

TOWN OF  
STONEHAM  
MASSACHUSETTS

[www.stoneham-ma.gov](http://www.stoneham-ma.gov)

OFFICE OF TOWN ADMINISTRATOR  
35 CENTRAL STREET  
STONEHAM, MA 02180-2087  
TEL: 781-279-2600  
FAX: 781-279-2602  
[dragucci@ci.stoneham.ma.us](mailto:dragucci@ci.stoneham.ma.us)

**DAVID RAGUCCI**

TOWN ADMINISTRATOR

TO: Board of Selectmen  
FROM: David Ragucci, Town Administrator  
DATE: September 1, 2015  
SUBJECT: Appointment of Three (3) Fire Fighters

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Based on the recommendation of Fire Chief Joseph Rolli, I am recommending the following applicants for appointment to the position of Fire Fighter, pending acceptable medical examinations and the successful completion of the Human Resources Physical Abilities Test:

**Sean Devlin, 4 Overlook Drive, Stoneham**

**Jack Sullivan, 15 Charles Street, Stoneham**

**Thomas DeCroteau, 29 Harrison Street, Stoneham**

All candidates interviewed well and answered all questions appropriately. All references were positive and nothing in their background would preclude them from serving as a fire fighter. I anticipate the hiring date as October 5, 2015.

If you have any questions, please feel free to contact me.

cc: Chief Joseph Rolli  
Human Resources

2015 SEP - 1 A 8: 27  
TOWN OF STONEHAM  
BOARD OF SELECTMEN



**JOSEPH W. ROLLI**  
FIRE CHIEF

TOWN OF  
STONEHAM

MASSACHUSETTS

FIRE/RESCUE  
25 CENTRAL STREET  
STONEHAM, MASSACHUSETTS  
02180-1302

(781) 438-0127  
FAX (781) 438-7066

David Ragucci  
Stoneham Town Administrator  
September 1, 2015

Mr. Ragucci:

I recommend the following three candidates for hire (in the order below) in the Stoneham Fire Department pending successful completion of physicals, drug testing, and physical abilities test.

Sean Devlin  
Jack Sullivan  
Thomas DeCroteau

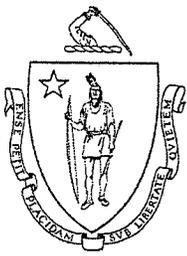
The three openings were created by a retirement, a death, and a leave of absence granted for six months (we anticipate a retirement during this period).

I anticipate the new hires to be sworn in on October 5, 2015.

Respectfully submitted,

Chief Joseph W. Rolli

Cc; Erin Sinclair, Ginny Ray, Debbie Pettengill



THE COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF THE ATTORNEY GENERAL  
ONE ASHBURTON PLACE  
BOSTON, MASSACHUSETTS 02108

MAURA HEALEY  
ATTORNEY GENERAL

(617) 727-2200  
(617) 727-4765 TTY  
[www.mass.gov/ago](http://www.mass.gov/ago)

August 14, 2015

Robert Sweeney  
6 Pleasant Street  
Stoneham, MA 02180

Dear Mr. Sweeney:

We understand that on June 18, you filed a complaint with the Stoneham Board of Selectmen (the "Board"), alleging a violation of the Open Meeting Law, G.L. c. 30A, §§ 18-25. The Board is required to notify our office of the complaint and any remedial action taken to address the complaint. G.L. c. 30A, § 23(b); 940 CMR 29.05(5). Our office received notification and a response from the Commission on August 13 after an extension request was granted.

Under the Open Meeting Law, a complaint is ripe for review by our office when the complainant files a copy of the initial complaint with the Division of Open Government, provided that at least 30 days have passed since that complaint was filed with the Board. G.L. c. 30A, § 23(b); 940 CMR 29.05(6). Our office currently has no record of a complaint filed by you in this matter. Accordingly, we will presume that the action taken by the Board was sufficient and will close this file unless we receive a request for further review by this office and a copy of the initial complaint by **Monday, October 19, 2015**.

Please feel free to contact us if you have any questions about the Open Meeting Law complaint process.

Sincerely,

A handwritten signature in black ink, appearing to read 'BJ'.

Bongani T. Jeranyama  
Paralegal  
Division of Open Government

cc: William H. Solomon, Esq., Stoneham Town Counsel

**TOWN OF STONEHAM**  
**Budget vs Expenditures Summary**  
**As of August 31, 2015**

**PERSONNEL****OPERATING****TOTAL BUDGET**

Depart. #	Department	PERSONNEL				OPERATING				TOTAL BUDGET			
		FY'16 Budget	Current Month Expended	Year-to-date Expended	% Used	FY'16 Budget	Current Month Expended	Year-to-date Expended	% Used	FY'16 Budget	Current Month Expended	Year-to-date Expended	% Used
114	Town Moderator	0	0.00	0.00	0.00%	220	0.00	0.00	0.00%	220	0.00	0.00	0.00%
122	Board of Selectmen	80,268	0.00	10,695.12	13.32%	10,000	0.00	291.64	2.92%	90,268	0.00	10,986.76	12.17%
123	Town Administrator	330,926	0.00	48,647.71	14.70%	42,500	0.00	8,061.21	18.97%	373,426	0.00	56,708.92	15.19%
132	Reserve Fund	0	0.00	0.00	0.00%	0	0.00	0.00	0.00%	0	0.00	0.00	0.00%
135	Town Accountant	188,119	0.00	28,173.86	14.98%	1,550	0.00	154.92	9.99%	189,669	0.00	28,328.78	14.94%
141	Assessors	126,264	0.00	18,397.29	14.57%	4,800	0.00	421.00	8.77%	131,064	0.00	18,818.29	14.36%
145	Town Treasurer	249,428	0.00	36,947.07	14.81%	18,350	0.00	817.17	4.45%	267,778	0.00	37,764.24	14.10%
151	Town Counsel	110,732	0.00	16,039.64	14.49%	6,725	0.00	0.00	0.00%	117,457	0.00	16,039.64	13.66%
155	Data Processing	109,175	0.00	19,470.94	17.83%	130,721	0.00	88,779.57	67.92%	239,896	0.00	108,250.51	45.12%
161	Town Clerk	119,992	0.00	17,347.90	14.46%	4,200	0.00	536.55	12.78%	124,192	0.00	17,884.45	14.40%
162	Elec. & Reg.	69,311	0.00	9,930.41	14.33%	18,100	0.00	2,095.91	11.58%	87,411	0.00	12,026.32	13.76%
172	Whip Hill park	0	0.00	0.00	0.00%	10,950	0.00	305.00	2.79%	10,950	0.00	305.00	2.79%
182	Planning/Appeals/Conserv.	41,543	0.00	6,991.29	16.83%	1,160	0.00	82.67	7.13%	42,703	0.00	7,073.96	16.57%
185	Economic & Community Dev.	68,224	0.00	9,880.48	14.48%	30,000	0.00	100.69	0.34%	98,224	0.00	9,981.17	10.16%
192	Public Property Maint.	500	0.00	0.00	0.00%	80,612	0.00	6,853.68	8.50%	81,112	0.00	6,853.68	8.45%
210	Police	3,554,075	0.00	490,634.87	13.80%	323,870	0.00	47,334.60	14.62%	3,877,945	0.00	537,969.47	13.87%
211	Traffic Directors	137,030	0.00	3,424.00	2.50%	4,500	0.00	0.00	0.00%	141,530	0.00	3,424.00	2.42%
212	Dispatchers	381,380	0.00	52,235.59	13.70%	17,440	0.00	4,089.40	23.45%	398,820	0.00	56,324.99	14.12%
220	Fire	2,716,616	0.00	426,822.22	15.71%	124,850	0.00	9,477.68	7.59%	2,841,466	0.00	436,299.90	15.35%
241	Building & Wire	182,822	0.00	27,076.58	14.81%	6,900	0.00	180.00	2.61%	189,722	0.00	27,256.58	14.37%
291	Civil Defense	2,000	0.00	166.67	8.33%	0	0.00	0.00	0.00%	2,000	0.00	166.67	8.33%
300	Schools	20,552,795	0.00	659,157.15	3.21%	5,250,721	0.00	588,773.83	11.21%	25,803,516	0.00	1,247,930.98	4.84%
397	Essex No Shore Agricultural	0	0.00	0.00	0.00%	300,000	0.00	0.00	0.00%	300,000	0.00	0.00	0.00%
398	Minuteman Voc.	0	0.00	0.00	0.00%	50,000	0.00	0.00	0.00%	50,000	0.00	0.00	0.00%
399	Northeast Reg. Voc.	0	0.00	0.00	0.00%	1,076,254	0.00	269,063.50	25.00%	1,076,254	0.00	269,063.50	25.00%
400	Public Works	738,719	0.00	96,170.26	13.02%	889,700	0.00	67,250.58	7.56%	1,628,419	0.00	163,420.84	10.04%
510	Board of Health	144,023	0.00	20,218.20	14.04%	5,140	0.00	3,696.29	71.91%	149,163	0.00	23,914.49	16.03%
541	Council on Aging	102,193	0.00	13,861.40	0.00%	33,500	0.00	2,837.68	8.47%	135,693	0.00	16,699.08	12.31%
543	Veterans Service	41,276	0.00	5,978.63	14.48%	177,700	0.00	27,309.02	15.37%	218,976	0.00	33,287.65	15.20%
610	Public Library	553,371	0.00	80,503.14	14.55%	207,850	0.00	28,455.88	13.69%	761,221	0.00	108,959.02	14.31%
630	Unicorn Golf Course	139,017	0.00	22,419.54	16.13%	275,850	0.00	83,372.28	30.22%	414,867	0.00	105,791.82	25.50%
631	Unicorn Rink	175,067	0.00	22,341.66	12.76%	259,280	0.00	35,129.41	13.55%	434,347	0.00	57,471.07	13.23%
710	Maturing Debt	0	0.00	0.00	0.00%	3,290,000	0.00	65,000.00	1.98%	3,290,000	0.00	65,000.00	1.98%
750	Interest	0	0.00	0.00	0.00%	1,367,919	0.00	289,562.50	21.17%	1,367,919	0.00	289,562.50	21.17%
911	Contributory	0	0.00	0.00	0.00%	5,135,261	0.00	5,135,261.00	100.00%	5,135,261	0.00	5,135,261.00	100.00%
912	Health Insurance	0	0.00	0.00	0.00%	8,058,126	0.00	1,197,256.33	14.86%	8,058,126	0.00	1,197,256.33	14.86%
918	Capital Equipment	0	0.00	0.00	0.00%	300,000	0.00	94,900.00	31.63%	300,000	0.00	94,900.00	31.63%
919	Unclassified	19,079	0.00	0.00	0.00%	1,416,000	0.00	629,613.87	44.46%	1,435,079	0.00	629,613.87	43.87%
920	Non-Departmental	0	0.00	0.00	0.00%	37,085	0.00	6,551.74	17.67%	37,085	0.00	6,551.74	17.67%
<b>TOTAL GENERAL</b>		<b>30,933,945</b>	<b>0.00</b>	<b>2,143,531.62</b>	<b>6.93%</b>	<b>28,967,834</b>	<b>0.00</b>	<b>8,693,615.60</b>	<b>30.01%</b>	<b>59,901,779</b>	<b>0.00</b>	<b>10,837,147.22</b>	<b>18.09%</b>
440	Sewer	665,877	0.00	102,226.34	15.35%	116,400	0.00	4,373.43	3.76%	782,277	0.00	106,599.77	13.63%
440	Intergovernmental	0	0.00	0.00	0.00%	4,474,659	0.00	885,844.00	19.80%	4,474,659	0.00	885,844.00	19.80%
710	Maturing Debt	0	0.00	0.00	0.00%	112,750	0.00	0.00	0.00%	112,750	0.00	0.00	0.00%
750	Interest	0	0.00	0.00	0.00%	0	0.00	0.00	0.00%	0	0.00	0.00	0.00%
<b>TOTAL SEWER</b>		<b>665,877</b>	<b>0.00</b>	<b>102,226.34</b>	<b>15.35%</b>	<b>4,703,809</b>	<b>0.00</b>	<b>890,217.43</b>	<b>18.93%</b>	<b>5,369,686</b>	<b>0.00</b>	<b>992,443.77</b>	<b>18.48%</b>
450	Water	571,558	0.00	92,597.58	16.20%	218,650	0.00	1,714.95	0.78%	790,208	0.00	94,312.53	11.94%
440	Intergovernmental	0	0.00	0.00	0.00%	3,381,301	0.00	676,260.20	20.00%	3,381,301	0.00	676,260.20	20.00%
710	Maturing Debt	0	0.00	0.00	0.00%	273,636	0.00	3,500.00	1.28%	273,636	0.00	3,500.00	1.28%
750	Interest	0	0.00	0.00	0.00%	0	0.00	0.00	0.00%	0	0.00	0.00	0.00%
<b>TOTAL WATER</b>		<b>571,558</b>	<b>0.00</b>	<b>92,597.58</b>	<b>16.20%</b>	<b>3,873,587.00</b>	<b>0.00</b>	<b>681,475.15</b>	<b>17.59%</b>	<b>4,445,145</b>	<b>0.00</b>	<b>774,072.73</b>	<b>17.41%</b>
		<b>32,171,380</b>				<b>37,545,230</b>				<b>69,716,610</b>			

# LOGAN

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## COMMUNICATIONS

August 5, 2015

Mr. David Ragucci  
Town Administrator  
Town of Stoneham  
35 Central Street  
2nd Floor  
Stoneham, MA 02180

Dear Mr. Ragucci,

Logan Communications has come to terms for a long-term lease agreement for a digital billboard with Northland Investment Corporation, the owners of 10 Forbes Road in Woburn. A portion of this property's parking lot is located in the Town of Stoneham and abuts Interstate 93. It is in the Stoneham portion of the property where we wish to erect the digital billboard. Therefore, we are seeking local support and approval for a new back-to-back 14'x48' digital billboard. We are prepared to offer the Town of Stoneham a linkage payment that would pay the Town \$100,000 annually; this would be the largest annual linkage payment to date in the Commonwealth of Massachusetts and could be worth at least \$5,000,000 to the town over the course of a 50 year development agreement. In addition to the annual linkage payment, our offer to the Town includes a dedicated 10 hours of free public service messages per month to promote the Town of Stoneham and various community interests. The state regulations governing digital billboards require that there be at least 1000 feet of spacing between digital billboards and thus time is of the essence in order to avoid being spaced out a location in a neighboring community. Logan Communications looks forward to working with you on this exciting project that has the potential to provide a great benefit to the Town of Stoneham and we hope to have this item on an agenda as soon as possible.

Best regards,

  
John Pelrine

Arlington • Ashland • Bedford • Belmont • Boston • Braintree • Brookline  
Dedham • Everett • Frammingham • Hingham • Holbrook • Leominster  
Medford • Melrose • Milton • Nahant • Natick • Needham • Newton  
Revere • Saugus • Somerville • South Hadley • Southborough • Stoneham  
Watertown • Wellesley • Weston • Westwood • Weymouth • Wilbraham



Burlington • Cambridge • Canton • Chelsea • Chicopee • Clinton  
Lexington • Lynn • Lynnfield • Malden • Marblehead • Marlborough  
Northborough • Norwood • Peabody • Quincy • Randolph • Reading  
Stoughton • Swampscott • Wakefield • Walpole • Waltham  
Wilmington • Winchester • Winthrop • Woburn • Worcester

**TO: ADVISORY BOARD MEMBERS**  
**FROM: JOE FAVALORO**  
**DATE: AUGUST 21, 2015**  
**RE: FIRST NOTICE – NOMINATION FOR THE FY16 EXECUTIVE COMMITTEE**

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All members who are interested in being elected or re-elected to serve on the Executive Committee, please contact me by September 10, 2015. A Nomination Committee will be meeting after that date to review each candidate.

There will be at least one opening in the officers to the Executive Committee; Katherine Dunphy announced that she will not be seeking another term as Chairman.

A listing of the current Executive Committee members follows. Below is the list of the Executive Committee offices and positions.

