

City of Newton



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Community Preservation Committee

DRAFT MINUTES

June 8, 2021

The virtual meeting was held online on Tuesday, June 8, 2021 beginning at 7:00 P.M. Community Preservation Committee (CPC) members present included Mark Armstrong, Dan Brody, Eliza Datta, Byron Dunker, Susan Lunin, Robert Maloney, Jennifer Molinsky, and Judy Weber. Committee member Martin Smargiassi was not present at this meeting. Community Preservation Program Manager Lara Kritzer was also present and served as recorder.

Chair Mark Armstrong opened the Community Preservation Committee's public meeting at 7:00 P.M. and introduced the Committee members present at that time. Mr. Armstrong briefly reviewed the agenda for the meeting.

Levingston Cove Improvements Project Public Hearing

Present on behalf of the project were Parks, Recreation and Culture Commissioner Nicole Banks, Open Space Coordinator Luis Perez Demorizi, Recreation Program Manager Carol Stapleton, and Landscape Architect Cassie Bethany from project consultant's Weston and Sampson.

Mr. Demorizi began the project presentation with a review of the project goals (ensuring pedestrian movement, preserving and enhancing the opportunities for passive recreation and fishing, ensuring accessibility across the site, improving how stormwater moves and is captured on site, creating a stable and sustainable landscape, enhancing and protecting views, and improving water quality). He then reviewed the project schedule, noting both the work done to date and the anticipated schedule for the rest of the design, bidding, and construction elements of the project.

Mr. Demorizi next reviewed the neighborhood context for the project, noting that Crystal Lake was considered by the State to be a "Great Pond" and is bordered by the Green Line to the South and Southeast. He explained that Levingston Cove is a half-acre lot with dramatic topography and is one of four public parcels that provide access to Crystal Lake. The site is significantly sloped and has been damaged by erosion. Mr. Demorizi added that the mature trees on the site would be protected and enhanced by the project.

Mr. Demorizi reviewed the site plan and explained how the proposed amenities and accessibility improvements would be integrated into the existing landscape. The slope would be stabilized with new vegetation and a wooden guardrail installed along Lake Road between Berwick Road and Lakewood Road to focus pedestrians along the pathways. He explained that the new design would

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continue to provide access to the lawn and shoreline, noting that salvaged granite blocks from elsewhere on the site would be used at the water access point as stepping stones. He noted the work to be done at the water access to prevent erosion and that new restoration plantings would be installed elsewhere along the shoreline and existing vegetation pruned. The City was also considering the possibility of creating “adopt a space” areas along the roadway.

Mr. Demorizi then turned the presentation over to Weston and Sampson representative Cassie Bethany to fill in the details. She began by showing a view of the concrete retaining wall and explaining that the road was five feet above the existing walkway here. The barren slope between the road and walkway regularly washed out in this area and was badly eroded. Their plan was to ease the slope by raising the walkway and installing a native plant base. She reviewed the proposed plan of the area and reviewed how a new terraced ramp system would provide improved accessibility. A new accessible walkway would lead down from the road to the new walkway which would be two feet higher than the existing grade. The new accessible path would be bordered by seasonal plants chosen to provide seasonal interest and low seating walls. Ms. Bethany explained that they were also looking for areas in which to install interpretive signage and information on the lake and its surrounding environment.

Ms. Bethany showed a section view of the area including the cantilevered deck that would provide both fishing and viewing access to the lake. By lifting up the deck two feet, the project would reduce the slope of the area. The new cantilevered deck would be constructed around the existing retaining wall using micro pile footings which were the least invasive solution. Approximately thirty feet of new guardrail would also be added in this area along the lake edge of the structure. Ms. Bethany showed photos of a similar deck designed by Weston and Sampson in the North End of Boston. She explained how that deck floated over the seawall using the same method proposed at Crystal Lake. She also showed photos of proposed fencing and railings used in other Massachusetts projects which incorporated mesh panels with wood railings. She noted that the City had not yet settled on the design or material for the railings and that the ones shown were only to give a sense of what could be installed here.

