one hand a holding tank for rainwater, while also notable as providing one of the highest natural vantage points in Newton. The Advisory Group wrestled with ways in which the site could be adapted to more active use, which included considering the financial commitment necessary to

convert the site to something other than passive use. The Planning Department agrees that the subject parcel is a valuable asset in the City and that it would appeal to visitors both City- and region-wide, particularly during the Boston Marathon.

With the reservoir's location at the top of Heartbreak Hill, this site has attracted marathon audiences for over a hundred years, all of whom technically trespass on MWRA land in order to obtain the best views of the race on Commonwealth Avenue below. The group discussed future ways in which Marathon fans could continue to view the race from the reservoir property, as well as ways in which the reservoir might become part of a national memorial to those injured or lost in the Marathon bombings in Boston on April 15, 2013. The Planning Department supports this idea and encourages citizen's efforts to incorporate the reservoir site into the Boston Marathon zeitgeist on a local, regional, and national level.

Based on the broad requirements of the Massachusetts Community Preservation Act, and the slightly narrower ones in the Newton Community Preservation Committee's current Funding Guidelines, this project may be eligible for CPA funds in three categories. CPA funds could be used to acquire this reservoir as open space or as recreation land, for active or passive recreational use, to protect pond frontage (albeit man-made), or to preserve scenic vistas from the uppermost rim of the dam. Protection of the historic gatehouse on this site could also qualify for funding under the CPC category for Historic Resources, though that would require either adding the dam and gatehouse to the State Register of Historic Places, or having the Newton Historical Commission declare them locally significant.

A representative from the Newton Girls' Soccer organization served on the WHRAG and contributed thoughtful ideas for consideration as potential income-producing and active recreation activities at the site. The Newton Farm Commission also submitted a letter advocating for additional farmland in the City. The Planning Department believes that the possibilities for the City to produce income at this site should continue to be considered over time as additional funding for site improvements becomes available. The Planning Department also believes that not all vacant land in the City is suitable for every type of use and that further discussion and consideration be given to the reservoir site's unique development possibilities.

The Planning Department recommends that the net fiscal benefit to the City of acquiring this parcel, whether it is used for passive recreation in the short-term or long-term, be taken into consideration. Possible sale of the Pump House lot and potential incomegenerating uses on the site, in whole or in part, should also be studied as part of a fiscal analysis of the site.

To ensure the lowest purchase price for the reservoir property, the Planning Department recommends that the City buy the reservoir property from the MWRA as land which qualifies as open space under Article 97 of the Article of Amendment to the

Constitution of the Commonwealth of Massachusetts, voted into place in 1972. Land classified under this article is to be left in its natural state for the people's right to enjoy natural open space settings.

Contingent upon review by the Law Department, the reservoir property appears to qualify as open space under Article 97. Legal interpretations over time have allowed that playgrounds and active recreation sites have also qualified as Article 97 uses. The Planning Department supports this purchase strategy for the reservoir site, leaving open the possibility for changes in the level of recreational intensity of its usage over time.

C. Affordable Housing

In consultation with the Departments of Law, and Parks and Recreation, the Planning Department reviewed possible development of the site for housing. Newton has a unique developmental history of pocket parks, which have dotted the Newton landscape since the 1840s. Planning staff worked on the concept of creating house lots on the reservoir parcel that surround a central small park. In an attempt to create housing that would be in keeping with the surrounding neighborhood, the Planning Department mirrored the existing lot sizes of the adjacent lots, which were approximately 8000 square feet in size.

Although housing on the site was not ruled out by the Planning Department as a long-term use in principal, the Department is concerned that the time and money necessary to make this argument while devising a purchase strategy for this parcel would raise the purchase price for the lot and potentially jeopardize the sale of the parcel to the City. Any effort to make the site viable for development would involve paying market price for the parcel, having it rezoned by the Board of Aldermen, and putting the project out to bid. Protecting the site as open space would keep the purchase price low, expedite the transfer, and allow for the existing zoning (Public Use) to remain in place. Since this property is currently open space, rezoning it for housing would likely require legislative review and action by the State under the provisions of Article 97 of the Article of Amendment to the Constitution of the Commonwealth of Massachusetts.