- Chairperson**
- Vice Chairperson - Finance**
- Vice Chairperson - Operations**
- Treasurer**
- Secretary**
- Members at Large (12)**

**FY15 EXECUTIVE COMMITTEE**

**Chair: Katherine Haynes Dunphy, Milton**

**Vice Chair of Finance: Bernie Cooper, Norwood**

**Vice Chair of Operations: Lou Taverna, Newton**

**Secretary: William Hadley, Lexington**

**Treasurer: John P. Sullivan, Boston**

**At-Large:**  
**Carol Antonelli, Wakefield**  
**Michael Coffey, Quincy**  
**John DeAmicis, Stoneham**  
**Andrew DeSantis, Chelsea**  
**Robert King, Somerville**  
**Timothy MacDonald, Cambridge**  
**Brendan O'Regan, Saugus**  
**Michael Rademacher, Arlington**  
**Nicholas Rystrom, Revere**  
**John Sanchez, Burlington**  
**Walter Woods, Wellesley**  
**(1) Vacant**

**RCN Telecom Services of Massachusetts, LLC.**

650 College East, Suite 3100  
Princeton, NJ 08540  
Tel (703) 434-8245  
Fax (703) 434-8389

August 11, 2015

Town of Stoneham  
c/o Board of Selectmen  
35 Central Street  
Stoneham, MA 02180

RE: 2nd Quarter 2015 PEG Fees Section 8.1b

Dear Sir/Madam,

Please find enclosed payment of \$ 5,248.69 for the PEG Section 7.1 Agreement between Town of Stoneham and RCN Telecom Services of Massachusetts, LLC. The payment is for the 2nd Quarter 2015.

If you have any question, please feel free to contact me at (703) 434-8245

Sincerely,



Ephantus Limo

Senior Tax Accountant

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Quarterly Franchise Payment  
RCN Telecom Services of Massachusetts ,  
Town of Stoneham  
Sales Statistics:  
2015

	April	May	June
VIDEO SUBSCRIBERS	367	368	362
Video Revenue	34,748.90	36,308.99	33,915.91
	<u>34,748.90</u>	<u>36,308.99</u>	<u>33,915.91</u>

Q2 2015

Quarter Video Total		<u>104,973.79</u>
PEG Fees Section 8.1b	5%	<u>5,248.69</u>
PEG Grant Section 7.1	Fixed	

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**RCN Telecom Services, LLC**

650 College Rd E.  
Suite 3100  
Princeton, NJ 08540

**CHECK NUMBER**

00824102

**VENDOR NAME :** TOWN OF STONEHAM

**VENDOR NUMBER** 37459

INVOICE NUMBER	INVOICE DATE	DESCRIPTION	NET AMOUNT
Q2 2015	08/03/2015		\$5,248.69
<b>TOTAL PAID</b>			\$5,248.69

**RCN Telecom Services, LLC**

650 College Rd E.  
Suite 3100  
Princeton, NJ 08540

PNC bank NA  
Jeanette, PA 60-162 / 433

\*\*\* VOID AFTER 90 DAYS \*\*\*

<b>CHECK NUMBER</b>
00824102

<b>CHECK DATE</b>
08/05/2015

<b>CHECK AMOUNT</b>
\$5,248.69

**PAY** Five Thousand Two Hundred Forty Eight Dollars And 69 Cents

**TO THE ORDER OF** TOWN OF STONEHAM  
149 FRANKLIN ST  
STONEHAM, MA 02180

*[Handwritten Signature]*  
Authorized Signature

⑈00824102⑈ ⑆043301627⑆ 1006219622⑈





August 17, 2015

Board of Selectmen  
Town Hall  
35 Central Street  
Stoneham, MA 02180

To the Board:

RCN's formal name in the Boston Market has always included a reference to our original partner BecoCom, a subsidiary of Boston Edison in 1997. In 2004 our joint venture with BecoCom was terminated. It has taken us awhile but we have finally removed the somewhat confusing reference to BecoCom from our formal name. Going forward RCN's new full name is **RCN Telecom Services of Massachusetts, LLC**.

There is no change in any of our cable license obligations as a result or any other impact that would be of concern. Probably of most significance to you is that our franchise fee checks will reflect the new name. There is no need for you to do anything.

Do not hesitate to contact me with any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Thomas K. Steel, Jr.", written over a horizontal line.

Thomas K. Steel, Jr  
Vice President and Regulatory Counsel

August 17, 2015

Dear Board of Selectmen,

My name is Scott Celli, and I live at 84 Westwood Road. In front of my house, but on town property, is a tree that has the potential to cause harm to both my family and those in the neighborhood who travel by car and by foot by my house.

The tree is a nuisance. Branches are constantly falling off the tree and the tree roots are breaking the surface of the hard top. I firmly believe that at some point a branch may fall and injure someone or a person could trip over the tree roots and hurt themselves.

As a homeowner in Stoneham for the past 20 years, I have always done my best to provide protection for my family and for my neighbors. The tree is a "danger" to both my family and my neighbors. I believe that it is in the best interest of my family, my neighbors, and the Town of Stoneham to have the tree cut down so that an injury or even a death does not occur.

Respectfully, I am requesting that the tree be cut down.

Sincerely,

Scott Celli



84 Westwood Road

2015 AUG 21 P 6:25

BOARD OF SELECTMEN  
TOWN OF STONEHAM



TOWN OF WINCHESTER  
ENGINEERING DEPARTMENT  
71 MT. VERNON STREET, WINCHESTER, MA  
PHONE 781-721-7120 / FAX 781-721-7166

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August 26, 2015

Re: Tri-Community Bikeway (Winchester/Woburn/Stoneham)

To whom it may concern:

The Town of Winchester has been working cooperatively with the Town of Stoneham and the City of Woburn to advance the Tri-Community Bikeway Project. Our state partner is the Massachusetts Department of Transportation – Highway Division (MassDOT).

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Note: An ENF for the Tri-community Bikeway was previously filed with the Executive Office of Energy and Environmental Affairs on July 15, 2015. During the public review period, it was determined that the project involved a transfer of land from the MBTA to the Town of Stoneham. This information was not provided in the ENF and therefore, did not undergo public review. As a result, at the request of the proponent the ENF was withdrawn. This revised ENF provides detailed information (page 5) concerning the proposed transfer of land from an agency of the Commonwealth (MBTA) and provides additional information concerning compliance with Article 97 (page 7).

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This project involves the establishment of a 6.5-mile long bicycle/pedestrian trail from the MBTA's Wedgemere Station north to both Horn Pond in Woburn and Gould Street in Stoneham. The trail will follow a combination of existing paths, local roadways, and a former railroad right-of-way corridor.

An important part of all public projects is gathering the opinions and concerns of the community. The public-involvement process for this project has been ongoing for several years through multiple coordination meetings with local departments, boards, committees and abutters in each of the communities. MassDOT also held a Design Public Hearing at Winchester Town Hall on March 9, 2010 and a Public Informational Meeting at Stoneham Town Hall Auditorium on December 17, 2014, where the existing and proposed conditions along the trail were presented.

At this time, additional public input is being sought through the review of an Environmental Notification Form (ENF, enclosed). This document was filed the Massachusetts Environmental Policy Act (MEPA) Office on August 26, 2015. Comments on this project are due by September 15<sup>th</sup>, 2015.

All comments regarding this ENF should be sent to:

Secretary Matthew Beaton  
Executive Office of Energy & Environmental Affairs  
Attn: MEPA Office  
100 Cambridge Street, Suite 900  
Boston, MA 02114

Please send a copy of your comments to our design consultant Project Manager:

John Hendrickson, P.E.  
Fay Spofford & Thorndike, Inc.  
5 Burlington Woods  
Burlington, MA 01803

If you would like additional information regarding this project, please contact John Hendrickson of Fay, Spofford & Thorndike at (781) 221-1000 or [jhendrickson@fstinc.com](mailto:jhendrickson@fstinc.com).

Sincerely,



Beth Rudolph, P.E.  
Winchester Town Engineer

cc: Carrie Lavalley, P.E., MassDOT Project Manager  
David Ragucci, Stoneham Town Administrator  
Mayor Scott Galvin, Woburn

# Environmental Notification Form

*For Office Use Only*

EEA#: \_\_\_\_\_

MEPA Analyst: \_\_\_\_\_

*The information requested on this form must be completed in order to submit a document electronically for review under the Massachusetts Environmental Policy Act, 301 CMR 11.00.*

Project Name: **Tri-Community Bikeway**

Street Address: **Wedgemere MBTA Station in Winchester to Horn Pond in Woburn and Gould Street in Stoneham**

Municipality: **Winchester/Woburn/Stoneham** Watershed: **Mystic**

Universal Transverse Mercator Coordinates: Latitude: **42°-28'-2"**  
**Northing 2995526 Easting 755874** Longitude: **71°-5'-47"**  
**(Center of project - Cross Street, Winchester)**

Estimated commencement date: **Winter 2015** Estimated completion date: **Fall 2016**

Project Type: **Bikeway** Status of project design: **75 %complete**

Proponent: **Town of Winchester**

Street Address: **71 Mount Vernon Street**

Municipality: **Winchester** State: **MA** Zip Code: **01890**

Name of Contact Person: **Beth Rudolph, P.E., Town Engineer**

Firm/Agency: **Town of Winchester** Street Address: **71 Mount Vernon Street**

Municipality: **Winchester** State: **MA** Zip Code: **01890**

Phone: **781-721-7120** Fax: **781-721-7166** E-mail: **brudolph@winchester.us**

Does this project meet or exceed a mandatory EIR threshold (see 301 CMR 11.03)?

Yes  No

If this is an Expanded Environmental Notification Form (ENF) (see 301 CMR 11.05(7)) or a Notice of Project Change (NPC), are you requesting:

a Single EIR? (see 301 CMR 11.06(8))  Yes  No

a Special Review Procedure? (see 301CMR 11.09)  Yes  No

a Waiver of mandatory EIR? (see 301 CMR 11.11)  Yes  No

a Phase I Waiver? (see 301 CMR 11.11)  Yes  No

*(Note: Greenhouse Gas Emissions analysis must be included in the Expanded ENF.)*

Which MEPA review threshold(s) does the project meet or exceed (see 301 CMR 11.03)?

**301 CMR 11.03 (3)(b)(f) alteration of ½ or more acres of any other wetlands (e.g., Riverfront Area). The required permit is a MWRA 8(m) permit.**

Which State Agency Permits will the project require?

**DCR Construction and Access permit, MWRA 8(m) permit.**

**(Note: A Wetlands Protection Act Order of Conditions from the Stoneham, Winchester, and Woburn Conservation Commissions will be required)**

Identify any financial assistance or land transfer from an Agency of the Commonwealth, including the Agency name and the amount of funding or land area in acres:

**Financial Assistance: The Massachusetts Department of Transportation (MassDOT) Highway Division will fund 20% of the construction cost and the Federal Highway Administration will fund 80% of the construction cost.**

**Land Transfer: The MBTA is proposing to transfer ownership of a 912 linear foot section of unused railroad right-of-way to the Town of Stoneham for their use for the bikeway. This land would be released to Stoneham for \$1.00. See Attachment 4 for copy of MBTA Release Deed.**

<b>Summary of Project Size &amp; Environmental Impacts<sup>1</sup></b>	<b>Existing</b>	<b>Change</b>	<b>Total</b>
<b>LAND</b>			
Total site acreage	<b>10.7</b>		
New acres of land altered		<b>0</b>	
Acres of impervious area	<b>2.6</b>	<b>1.9</b>	<b>4.5</b>
Square feet of new bordering vegetated wetlands alteration		<b>0</b>	
Square feet of new other wetland alteration		<b>Bank = 50 LF RFA = 261,250 BLSF = 201,450</b>	
Acres of new non-water dependent use of tidelands or waterways		<b>0</b>	
<b>STRUCTURES</b>			
Gross square footage (Bridge)	<b>494</b>	<b>156</b>	<b>650</b>
Number of housing units	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
Maximum height over Aberjona River (feet)	<b>5.0</b>	<b>2.0</b>	<b>7.0</b>
<b>TRANSPORTATION</b>			
Vehicle trips per day	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
Parking spaces	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
<b>WASTEWATER</b>			
Water Use (Gallons per day)	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
Water withdrawal (GPD)	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
Wastewater generation/treatment (GPD)	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
Length of water mains (miles)	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
Length of sewer mains (miles)	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
<p>Has this project been filed with MEPA before?  <input type="checkbox"/> Yes (EEA # _____) <input checked="" type="checkbox"/> No</p>			
<p>Has any project on this site been filed with MEPA before?  <input type="checkbox"/> Yes (EEA # _____) <input checked="" type="checkbox"/> No  <b>The project area has had numerous developments and improvements, some of which may have been subject to MEPA review.</b></p>			

<sup>1</sup> Calculations exclude portions of existing roadway/sidewalk where proposed work is limited to roadway lane markings or sidewalk reconstruction.

## **GENERAL PROJECT INFORMATION – all proponents must fill out this section**

### **PROJECT DESCRIPTION:**

An ENF for the Tri-community Bikeway was previously filed with the Executive Office of Energy and Environmental Affairs on July 15, 2015. During the public review period, it was determined that the project involved a transfer of land from the MBTA to the Town of Stoneham. This information was not provided in the ENF and therefore, did not undergo public review. As a result, at the request of the proponent the ENF was withdrawn. This revised ENF provides detailed information (page 5) concerning the proposed transfer of land from an agency of the Commonwealth (MBTA) and provides additional information concerning compliance with Article 97 (page 7).

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The Massachusetts Department of Transportation (MassDOT) and the communities of Winchester, Woburn, and Stoneham are proposing a bikeway, referred to as a trail, from the MBTA Wedgemere Station in Winchester, extending north to both Horn Pond in Woburn and Gould Street in Stoneham. The project connects to, but excludes, an existing path segment between Waterfield Road and Mount Vernon Street in Winchester Center. The project follows a combination of existing paths, local roadways, and a former railroad right of way corridor through the communities of Winchester, Woburn, and Stoneham (see Figure 1). The total project length is approximately 6.5 miles.

The purpose of the project is to improve the safety of bicycle and pedestrian movement in three the host communities by providing an alternative transportation corridor that connects users with commuter rail stations, schools, recreational facilities, and commercial areas. By encouraging non-motorized travel, the project will reduce congestion and improve air quality in this area.

### **Describe the existing conditions and land uses on the project site:**

The existing project area includes a combination of existing paths, sidewalks, roadways, and former railroad corridor. The land uses along the project corridor include a variety of residential, commercial, industrial, institutional, open space, and commuter rail stations.

This project is currently programmed on the Metropolitan Planning Organization's 2015-2018 Transportation Improvement Program utilizing funds from the federal Congestion Mitigation and Air Quality Improvement Program (CMAQ). This project is scheduled to advertise for construction in 2015.

### **Winchester Main Segment**

The project begins at the Wedgemere MBTA Station and proceeds north along the edge of the DCR-owned and Winchester-managed Ginn Field. It follows the Aberjona River along the Mystic Valley Parkway to the Winchester Center Historic District at Waterfield Road where it connects to a system of existing pedestrian and bicycling facilities. The proposed trail begins again at Mount Vernon Street, following a combination of existing bike routes on public roadways and paved paths through Town-owned property (Winchester High School, Muraco Elementary School, Leonard Field, & Davidson Park) to Washington Street and the Woburn City Line. The Winchester section of the Tri-Community Bikeway project is approximately 2.5 miles long.

### Woburn Segment

The project continues on-road from the Winchester Town Line along D Street and Central Street. Before Central Street reaches Montvale Avenue, it joins with the former railroad corridor, which is owned by the City of Woburn. Along the former railroad corridor, the proposed trail would cross two roadways as well as the Kraft Foods Plant entrance drive, and the Aberjona River. Before reaching the Stoneham Town Line, the former railroad corridor travels under I-93 via an existing underpass. The Woburn section of the Tri-Community Bikeway project is approximately 1.1 miles long.

### Stoneham Segment

The project continues along the former MBTA railroad corridor from the Woburn City Line to Main Street (Route 28). Users will then continue along existing sidewalks: north on Main Street, east along Elm Street, and back south along Central Street. At Central Street the trail connects to a recent Safe Routes to School (SR2S) improvement project before continuing along the former railroad corridor, past the Stoneham Middle and Elementary Schools, to the project's end point at Gould Street. There are eight street crossings along this section of the project corridor, not including where the trail follows existing sidewalk. The Stoneham section of the Tri-Community Bikeway project is approximately 1.7 miles long.

### **LAND TRANSFER:**

The proposed bikeway corridor would extend along a 912 linear feet long section of unused railroad right-of-way owned by the MBTA between the Woburn/Stoneham town boundary and Maple Street in Stoneham. The parcel is 1.05 acres (see Figure 4). There are no buildings or other structures on the MBTA parcel. There are no wetlands and existing vegetation is sparse. The purpose of the transfer is to allow for the continuation of the Tri-Community Trail in Stoneham along a corridor that is wholly owned by the Town of Stoneham.

