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Community Preservation Committee Funding Recommendation for 300 Hammond Pond Parkway - Professional Services

date: 24 September 2018
from: Community Preservation Committee
to: The Honorable City Council

PROJECT GOALS & ELIGIBILITY

This proposal requests \$100,000 in CPA funding for professional services from a team of consultants, to be assembled by contracted counsel, to recommend a strategy and estimate associated costs for protecting the open space character of the rear, wooded portion of the land at 300 Hammond Pond Parkway sold to Boston College in 2015 by Congregation Mishkan Tefila.

Protection of this woodland is identified as a priority in "Action Plan" of the City of Newton's *2014-2020 Open Space and Recreation Plan* and is eligible for CPA funding as the preservation of open space.

RECOMMENDED FUNDING

On 13 September 2018 the Community Preservation Committee voted unanimously 9-0 to recommend appropriating the requested \$100,000 for the purposes stated above, to the control of the Law Department and from the Community Preservation Fund's Fy19 budget reserve for open space.

SPECIAL ISSUES CONSIDERED BY THE CPC

Open space and recreation values: This wooded area, known informally as "Webster Woods," contains a mature forest canopy, healthy understory, significant rock outcroppings, multiple well-established trails and a pristine vernal pool known as "Bare Pond." It has a minimal presence of invasive species and is home to many native species of plants, fungi and insects that are rare in Newton. Its protection is critical for preserving the ecological integrity of the surrounding parcels that are already protected through public ownership.

Required permanent restriction: The Community Preservation Act (MGL Ch 44B) requires that any real property acquired with CPA funds be subject to a permanent restriction "limiting the use of the interest to the purpose for which it was acquired." The Newton Conservators hold such restrictions on other parcels of open space or parkland acquired by the City of Newton with CPA funds. The CPC expects that the City will grant a restriction meeting the statute's full requirements on any land it acquires at 300 Hammond Pond Parkway.

Other issues considered: The professional work for which these CPA funds are requested is critical for answering most of the CPC's additional questions, which focused on: the boundaries of the land to be protected, possible methods of protection, the potential use of matching non-CPA private or public funds, and the project schedule. Chief Environmental Planner Jennifer Steel explained that no City representative had

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expressed an interest in City acquisition of rights to the land containing the former buildings and main parking lot for Temple Mishkan Tefila, fronting directly on Hammond Pond Parkway. The proposal as submitted restates the Mayor's goal of ensuring protection of this parcel by the end of calendar 2019.

ADDITIONAL RECOMMENDATIONS (*funding conditions*)

1. The CPC assumes all recommended funds will be appropriated within 3 months, and the professional consultant team will complete its work within 12 months, after the date of this recommendation. If either of these deadlines cannot be met, the Planning and Law Departments should submit to the CPC a written request to extend that deadline.
2. Any CPA funds appropriated but not used for the purposes stated herein will be returned to the Newton Community Preservation Fund.

KEY OUTCOMES

The Community Preservation Committee will evaluate this project based on how well it meets the timeline above and on its recommendations for further action and funding.

ATTACHMENTS

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

- Proposal submitted to the CPC August-September 2018
- Public hearing presentation to the CPC on 13 September 2018
- Copy of the CPC's 300 Hammond Pond Parkway webpage, with links to additional information not attached to this recommendation:

www.newtonma.gov/gov/planning/cpa/projects/webster.asp#Webster