The challenge for the City will be to prioritize its needs in tandem with the challenges posed by the reservoir site, and balance them to ensure a financially feasible project. The Planning Department supports submitting an application to the Community Preservation Commission (CPC) to obtain funding to purchase the parcel.

D. Building and Site Design

The WHRAG rated preservation of the site and design as one of its most important issues. Chief among the WHRAG's concerns is that any proposed use of the site respect the density and scale of the surrounding neighborhood and be compatible with its

context. The group also recommended locating most recreation activities at the northwest corner of the site, where the land is at grade and easily accessible.

If the site were to remain a holding pond with walking trails above, as has been initially proposed, the Planning Department agrees with the proposed placement of these activities. The Department also recommends that on-street parking be allowed around the site in such a way as to ensure that the pedestrian experience is not interrupted by vehicular traffic, and local residents are able to enter and exit their driveways unimpeded.

E. Infrastructure

The site is accessed by four surrounding streets and from steps leading up to the gatehouse from the south. The City should conduct baseline traffic counts at intersections in the area that are likely to be affected by increased pedestrian and vehicular access to the site (in particular Ward St./Woodlawn Drive, Woodlawn Drive Rd/Reservoir Rd, Reservoir Rd/Manet Road, and Manet Road/Ward Street). In the event the existing body of water is to be retained on site, the City should conduct a baseline study of the site's water capacity, drainage and soil tests to determine whether there is contamination that must be addressed, as well as the structure's long-term viability as a retention pond. While these studies will incur a cost in the short-term, their long-term benefits will be measurable for the best future development of the site.

Unlike other acquisitions of open space in Newton, understanding the engineering implications of this site are of paramount importance, both for historical reasons and for the long-term viability of the site as a usable, safe destination for active and passive recreation. MWRA has categorized this reservoir as a High Hazard dam due to its service as a retention pond in a densely developed neighborhood. Though maintenance reports for this reservoir identified its deteriorated condition and minimal maintenance invested over the years, the dam in its current condition has not been deemed to be dangerous. If the reservoir is to be preserved in its present condition and converted to passive use, the structural stability of the site should be thoroughly examined by an engineering firm or professional engineering staff prior to any public access to the site.

IV. RECOMMENDATION

As a tightly encircled urban space in a neighborhood that lacks parks and recreation areas for its residents, the Planning Department recognizes the unique opportunity to purchase the parcel. The City's Open Space Plan identifies this parcel as a future acquisition, and the reservoir property is included in the CIP priority list for the Parks and Recreation Department.

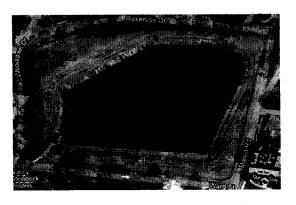
The Planning Department recommends that the Board of Aldermen direct the City staff to pursue purchase the decommissioned Waban Hill Reservoir from the MWRA and

Waban Hill Reservoir 9

devote the site to protected open space consistent with the recommendations of the WHRAG and the Planning Department.

FINAL REPORT Waban Hill Reservoir Advisory Group (WHRAG)

June 6, 2013





The Waban Hill Reservoir is like no other site in our city. Perched near the peak of the highest hill in Newton, visitors are treated to breathtaking panoramic views including spectacular sunrises and sunsets. The 5-acre Reservoir site provides a unique opportunity for enjoyment for people of all ages and from all neighborhoods, away from the bustle of the streets below. The WHRAG strongly supports the acquisition by the City of Newton of the Waban Hill Reservoir site, a site of unique topographic and historical significance, to expand and enhance the public open space resources for the citizens of Newton. The Reservoir is easily accessible, being located at the top of Heartbreak Hill, directly adjacent to Commonwealth Avenue.