While the Town of Stoneham currently holds a lease with the MBTA for this corridor segment, the MBTA has indicated it that will release the deed, i.e., transfer ownership, to the Town of Stoneham for \$1. On August 19, 2015, the MBTA and the Stoneham Board of Selectman signed a Release Deed for this transaction (see Attachment 4). This Release Deed has not been recorded at the Middlesex South Registry of Deeds. However, the signing of the Released Deed occurred prior to public review of this action during MEPA review. As a result, The MassDOT/MBTA and the Town of Stoneham have agreed to void this land transfer. The land transfer will be pursued again once the MEPA process is complete.

### Horn Pond Spur

The Horn Pond Spur begins at Winchester High School, crossing under the MBTA Tracks using an existing pedestrian tunnel. A new trail leads south to Skillings Road (Route 38), and crosses Main Street to Lake Street and then follows an existing path along Horn Pond Brook through Middlesex Park. The trail then meets and travels on-road along Horn Pond Brook Road, Middlesex Street, and Sylvester Avenue to join an existing path through a piece of Town-owned property to the Woburn City Line. In Woburn, the trail travels on-road along Lake Terrace to the intersection of Lake Avenue in Woburn near Horn Pond. The Horn Pond Spur section of the Tri-Community Bikeway project is approximately 1.2 miles long.

Describe the proposed project and its programmatic and physical elements:

This project seeks to improve the safety of bicycle and pedestrian movement by providing an alternative transportation corridor that connects users with commuter rail stations, schools, recreational facilities, and commercial areas in the three communities. The proposed project will encourage more citizens to walk or bicycle to these local destinations.

The proposed trail is comprised of different facility types along its length in order to provide a contiguous facility for users. Where the project traverses publicly-owned land, the proposed facility type is a shared-use trail that is independently aligned and exclusive to non-motorized uses. The trail would consist of an 8- to 10-foot wide paved surface with 2-to 3-foot soft surface shoulders. A wood rail fence would be installed where the trail is adjacent to parking areas or steep slopes. Where the trail follows low volume local roadways, the proposed facility type would be a bicycle route. A bicycle route refers to use of normal roadway travel lanes by both motor vehicles and bicyclists. In these areas, pedestrians would use the existing sidewalks or roadway shoulders.

Within Winchester, the project follows existing paths on Town-owned property and utilizes public roadways for connections between trail segments. The proposed shared-use trail would transition from a 10-foot width to an 8-foot width in three locations due to existing environmental, structural and/or right-of-way constraints. These areas include the trail segment through the Ginn Field area, adjacent to the Winchester Center MBTA Station parking lot and the Aberjona River, and along Washington Street.

In Woburn, the project follows a combination of public roadways and former railroad right-of-way that is owned by the City. The work also includes replacing an abandoned railroad bridge over the Aberjona River with a new pre-fabricated bicycle/pedestrian bridge constructed on new abutments.

In Stoneham, a section of the trail follows an unused MBTA railroad right-of-way (Figure 4). As described above, the Town of Stoneham is pursuing the transfer of this 1.05-acre parcel from the MBTA parcel to the Town of Stoneham. In addition, the Stoneham portion of the project utilizes public roadways for connections between trail segments.

Warning and regulatory signage and pavement markings will be installed to improve safety conditions where the proposed trail crosses and travels along local roadways. In addition, to raise motorist awareness and improve user safety, a high visibility warning system is proposed at six crossings where there is limited sight distance and/or high traffic volumes. These locations include:

- Skillings Road, Swanton Street, and Cross Street in Winchester;
- Washington Street in Woburn, and;
- Montvale Avenue and Pleasant Street in Stoneham.

The project also includes provisions for user amenities such as site furnishings, informational and directional signage, and landscaping.

MassDOT held a Design Public Hearing at Winchester Town Hall on March 9, 2010, where the existing and proposed conditions along the trail were presented. Multiple coordination meetings with local departments, boards, committees and abutters in each of the

communities have also been held throughout the project development process. Comments received as part of this outreach process have been evaluated and incorporated into the project design, as appropriate.

**Article 97 Compliance**

The proposed trail would be constructed within several publically-owned recreational properties in Winchester and Woburn. These recreational properties are owned by the respective municipalities and, in the case of Ginn Field in Winchester, the Department of Conservation and Recreation (DCR). MassDOT has sought (and received) concurrence from the Board of Selectman in Winchester and the Mayor’s office in Woburn that the proposed project is acceptable and consistent with the designated use of these recreational properties (see Attachment 5). These properties will remain the property of the respective municipal parks/school departments. No transfer or conveyance of ownership of these properties will occur.

Concerning the DCR-owned Ginn Field in Winchester, the Town of Winchester has use of this field under a 99-year Care and Control Agreement with DCR that was originally signed in 1937. For the proposed Bikeway project, MassDOT has been coordinating with DCR’s Deputy General Counsel, Tom LaRosa, concerning Article 97 compliance. Based on this coordination, a recordable plan (so-called ‘DCR Access and Alignment Plan’) and a right-of-way instrument are being developed. The right-of-way instrument will clearly state that the proposed project will not grant MassDOT or the Town of Winchester any property interests and acknowledge that DCR’s Ginn Field is protected in perpetuity for conservation and recreation purposes.

A DCR *Construction and Access Permit* application has also been prepared and submitted to DCR. This permit application fully described all proposed work on DCR’ Ginn Field property.

**Describe the on-site project alternatives (and alternative off-site locations, if applicable), considered by the proponent, including at least one feasible alternative that is allowed under current zoning, and the reasons(s) that they were not selected as the preferred alternative:**

The No-Build alternative would not serve the project purpose to provide a contiguous non-motorized transportation corridor for bicycles or pedestrians and, therefore, was eliminated from further consideration early in the planning process.

Accordingly, trail construction alternatives were reviewed in all three communities, with the objective of following the existing pathway system and former railroad right-of-way to avoid and minimize property and resource area impacts to the maximum extent practicable. This evaluation was completed using available base mapping, aerial orthophotography, geographic information system data, field investigation, and input from municipal departments and the Greenway Committee comprised of representatives from each community.

The alternatives considered during the project development process included various alignments to re-route the shared use trail, narrow the shared-use trail from a 10-foot width to an 8-foot width, and transition the trail to an on-road facility along local roadways, while still providing a contiguous facility for users. As part of this evaluation, consideration was

given to the availability of municipally-owned or managed land and status of abutting municipal and private development projects.

Based on the evaluation of each alternative alignment, the currently proposed design alternative was selected as the preferred alternative since it will meet the project purpose, connect users to key destinations in each community, avoids Bordering Vegetative Wetland (BVW) impacts, and result in limited impacts to Bordering Land Subject to Flooding (BLSF) and the Aberjona River / Horn Pond Brook Riverfront Area (RFA). In addition, the trail will provide an excellent opportunity for users to connect with the natural resource areas along the project corridor.

**Summarize the mitigation measures proposed to offset the impacts of the preferred alternative:**

The proposed trail will generally follow the existing pathway system through Winchester and a former railroad corridor in Woburn and Stoneham to minimize the extent of vegetative disturbance and to avoid, to the extent practicable, impacts to adjacent environmental resource areas and abutting properties. Notices of Intent will be filed with the local Conservation Commissions prior to project construction. Temporary construction easements will be required in Winchester to accommodate sidewalk widening, slope grading, and driveway reconstruction. Access to all abutting properties will be maintained at all times.

The proposed project connects to existing pedestrian and bicycling facilities through the Winchester Center Historic District but does not propose any construction within the National Register-District. Bikeway users will follow the existing path system on the west side of the Aberjona River and Mill Pond or walk along the existing sidewalks through the town center. A wayfinding and informational kiosk is proposed at Waterfield Road and Mount Vernon Street to direct users through the town center and highlight points of interest.

Also, in Winchester, the proposed shared-use trail will transition from a 10-foot width to an 8-foot width in three locations due to existing environmental, structural and/or right-of-way constraints. These areas include the trail segment through the Ginn Field recreational area, adjacent to the Winchester Center Train Station parking lot and the Aberjona River, and along Washington Street.

A sedimentation and erosion control program will be implemented to protect the adjacent wetland resource areas from sedimentation during construction activities. Compost filter tubes will be installed along any areas of construction adjacent to wetland resource areas to demarcate the limit of work and control erosion and sedimentation during construction. The controls will be in place prior to the commencement of any work on site and will be inspected and maintained periodically, as required, until such time that all disturbed areas associated with the proposed construction have been stabilized.

**If the project is proposed to be constructed in phases, please describe each phase:**

**The project is not proposed to be constructed in phases.**

**AREAS OF CRITICAL ENVIRONMENTAL CONCERN:**

Is the project within or adjacent to an Area of Critical Environmental Concern?

- Yes (Specify \_\_\_\_\_)  
 No

**RARE SPECIES:**

Does the project site include Estimated and/or Priority Habitat of State-Listed Rare Species? (see [http://www.mass.gov/dfwele/dfw/nhosp/regulatory\\_review/priority\\_habitat/priority\\_habitat\\_home.htm](http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/priority_habitat/priority_habitat_home.htm))

Yes (Specify \_\_\_\_\_)  No

**HISTORICAL /ARCHAEOLOGICAL RESOURCES:**

Does the project site include any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?

Yes (Specify \_\_\_\_\_)  No

**WATER RESOURCES:**

Is there an Outstanding Resource Water (ORW) on or within a half-mile radius of the project site?

\_\_\_ Yes  No;

Are there any impaired water bodies on or within a half-mile radius of the project site?  Yes \_\_\_ No; if yes, identify the water body and pollutant(s) causing the impairment:

1. **Aberjona River (MA71-01): cause unknown, metals, nutrients, organic enrichment/low dissolved oxygen, other habitat alterations, pathogens, unionized ammonia**
2. **Judkins Pond (MA 71021): nutrients, organic enrichment/low dissolved oxygen, pathogens**
3. **Mill Pond (MA 71031): organic enrichment/low dissolved oxygen, pathogens**
4. **Wedge Pond (MA71045): noxious aquatic plants, nutrients**
5. **Horn Pond (MA 71019): noxious aquatic plants, nutrients, organic enrichment/low dissolved oxygen**

Is the project within a medium or high stress basin, as established by the Massachusetts Water Resources Commission?  Yes \_\_\_ No

**STORMWATER MANAGEMENT:**

Generally describe the project's stormwater impacts and measures that the project will take to comply with the standards found in MassDEP's Stormwater Management Regulations:

**The DEP Stormwater Regulations requires that the project meet the standards to the "maximum extent practicable" for footpaths, bike paths and other paths for pedestrian and/or non-motorized access, in accordance with 310 CMR 10.00. As proposed, the stormwater runoff from the trail will flow over the paved surface to the natural shoulder alongside the trail, where it is expected to infiltrate into the ground naturally. There are limited areas along the proposed alignment to create typical stormwater management measures such as drainage swales and/or detention areas, and creating these areas would result in additional work within Riverfront Area and the 100-foot Buffer Zone. Further, creating such areas would also result in stormwater discharge points that could result in scouring or alteration of the adjacent Riverfront Area and 100-foot Buffer Zone during precipitation events. Any stormwater run-off that does not infiltrate naturally will sheet flow overland virtually eliminating stormwater discharge points.**

**MASSACHUSETTS CONTINGENCY PLAN:**

Has the project site been, or is it currently being, regulated under M.G.L.c.21E or the Massachusetts Contingency Plan? Yes  No \_\_\_ ; if yes, please describe the current status of the site (including

Release Tracking Number (RTN), cleanup phase, and Response Action Outcome classification):

**The following sites are located within the project area based on a review of MassDEP's Bureau of waste Site Cleanup database:**

RTN	Site Name/Location Aid	Municipality	Status	AUL
3-0027082	Leland Park	Woburn	Tier 2	
3-0015395	95 Maple Street	Stoneham	Tier 2	
3-0011844	109 Central Street	Stoneham	DPS	X
3-0013168	105 Central Street	Stoneham	RAO Class A3	X
3-0019430	101 Central St - Railroad Bed	Stoneham	RAO Phase II Class A3	X
3-0016907	41 Pleasant St - Gould St	Stoneham	RAO Phase II Class A3	
3-0015929	13 Gould St	Stoneham	RAO Class A2	
3-0027879	30 Pine Street	Stoneham	RTN Closed	

Is there an Activity and Use Limitation (AUL) on any portion of the project site? Yes \_\_\_ No X;  
if yes, describe which portion of the site and how the project will be consistent with the AUL:

**As noted in the table above, three release sites in proximity to the project corridor have an AUL. Based on a review of available information on MassDEP's Bureau of Waste Site Cleanup website, trail construction is not proposed on any of these sites.**

Are you aware of any Reportable Conditions at the property that have not yet been assigned an RTN?  
Yes \_\_\_ No X

**SOLID AND HAZARDOUS WASTE:**

If the project will generate solid waste during demolition or construction, describe alternatives considered for re-use, recycling, and disposal of, e.g., asphalt, brick, concrete, gypsum, metal, wood:

**MassDOT adopted its GreenDOT Policy Directive on June 2, 2010, with the primary goal to reduce greenhouse gas emissions; promote the healthy transportation options of walking, bicycling, and public transit; and to support smart growth development. In compliance with the 'Sustainable Design and Construction Best Practices' portion of the GreenDOT Policy Directive, MassDOT currently uses a range of recycled materials in pavement, including recycled asphalt pavement, recycled tires, and shingles, as well as warm mix asphalt. MassDOT is working to increase the use of environmentally-friendly technologies, and continues to conduct research so that it can maximize use of recycled materials and warm-mix asphalt paving.**

Will your project disturb asbestos containing materials? Yes \_\_\_ No X

Describe anti-idling and other measures to limit emissions from construction equipment:

**As stated in MassDOT's GreenDOT Policy Directive, MassDOT requires that contractors install control devices in all off-road vehicles. MassDOT's Revised Diesel Retrofit Specification states emissions control standards must be met or technology must be used for non-road, diesel-powered construction equipment in excess of 50 horsepower on MassDOT job sites.**

**DESIGNATED WILD AND SCENIC RIVER:**

Is this project site located wholly or partially within a defined river corridor of a federally designated Wild and Scenic River or a state designated Scenic River? Yes \_\_\_ No X;

**ATTACHMENTS:**

1. List of all attachments to this document.
2. U.S.G.S. map (good quality color copy, 8-½ x 11 inches or larger, at a scale of 1:24,000) indicating the project location and boundaries.
- 3.. Plan, at an appropriate scale, of existing conditions on the project site and its immediate environs, showing all known structures, roadways and parking lots, railroad rights-of-way, wetlands and water bodies, wooded areas, farmland, steep slopes, public open spaces, and major utilities.
- 4 Plan, at an appropriate scale, depicting environmental constraints on or adjacent to the project site such as Priority and/or Estimated Habitat of state-listed rare species, Areas of Critical Environmental Concern, Chapter 91 jurisdictional areas, Article 97 lands, wetland resource area delineations, water supply protection areas, and historic resources and/or districts.
5. Plan, at an appropriate scale, of proposed conditions upon completion of project (if construction of the project is proposed to be phased, there should be a site plan showing conditions upon the completion of each phase).
6. List of all agencies and persons to whom the proponent circulated the ENF, in accordance with 301 CMR 11.16(2).
7. List of municipal and federal permits and reviews required by the project, as applicable.

