

# **TOWN OF WELLESLEY**



## **REPORTS TO THE SPECIAL TOWN MEETING**

**7:30 P.M.  
MONDAY, OCTOBER 27, 2014**

**at the**

**MIDDLE SCHOOL AUDITORIUM,  
WELLESLEY MIDDLE SCHOOL**

**by the**

**ADVISORY COMMITTEE**

**NORTH 40 STEERING COMMITTEE**

**Please read this book and bring it with you to the Special Town Meeting.**

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**TOWN OF WELLESLEY**



**ADVISORY COMMITTEE LETTER  
SPECIAL TOWN MEETING  
October 27, 2014 at 7:30 p.m.  
Middle School Auditorium,  
Wellesley Middle School**

**TERM ENDS 2015**

Thomas Engels  
John Hussey  
Lucy Kapples  
Andy Patten, Chair  
Ann Rappaport, Vice-Chair

**TERM ENDS 2016**

Mary Crown  
Tom Frisardi  
John Hartnett, Vice-Chair  
Mason Smith, Secretary  
Scott Tarbox

**TERM ENDS 2017**

Chad Harris  
Michael Mastrianni  
Frank Pinto  
Lon Povich  
Kathleen Woodward

To the Citizens of the Town of Wellesley:

October 9, 2014

A Special Town Meeting (STM) will convene on Monday, October 27, 2014 at 7:30 P.M. at the Wellesley Middle School Auditorium, 50 Kingsbury Street. All residents and interested persons are welcome to attend the meeting in person, or follow the proceedings on Wellesley Media Corporation Government Channel (Comcast Channel 8, Verizon Channel 40.) This STM will continue on October 28<sup>th</sup> and November 5<sup>th</sup>, if necessary. This letter presents the Advisory Committee's overview of this Special Town Meeting.

Article 2 will be an opportunity for Hans Larsen, the Director of General Government Services, to present an oral update on the Town-Wide Financial Plan (TWFP) and Five Year Capital Budgeting Program. Town officials have elected to wait until Annual Town Meeting to issue a written document, choosing instead to present the TWFP to Advisory Committee, Town Meeting Members, and interested residents in two televised meetings at the Wellesley Free Library on October 1 and October 16, 2014. The Town has enjoyed a better-than-expected turn-back of funds appropriated in FY14 by Town departments, improving our Free Cash position and making an override of Proposition 2 ½ at 2015 ATM unlikely. The brief presentation under Article 2 will set the stage for important discussions in subsequent articles regarding the significant appropriations planned to cover elementary school renovations and land acquisitions at the North 40 and 900 Worcester Street.

Article 3 requests the rescinding of \$22,966,866 of borrowing authority from a total authorization of \$123,583,000 approved at the 2008 STM in support of the new high school construction. This article reminds the Town of its success in having built a first class, state-of-the art building many millions of dollars under budget.

Article 4 authorizes \$125,000 to be taken from Free Cash to reimburse the School Department for funds spent on a feasibility study for windows replacement at the Middle School, leading to the Town's invitation to participate in the Massachusetts School Building Authority (MSBA) Accelerated Repair Program. Article 5 requests additional appropriation through borrowing for the

windows project, consisting of the replacement of approximately 280 windows at the Middle School, which are between 43-60 years old. The MSBA Accelerated Repair Program is expected to reimburse the Town 31% of eligible costs in Articles 4 and 5. The funds requested in these two articles will cover feasibility studies, design costs and other related construction costs, *i.e.*, architect and construction management fees, masonry, painting, and potential asbestos abatement work. The Permanent Building Committee (PBC) will supervise this project. Should Town Meeting approve these Articles, the windows replacement project will be subject to a Town-wide vote to authorize a debt exclusion. As this report goes to press, final numbers for this project are not yet available, so Advisory will provide our recommendations at STM.

Article 6 covers significant infrastructure renovations to the Fiske and Schofield elementary schools, built in 1952 and 1962, respectively. Design funds for these important and necessary renovations were unanimously approved by STM in December 2013. The work contemplated demonstrates Wellesley's commitment to maintain and extend the life of the nearly 1.1 million square feet of real estate under Town ownership. The schools are the most significant piece of the Town's real estate portfolio and the care of these physical plants is of paramount importance. The School Department, in concert with Facilities Maintenance Department and the PBC, has identified many needed improvements to both the interior and exterior of each building, with the goal of extending the life of each school for another several decades, and these improvements will improve the learning environments in the schools. Doing both projects concurrently saves the Town money. Like the Middle School windows project, Town residents will determine final funding, via a debt exclusion vote expected to be held in December, which will allow construction to begin in the summer of 2015. As this report goes to press, final numbers for the Fiske and Schofield renovations are not yet available, so we expect to provide Advisory recommendations at STM.