The Waban Hill Reservoir has long been a potential target for acquisition by the City. The City of Newton Recreation and Open Space Plan Update 2013- 2019 ("Newton Open Space Plan"), in Section 7, page 10 of 16, explicitly states the goal: "Explore opportunities for acquisition of Manet Rd. MWRA reservoir for possible use to meet active and/or passive recreation needs." (See Appendix 3 for detailed discussion of how the Plan for site use meets Newton's Recreation and Open Space Plan.) Key arguments for acquiring the reservoir site are the following:

- The site's elevation and topographic prominence create a unique Newton landscape that affords to the public broad vistas not available elsewhere in the city.
- The site location along Commonwealth Avenue at the top of Heartbreak Hill, a popular walking, running, biking route, provides an opportunity to create a citywide destination.
- The site is located in a portion of Newton which is relatively underserved in terms of accessible open space resources.

The MWRA is now in the process of decommissioning the reservoir, which presents an unexpected opportunity for the City to purchase a valuable property at a vastly reduced price, provided the site is used as open space.

The Committee believes that preservation of the Reservoir, as a 2.9 acre body of water, is the single most important aspect of future use of the site. Water is a magnet for all types of people and activities. The popularity of water cannot be understated as evidenced by the number of people attracted to places like the Chestnut Hill Reservoir, Bulloughs Pond, the Charles River and the Brookline Reservoir. Water allows for both activity as well as contemplation, as a place to gather and a place to be alone. The Waban Hill Reservoir site will be attractive to many different populations in Newton who will use it for a variety of purposes. There is no other site in Newton, where one can walk or run along a wide, flat path around a large body of water (see Appendix 1, which shows how the Waban Hill Reservoir is unique among other Open Spaces in Newton). Despite the fact that Waban Hill Reservoir has been fenced off for decades, it nevertheless has drawn many visitors, who walk or run around the periphery, or who stop to appreciate the remarkable vista from one of the highest points of elevation in the City of Newton.

By simply making the site safe for public access, the Waban Hill Reservoir could become immediately usable, without requiring expensive, major modifications. Street level access with on-street parking currently exists at three distinct locations on the site, which provide access to both the berm crest as well as the grassy, lower expanse around the earthen dam. While the Reservoir is the most dominent feature of the site, the opportunity exists for additional features to be added in the future. The site could be further enhanced by the addition of: an imaginative pre-school play area with water features (possibly incorporating the berm slope); a informal mini-amphitheater at the highest point of the site; shaded seating at various points, both on the berm and in the lower area; stretching stations throughout the site; terracing of the exterior of the berms to expand plantings and seating; public art located at various points around the site; an orchard of apple trees managed by Newton Community Farm; and tables at the lower part of the site, as well as at the entrance closest to Commonwealth Avenue.

The WHRP Plan transforms a currently inaccessible parcel of land into a welcoming open space, that addresses a number of goals articulated in the Newton Recreation and Open Space Plan. The Plan is a simple, relatively low cost and low maintenance approach that will benefit the entire City and all of its residents, and will be able to support additional uses and features over time.

Abstract

The Waban Hill Reservoir Advisory Group (WHRAG) was appointed by the City of Newton to provide community advice to the Board of Aldermen concerning the acquisition and use of the Waban Hill Reservoir. The committee consisted of the following persons: Steven Bader, Madelyn Bell, Peter Clote, Sharon Cushing (nonparticipating), Novelle DuPen-Meyerhoff, Cathy Eaton, Muriel Esdale, Jean Fulkerson, Ben Ostrow, Gail Silberstein, Susan Servais, Dan Von Kohorn, co-chaired by Gail Silberstein and Peter Clote. The committee was tasked to formulate a vision about how the Waban Hill Reservoir site could be designed as open space to benefit residents from all parts of Newton, if the City of Newton were to acquire the Waban Hill Reservoir site from the Commonwealth of Massachusetts. In this report, we describe background issues, provide a case for Newton's acquisition of the reservoir site, and furnish a compelling vision of how to construct an open space park that provides a unique contribution to the Newton park system.

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TO:

Programs & Services Committee

CC:

Alderman Yates

FROM:

Nancy Kougeas/City Archivist

DATE:

June 6, 2013

RE:

Veterans Wing-Inventory of materials; Plan for Storage of Veterans Archives

#s 68-12(2) and 68-12

For a meeting held on March 28, 2013, I prepared an inventory of items in the Veterans' Wing of Newton City Hall including photographs, paintings, drawings and other images, and materials including bound Honorable Discharges, the records of the Grand Army of the Republic Charles Ward Post 62, and records of burials. A copy of that inventory and report is attached.