**Required municipal and federal permits/reviews:**

- **Massachusetts Wetlands Protection Act Orders of Conditions**
- **National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activities**
- **National Environmental Policy Act (NEPA) Categorical Exclusion (CE) Determination**
- **Determination of Effect in accordance with Section 106 of the National Historic Preservation Act**
- **Massachusetts Department of Conservation and Recreation (DCR) Construction & Access Permit**

**LAND SECTION – all proponents must fill out this section**

**I. Thresholds / Permits**

- A. Does the project meet or exceed any review thresholds related to **land** (see 301 CMR 11.03(1))  
 Yes  No

**II. Impacts and Permits**

- A. Describe, in acres, the current and proposed character of the project site, as follows:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Footprint of buildings	N/A	N/A	N/A
Internal roadways	N/A	N/A	N/A
Parking and other paved areas ( <b>trail</b> )	2.6	1.9	4.5
Other altered areas ( <b>former RR bed</b> )	8.1	-1.9	6.2
Undeveloped areas	0.0	0.0	0.0
<b>Total: Project Site Acreage</b>	<b>10.7</b>	<b>0.0</b>	<b>10.7</b>

- B. Has any part of the project site been in active agricultural use in the last five years?  
 Yes  No
- C. Is any part of the project site currently or proposed to be in active forestry use?  
 Yes  No
- D. Does any part of the project involve conversion of land held for natural resources purposes in accordance with Article 97 of the Amendments to the Constitution of the Commonwealth to any purpose not in accordance with Article 97?  Yes  No
- E. Is any part of the project site currently subject to a conservation restriction, preservation restriction, agricultural preservation restriction or watershed preservation restriction?  Yes  No
- F. Does the project require approval of a new urban redevelopment project or a fundamental change in an existing urban redevelopment project under M.G.L.c.121A?  Yes  No
- G. Does the project require approval of a new urban renewal plan or a major modification of an existing urban renewal plan under M.G.L.c.121B? Yes  No

**III. Consistency**

- A. Identify the current municipal comprehensive land use plan
- i. Title: **Winchester Master Plan: Phase I Report on Housing, Neighborhoods, Town Center and Economic Development**  
Date: **April 8, 2010**
  - ii. Title: **Woburn Vision 2020: Community Development Plan**  
Date: **2005**
  - iii. Title: **A Master Plan for the Town of Stoneham, Massachusetts**  
Date: **1952**
- B. Describe the project's consistency with that plan with regard to:
- 1) economic development
    - i. **The Winchester Master Plan emphasizes that a very small amount of tax revenue in town is obtained from commercial or industrial properties, and suggests working to expand this tax base. As indicated in the regional MetroFuture Plan, a high quality of life and a welcoming environment attract and retain jobs and employees. The Tri-Community Bikeway will be an attractive alternative transportation option to those living and/or**

working in the area. The project may assist in attracting new businesses and employees to the town. Improved bicycle and pedestrian access to the town center will help support the local businesses.

- ii. The Woburn Community Development Plan would like to “improve public transportation and pedestrian connections to employment centers and businesses.” It also specifically calls out the Woburn Loop Bike Path as a key instrument to revitalize the Woburn Loop Overlay Zoning District. The Woburn Loop is identified as an important phase of the Tri-Community Bikeway, “expected to create new links to public transportation facilities ... as well as local businesses, schools, parks, and civic buildings.”
  - iii. The Town of Stoneham was contacted for a copy of their most recent comprehensive land use plan. There is no electronic copy available and a hard copy has not been located. The Town’s participation in this project would indicate that the project is consistent with land use goals within the community.
- 2) adequacy of infrastructure
- i. The Winchester Master Plan is currently being updated from their 1955 plan. It is anticipated that the trail project will be consistent with any discussions related to infrastructure improvements. Phase 1 of the Master Plan (approved by the Winchester Planning Board in April 2010) recommends developing a townwide plan for pedestrian-ways and bikeways to provide traffic calming, walkability, safe paths to schools and better accessibility around town (*Neighborhoods, page 27*). The Tri-Community Bikeway will connect residential, commercial, and open space properties with schools and the commuter rail stations, providing multi-modal transportation opportunities to both area residents and visitors.
  - ii. The Woburn Community Development Plan identifies the completion of the Tri-Community Bikeway and connecting Woburn Loop as a short-term action (2010-2015) in its Recommended Transportation Improvement Plan Prioritization Chart.
  - iii. Please see 1.iii.
- 3) open space impacts
- i. The Winchester Master Plan is currently being updated from their 1955 plan. It is anticipated that the trail project will be consistent with any discussions related to open space. The Tri-Community Bikeway provides a recreational and alternative transportation option for those living and/or working in Winchester. The project will enhance bicycle and pedestrian access to a number of recreational properties and natural resources within the town.
  - ii. The Woburn Community Development Plan identifies Horn Pond as a major asset, worthy of major attention and protection. The Plan also lists a town priority to improve physical access to open space, educate the public about the location of open space and its benefits, and consider regional connections in planning efforts. The Horn Pond Spur of the Tri-Community Bikeway will improve pedestrian and bicycle access to the Horn Pond

Recreation Area from points within and beyond the City.

iii. Please see 1.iii.

4) compatibility with adjacent land uses

i. **The Winchester Master Plan is currently being updated from their 1955 plan. It is anticipated that the trail project will be consistent with any discussions related to land use. The accessible pedestrian & bikeway system should attract an alternative set of users to the central business district, and better link residents and commuters to the commuter rail, schools, and commercial, industrial, and open space properties throughout the town.**

ii. **The Tri-Community Bikeway is identified, within the Woburn Community Development Plan, as a much needed resource to provide better access to public transit and the City's industrial, commercial, residential and open space properties. All adjacent land uses will benefit from this new transportation resource.**

iii. Please see 1.iii.

C. Identify the current Regional Policy Plan of the applicable Regional Planning Agency (RPA)  
RPA: **Metropolitan Area Planning Agency**

Title: **MetroFuture: Making a Greater Boston Region** Date **May 2008**

D. Describe the project's consistency with that plan with regard to:

1) economic development:

**MetroFuture goals indicate that the region will be a national leader in the green technology and energy sectors, and small businesses will play a major role in the region's economy and innovation. The Plan indicates that a high quality of life and a welcoming environment will attract and retain a strong, diverse labor force for these jobs. The Tri-Community Bikeway is designed to be an attractive, accessible transportation option to all those living, working, and attending school in the area. The trail encourages people to walk or bike to their destinations within the community, providing a much needed alternative to the car.**

2) adequacy of infrastructure:

**MetroFuture focuses on easing traffic congestion by providing more transportation options to commuters. The Plan states an objective to increase the number of people walking or biking to work, and provide better access to commuter rail stations. The Tri-Community Bikeway connects residential, commercial, industrial, institutional, and open space properties, as well as schools and commuter rail stations. It is designed for all residents and commuters to walk or bike for short trips and decrease the amount the average person will drive each day.**

3) open space impacts:

**MetroFuture includes an objective to create a robust network of protected open spaces, farms, parks, and greenways to provide wildlife habitat, ecological benefits, recreational opportunities, and scenic beauty. The Tri-Community Bikeway provides a recreational opportunity, connecting residents, local employees, and visitors to open spaces within the communities it serves.**

## **RARE SPECIES SECTION**

### **I. Thresholds / Permits**

- A. Will the project meet or exceed any review thresholds related to **rare species or habitat** (see 301 CMR 11.03(2))? \_\_\_ Yes  No
- B. Does the project require any state permits related to **rare species or habitat**? \_\_\_ Yes  No
- C. Does the project site fall within mapped rare species habitat (Priority or Estimated Habitat?) in the current Massachusetts Natural Heritage Atlas (attach relevant page)? \_\_\_ Yes  No.

If you answered "No" to all questions A, B and C, proceed to the **Wetlands, Waterways, and Tidelands Section**.

## **WETLANDS, WATERWAYS, AND TIDELANDS SECTION**

### **I. Thresholds / Permits**

- A. Will the project meet or exceed any review thresholds related to **wetlands, waterways, and tidelands** (see 301 CMR 11.03(3))?  Yes \_\_\_ No; if yes, specify, in quantitative terms:

**301 CMR 11.03 (3)(b)f: alteration of ½ or more acres of any other wetlands: 261,250 s.f. permanent impacts to Riverfront Area (237,350 sf in Winchester, 15,150 sf in Woburn, and 8,750 sf in Stoneham)**

- B. Does the project require any state permits (or a local Order of Conditions) related to **wetlands, waterways, or tidelands**?  Yes \_\_\_ No; if yes, specify which permit:

**Massachusetts Wetlands Protection Act Order of Conditions in Winchester, Woburn and Stoneham**

If you answered "No" to both questions A and B, proceed to the **Water Supply Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Wetlands, Waterways, and Tidelands Section below.

### **II. Wetlands Impacts and Permits**

- A. Does the project require a new or amended Order of Conditions under the Wetlands Protection Act (M.G.L. c.131A)?  Yes \_\_\_ No; if yes, has a Notice of Intent been filed?  Yes \_\_\_ No; Will the project require a Variance from the Wetlands regulations? \_\_\_ Yes  No.

- B. Describe any proposed permanent or temporary impacts to wetland resource areas located on the project site:

**There are no permanent impacts to Bordering Vegetative Wetlands (BVWs), Isolated Vegetative Wetlands (IVW), Bank, or Land Under Water as a result of the proposed project. Temporary Bank Impacts will occur in Woburn with the placement of coir logs at the base of the new bridge to temporarily assist in bank stabilization. These will be placed in the wet by hand, with no equipment in the river.**

**The project will require work within 261,250 sf of Riverfront Area (RFA) and 201,450 sf of Bordering Land Subject to Flooding (BLSF).**

**In Winchester, the on-going Aberjona River Flood Mitigation projects are**

currently under design or construction. Following completion of the channel widening project south of Waterfield Road, the 100-year flood elevation associated with the Aberjona River will be lower than what is shown on the current FEMA Flood Insurance Rate Maps. In all three communities, the trail has been designed to minimize the extent of work within Bordering Land Subject to Flooding (BLSF). As part of the 100% design for the bikeway project, impacts to BLSF will be further evaluated and compensatory mitigation designed, if required.

Notices of Intent (NOI) have been filed with the Conservation Commission in each community; Winchester, Woburn and Stoneham for the proposed work occurring within Bank, BLSF, 200-foot RFA, 100-foot BVW buffer zone, and locally regulated buffer zones. An Order of Conditions was issued by the Winchester Conservation Commission on August 20, 2015. Conservation Commission hearings were held for the project in both Stoneham and Woburn on August 13<sup>th</sup>, 2015. These Commissions have each closed their hearing and are expected to issue Orders of Conditions in the next two weeks.

- C. Estimate the extent and type of impact that the project will have on wetland resources, and indicate whether the impacts are temporary or permanent:

<u>Coastal Wetlands</u>	<u>Area (square feet) or Length (linear feet)</u>	<u>Temporary or Permanent Impact?</u>
Land Under the Ocean	N/A	
Designated Port Areas	N/A	
Coastal Beaches	N/A	
Coastal Dunes	N/A	
Barrier Beaches	N/A	
Coastal Banks	N/A	
Rocky Intertidal Shores	N/A	
Salt Marshes	N/A	
Land Under Salt Ponds	N/A	
Land Containing Shellfish	N/A	
Fish Runs	N/A	
Land Subject to Coastal Storm Flowage	N/A	
<u>Inland Wetlands</u>		
Bank (lf)	50 lf	
Bordering Vegetated Wetlands	N/A	
Isolated Vegetated Wetlands	N/A	
Land under Water	N/A	
Isolated Land Subject to Flooding	N/A	
Bordering Land Subject to Flooding	201,450 SF	Permanent (with mitigation 925 CY net gain)
Riverfront Area	261,250	Permanent

- D. Is any part of the project:

1. proposed as a **limited project**? \_\_\_ Yes  No
2. the construction or alteration of a **dam**? \_\_\_ Yes  No
3. fill or structure in a **velocity zone** or **regulatory floodway**? \_\_\_ Yes  No
4. dredging or disposal of dredged material? \_\_\_ Yes  No

5. a discharge to an **Outstanding Resource Water (ORW)** or an **Area of Critical Environmental Concern (ACEC)**? \_\_\_ Yes  No
6. subject to a wetlands restriction order? \_\_\_ Yes  No
7. located in buffer zones?  Yes \_\_\_ No; if yes, how much (in sf) **270,800 sf**

E. Will the project:

1. be subject to a local wetlands ordinance or bylaw?  Yes \_\_\_ No
2. alter any federally-protected wetlands not regulated under state law? \_\_\_ Yes  No

### III. Waterways and Tidelands Impacts and Permits

- A. Does the project site contain waterways or tidelands (including filled former tidelands) that are subject to the Waterways Act, M.G.L.c.91? \_\_\_ Yes  No

### IV. Consistency:

- A. Does the project have effects on the coastal resources or uses, and/or is the project located within the Coastal Zone? \_\_\_ Yes  No
- B. Is the project located within an area subject to a Municipal Harbor Plan? \_\_\_ Yes  No

## WATER SUPPLY SECTION

### I. Thresholds / Permits

- A. Will the project meet or exceed any review thresholds related to **water supply** (see 301 CMR 11.03(4))? \_\_\_ Yes  No
- B. Does the project require any state permits related to **water supply**? \_\_\_ Yes  No

If you answered "No" to both questions A and B, proceed to the **Wastewater Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Water Supply Section below.

## WASTEWATER SECTION

### I. Thresholds / Permits

- A. Will the project meet or exceed any review thresholds related to **wastewater** (see 301 CMR 11.03(5))? \_\_\_ Yes  No
- B. Does the project require any state permits related to **wastewater**? \_\_\_ Yes  No

If you answered "No" to both questions A and B, proceed to the **Transportation -- Traffic Generation Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Wastewater Section below.

## TRANSPORTATION SECTION (TRAFFIC GENERATION)

### I. Thresholds / Permit

- A. Will the project meet or exceed any review thresholds related to **traffic generation** (see 301 CMR 11.03(6))? \_\_\_ Yes  No
- B. Does the project require any state permits related to **state-controlled roadways**? \_\_\_ Yes  No

If you answered "No" to both questions A and B, proceed to the **Roadways and Other Transportation Facilities Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Traffic Generation Section below.

## **TRANSPORTATION SECTION (ROADWAYS AND OTHER TRANSPORTATION FACILITIES)**

### **I. Thresholds**

- A. Will the project meet or exceed any review thresholds related to **roadways or other transportation facilities** (see 301 CMR 11.03(6))? \_\_\_ Yes  No
- B. Does the project require any state permits related to **roadways or other transportation facilities**? \_\_\_ Yes  No

If you answered "No" to both questions A and B, proceed to the **Energy Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Roadways Section below.

## **ENERGY SECTION**

### **I. Thresholds / Permits**

- A. Will the project meet or exceed any review thresholds related to **energy** (see 301 CMR 11.03(7))? \_\_\_ Yes  No
- B. Does the project require any state permits related to **energy**? \_\_\_ Yes  No

If you answered "No" to both questions A and B, proceed to the **Air Quality Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Energy Section below.

## **AIR QUALITY SECTION**

### **I. Thresholds**

- A. Will the project meet or exceed any review thresholds related to **air quality** (see 301 CMR 11.03(8))? \_\_\_ Yes  No
- B. Does the project require any state permits related to **air quality**? \_\_\_ Yes  No
- C. If you answered "No" to both questions A and B, proceed to the **Solid and Hazardous Waste Section**.

If you answered "Yes" to either question A or question B, fill out the remainder of the Air Quality Section below.

## **SOLID AND HAZARDOUS WASTE SECTION**

### **I. Thresholds / Permits**

- A. Will the project meet or exceed any review thresholds related to **solid or hazardous waste** (see 301 CMR 11.03(9))? \_\_\_ Yes  No
- B. Does the project require any state permits related to **solid and hazardous waste**? \_\_\_ Yes  No

If you answered "No" to both questions A and B, proceed to the **Historical and Archaeological Resources Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Solid and Hazardous Waste Section below.

## **HISTORICAL AND ARCHAEOLOGICAL RESOURCES SECTION**

### **I. Thresholds / Impacts**

A. Have you consulted with the Massachusetts Historical Commission?  Yes \_\_\_ No; if yes, attach correspondence. For project sites involving lands under water, have you consulted with the Massachusetts Board of Underwater Archaeological Resources? \_\_\_ Yes \_\_\_ No; if yes, attach correspondence

B. Is any part of the project site a historic structure, or a structure within a historic district, in either case listed in the State Register of Historic Places or the Inventory of Historic and Archaeological Assets of the Commonwealth?  Yes \_\_\_ No

C. Is any part of the project site an archaeological site listed in the State Register of Historic Places or the Inventory of Historic and Archaeological Assets of the Commonwealth? \_\_\_ Yes  No

D. If you answered "No" to all parts of both questions A, B and C, proceed to the **Attachments and Certifications** Sections. If you answered "Yes" to any part of either question A or question B, fill out the remainder of the Historical and Archaeological Resources Section below.