Article 7 covers the potential purchase of the North 40 property bounded by Weston and Turner Roads and the railroad tracks. As of this writing, the Selectmen have made a proposal to Wellesley College for the purchase of this parcel, intended to be funded by a combination of 30 year general obligation year municipal bonds, taxable bonds, and 30 year bonds issued by the Community Preservation Committee. The Advisory discussion of this significant potential acquisition includes an economic presentation of the various impacts in the event the Town is able to purchase the parcel and, conversely, the impact on the Town should it be unable to acquire this land. The *North 40 Steering Committee Report* follows at the end of the *Advisory Report* and includes analyses by the Town boards and committees (Natural Resources Commission, School Committee, Department of Public Works, Wellesley Housing Development Commission, Recreation, and the Trails Committee), surveys from the Woodlands and Weston Road neighborhoods, as well as environmental and traffic reports received by Wellesley College and Town of Wellesley consultants. Advisory will make our recommendation to Town Meeting if the Selectmen are successful in executing a Purchase and Sale Agreement with the College. Like Article 6, this Article requires Town Meeting passage and a subsequent Town-wide vote to authorize a debt exclusion for the parcel to be acquired. Town Meeting is only being asked to authorize acquisition of the North 40 and not to decide what should be done with the land if obtained.

Article 8 allows the BOS to seek planning funds (legal and otherwise) for any potential responsive action required as a result of the Town's use of a portion of the North 40 as a landfill from 1955-1960. Advisory will make our recommendation at STM.

Article 9 seeks authority for the BOS to complete the purchase of 900 Worcester Street by borrowing \$4,885,562 inside the levy and reimburse the Community Preservation Committee \$198,132 from Free Cash for Community Preservation Act (CPA) funds already spent on due diligence for the 900 Worcester Street acquisition. Town Meeting is also asked to approve the

modification of the original funding plan approved at the 2012 STM by replacing the CPA funds allocated for 62.5% of the property with general obligation (tax impact) borrowing. Removing the conservation restriction from this property required by CPA funding allows more flexibility in the use of the site; CPA funds would be directed to the North 40 purchase instead. The total borrowing cost of \$4,885,562 includes \$876,694 in costs which were not part of the appropriation approved by the 2012 STM: \$746,694 for asbestos abatement work needed to remove the two structures on the property, partially offset by the Archdiocese's agreement to pay the property taxes for the past two years; and \$130,000 to plan for the public/private partnership envisioned to build and operate a hockey rink and swimming pool on the site.

Article 10 allows CPC to appropriate or amend previous appropriations from Community Preservation Fund annual revenues and is inserted into the Warrant to cover any unexpected consequences of Articles 7 and 9; Advisory expects no motion to be brought forward in this article.

Article 11 seeks \$84,500 from Free Cash for the Facilities Maintenance Department (FMD) to pay for start-up costs and one-half year of a lease, covering FY15, which will enable the FMD to vacate the offices they have been using at the Middle School and release their current space for additional School Department staff.

A comprehensive *Report to the Special Town Meeting* containing background on the articles and the Advisory Committee's initial recommendations as well as the North 40 Steering Committee's Report to the Selectmen will be mailed to all Town Meeting Members and to all Town Departments. This report will also be posted on the Town's website at [www.WellesleyMA.gov](http://www.WellesleyMA.gov) and copies will be available at the Wellesley Free Library. Any resident may request the Town Clerk to mail him or her a copy of this report. Further Advisory considerations may be included in an Advisory supplement which will be emailed to Town Meeting Members and posted on the Town's website. It will also be available the evening of STM.