Ms. Bethany noted that the adjacent area with the beach access was the “core” of the park and received a lot of public use. Photos of the area showed that there was no longer any lawn left and that erosion from the surrounding steeply sloped areas had largely washed it out, including the former stone dust paths. Ms. Bethany reviewed the proposed plan for the area which includes establishing an accessible pathway leading down from the road and a new stone dust path along the edge of the water. A new, on-grade deck with a seating area was proposed to be installed near the beach access, which would be filled in with rounded river stones and plantings to stabilize the slope at the water’s edge. Using a section of this area, Ms. Bethany explained how they would raise and ease the existing grade using retaining and seating walls. The new at-grade deck was also hoped to relieve pressure on the landscape.

Ms. Bethany continued to review the water access from this site, explaining how the area would have new granite stepping stones and river stones installed to address erosion and stormwater issues. She explained how the plans addressed the need to stabilize the water access point and showed examples of how these materials had been used at similar sites in Arlington and Medfield. The existing sloping lawn area was proposed to remain intact, but a new stormwater retention area

would be installed at the top of the slope to protect the walkways. Work in this area would also include bank restoration and the installation of wood guardrails at the top of the slope. At the southern end of the site, the project would install a new stormwater infiltration garden and other similar treatments. Ms. Bethany showed photos of sample benches, walls, and railings. New surfaces would include cast concrete and the new stonedust walkway around the lake, and they planned to find a stabilized shoreline stone that was similar in color to the natural stone in the area. She next reviewed the proposed tree and plant types to be used in the area, noting that they were using native plantings which would be located to preserve views. The proposed shrubs and groundcover were proposed to be low-maintenance, shade loving, plants in a mix of textures and color. Ms. Bethany stated that the plans were currently at the 60% construction document phase and that they would continue to refine the plans and create updated cost estimates as the plans evolved. Once they were at the 90% phase, they would begin the permitting process with the necessary City and State agencies.

Mr. Armstrong thanked the applicants for the presentation and asked whether the public had been engaged in the process. Mr. Demorizi answered that they had received input at meetings as well as written responses. The project had had several public meetings and had included an extensive public review process. Ms. Bethany stated that the project had had a robust public process beginning in 2018 leading up to the Parks and Recreation Commission approval. Mr. Armstrong asked if the proposed guardrail could be too long and wondered if people would break through it. Ms. Bethany stated that the guardrail had been a hot topic during meeting and that they saw it as a necessary tool to direct pedestrians to the walkways. Mr. Armstrong asked if the cantilevered deck was self-contained and Ms. Bethany answered yes. Mr. Armstrong stated that he preferred wood for the railing system and asked if there were any accessibility requirements for the water access area. Ms. Bethany stated that the proposed pathways would address the accessibility requirements for the site. Mr. Demorizi added that the Crystal Lake Bath House had an accessible ramp and wheelchair for water access. Mr. Armstrong asked if both pathways in the cantilevered area would be accessible. Ms. Bethany answered yes and explained that both pathways would have a less than 5% slope. Ms. Bethany also confirmed that the lake side pathways would connect to existing pathways leading to the bathhouse. It was noted that the pathways to the south of Levingston Cove were not considered to be accessible but that the City had requested state funding to complete that work. Mr. Armstrong asked if there was any additional work proposed for the north end of the site. Mr. Demorizi stated that they would be working on the existing sidewalks and curb cuts there.

Ms. Lunin raised a question about the use of the granite blocks as steppingstones, wondering if there were any concerns with frost heaves issues. Ms. Bethany thought that this was a good point and explained that they had used this approach in other areas and could address the concern by compacting the stone dust in the area and keeping an eye on the water's edge. Ms. Lunin noted that she is a member of the Conservation Commission and appreciated that they would be adding trees to the site but wondered if there could be more installed. Commissioner Banks stated that the City's Tree Warden Marc Walsh was currently working on a Citywide comprehensive tree plan. Mr. Demorizi added that Mr. Walsh was involved in this project and would be working closely with the consultants on the design. Ms. Molinsky thought that the proposed design was beautiful but wondered about the change in the amount of funding requested. Ms. Bethany stated that the initial cost was based on an estimate made during the design development stage of the project. The current

request is a conservative estimate based on the market at this time when steel and wood were very expensive.