### **II. Impacts**

Describe and assess the project's impacts, direct and indirect, on listed or inventoried historical and archaeological resources:

**Numerous listed and inventoried historic properties and districts exist adjacent to the project area. The proposed project is adjacent to - but not within - the National Register (NR) listed Winchester Center Historic District; roughly bounded by Mount Vernon and Washington Streets, Waterfield Road, Church and Main Streets. The proposed path runs through a portion of the NR-listed Middlesex Canal Historic and Archeological District and the NR-listed Mystic Valley Parkway. Minor permanent and temporary easement are required from the inventoried James H. Winn Watch Hand Factory at 620 Washington Street in Washington. These easements are required to place all existing sidewalk within the roadway layout.**

**Additional details on these historic properties and the project's potential impact on them are provided in Attachment 3.**

### **III. Consistency**

Describe measures that the proponent will take to comply with federal, state, regional, and local plans and policies related to preserving historical and archaeological resources:

**This project has been reviewed pursuant to Section 106 of the National Historic Preservation Act. The Massachusetts Department of Transportation's Cultural Resources Unit has issued a determination of *No Historic Properties Affected* in accordance with the Programmatic Agreement between the Massachusetts Department of Transportation, the Federal Highway Administration, the Massachusetts State Historic Preservation Officer, and the Advisory Council on Historic Preservation. No further review under Section 106 of the National Historic Preservation Act is required. The Section 106 Effect Finding is provided in Attachment 3. Completing the project review under Section 106 of the National Historic Preservation Act of 1966, as amended, fulfills the requirements of State Register review under M.G.L. Chapter 9, Sections 26-27C, as amended by Chapter 254 of the Acts of 1988 [950 CMR 71.04(2)].**

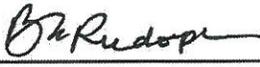
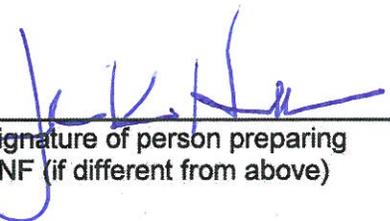
**CERTIFICATIONS:**

1. The Public Notice of Environmental Review has been/will be published in the following newspapers in accordance with 301 CMR 11.15(1):

(Name) Boston Globe (Date) 8/26/15

2. This form has been circulated to Agencies and Persons in accordance with 301 CMR 11.16(2).

Signatures:

<u>8/26/15</u>		<u>8/26/15</u>	
Date	Signature of Responsible Officer or Proponent	Date	Signature of person preparing ENF (if different from above)

<u>Beth Rudolph, P.E., Town Engineer</u>	<u>John K. Hendrickson, P.E.</u>
Name (print or type)	Name (print or type)

<u>Town of Winchester</u>	<u>Fay, Spofford &amp; Thorndike</u>
Firm/Agency	Firm/Agency

<u>71 Mount Vernon Street</u>	<u>5 Burlington Woods</u>
Street	Street

<u>Winchester, MA 01890</u>	<u>Burlington, MA 01803</u>
Municipality/State/Zip	Municipality/State/Zip

<u>781-721-7120</u>	<u>781-221-1133</u>
Phone	Phone

**Tri-Community Bikeway  
Winchester, Woburn & Stoneham, Massachusetts  
Project File No. 604652**

**LIST OF ATTACHMENTS**

- |                     |   |
|---------------------|---|
| <b>ATTACHMENT 1</b> | <b>Project Figures</b>                              |
| <b>ATTACHMENT 2</b> | <b>Project Plans (provided on attachedCD)</b>       |
| <b>ATTACHMENT 3</b> | <b>Section 106 Historic Review Documentation</b>    |
| <b>ATTACHMENT 4</b> | <b>MBTA Release Deed to Town of Stoneham</b>        |
| <b>ATTACHMENT 5</b> | <b>Section 4(f)/Article 97 Coordination Letters</b> |
| <b>ATTACHMENT 6</b> | <b>ENF Circulation List</b>                         |

# **ATTACHMENT 1**

## **Project Figures**

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**Figure 1: Project Locus Map**

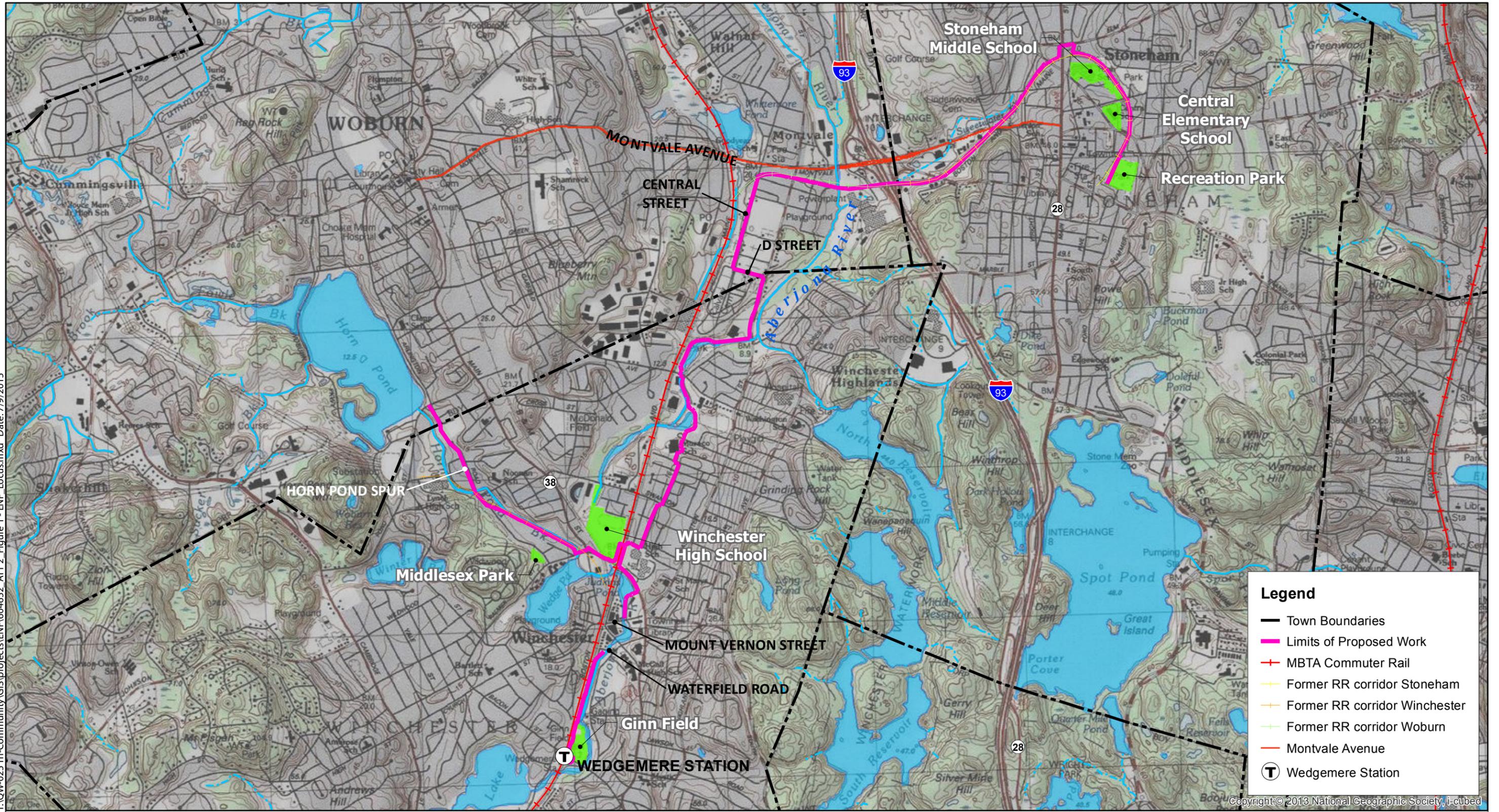
**Figure 2a: Environmental Resources**

**Figure 2b: Environmental Resources**

**Figure 3: Protected and Recreational Open Space and National  
Register Historic Districts**

**Figure 4: Location of Land Transfer from MBTA to the Town of  
Stoneham**

T:\QW-025\Tri-Community\GIS\projects\ENF\604652\_ATT 2\_Figure 1 - ENF\_Locus.mxd Date: 7/9/2015



**Legend**

- Town Boundaries
- Limits of Proposed Work
- MBTA Commuter Rail
- Former RR corridor Stoneham
- Former RR corridor Winchester
- Former RR corridor Woburn
- Montvale Avenue
- Wedgemere Station

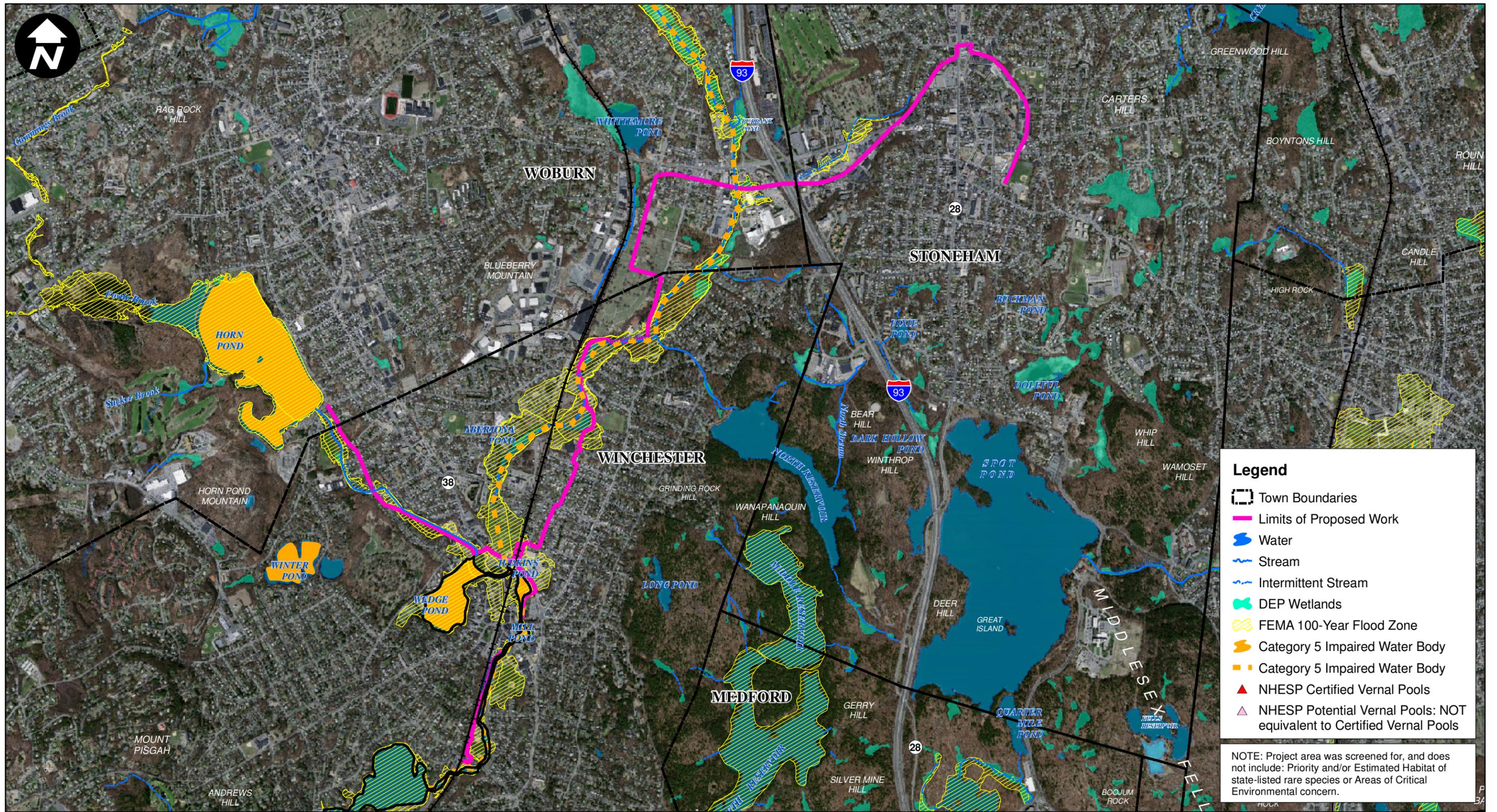


Scale: 0 950 1,900 Feet

Map Source: Office of Geographic and Environmental Information (MassGIS), Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs

Figure 1: Locus Map

Tri-Community Bikeway  
 Stoneham, Winchester, and Woburn, Massachusetts  
 Project File No. 604652



**Legend**

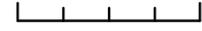
- Town Boundaries
- Limits of Proposed Work
- Water
- Stream
- Intermittent Stream
- DEP Wetlands
- FEMA 100-Year Flood Zone
- Category 5 Impaired Water Body
- Category 5 Impaired Water Body
- NHESP Certified Vernal Pools
- NHESP Potential Vernal Pools: NOT equivalent to Certified Vernal Pools

NOTE: Project area was screened for, and does not include: Priority and/or Estimated Habitat of state-listed rare species or Areas of Critical Environmental concern.



Map Source: Office of Geographic and Environmental Information (MassGIS), Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs

Scale: 0 1,000 2,000 Feet

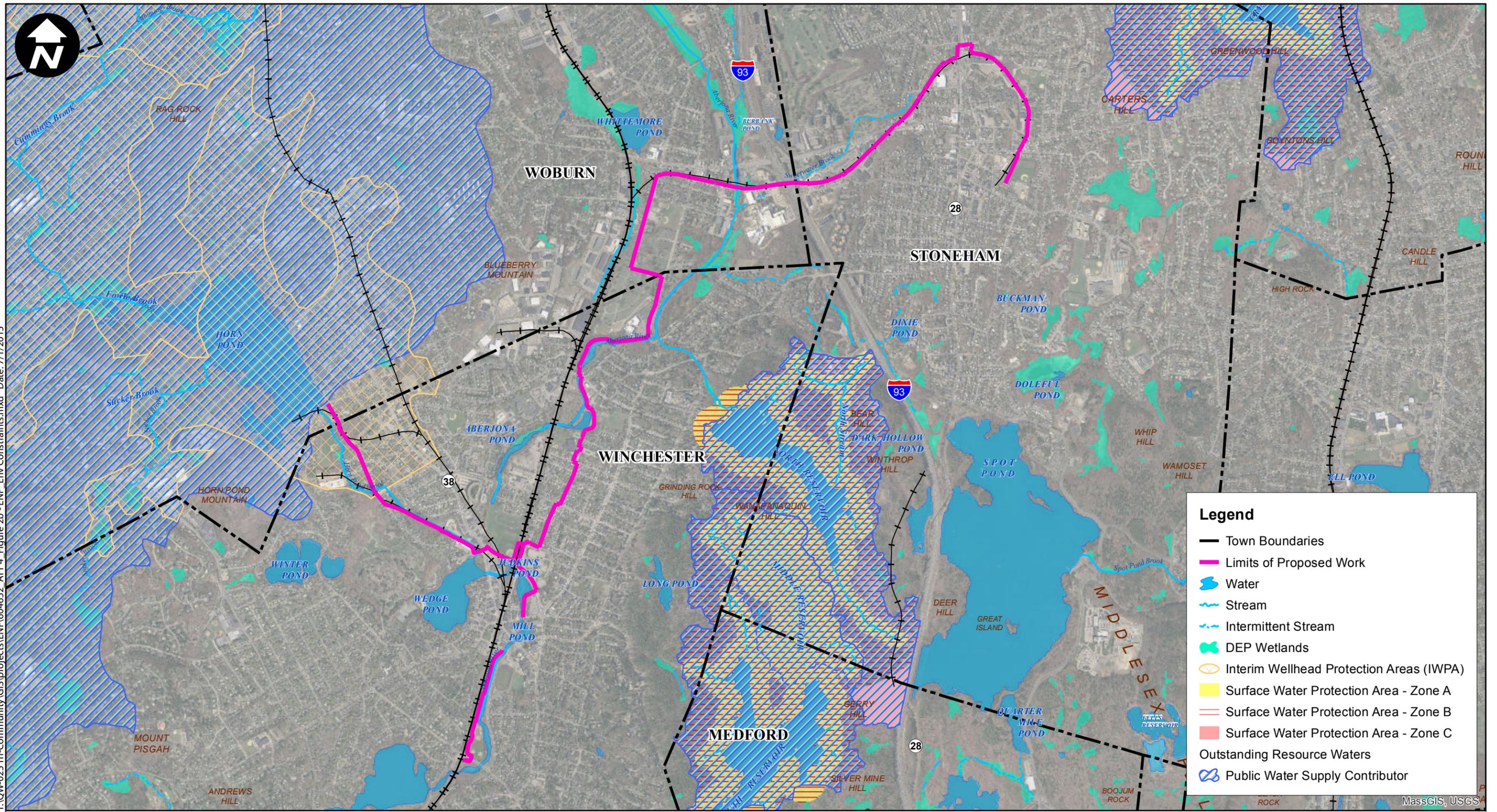


Date: September 2012

Figure 2a: Locus Map - Environmental Resources

Tri-Community Bikeway  
Stoneham, Winchester, and Woburn, Massachusetts  
Project File No. 604652

T:\QW-025\Tri-Community\GIS\projects\ENF\604652\_ATT 4\_Figure 2b - ENF\_Env Constraints.mxd Date: 7/1/2015



Scale: 0 1,000 2,000 Feet

Map Source: Office of Geographic and Environmental Information (MassGIS), Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs. 2013 Orthophotography.

