



Setti D. Warren  
Mayor

**City of Newton, Massachusetts**  
Department of Planning and Development  
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Barney S. Heath  
Director

**RECEIVED**

By City Clerk at 4:03 pm, Mar 31, 2017

March 31, 2017

**TO:** Interested Individuals, Groups, and Agencies  
**FR:** Rachel Powers, Community Development Programs Manager  
**RE:** Notice of Intent to Request the Release of Funds



The City of Newton, on behalf of its Housing and Community Development Program, part of the Planning and Development Department, has completed an environmental review record for the following project that is proposed for funding with CDBG funds:

|                            |   |
|----------------------------|---|
| Project Title:             | Pellegrini Park Wall Design and Construction  |
| For the Purpose Of:        | Minor improvements to include reconstruction of a new 4' high, 162" long reinforced, concrete block retaining wall topped with an inset 6' chain link fence to replace the dilapidated and partially collapsed wall previously removed for public safety purposes |
| Location:                  | Pellegrini Park, 11 Hawthorn St., Newton, MA 02459  |
| Estimated CDBG Funding:    | \$123,300.00  |
| Estimated non-HUD Funding: | \$0   |

The City drafted a Notice of Intent to Request Release of Funds for this project. Enclosed is a copy of the notice. Please post this notice in a public location. Written comments will be accepted by the City of Newton Planning and Development Department until 5 p.m. on April 12, 2017. The City of Newton will then submit the notice to the U.S. Department of Housing and Urban Development, which will accept public comment for fifteen days following the submission date.

Questions or comments related to the environmental review process and record may be directed to this office by mail or fax or via e-mail at [rpowers@newtonma.gov](mailto:rpowers@newtonma.gov).

Enclosure

**LEGAL NOTICE**  
**NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

March 31, 2017

Newton Housing and Community Development Program  
1000 Commonwealth Avenue  
Newton, MA 02459-1449  
(617) 796-1120

**NOTICE OF INTENT TO REQUEST THE RELEASE OF FUNDS**

On or about April 12, 2017, the Newton Housing and Community Development Program will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of Community Development Block Grant (CDBG) funds under the Housing and Community Development Act of 1974, as amended, to undertake a project known as:

|                            |   |
|----------------------------|---|
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| Location:                  | Pellegrini Park, 11 Hawthorn St., Newton, MA 02459  |
| Estimated CDBG Funding:    | \$123,300.00  |
| Estimated non-HUD Funding: | \$0   |

The activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements. An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at the Newton Housing and Community Development Program, Planning and Development Department, 1000 Commonwealth Avenue, Newton, MA 02459-1449 and may be examined or copied weekdays from 8:30 a.m. to 5:00 p.m.

**PUBLIC COMMENTS**

Any individual, group, or agency may submit written comments on the ERR to the Newton Housing and Community Development Program, 1000 Commonwealth Avenue, Newton, MA 02459-1449. All comments received by April 12, 2017 will be considered by the Newton Housing and Community Development Program prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing. Comments should be directed to:

Rachel Powers, Community Development Programs Manager  
Newton Housing and Community Development Program  
1000 Commonwealth Avenue

Newton, MA 02459-1449  
Email:rpowers@newtonma.gov

### **RELEASE OF FUNDS**

The City of Newton certifies to HUD that Rachel Powers, in her capacity as Community Development Programs Manager, consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the Newton Housing and Community Development Program to use Program funds.

### **OBJECTIONS TO RELEASE OF FUNDS**

HUD will accept objections to its release of funds and the City of Newton's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the City of Newton, MA; (b) the City of Newton has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to Director, Office of Community Planning and Development, HUD, 10 Causeway Street, Boston, MA 02222-1092. Potential objectors should contact HUD to verify the actual last day of the objection period.