Ms. Datta asked if any of the project funding sources were state funds. Mr. Demorizi answered that, the City had received State funding in 2016 which had been used to hire Weston and Sampson to complete the design work. Thanks so Representative Balser, the City expected to receive additional State funding to keep Weston and Sampson involved to oversee the project. Mr. Demorizi added that the State funding was also being used to protect the landscape and provide additional accessible connections to the site. He added that the additional funding was currently going through the State's budget process.

Mr. Maloney noted that the guidelines stated that CPA funding should be used for 50% of a project's costs but that this request was for a much higher percentage. He asked if this issue had been addressed yet. Mr. Brody agreed that the CPC's guidelines did encourage a higher percentage match than was proposed by this project, especially when other sources were possible. In this case, though, he did not think that the City's parks had many other options for funding and did not have an issue with the higher funding request.

Mr. Maloney asked if the City had an official stance on the concerns raised about water access to the lake. He stated that he had thought that access to the lake anywhere other than the Bath House beach was frowned upon. Commissioner Banks stated that their goal was to increase access to the water's edge but that they were not intending to change or increase access into the lake. She stated that they wanted to manage access and improve the interactive experience by allowing people to get close to the lake. Ms. Weber expressed her confusion about water access, stating that she did not see how this work would not be an invitation to swim in Crystal Lake. Commissioner Banks explained that the City wanted to provide all types of access, including visual access and access for fishing and boating. Ms. Weber agreed with these other goals but was not sure how the project was not promoting entering the lake if it included an option for direct water access. Commissioner Banks noted that there was already access to the lake in this area and that the proposed design was centered on erosion control through a change in the existing materials. Ms. Bethany stated that the slopes above the water access were eroding. They would add plantings to stabilize the slope, but part of their treatment also called for installing a mix of rocks at the shoreline to prevent further erosion. The at-grade deck was intended as a way to both maintain the view and stabilize the surrounding landscape. Mr. Demorizi noted that the beach area was an historical access point to the lake and thought that realistically, people would continue to access the water here whether or not it was left open. He explained that there needed to be a delicate balance in Levingston Cove between providing access to the public and addressing environmental concerns. Ms. Molinsky stated that she had seen children playing here and would hate to limit their access.

Mr. Armstrong opened the discussion to public comment at this time. Councilor Malakie stated that this was her first chance to see the design and asked if there were areas where the proposed change in grade would put pressure on existing trees. Ms. Bethany answered that the grading process would be difficult but that they were working around all but one existing tree. She stated that they did not plan to change the areas around the trees by more than a few inches at all. She also noted that the deck would be tailored to work within the existing tree canopy, and that the one tree to be removed

was known to be in bad condition. Mr. Demorizi pointed out that the benches to be added here would match those recently installed on Waban Hill and in Newton Highlands.

Lisa Gordon thought that the design looked gorgeous and was happy that the City was looking to do improvements here. She asked what was happening below the cantilevered deck and expressed concern that the railings would encourage children to jump into the lake. She asked if anyone had developed a plan of use for the water access area like the one that was in use at Walden Pond in Concord. She wondered about the message that the City was sending with the cantilevered deck and thought it would encourage sunbathing. Ms. Gordon expressed concern that the City was putting in so much effort on the design only to have it trampled. She thought that the project should be approved with the exception of the cantilevered and at-grade decks until the City considers the message that the project is sending. Mr. Demorizi stated that the cantilevered deck was required to have a guardrail that met state safety requirements. He added that he had no knowledge of these types of handrails promoting people to jump. It was also noted that the at-grade deck would not have railings.