Figure 2b: Locus Map - Environmental Resources

Tri-Community Bikeway  
Stoneham, Winchester, and Woburn, Massachusetts  
Project File No. 604652

T:\QW-025 Tri-Community\GIS\projects\ENF\604652\_ATT 4\_Figure 3 - ENF\_Open Space.mxd Date: 7/1/2015

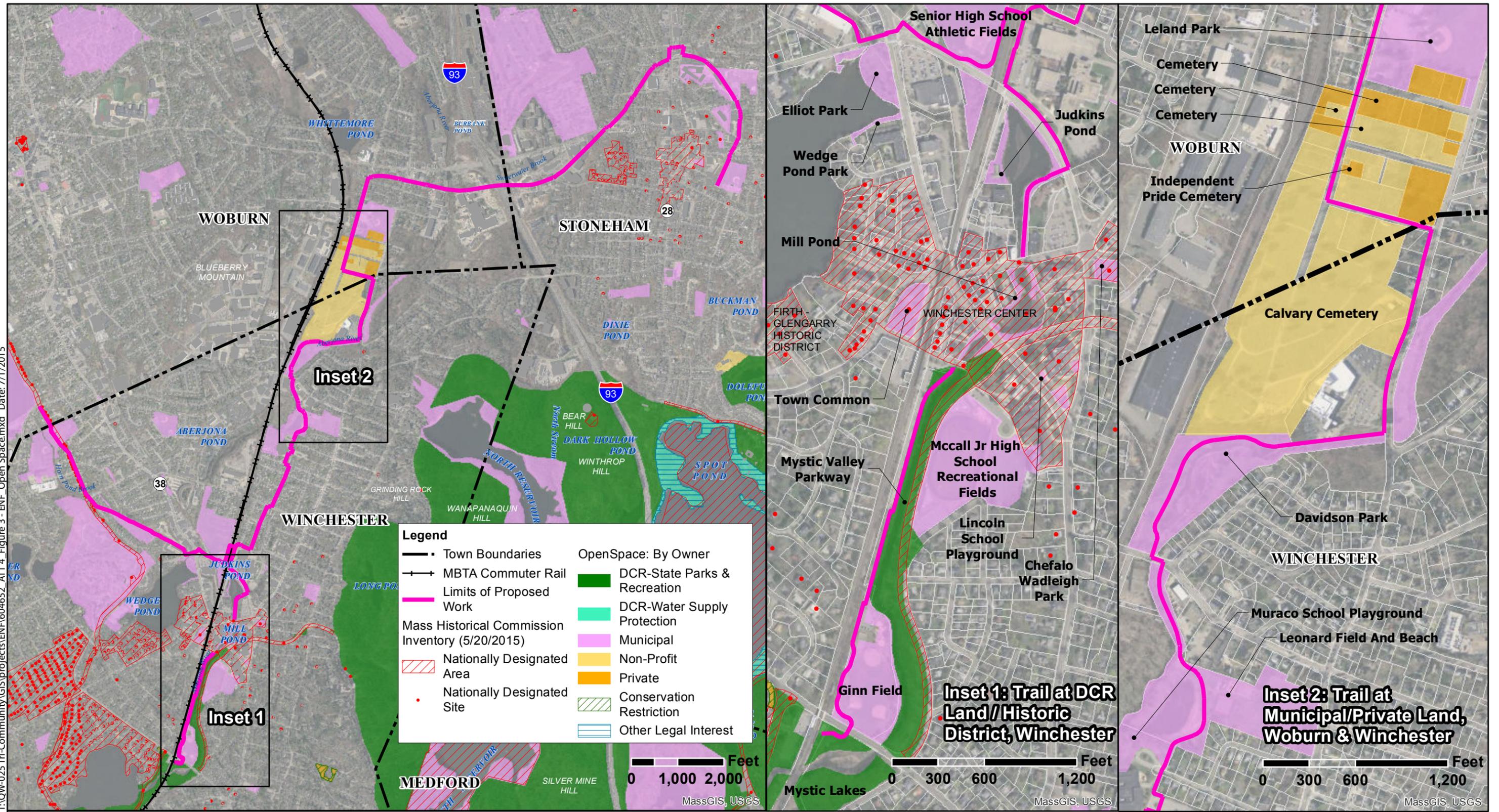


Figure 3: Locus Map - Protected and Recreational Open Space and National Register Historic Districts



Figure 4: Location of Land Transfer from MBTA to the Town of Stoneham

Tri-Community Bikeway  
 Stoneham, Winchester, and Woburn, Massachusetts  
 Project File No. 604652



# **ATTACHMENT 2**

## **Project Plans (provided on Attached CD)**

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**Title Sheet and Index**

**Legend, Abbreviations and General Notes**

**Key Plan**

**Typical Sections**

**Construction Plans**



**ATTACHMENT 3**  
**Section 106 Historic Review Documentation**

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City/Town	Winchester-Woburn-Stoneham	Project #	604652	Date Cleared	5/19/2015
Project Name	Tri-Community Bikeway including new bridge, W-43-029, over the Aberjona River	Date Filed	5/15/2015	Finding Under Review	<input type="checkbox"/>
Project Type	Bikeway/Bike Path Construction	FHWA to MHC		Early Coord. Letter Sent:	<input checked="" type="checkbox"/>
Review	Section 106 (PA)	Comment Received:		Reviewer	KP
Finding:	Stip VB - No historic properties affected	<input type="checkbox"/> MHC <input checked="" type="checkbox"/> LHC		Consultant	
Comment					

Determination based on:  Scope of Work  Plan  Inventory  Site Visit  Archaeological Survey  
*Attach appropriate documentation for checked items*

**Projects Requiring No Massachusetts SHPO Review**

**Programmatic Agreement, Appendix 1 (check all that apply) :**

- |   |   |
|---|---|
| <input type="checkbox"/> 1) Interstate bridge or roadway projects                         | <input type="checkbox"/> 16) Bridge (less than 20' span)                  |
| <input type="checkbox"/> 2) Resurfacing, repair existing roadways                         | * <input type="checkbox"/> 17) Highway safety improvement                 |
| * <input type="checkbox"/> 3) Reconstruction on existing roadway                          | <input type="checkbox"/> 18) Drainage system element                      |
| * <input type="checkbox"/> 4) Roadway geometrics, intersections                           | * <input type="checkbox"/> 19) Traffic signal, safety improvement         |
| * <input type="checkbox"/> 5) Curbs and sidewalks   | * <input type="checkbox"/> 20) Intelligent Transportation System project  |
| <input type="checkbox"/> 6) Pavement markings, rumble strips, etc                         | <input type="checkbox"/> 21) Rest area, maintenance facility              |
| <input type="checkbox"/> 7) Curbs, sidewalks (MAAB, ADA)                                  | * <input type="checkbox"/> 22) Bicycle, pedestrian lane, path or facility |
| * <input type="checkbox"/> 8) Removal of trees  | <input type="checkbox"/> 23) Lighting system                              |
| <input type="checkbox"/> 9) Landscaping   | <input type="checkbox"/> 24) Sign   |
| <input type="checkbox"/> 10) Utilities  | <input type="checkbox"/> 25) Hazardous waste                              |
| <input type="checkbox"/> 11) Railroad crossing  | <input type="checkbox"/> 26) Highway fencing                              |
| <input type="checkbox"/> 12) Stream stabilization and restoration                         | <input type="checkbox"/> 27) Emergency repair                             |
| <input type="checkbox"/> 13) Wetland mitigation area                                      | <input type="checkbox"/> 28) Erosion control                              |
| * <input type="checkbox"/> 14) Bridge (NR "Not Eligible" or "Conditionally Not Eligible") | <input type="checkbox"/> 29) Noise barrier                                |
| * <input type="checkbox"/> 15) Bridge (concrete slab post 1900, steel stringer)           | * National Register eligibility evaluation required                       |

-OR-

**No Historic Properties Affected**

**Programmatic Agreement Stipulation V.B. (check one):**

- No NR listed or -eligible properties within Area of Potential Effect  
 No effect on National Register listed or -eligible properties

Reviewer's Initials: KP GMAK  


## Summary of MassDOT Highway Division Finding (Appendix 1 and Section V.B. Projects only)

### Project Description

The proposed project involves constructing a bikeway in the towns of Winchester, Woburn, and Stoneham for a distance of approximately 6.5 miles. The bikeway will begin at Wedgemere Station in Winchester, extend north to Horn Pond in Woburn, and end at Recreation Park in Stoneham. The project connects to, but excludes, an existing path segment between Waterfield Road and Mount Vernon Street in Winchester Center. The project follows a combination of existing paths, local roadways, and a former railroad right-of-way corridor.

Proposed project work will include the following: constructing an 8 to 10 foot wide ADA compliant hot mix asphalt shared use path with 2 to 3 foot soft surface shoulders; installing a wood rail fence where the trail is located adjacent to parking areas or steep slopes; painting shared use markings to create a bike route where the path follows low volume local roadways; installing warning and regulatory signage; and installing amenities such as site furnishings, informational and directional signage, and landscaping.

Several bridges are located within, or directly adjacent to, the project area: Bridges W-40-003, W-40-011, W-40-012, W-40-013, W-40-031, W-43-037, W-43-039, and W-43-040. No structural work is proposed on any of these bridges. Work is confined to painting a roadway bike route over Bridges W-40-011 and W-40-031, and paving the bikeway path under Bridges W-43-037, W-43-039, and W-43-040.

Proposed work also includes replacing an abandoned railroad bridge over the Aberjona River in Woburn with a prefabricated steel bowstring bridge (Bridge W-43-029). Kurt Jergensen, MassDOT Historic Bridge Specialist, reviewed the bridge and determined it to be an early twentieth century timber stringer railroad bridge. The bridge is an undistinguished common structural type and is not eligible for listing in the National Register.

Several minor permanent easements and takings are necessary to construct the proposed bikeway. All other easements are temporary for construction access, grading, and repaving driveway aprons.

### Cultural Resources Identified Within or Adjacent to the Project Area

A review of the National Register of Historic Places and the Inventory of Historic and Archaeological Assets of the Commonwealth revealed numerous listed and inventoried properties and districts adjacent to the project area. However, as the proposed bikeway follows a combination of existing paths, local roadways, and a former railroad right-of-way, there will be no impact on these adjacent properties and districts.

The proposed work ends at the boundaries of the NR-listed Winchester Center Historic District (WNT.Q). After concern was expressed by the Winchester Historical Commission, project work was removed from the historic district, and will therefore have no impact on any of the characteristics which make it eligible for listing in the NR.

The proposed path runs through a portion of the NR-listed Middlesex Canal Historic and Archaeological District (WNT.W). However, work within the district is confined to painting shared lane markings for a bike route on Sylvester Avenue and will have no effect on the characteristics which make it eligible for listing in the NR.

The proposed path is in the vicinity of the NR-listed Mystic Valley Parkway (WNT.AC). However, all work is outside the boundaries of the historic district, is separated from the district by the Aberjona River, and will have no impact on any of the characteristics which make the district eligible for listing in the NR.

Minor permanent and temporary easements are required from the inventoried James H. Winn Watch Hand Factory, located at 620 Washington Street in Winchester (WNT.455). The easements are necessary to incorporate the existing sidewalk on Washington Street into the right-of-way and therefore, will have no impact on the property. The factory is a two and three-story brick building constructed in 1900. It was heavily altered and partially demolished when it was redeveloped for use as the Winchester Hospital Center for Cancer Care. Therefore, it is the opinion of MassDOT Cultural Resources Unit staff (CRU) that the James H. Winn Watch Hand Factory does not qualify for listing in the National Register.

The proposed work will also occur within two inventoried areas: Swanton Street (WNT.I) and Harvard-Irving Streets (WNT.J). These areas contain an undistinguished mix of residential properties from the mid-nineteenth to early-twentieth centuries, which were originally occupied by predominately Irish and African American laborers. Neither area appears to possess sufficient integrity or significance to meet the criteria for listing in the NR.

Reviewer's Initials: \_\_\_\_\_

Project work within these inventoried areas is minor and confined to applying shared use markings on the roadway.

### Archaeological Resources

A review of the MHC archaeological base maps revealed no previously recorded pre-contact or historic archaeological sites within the immediate vicinity of the project area. Proposed work is minor and includes upgrading existing paths to meet ADA standards, paving a former rail bed, and applying shared use markings to roadways. Therefore, little to no archaeological potential can be ascribed to the project area based on the absence of previously recorded sites and the effects of past railroad, roadway, sidewalk, utility, and drainage construction.

### Early Coordination

Letters soliciting comments were sent to the Winchester, Woburn, and Stoneham historical commissions on May 11, 2007. The Winchester Historical Commission responded in a letter dated July 10, 2008, expressing their concerns regarding plans to continue the bikeway through the National Register-listed Winchester Center Historic District. Plans have been revised in response to the Commission's concerns, and the bikeway is no longer proposed within the NR-listed district. No response has been received from either the Woburn or Stoneham historical commissions.

### Effect Finding

Based on the nature of the proposed project work, the absence of effect on National Register-listed properties or districts, and the project area's lack of archaeological potential, it is the opinion of MassDOT Cultural Resources (CRU) staff that no further review is required under Stipulation VB "No Historic Properties Affected" of the Section 106 Programmatic Agreement, as amended.



**ATTACHMENT 4**  
**MBTA Release Deed to Town of Stoneham**

---



## RELEASE DEED

***KNOW ALL MEN BY THESE PRESENTS***, that the **MASSACHUSETTS BAY TRANSPORTATION AUTHORITY**, a body politic and corporate and a political subdivision of the Commonwealth of Massachusetts (hereinafter referred to as "**GRANTOR**") with a principal place of business at Ten Park Plaza, Boston, Massachusetts 02116, for consideration of One (\$1.00) Dollar, and other consideration the receipt of which is hereby acknowledged, does hereby release to the Town of Stoneham, Massachusetts, a Massachusetts municipal corporation acting by and through its Board of Selectmen, (hereinafter referred to as "**GRANTEE**"), with an address in the Stoneham Town Hall, 35 Central Street, Stoneham, Massachusetts 02180, its successors and/or assigns, only for so long as (1) the Premises, defined below, are used solely for the purposes herein described, and (2) the Premises are owned by the Commonwealth of Massachusetts or any political subdivision thereof or any agency or instrumentality of either of them, and subject to the reservations, conditions and limitations set forth herein, all of **GRANTOR**'s right, title and interest in a certain segment of railroad right-of-way known as the Stoneham Branch, so-called, situated in the Town of Stoneham, Middlesex County, Massachusetts (the "Premises") commencing at the City of Woburn/Town of Stoneham town line at Engineering Station 40+00 as shown on Valuation Section 13.5 Map 2, and running in a generally easterly direction for approximately 912 ± linear feet and ending on the southerly sideline of Maple Street in Stoneham at Engineering Station 49 + 15.6 as shown on Valuation Section 13.5, Map 2, as shown on Right-of-Way and Track Map, Boston and Lowell R. R. Corp., Operated by the Boston and Maine R. R., Station 40+0 to Station 80+0, Valuation Section 13.5, Map 2, the above referenced plans all previously recorded at the Middlesex County Registry of Deeds (Southern District) at Book 442, Sections A, B, and C.

The Premises include all buildings, bridges, structures, crossings, fixtures, track, ties, and culverts and improvements of any nature and description thereon, if any (except any improvements explicitly reserved to **GRANTOR** herein), and they shall become the property of **GRANTEE** pursuant to this Release Deed.

For **GRANTOR's** title, see Middlesex County Registry of Deeds (Southern District), Book 13117, Page 113, and Order of Taking MBTA No. 71, at said Registry at Book 13156, Page 34.

For **GRANTEE's** authorization vote, see Article 7 of the Town of Stoneham Special Town Meeting, October 21, 2013.

**GRANTOR** makes no warranty, express or implied, as to the condition of the Premises or its suitability to **GRANTEE's** intended use. **GRANTEE** assumes all risk of entry on the Premises.

**GRANTEE** accepts the Premises "as is", however this acceptance shall not preclude the **GRANTEE** from pursuing and/or enforcing any rights or remedies with a third party regarding the Premises.