As of today, the items in section 3, which lists items that belong to VFW Posts 48 and 410 have been picked up by veterans and are now at VFW Post 440. Other materials have been transferred to the City Archives, located at the Newton Free Library. I am in the process of cataloguing them and putting them into archival enclosures. When this is done, I will also write a finding aid, so that anyone wishing to do research in the collection has access to this material. I would also be happy to meet with anyone interested in researching these collections; my phone number is: 617-796-1339 and I work Tuesday—Thursday, 9-3 p.m.

An application has also been submitted to the Community Preservation Program, requesting funds to hire a conservator to conduct a full survey of the conditions of all the artifacts on display in the Veterans' Wing, including the dioramas, flags, and other objects. The survey is an important first step in assessing what should be done so this wonderful collection will be preserved for future generations. The hearing for the pre-proposal will be on July 24, 2013 at 7:00 p.m.

Unfortunately I cannot attend the meeting on June 19th, but I would be happy to answer any questions concerning the above-referenced board items.

Newton City Clerk
Newton City Clerk
2013 JUN -6 PH 3: 03
2013 JUN -6 PH 3: 03
2014 A. Olson, CMC
David A. Olson, CMC
Nowton MA 02459

Inventory of items in Storage Room, Veterans' Wing, Newton City Hall

Nancy Kougeas City Archivist March 28, 2013

I have examined and sorted the materials in the storage room in the Veterans' Wing. No accession log was found for the many items (paintings, photographs, certificates, ammunition, uniforms, and others) in this room. Much of the material was collected by Carlton Merrill, who served as both the City's Veterans' Agent and was an active leader in V.F.W. Post 48 for many years, thus it was not always possible to tell if the objects were collected for display in City Hall or whether they belonged to post members.

The criteria I used when sorting the materials were:

- 1) Were the materials created by the Veterans' Agent? If so, they belong to the City and are subject to the State's Municipal Retention Schedules.
- 2) Were the items created or collected by a Veterans' Post? If so, they are not subject to the retention schedules and should be returned to the Post.
- 3) What items are useful for display? What is their condition?

Many items, as will be seen in the attached tables, are in poor condition, usually due to poor storage conditions. (Items were pushed against the radiator in the back of the room; the room has no climate control to regulate temperatures.) Others were in opened boxes, and are extremely dirty. Often the cost of restoring these items will be greater than their worth. The items are listed in the tables on the attached pages.

Other materials relating to veterans in Newton are kept in the Newton History Museum at the Jackson Homestead, in the City's Archives, and in the Newton Collection of the Newton Free Library. In 2005, Susan Abele, then Curator of Manuscripts and Photographs at the Jackson Homestead examined the paintings and photographs in the Veterans' Wing and transferred eighteen "Battle Chromos of Louis Prang" and four prints by Louis K. Harlow to the Museum's Collection. (See copy of accession letter, attached.) The Newton Free Library has a collection of documents from Grand Army of the Republic (GAR), Charles Ward Post #62. It has had these items conserved at the New England Documents Conservation Center. A catalog record of these items is also attached to this report.

1. Veterans' Agent Materials--Municipal Retention Schedules Apply:

Material:	Est. Volume	Retention Period	Suggested Action:
Honorable Discharges, WWIIKorea	@32 bound volumes	Permanent; transfer to City Archives if Veterans Agent does need need	Transfer to City Archives when not required for active reference by Veterans Agent
Grand Army of the Republic, Post 62	3 boxes	Permanent.	Transfer to City Archives.
Veterans Case Files, @19922012	2 file cabinets	Destroy 20 years after last assistance offered	Move to Veterans' Agents records storage room
Burial Records, 2 cabinets of 5x7" cards	2 cabinets	Permanent.	Transfer to City Archives when not required for active reference by Veterans Agent
Cemetery Maps and Records	2 storage boxes	Permanent	Transfer to City Archives when not required for active reference by Veterans Agent
Flags used for graves; flags in poor condition collected to be disposed	@20 boxes of (each containing 144 flags; 3 large bags to be destroyed	None	Use for next event when graves are marked to reduce volume. Destroy those in poor condition

