



City of Newton, Massachusetts

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Barney S. Heath
Director

Ruthanne Fuller
Mayor

RECORD OF ACTION:

DATE: July 13, 2018

SUBJECT: 55 Tower Road

At a scheduled meeting and public hearing on June 28, 2018, the Newton Historical Commission, by a vote of 6-0:

RESOLVED to authorize the NHC Chairman to sign the MOU on behalf of the Commission.

<u>Voting in the Affirmative:</u>	<u>Voting in the Negative:</u>	<u>Abstained:</u>
Nancy Grissom, Chairman		
Mark Armstrong, Member		
Peter Dimond, Member		
Doug Cornelius, Member		
Laura Fitzmaurice, Member		
Ellen Klapper, Alternate		

Title Reference:

Owner of Property:

Northland Tower Rd. Investors LLC

Deed recorded at:

Middlesex (South) Registry of Deeds

Book 41513, Page 557

Date 11/1/2003

Katy Hax Holmes, Staff

MEMORANDUM OF AGREEMENT
AMONG THE
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
NORTHLAND DEVELOPMENT LLC
AND THE
MASSACHUSETTS HISTORICAL COMMISSION
REGARDING THE
NEEDHAM STREET DEVELOPMENT
NEWTON, MA

WHEREAS, Northland Development LLC proposes to develop property at 156 Oak Street, 55 Tower Road, 241 Needham Street, 260 Needham Street, 281 Needham Street, and 160 Charlemont Street in Newton, MA for mixed residential, retail, commercial, and recreational uses (the "Project"); and

WHEREAS, a portion of the Project site encompasses the former Saco-Pettee Machine Shops at 156 Oak Street and 55 Tower Road; and

WHEREAS, the Saco-Pettee Machine Shops (NWT.X) historic district is listed in the state and National Register of Historic Places; and

WHEREAS, the Saco-Pettee Machine Shops includes 13 contributing buildings to the National Register district, Buildings 1, 2, 3, 4, 5, 7, 10, 12, 13, 14, 16/16A, 18, and 20; and

WHEREAS, the buildings at 241 Needham Street, 260 Needham Street, 281 Needham Street, and 160 Charlemont Street are not included in the Inventory of Historic and Archaeological Assets of the Commonwealth; and

WHEREAS, Northland Development LLC is proposing to retain and reuse six contributing elements of the Saco-Pettee Machine Shops historic district (Buildings 1, 2, 3, 4, 5, and 7), collectively known as 156 Oak Street, in the development of the Project; and

WHEREAS, Northland Development LLC is proposing to demolish seven contributing elements of the Saco-Pettee Machine Shops historic district (Buildings 10, 12, 13, 14, 16/16A, 18, and 20) for the construction of the Project; and

WHEREAS, the Project requires a highway access permit from the Massachusetts Department of Transportation (MassDOT); and

WHEREAS, Northland Development LLC has consulted with Massachusetts Historical Commission (MHC), pursuant to the provisions of 950 CMR 71.00, regulations implementing Massachusetts General Laws, Chapter 9, Sections 26-27C, as amended by Chapter 254 of the

Acts of 1988; and

WHEREAS, MHC has determined that the Project will have an "adverse effect" on the Saco-Pettee Machine Shops through demolition of seven contributing buildings (950 CMR 71.05(a) and 950 CMR 71.07 (2)(b)(3)); and

WHEREAS, MHC requested that Northland Development LLC consider alternatives that would eliminate, minimize, or mitigate the adverse effects of the Project through the demolition of a portion of a State Register of Historic Places-listed property; and

WHEREAS, Northland Development LLC prepared an alternatives analysis and provided it to MHC and the MHC has determined that there are no prudent and feasible alternatives to eliminate or minimize the adverse effect of the proposed demolition; and

WHEREAS, MHC has determined to accept the adverse effect of the Project in consideration of the mitigation measures described herein; and

WHEREAS, the Newton Historical Commission (NHC) has agreed that the seven contributing buildings to be demolished are not "preferably preserved" within the meaning of the local demolition delay ordinance; and

WHEREAS, NHC has been invited to participate in the consultation and to concur with this Memorandum of Agreement (MOA);

NOW, THEREFORE, MassDOT, Northland Development LLC, and MHC have consulted and agree that the Project shall be undertaken and implemented in accordance with the following stipulations in order to mitigate the effects of the Project on the Saco-Pettee Machine Shops in accordance with M.G.L. Chapter 9, Sections 26-27C (950 CMR 71.00).

STIPULATIONS

Northland Development LLC shall ensure that the following measures are carried out and provide proof of compliance with such measures to the MHC:

A. Photography

Northland Development LLC shall produce photographic recordation of the seven Saco-Pettee Machine Shops buildings proposed for demolition, prior to the Project commencing. The photographs will be keyed by number to a photograph description sheet and floor plans. The photographs shall include views of the overall exterior elevations, interior spaces, and representative views of architectural details. Photographic documentation will consist of digital photographs captured and printed according to the MHC *Photographic Documentation Technical Requirements for Digital Images* (revised 2006). One original, printed archival set of this documentation, and a CD of the electronic files, shall be submitted to a local repository, as identified by NHC.

B. Interpretive Program

Northland Development LLC will develop the content, design, specifications, and locations of interpretive signage and elements that will provide information about the history and use of the Saco-Pettee Machine Shops complex. Interpretive signage, elements and materials will be located within public spaces within the Project area. Information and materials for the interpretive program may include, but are not limited to, documents and images from Historic Newton; Historic New England; the National Museum of American History; and salvaged architectural features. A draft of the interpretive signage/elements program content, location(s), and design(s) will be provided to NHC and the MHC for review and comment prior to installation.

C. Daylighting the Mill Race Feature

Northland Development, LLC will study the feasibility of exposing a portion of the South Meadow Brook culvert under the Project site, which formed part of the former mill race, to be utilized as a water feature. If determined feasible, the day-lit feature will be incorporated into the Project open space plan and have associated interpretive signage.

D. Site Plan

Northland Development LLC will develop a site plan with landscape improvements that include greenspace and pedestrian ways, designed to enhance views of the existing Saco-Pettee Machine Shops buildings (Buildings 1, 2, 3, 4, 5, and 7). Site improvements will incorporate historic markers and salvaged architectural elements.

Execution of this MOA by the signatories below and the implementation and completion of its terms by Northland Development LLC shall be full and sufficient evidence that Northland Development LLC has consulted with MHC and satisfied the requirements of M.G.L Chapter 9, Sections 26-27C, as amended by Chapter 254 of the Acts of 1988 (950 CMR 71.00) and MEPA (301 CMR 11.03(10)).

MASSACHUSETTS HISTORICAL COMMISSION

By: _____ Date: _____

Name: Brona Simon
Title: Executive Director

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

By: _____ Date: _____

Name: John McInerney
Title: District 6 Acting Highway Director

NORTHLAND DEVELOPMENT LLC

By: *Peter M. Standish Jr.* Date: *7/3/18*

Name: Peter M. Standish Jr.
Title: Vice President

CONCURRING PARTY:

NEWTON HISTORICAL COMMISSION

By: *Nancy E. Grissom* Date: *6/28/2018*

Name: Nancy Grissom
Title: Chairman