The **GRANTOR** hereby reserves an exclusive, permanent right of way and easement in, on, over, under, across and through the Premises for the purpose of **GRANTOR** accessing, constructing, installing, operating, maintaining, modifying, repairing, replacing, relocating and removing existing and future utilities and telecommunications systems or other systems for the flow and transmission of substances (including, but not limited to, water, sewage, sludge, slurry, electricity and gas), intelligence and/or information by any means, whether now existing or hereby devised, including such poles, pipes, wires, conduits, cables, fibers, fiber optic cables, antennas, towers, repeater stations, attachments, appurtenances, structures or other equipment and property of any description necessary or useful for the same (the "Utilities and Telecommunications Easement"), subject to applicable law and regulations. The **GRANTOR** further reserves the right to lease, license, mortgage, assign, pledge and otherwise alienate all or part of the Utilities and Telecommunications Easement to third parties in the future, and to retain all consideration therefor. The **GRANTEE** hereby covenants with the **GRANTOR** to recognize the Utilities and Telecommunications Easement and, without the payment of any further consideration, to execute, acknowledge and deliver such instruments suitable for recording with the Registry of Deeds as the **GRANTOR** may reasonably require to acknowledge title to the Utilities and Telecommunications Easement in the **GRANTOR**. The exercise of rights within the Utilities and Telecommunications Easement by **GRANTOR** and grantees of an interest in the Utilities and Telecommunications Easement (together with **GRANTOR**, collectively, "Utility Companies" and each individually, a "Utility Company") shall be subject to the following conditions: (a) the Utility Company exercising rights within the Utilities and Telecommunications Easement (the "Applicable Company") shall repair and restore the Premises after any work undertaken in the exercise of this reserved Utilities and Telecommunications Easement to substantially the condition it was

in before the work began, except utilities and telecommunications systems installed in accordance with the requirements of this Utilities and Telecommunications Easement and this Release Deed may remain, (b) the Applicable Company shall use reasonable efforts to limit the impact on **GRANTEE**'s uses during construction and maintenance of the Utilities and Telecommunications Easement, including, without limitation, providing **GRANTEE** with reasonable advanced written notice of any construction activities within the Utilities and Telecommunications Easement enabling the provision of adequate notice to the public, (c) the exercise of rights within the Utilities and Telecommunications Easement by the Applicable Company shall not unreasonably, materially or permanently interfere with the **GRANTEE**'s and public's use of the Alternative Transportation Corridor (defined below), except that temporary interference during periods of installation, repair and replacement shall be permitted, (d) prior to commencement of construction activities within the Utilities and Telecommunications Easement, the Applicable Company shall provide a performance bond or other financial security, as may be reasonably acceptable to **GRANTEE** in form and amount, and (e) the Applicable Company shall indemnify, defend and hold **GRANTEE** harmless from and against any and all liabilities, losses, damages, costs, reasonable attorney fees, expenses, causes of action, suits, claims, demands, response action costs or judgments of any nature whatsoever, including, without limitation, any accident, injury to, or death of any person or any damages to real estate or personal property (or part thereof), and those related to any environmental condition or Hazardous Materials (defined below) (collectively "Claim(s)"), arising from or in connection with the exercise of the Utility Company's rights in the Utilities and Telecommunications Easement or any activities of the Applicable Company within the Utility and Telecommunications Easement (excluding any matters caused by the negligence or willful misconduct of **GRANTEE**) and providing that the Applicable Company's indemnification obligations with respect to Hazardous Materials (provided the presence or release of such Hazardous Materials is not a result of the Applicable Company's activities) shall be limited to the Applicable Company complying with utility related abatement measures provisions of the MCP (as defined below), 310 C.M.R. 40.0460 et seq., as amended ("URAM"), if the Applicable Company is entitled to utilize the URAM provisions under the MCP, (f) prior to and as a condition precedent to commencing any work at or on the Utility and Telecommunications Easement, the Applicable Company shall obtain and thereafter maintain environmental insurance relating to the Premises, which includes the **GRANTEE** as an additional named insured, provides coverage on the entire Premises, including, but not limited to the Utilities and Telecommunications Easement, for Claims incurred relating to the discovery of any environmental condition or Hazardous Materials as a result of such activities and is reasonably acceptable to the **GRANTEE** in form and amount, and commercial general liability insurance, written on an occurrence basis, naming

the **GRANTEE** as an additional insured, as is reasonably acceptable to the **GRANTEE** in form and amount, and (g) all non-emergency work within the Utilities and Telecommunications Easement shall be conducted on weekdays in accordance with a schedule that is prepared by the Applicable Company and submitted to **GRANTEE** for review and approval, which approval shall not be unreasonably withheld, conditioned or delayed. **GRANTOR** shall incorporate the foregoing conditions into each instrument granting rights to a Utility Company with respect to the Utilities and Telecommunications Easement.

This exclusive easement reservation shall not: 1) prohibit or limit **GRANTEE**'s right and ability to install, maintain, repair and operate local municipal water and sewer connections for any purpose, and any utility (including drainage) or telecommunications connections constructed and used solely for the permitted uses on said Premises; and/or 2) materially interfere with the Grantee's permitted uses of the Premises.

By acceptance of this deed, and as the major consideration therefore, the **GRANTEE** hereby covenants and agrees to the following:

- (1) **GRANTEE** shall use the Premises solely as an alternative transportation corridor ("Alternative Transportation Corridor") (except that no motorized vehicles other than maintenance vehicles and public safety vehicles and motorized devices and vehicles being used by disabled persons will be permitted on the Premises) and/or for public utility purposes, including hereby **GRANTEE**'s right to install, maintain, repair and operate any utility (including drainage) or telecommunications connections constructed and used solely for the permitted uses on said Premises, and to grant to public utility companies easements or licenses to do so for no monetary consideration and for no other purpose.
- (2) Except as expressly provided herein, **GRANTEE** shall not transfer title to the Premises or portion(s) thereof to any entity that is not the Commonwealth of Massachusetts or a political subdivision thereof or an agency, or instrumentality of either of them, however nothing herein prevents the **GRANTEE** from leasing, licensing or granting use and occupancy agreements with third parties for monetary consideration as long as said lease(s), license(s) and/or use and occupancy agreement(s) do not materially impair the use of the Premises as an Alternative Transportation Corridor or for any purpose related to the Utilities and

Telecommunications Easement, and all proceeds therefrom shall be used for the Alternative Transportation Corridor.

(3) **GRANTEE** shall not build, construct, erect, or install any buildings, bridges, structures, crossings, fixtures or improvements of any nature and description on the Premises except those used for the permitted uses described herein.

(4) Indemnification and Release of the GRANTOR

(a) The **GRANTEE** shall (to the extent permitted by law) indemnify, defend and save the **GRANTOR** harmless, from and against and all liabilities, losses, damages, costs, expenses, causes of action, suits, claims, demands, response action costs or judgments of any nature whatsoever, including, without limitation, any accident, injury to, or death of any person or any damage to property occurring on the Premises (or part thereof) or caused by something occurring on the Premises or that may be imposed upon, incurred by, or asserted against **GRANTOR** by reason of the following occurrences:

(i) the activities of **GRANTEE**, members of the public or others present on the Premises, except to the extent that those activities arise from the Utilities and Telecommunications Easement; or

(ii) the discovery of pre-existing Hazardous Materials, defined below, or the release of any Hazardous Materials on the Premises (or other property of the **GRANTOR** adjacent to the Premises) which is a result of: (a) the **GRANTEE'S** activities hereunder (including the activities of those present from time to time on the Premises, except to the extent that those activities are of the Applicable Company on the Premises) or (b) the migration from land now or previously owned, leased, occupied or operated by the **GRANTEE** or for which the **GRANTEE** is a potentially responsible party as defined under Chapter 21C and Chapter 21E, defined below, or

(iii) any failure of **GRANTEE** to perform or comply with any of the terms hereof, or of any contracts, agreements or restrictions, statutes, laws,

ordinances or regulations affecting the activities or any part thereof.

“Hazardous Materials” is defined to be “oil,” “hazardous materials,” or “hazardous wastes” as those terms are defined in Massachusetts General Laws Chapter 21E (“Chapter 21E”) and Massachusetts General Laws Chapter 21C (“Chapter 21C”), as from time to time may be amended, and the regulations promulgated pursuant thereto, including the Massachusetts Contingency Plan, 310 CMR 40.0000 et seq. (the “MCP”), and as further defined in all other applicable state and Federal laws regarding Hazardous Materials.

For the purposes of this Deed, the term “applicable laws” with regard to environmental laws and/or Hazardous Materials means, without limitation, all applicable laws, statutes, codes, acts, ordinances, orders, judgments, decrees, injunctions, rules, regulations, permits, licenses, authorizations, directions and requirements, of all governments, departments, and offices relating in any way to the control and/or abatement of environmental pollution and environmental hazards that now or at any time hereafter may be applicable.

- (b) The **GRANTEE** hereby releases the **GRANTOR** from any responsibility for the **GRANTEE’S** losses or damages related to the condition of the Premises and the **GRANTEE** covenants and agrees that it will not assert or bring, nor cause any third party to assert or bring any claim, demand, lawsuit or cause of action (whether by way or original claim, cross claim, counterclaim, contribution claim, indemnification claim, third-party claim or further party claim) (hereinafter “Claims”) against the **GRANTOR**, including, without limitation, claims for response actions, response costs, assessments, containment, removal and remedial costs, governmental oversight charges, including any overhead or response action costs incurred or assessed by the Massachusetts Department of Environmental Protection, fines or penalties, permit and annual compliance fees, reasonable attorney and expert fees, natural resource damages, property damages, including diminution in property value claims, and personal injury damages and damages

related to a person's illness or death relating to, or arising from, the **GRANTEE's** use of the Premises (or the use of the Premises by those permitted onto the Premises by the **GRANTEE**); and

(c) The **GRANTEE** shall be timely notified, in writing, by the **GRANTOR** of the assertion of any claim against it that the **GRANTEE** has agreed to defend and indemnify as stated above (the "Indemnified Claim").

(i) If the **GRANTEE** defends the claim or handles the response action, the **GRANTEE** shall bear the entire cost thereof (including, without limitation, attorneys' fees and expenses for counsel selected by the **GRANTEE** and reasonably acceptable to the **GRANTOR**) and shall have sole control of the defense of any Indemnified Claim and all negotiations for its settlement or compromise provided that the **GRANTOR** is fully indemnified by the **GRANTEE** and provided further that the settlement or compromise shall not include the admission of guilt (or comparable plea), wrongdoing or negligence or the permitting or imposition of civil or criminal penalties or indictments, or the entering of consent decrees or orders of any kind by the **GRANTEE** on behalf of the **GRANTOR** or any other action that would materially prejudice the rights of the **GRANTOR** without the **GRANTOR's** express written approval. The **GRANTOR** shall cooperate with the **GRANTEE** in the defense of the Indemnified Claim.

(ii) In the event of a conflict of interest between the interests of the **GRANTOR** and the **GRANTEE**, the **GRANTOR** may elect to itself conduct the defense of an Indemnified Claim against it or to conduct any other response itself, the **GRANTEE** shall cooperate therewith and reimburse the **GRANTOR** for all costs and expenses (including without limitation, reasonable attorneys' fees and expenses) incurred by the **GRANTOR** in connection with the **GRANTOR's** defense of the

Indemnified Claim against it and/or the conduct of all response actions, including, without limitation, those required by Chapter 21E, Chapter 21C and the MCP.

If any response action due to the presence of Hazardous Materials or the threat of release of Hazardous Materials onto the Premises (or other property of the **GRANTOR** which abuts the Premises) is performed by the **GRANTEE**, the response action shall be performed in accordance with Subparagraph 5 immediately below.

For purposes of this Section (4), the **GRANTOR** shall include the **GRANTOR** and its directors, officers, employees, agents, successors and assigns.

(5) Remediation Obligation of the GRANTEE

Whenever the **GRANTEE** is responsible for the remediation of Hazardous Materials on or below the Premises or by law or pursuant to this Deed, the **GRANTEE**, upon written demand of the **GRANTOR**, shall conduct (at no cost or expense to **GRANTOR**) all response actions required by Chapter 21E, Chapter 21C and the MCP with respect to the Hazardous Materials (including the hiring of a Licensed Site Professional), subject to the **GRANTEE**'s rights against any third parties. Any such response action, if performed by the **GRANTEE**, shall be performed in accordance with Chapter 21E, Chapter 21C, the MCP, any other applicable statutes and regulations and shall be completed in a timely manner. If the **GRANTEE** is unable to meet its remediation responsibility pursuant to law or this Deed, and the **GRANTOR** takes such remediation action, the **GRANTEE** shall reimburse the **GRANTOR** for the cost and expense incurred by the **GRANTOR**, including, without limitation, the reasonable costs incurred by **GRANTOR** in hiring consultants to review, supervise, and inspect any plans, specifications, proposed method of work, installation, operation and/or results.

(6) **GRANTEE** accepts the Premises "as is" with all third-party encroachments. **GRANTEE** acknowledges and agrees that the Premises are suitable for **GRANTEE**'s intended use.

Any funds from the resolution of encroachments now or in the future, or from the conveyance of easements, leases, or licenses, hereafter received by the Grantee shall be used by Grantee solely to fund the construction and/or maintenance of the Alternative Transportation Corridor.

- (7) If **GRANTEE** receives any eminent domain proceeds granted at any time by a taking authority (or court of law) for any or all of **GRANTEE's** interests in the Premises (excluding therefrom eminent domain damages associated with any requirement to remove or relocate utility improvements of **GRANTEE** pursuant to easements held prior to the date hereof), then **GRANTEE** shall, for a total taking resulting in the inability to use the Premises for the purpose stated herein, pay over all such proceeds to **GRANTOR**, and for a partial taking shall use said funds for the continued purpose of the Alternative Transportation Corridor.
- (8) **GRANTEE** assumes any and all agreements, covenants, obligations and liabilities of the **GRANTOR** in respect to any underground facilities, drainage culverts, walls, crossings and/or other structures of any nature and description located in whole or in part within the Premises that are not associated with the Utilities and Telecommunications Easement.

Any restriction or provision herein may be amended by a deed amendment agreed to by the parties hereto or their successors or assigns and recorded at the Middlesex South District Registry of Deeds.

All the terms and provisions of this Deed shall be binding upon and inure to the benefit of the **GRANTOR** and **GRANTEE** respectively and their respective legal representatives, successors and assigns.

No excise tax stamps are required per Massachusetts General Laws Chapter 64D, Section 1.

**[Signature pages follow]**

**IN WITNESS WHEREOF**, the parties have set their hands and seals as of the 19<sup>th</sup> day of August, 2015.

Approved as to form:

GRANTOR:

**MASSACHUSETTS BAY  
TRANSPORTATION AUTHORITY**

By:   
John Englander  
General Counsel

By:   
Francis A. DePaola  
General Manager

(For authority, see certificate  
recorded with the Suffolk County  
Registry of Deeds at Book 54608,  
Page 84.)

**COMMONWEALTH OF MASSACHUSETTS**

**SUFFOLK, SS.**

On this 19<sup>th</sup> day of August, 2015, before me, the undersigned notary public, personally appeared Francis A. DePaola, proved to me through satisfactory evidence of identification, which was my personal knowledge, to be the person whose name is signed on the preceding or attached document, and who acknowledged the same to be the free act and deed of the Massachusetts Bay Transportation Authority.

 (official signature and seal of notary)

My commission expires August 28, 2020

[Signatures continue on next page]



Approved as to form:

GRANTEE:

By: William H. Solomon  
William H. Solomon  
Town Counsel

TOWN OF STONEHAM  
By its Board of Selectmen

Thomas Boussy  
Thomas Boussy, Chairman

Caroline Colarusso  
Caroline Colarusso

John F. DePinto  
John F. DePinto

Ann Marie O'Neill  
Ann Marie O'Neill

Frank A. Vallarelli  
Frank A. Vallarelli

COMMONWEALTH OF MASSACHUSETTS

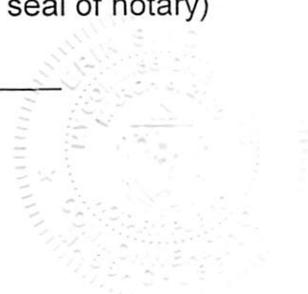
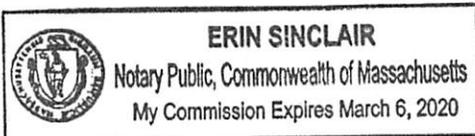
MIDDLESEX, SS.

August 11, 2015

On this 11<sup>th</sup> day of August, 2015, before me, the undersigned notary public, personally appeared Thomas Boussy, Caroline Colarusso, John F. DePinto, Ann Marie O'Neill, and Frank A. Vallarelli, proved to me through satisfactory evidence of identification, which was my personal knowledge, to be the persons whose names are signed on the preceding or attached document, and acknowledged the same to be the free act and deed of the Town of Stoneham.