2. Ownership of these is unknown, though most were probably donated by veterans to be used in displays or for ceremonial occasions. Veterans have indicated they would like these items returned if the City will not be using them for display.

a sienes Zarzken	Quantity:	Condition/Useful-	Usefulior Display	Suggested Pogspossion
Wooden Lockers	2	Good	Yes	Give to Veterans
Tin Tub	1	Good	Yes	Give to Veterans
Handguns and bayonets	@6	Good	Yes	? (these were moved to Clerk's Vault)
Rifles	@6	Good	Yes	?
Flags48 stars and other historic flags	@20	Fair to good	Possibly; some need cleaning and conservation work	?
Ballot Box	1	Good	Yes	Move to Elections Office
Helmets	1 box	Good	useful for display; many duplicates	Give to Veterans
Personal items of Carlton Merrill	1 box	Good	Yes	Photographs/ documents City Archives (which has a collection of Mr. Merrill's photographs/ documents); other items give to Veterans

ltem	Quantity	Condition/Useful for Display?	Useful for Display	Suggested Disposition
Uniforms WWII, Wave World War I, Navy World WarII, Officers		Good	Yes	Veterans
Military Gear 1 box		Unknownneeds evaluation	Possibly; some need cleaning and conservation work	Veterans
Ammunition, various sizes	1 box	Needs evaluation	Possibly	Veterans

3.Documents and Materials of Veterans' Organizations--Retention by the City is not legally required. Most of these are administrative records of either Post 48 or 410 and should be returned to their respective organizations. (Note: as of the date of this report, most of these items were picked up by members of V.F.W. Post 48)

ltem	Quantity	Description
VFW Post 48 Administrative records	7 storage boxes	Financial, Membership and Administrative Information. One box has framed certificates and photographs
VFW Post 410	3 storage boxes	Financial, Membership and Administrative Information.
Books and videos 3 boxes		Booksmilitary subjects and general; videos are general
Airplane models	5	
Toys, banners, etc.	1 box	
Post 48 leaders, framed photographs	@30	City Archives would acquire these if Veterans do not want them.

4. Prints and Photographs

Cal lien	STATE TO STATE OF THE STATE OF	::Gondition*	ezer ki Suggested Action and a
3 Watercolors, WWII	23x16.5"	Good: frames and mats in poor condition	Suitable for display; needs new mats and frames
2 framed photographs of airplanes in formation, WWII	22x17	Poor	Not suitable for display; donate to Veterans
1 photo, Veterans Memorial, Newton City Hall, July 4, 1943	22x18	Good	Suitable for display
101 First Infantry, 1919	18x54"	Good	Suitable for display if it can be hung in low-light environment. Might also be copied and the copy hung and original sent to City Archives
101 First Infantry, 1920	9.5x46"	Good	See above
5th Mass Infantry, 1917	9.4x40	Good	See above
French Posters, WWI	33.5x49	Poor—too fragile for display; needs extensive conservation.	To be discussed

Z(en	Size	Condition	s Suggested Admon
Oil Painting, Officer	39x50"	Fair—subject of the painting is not known; portrait needs restoration.	To be discussed.
19 Civil War Prints	16.5x38.5	Fair to poor— frames chipped, paper acidic; would need conservation	To be discussed
8 prints, misc. subjects	various	Poor/subjects not relevant to Newton	Donate to appropriate organization
WWI Brass Plaque, Roll of Honor	26x41	Good	Suitable for Display
WWII Wooden Plaque	24x37	Good	Suitable for Display
Spanish American War Framed Certificate		Good	Suitable for Display
33rd Mass Volunteers Certificate	20x24"	Good	Suitable for Displaynames not filled in.
12 modern posters with Veterans scenes (i.e., Veterans Memorial, Washington)	various	Good	Suitable for Display

literin	1524 S 1748	Condition	Suigested Action —
Zoning Map, City of Newton	1	Good	Transfer to Archives
Korea-era photographs	2 boxes	Good; some are currently being displayed	Ask Veterans' Agent