Joel Gershenfeld, 39 Charles Street, stated that he had formerly lived at 15 Rogers Street next to the lake and knew the Levingston Cove area well. He thought that the natural and sustainable approach to the site was good but that the overuse of the area was not. He thought that the site should have views but that the design should discourage people from accessing the water. He suggested that they consider bullet proof plantings due to the heavy use of the site and wanted to see the design point to other areas instead. He thought that the project was expensive and thought that the community might fund parts of the project if the design was scaled back to remove the public amenities that encouraged more use and were invitations to misuse the area.

Sonya Kurzweil, 203 Lake Avenue, stated that she did not think that the public's input had been considered in the current design. She felt that they had consistently shared their vision with the City but that it was not reflected in the current design. She thought that the process was flawed. She noted that the site was now extensively used with lots of parked cars in the neighborhood which clogged the public streets. She was concerned that the area was unregulated. Ms. Kurzweil thought that the conservation measures proposed were good but did not think that the addition of seating walls and decks made sense here. She felt that the design needed to put more consideration into passive recreation elements and that it also needed to consider area residents. She suggested that the City should allow more access to the Bath House beach area to help address the overuse of Levingston Cove. She felt that the design was a misconceived plan for an overused site.

Laura Foote stated that she was excited about this project and was glad to see that it was moving forward. She was interested in learning more about rain gardens and wondered if the City had allocated enough space for these gardens. Ms. Bethany stated that they were collecting more information and would continue to develop the design. The space would be based on the civil engineer's calculations, which were intended to meet and exceed the anticipated load. Ms. Bethany noted that it was a tight space and that they would know more soon as they continued on with the design. Ms. Foote asked if the gardens were intended to filter water within the park. Ms. Bethany answered yes, that this was the rain garden's main purpose but that the road also had catch basins and that they were also working to make sure that those were functioning correctly.

Marr Maher, 40 Chester Street, stated that he lived five to six blocks away and regularly brought his children over to Levingston Cove. He thought it was a great design and hoped that the funding would move forward.

Ray Kurzweil, 203 Lake Avenue, stated that he had lived next to Crystal Lake for forty years and that swimming had never been allowed in this area but that in recent years there was no enforcement of the law. He thought that the proposed design would increase swimming and that creating a deck would encourage misuse. He was in favor of some of the project elements but did not want to encourage swimming in the Cove.

Susan Gershenfeld, 39 Charles Street, expressed concern with the public process used for this project and the message that it was sending. Ms. Bethany stated that she had been involved with the public review of this project since the beginning, noting that in 2018-2019 they had held listening sessions to understand the issues and concerns of the public for this site. Weston and Sampson had then created options for the site ranging from minimal change to large projects. A preferred concept had been created from the public's comments which had then been taken out to the public for more comment after which the project team had tried to balance these comments. The resulting design was approved by the Parks and Recreation Committee. Since their review, the team had aligned stairs and completed some redesign but it was still largely the plan approved last year.

Mr. Gershenfeld stated that he had been present at these meetings and thought that more than half of the audience present was against the installation of seating and the cantilevered deck. Mr. Demorizi offered to share the minutes of those meetings. Mr. Armstrong asked if they had been other options available for public comment. Mr. Demorizi stated that they had used lots of public funding to get to this point and that they had tried to balance the needs of the public as a whole. He noted that any work in this area would trigger building code compliance, and that railings would be required along the current dam with or without the cantilevered deck. Ms. Bethany noted that the cantilevered deck was designed to have no supports in the water, which allowed them to go through the Chapter 91 review process. If they needed to go into the lake, it would take an extensive additional review to gain approval. The current design still needed to be reviewed by the State, Newton Conservation Commission, and Planning and Development Board.

Srdjan Nedeljkovic thought that the City should consider how the Cove was being used today and did not think that this would change. He thought that it was respected by those using it now but that the proposed changes would create an excessive barrier to the site that would be exclusionary in its design.

Attila Habys expressed concern that any work completed here would be ruined as the site had become a destination for people from all over the area. Ms. Kurzweil thought that the Cove could be saved if the City optimized the Bath House area instead.

Denise Freed agreed that erosion was a big problem in the Cove and that it needed immediate help. She thought that people were only part of the issues but understood the neighbor's concerns. She wanted to see the problems fixed and supported the project.