Erin Sinclair (official signature and seal of notary)

My commission expires March 6, 2020





**ATTACHMENT 5**  
**Section 4(f)/Article 97 Coordination Letters**

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FAY, SPOFFORD &  
THORNDIKE  
5 Burlington Woods  
Burlington, MA 01803  
Toll Free: 800.835.8666  
T: 781.221.1000  
F: 781.229.1115  
www.fstinc.com

Mr. Tom Howley, Chair  
WINCHESTER SELECTMEN'S OFFICE  
2nd Floor, Town Hall  
71 Mt. Vernon Street  
Winchester, MA 01890

January 28, 2013

Subject: Section 4(f) Statement  
Tri-Community Bikeway  
Winchester, Woburn and Stoneham, Massachusetts  
MassDOT Project No. 604652

Dear Mr. Johnson:

As you are aware, the Massachusetts Department of Transportation (MassDOT) and the communities of Winchester, Woburn and Stoneham are proposing a bikeway from Wedgemere Station in Winchester, extending north to Horn Pond in Woburn and Recreation Park in Stoneham. The project connects to, but excludes, an existing path segment between Waterfield Road and Mount Vernon Street in Winchester Center. The project follows a combination of existing paths, local roadways, and a former railroad right of way corridor through the communities of Winchester, Woburn, and Stoneham. The total project length is approximately 6.5 miles.

The objective of the project is to provide non-motorized access to commuter rail, schools, recreation and commercial areas along the length of the bikeway and, subsequently, reduce congestion and improve air quality by converting some motorized traffic to non-motorized.

Within Winchester, the project involves the construction of an 8 to 10 foot wide paved shared use trail with 2 foot soft surface shoulders. Other amenities include site furnishings, landscaping, pavement markings, and warning, regulatory, informational, and directional signage. Construction is proposed on the following Town owned and/or managed properties under the jurisdiction of the Board of Selectman:

- Ginn Field
- Land between Mount Vernon Street and Skillings Road
- Middlesex Park (Horn Pond Brook segment)
- Land between Sylvester Avenue and Lake Terrace in Woburn
- Leonard Field
- Davidson Park

As publicly owned parks and/or recreation areas established and maintained primarily for active recreation, open space, and similar purposes, these Town-owned and/or managed properties are afforded special protection under Section 4(f) of the Department of Transportation Act (recodified in 49 U.S.C. 303 and 23 U.S.C 138). As discussed in prior meetings and shown on the attached figures (1-7), the proposed trail follows and maintains the continuity of existing and designated paths through Town to minimize adverse effects to each Section 4(f) property.

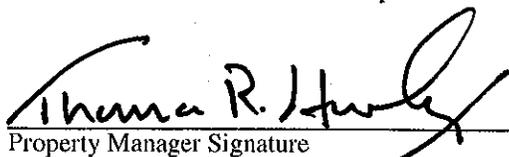
Mr. Tom Howley  
MassDOT Project File No. 604652

January 28, 2013  
Page 2

To satisfy the requirements of Section 4(f), we are requesting your concurrence that the project is acceptable and consistent with the designated use of each Town-owned and/or managed property, and that the bikeway has been designed in a manner to minimize harm to these properties.

**Section 4(f) Statement**

As the official with jurisdiction over the above listed Town-owned and/or managed properties, I concur that the proposed project as described in this letter and as shown on the attached figures is acceptable and consistent with the designated use of each property and that all possible planning to minimize harm has been accomplished in the location and design of the bikeway facility.

  
Property Manager Signature

1/28/13  
Date

Thomas R. Howley  
Name

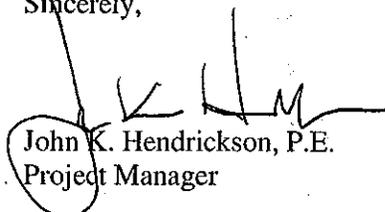
Chairman, Board of Selectmen  
Title

After signing and dating this letter, we ask that you send us a copy of the letter and return the original to:

Carrie Lavalley, P.E., Project Manager  
MassDOT Highway Division  
10 Park Plaza, Room 6500  
Boston, MA 02116

If you have any questions regarding the proposed project, please feel free to contact me at 781-221-1133 or via email at [jhendrickson@fstinc.com](mailto:jhendrickson@fstinc.com). If you have any questions concerning Section 4(f), please feel free to contact Michael Trepanier of MassDOT's Environmental Services Division at 857-368-8828.

Sincerely,

  
John K. Hendrickson, P.E.  
Project Manager

Enclosures

cc: Beth Rudolph P.E., Winchester Town Engineer  
Carrie Lavalley, P.E., MassDOT  
Michael Trepanier, MassDOT



FAY, SPOFFORD &  
THORNDIKE  
5 Burlington Woods  
Burlington, MA 01803  
Toll Free: 800.835.8666  
T: 781.221.1000  
F: 781.229.1115  
www.fstinc.com

Mayor Scott D. Galvin  
MAYOR'S OFFICE  
10 Common Street  
Woburn, MA 01801

February 4, 2013

Subject: Section 4(f) Statement  
Tri-Community Bikeway  
Stoneham, Winchester & Woburn, Massachusetts  
MassDOT Project No. 604652

Dear Mayor Galvin:

As you are aware, the Massachusetts Department of Transportation (MassDOT) and the communities of Winchester, Woburn and Stoneham are proposing a bikeway from Wedgemere Station in Winchester, extending north to Horn Pond in Woburn and Recreation Park in Stoneham. The project connects to, but excludes, an existing path segment between Waterfield Road and Mount Vernon Street in Winchester Center. The project follows a combination of existing paths, local roadways, and a former railroad right of way corridor through the communities of Winchester, Woburn, and Stoneham. The total project length is approximately 6.5 miles.

The objective of the project is to provide non-motorized access to commuter rail, schools, recreation, and commercial areas along the length of the bikeway and, subsequently, reduce congestion and improve air quality by converting some motorized traffic to non-motorized.

Within Woburn, the project involves the designation of a bike route along local roadways and construction of a 10 foot wide paved shared use trail with 2 foot soft surface shoulders along the former railroad corridor. Other amenities include site furnishings, landscaping, pavement markings, and warning, regulatory, informational, and directional signage.

Landscape improvements are proposed in Leland Park, adjacent to the proposed on-road bike route along Central Street as shown on the attached figure. As a publicly owned park and/or recreation area established and maintained primarily for active recreation, this City-owned property is afforded special protection under Section 4(f) of the Department of Transportation Act (recodified in 49 U.S.C. 303 and 23 U.S.C 138). To satisfy the requirements of Section 4(f), we are requesting your concurrence as well as that of the Recreation Director that the work proposed at Leland Park as part of the bikeway project is acceptable and consistent with the designated use of the park, and that the location and design of the bikeway and associated landscape improvements have been accomplished in a manner that will not cause harm to this property.

**Section 4(f) Statement**

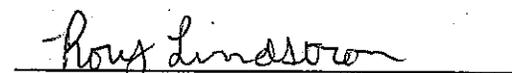
As the officials with jurisdiction over Leland Park, we concur that the proposed project as described in this letter and as shown on the attached figure is acceptable and consistent with the designated use of this property and that all possible planning to minimize harm has been accomplished in the location and design of the bikeway facility.

  
\_\_\_\_\_  
Property Manager Signature

Scott Galvin  
\_\_\_\_\_  
Name

Mayor  
\_\_\_\_\_  
Title

3/5/2013  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Property Manager Signature

Rory Lindstrom  
\_\_\_\_\_  
Name

Recreation Director  
\_\_\_\_\_  
Title

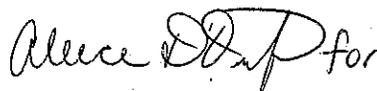
2/4/13  
\_\_\_\_\_  
Date

After signing and dating this letter, we ask that you send us a copy of the letter and return the original to:

Carrie Lavalley, P.E., Project Manager  
MassDOT Highway Division  
10 Park Plaza, Room 6500  
Boston, MA 02116

If you have any questions regarding the proposed project, please feel free to contact me at 781-221-1133 or via email at [jhendrickson@fstinc.com](mailto:jhendrickson@fstinc.com). If you have any questions concerning Section 4(f), please feel free to contact Michael Trepanier of MassDOT's Environmental Services Division at 857-368-8828.

Sincerely,



John K. Hendrickson, P.E.  
Project Manager

Enclosures

cc: John E. Corey, Jr. P.E., City Engineer  
Carrie Lavalley, P.E., MassDOT  
Michael Trepanier, MassDOT

**ATTACHMENT 6  
ENF Circulation List**

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**Tri-Community Bikeway  
Stoneham, Winchester & Woburn, Massachusetts  
Project File No. 604652**

**ENF Circulation List**

Secretary Matthew A. Beaton  
Executive Office of Energy and  
Environmental Affairs  
Attn: MEPA Office  
100 Cambridge Street, Suite 900  
Boston, MA 02114  
(2 copies)

Metropolitan Area Planning Council  
60 Temple Place/6<sup>th</sup> Floor  
Boston, MA 02111

Massachusetts DEP  
Boston Office  
Attn: MEPA Coordinator  
One Winter Street  
Boston, MA 02108

Town of Winchester  
Board of Selectmen  
2<sup>nd</sup> Floor, Town Hall  
71 Mt. Vernon Street  
Winchester, MA 01890

Massachusetts DEP  
Northeast Region Main Office  
Attention: MEPA Coordinator  
205B Lowell Street  
Wilmington, MA 01887

Town of Winchester  
Planning Board  
Lower Level, Town Hall  
71 Mt. Vernon Street  
Winchester, MA 01890

MassDOT Highway Division  
District 4 Office  
Attn: MEPA Coordinator  
519 Appleton Street  
Arlington, MA 02476

Town of Winchester  
Conservation Commission  
Lower Level, Town Hall  
71 Mt. Vernon Street  
Winchester, MA 01890

MassDOT Highway Division  
Public/Private Development Unit  
10 Park Plaza  
Boston, MA 02116

Town of Winchester  
Board of Health  
Lower Level, Town Hall  
71 Mt. Vernon Street  
Winchester, MA 01890

Massachusetts Historical Commission  
The Massachusetts Archives Building  
220 Morrissey Boulevard  
Boston, MA 02125

Town of Winchester  
Winchester Public Library  
80 Washington Street  
Winchester, MA 01890

**ENF Circulation List (Cont'd)**

City of Woburn  
City Council  
Office of the City Clerk, Woburn City Hall  
10 Common Street  
Woburn, MA 01801

Town of Stoneham  
Board of Selectmen  
35 Central Street  
Stoneham, MA 02180

City of Woburn  
Planning Board  
Woburn City Hall  
10 Common Street  
Woburn, MA 01801

Town of Stoneham  
Planning Board  
35 Central Street  
Stoneham, MA 02180

City of Woburn  
Conservation Commission  
Woburn City Hall  
10 Common Street  
Woburn, MA 01801

Town of Stoneham  
Conservation Commission  
35 Central Street  
Stoneham, MA 02180

City of Woburn  
Board of Health  
Woburn City Hall  
10 Common Street  
Woburn, MA 01801

Town of Stoneham  
Board of Health  
35 Central Street  
Basement Level  
Stoneham, MA 02180

City of Woburn  
Woburn Public Library  
45 Pleasant Street  
Woburn, MA 01801

Town of Stoneham  
Stoneham Public Library  
431 Main Street  
Stoneham, MA 02180

Massachusetts Water Resource Authority  
Attn: MEPA Coordinator  
100 First Avenue  
Charlestown Navy Yard  
Boston, MA 02129

Massachusetts Bay Transit Authority  
Attn: MEPA Coordinator  
10 Park Plaza, 6<sup>th</sup> Floor  
Boston, MA 02216-3966

DCR  
Attn: MEPA Coordinator  
251 Causeway St. Suite 600  
Boston, MA 02114

**ENF Circulation List (Cont'd)**

Senator Patricia D. Jehlen  
State House Room 424  
Boston, MA 02133

Senator Jason M. Lewis  
State House Room 511B  
Boston, MA 02133

Senator Kenneth J. Donnelly  
State House Room 413D  
Boston, MA 02133

Representative James J. Dwyer  
State House Room 254  
Boston, MA 02133

Beth Rudolph, P.E., Town Engineer  
Town Hall  
71 Mt. Vernon Street, Lower Level  
Winchester, MA 01890

Representative Jay R. Kaufman  
State House Room 34  
Boston, MA 02133

David Ragucci, Town Administrator  
35 Central Street  
Stoneham, MA 02180

Representative Michael S. Day  
State House, Room 448  
Boston, MA 02133

Mayor Scott Galvin, Woburn  
Woburn City Hall  
10 Common Street  
Woburn, MA 01801

Board of Selectmen  
35 Central Street  
Stoneham, MA 02180

August 25, 2015

Dear Selectmen:

I am writing to you on behalf of the Stoneham Substance Abuse Coalition.

I have enclosed the advertisement for our fundraiser event on October 2, 2015 which is being held at the Montvale Plaza in Stoneham. There will be a dinner, a live band, guest speakers, raffles, etc. Tickets for the event are \$50.00. We are offering tables of ten for \$450.

The Police Department, the Fire Department, Action Ambulance, along with many businesses in town are already proud supporters of the Substance Abuse Coalition, and we are hoping the BOS will show their support of our community and the Substance Abuse Coalition by purchasing a table at this event.

Sincerely,



Frank Gould,  
Stoneham Substance Abuse Coalition

Please respond to: Frank Gould at 978-943-6773 or fgould6860@yahoo.com

Please Join the Stoneham Substance  
Abuse Coalition at our First Annual  
Recognition Night

**Friday, October 2, 2015**  
**6pm-11pm**  
**Montvale Plaza**

54 Montvale Ave.  
Stoneham, MA 02180

Buffet Dinner, Entertainment, Raffles

For tickets go to [www.Stonehamsac.com](http://www.Stonehamsac.com) or  
send a message on our Facebook page!

**Tickets: \$50 each, tables of ten \$450**

# PEG Grant Report 2nd Quarter 2015

## Town of Stoneham

### Verizon - fBA

#### Massachusetts

PEG Fee Rate: 5.00%

	April	May	June	Quarter Total
Monthly Recurring Cable Service Charges (e.g. Basic, Enhanced Basic, Premium and Equipment Rental)	\$352,454.24	\$354,080.26	\$353,281.90	\$1,059,816.40
Usage Based Charges (e.g. PayPer View, Installation)	\$15,406.82	\$24,021.82	\$20,024.45	\$59,453.09
Advertising	\$8,890.33	\$9,453.77	\$11,796.34	\$30,140.44
Home Shopping	\$710.01	\$1,222.40	\$1,009.33	\$2,941.74
Late Payment	\$69.85	\$100.32	\$130.69	\$300.86
Other Misc. (Leased Access & Other Misc.)	\$12,259.82	\$2,126.53	\$11,471.98	\$25,858.33
License Fee Billed	\$0.00	\$0.00	\$0.00	\$0.00
PEG Fee Billed	\$19,124.79	\$18,677.87	\$19,032.69	\$56,835.35
Less:				
Bad Debt	(\$2,247.40)	(\$8,708.38)	(\$9,714.01)	(\$20,669.79)
Total Receipts Subject to PEG Fee Calculation	\$406,668.45	\$400,974.58	\$407,033.36	\$1,214,676.39
PEG Grant	\$20,333.42	\$20,048.73	\$20,351.67	\$60,733.82

Verizon New England Inc. is hereby requesting that this information be treated as confidential and proprietary business information in accordance with the terms of the Cable Television Final License granted to Verizon New England Inc. This information is not otherwise readily ascertainable or publicly available by proper means by other persons from another source in the same configuration as provided herein, would cause substantial harm to competitive position of Verizon in the highly competitive video marketplace if disclosed, is intended to be proprietary confidential business information and is treated by Verizon as such.

Dear Stoneham Selectmen,

Please oppose the large residential development proposed at the Weiss Farm on Franklin Street. It really doesn't belong there. It is out of scale and will look awful. It will use up scarce open space, negatively affect the environment and clog already-increasing traffic. I'm not against all new housing but there are appropriate places in town for it.

Once ill-conceived housing is built, it can't be undone.

Thanks for listening.

A handwritten signature in dark ink that reads "Peter Ward". The signature is written in a cursive, flowing style.

Peter Ward  
34 Summit Ave.  
Melrose, MA 02176  
(617) 909-7363