The public hearing was closed at this time. Mr. Armstrong asked Commission Members if they had any additional thoughts or questions. Ms. Molinsky referred to the proposed design of the benches,

noting that for an aging community, handrails like the ones proposed for the new benches could be helpful. She asked Parks and Recreation staff if there were any plans for more enforcement in the area and how the project would be phased. Commissioner Banks answered that there were no plans to change the current enforcement practices here and explained that any changes would need to be negotiated with the Police and their Union. Ms. Bethany explained the phasing of the project, noting that it could be sequenced in a few different ways and that the next phase of the development work would consider how best to structure the construction. She also noted that they would make sure that all of the work would need to be carefully planned for the tight site.

Mr. Armstrong moved to approve the project as submitted. Mr. Brody noted that this project could be considered as both an Open Space and Recreation project and members discussed how it could be divided between the two categories. It was agreed that 20% of the project funding would be allocated to Open Space projects and that the remaining 80% would be considered Recreation. Ms. Datta asked if there was a concern with the amount of matching funds in the project. It was noted that the City would provide 30% of the project funding. Mr. Brody noted that the CPC had previously approved projects with less than a 50% match, including Webster Woods which had been entirely purchased with CPA funds. Commissioner Banks stated that they were seeking additional funding sources and should know if those were available by the end of July. If the project did not receive those funds, the City would cover the difference. She added that the accessibility improvements would hopefully be covered by State funding.

Ms. Lunin moved to recommend full funding of the project as submitted with 20% of the funds to come from Open Space funds and 80% to come from Recreation project funding. Mr. Brody seconded the motion which was passed 8-0 by unanimous roll call vote.

Ms. Molinsky asked what the next step was for the public process. Mr. Demorizi stated that there would be a public hearing when the Conservation Commission reviews the project but noted that once the design had reached that point the public input was really in the details and not the larger plan. He added that because Lake Avenue was a designated Scenic Road, the project would also be reviewed by the Planning and Development Board.

OTHER BUSINESS

Election of New Officers – Mr. Armstrong was acknowledged to have served for two years in this roll and thanked for his service to the Committee. Mr. Armstrong moved to elect Mr. Brody as Chair and Ms. Molinsky as Vice-Chair of the Committee. Ms. Lunin seconded the motion which was unanimously approved 8-0 by roll call vote.

Permanent and Temporary Project Signage – Ms. Kritzer opened the discussion of signage, which had been previously discussed the year before prior to the pandemic. She explained that the CPC had a few composite style signs that were used as temporary construction signage, but which were serving as permanent signage at the Allen House and Newton Highlands Playground. The CPC discussed the idea of creating or requiring permanent signage for projects which receive substantial CPA funds, and developing new temporary signage for projects to use during construction. Ms. Kritzer gave a brief presentation with examples of both temporary and permanent signage used in other communities. Ms. Kritzer presented a suggested sign design that had been submitted for the new

Heartbreak Hill park on Waban Hill. Members agreed that they would like to see an alternative design for the Waban Hill park that makes the CPA element more noticeable. Mr. Armstrong suggested that the type and size of signage should be proportional to the amount of CPA funding used in the site. Members agreed to consider new designs for temporary signage and asked if the City had a standardized sign type that should be followed. It was suggested that Ms. Kritzer reach out to Newton North High School as their design students could assist with the new design. Mr. Demorizi stated that he would send the contact information for the program. Members agreed that they liked the language used for the Wellfleet signage. It was also agreed that signage requirements should be noted in the application materials and added to the grant agreement, with the design of permanent signage to be flexible to be appropriate to the site in question.

Approval of May 11 Minutes - Members had reviewed the draft minutes prior to the meeting. Ms. Weber moved to approve the May 11 minutes as submitted. Ms. Lunin seconded the motion which passed by unanimous voice vote.

Ms. Datta moved to adjourn the meeting. Ms. Lunin seconded the motion which passed by unanimous voice vote. The meeting was adjourned at 9:02 P.M.

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