Advisory recognizes the legions of Town employees, volunteers, and residents who have provided hours of expertise and dedication to our Town. I also salute my Advisory colleagues who have worked diligently to present these STM articles in a most thorough way and under significant time constraints. I am honored to work with each of them. We have endeavored to consider all information and costs associated with each article as the information has become available. The Advisory Committee meets weekly. Residents may contact us through Citizen Speak at the beginning of every meeting or via email at [AdvisoryCommittee@WellesleyMA.gov](mailto:AdvisoryCommittee@WellesleyMA.gov).

We hope our analysis and recommendations will inform Town Meeting and help our residents to stay involved and informed about these important potential Town land acquisitions and building renovations.

Sincerely,  
Andy Patten, Chair  
Advisory Committee

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**ARTICLE 1.** To choose a Moderator to preside over said meeting and to receive reports of town officers, boards and committees, and discharge presently authorized special committees; or take any other action relative thereto.

**(Board of Selectmen)**

**Advisory expects no motion under this Article.**

**ARTICLE 2.** To receive the Report of the Board of Selectmen on the Five Year Capital Budget Program and Town-Wide Financial Plan pursuant to Town Bylaw Sections 19.5.2 and 19.16; or take any other action in relation thereto.

**(Board of Selectmen)**

The Board of Selectmen has opted not to produce a written Town-Wide Financial Plan update for this Special Town Meeting (STM). The Executive Director of General Government Services gave a presentation at the Wellesley Library on October 1, 2014, which included an overview of the general financial state of the Town and he will be providing a further update on pensions and Other Post-Employment Benefits (OPEB) on October 16. Advisory Committee members, Town Meeting members and interested Town residents were invited to attend these two televised meetings.

A chart from the October 1 presentation which indicates the major components of the Town's Sources and Uses is shown below:

	<b>FY15</b>	<b>Percent</b>	<b>Total 5 Year Increase</b>
<b><u>SOURCES</u></b>			
Property taxes	\$119,765,311	84.5%	3.3%
State aid	8,996,255	6.4%	5.1%
Local revenue	10,443,703	7.4%	1.1%
Other	2,464,151	1.7%	12.5%
<b>Total</b>	<b><u>\$141,669,420</u></b>	100%	
<b><u>USES</u></b>			
Schools	\$63,524,619	44.8%	4.3%
Facilities maintenance	6,732,558	4.8%	6.7%
Other Town departments	26,621,394	18.8%	1.6%
Cash capital	4,282,768	3.0%	9.0%
Debt service	12,871,061	9.1%	5.0%
Employee benefits	25,837,021	18.2%	5.6%
Abatement & other	1,800,000	1.3%	11.4%
<b>Total</b>	<b><u>\$141,669,421</u></b>	100%	

The deficit as projected at the 2014 ATM was \$2.8 million, which assumed a \$1.15 million use of Free Cash to balance the budget for FY16. Fortunately, there was significant turn-back by Town departments (appropriated funds which were not fully spent) which led to a stronger-than-expected Free Cash balance as of 6/30/14. The Town's Executive Director believes that the amount of Free Cash available at the 2015 ATM will be closer to \$2.5 million.

An assessment of the Town’s projected financial status in 2015 is given below (assuming a \$2.5 million use of Free Cash):

<b>Projected FY16 Budget</b>		
	<b>FY15</b>	<b>Percent Increase</b>
<b>Incremental Revenue</b>		
Property taxes	\$4,220,559	
State aid	179,925	
Local revenue	430,297	
Other	35,849	
<b>Total</b>	<b><u>\$4,866,630</u></b>	
<b>Spending Growth</b>		
Schools	\$2,858,608	4.5%
Facilities maintenance	168,314	2.5%
Other Town departments	665,535	2.5%
Cash capital	1,088,617	
Debt service	304,083	
Employee benefits	1,015,955	
Abatement & other	45,000	
<b>Total</b>	<b><u>\$6,146,112</u></b>	
<b>Differential</b>	<b><u>(\$1,279,482)</u></b>	

The deficit may be closed by reducing the spending increases for the Schools and/or other Town departments and/or reducing cash capital spending. The assumed increases for Schools and other departments in the projections above have not been established as spending guidelines by the BOS, which is awaiting enrollment and other trend data and analysis from the School Department before finalizing the guidelines.

The Executive Director notes that STM brings near-term capital decisions on the Fiske/Schofield renovations (\$19.3 million), replacement of the Middle School windows (\$3.7 million), and acquisitions of the North 40 (price unknown) and 900 Worcester (\$4.85 million). Construction funding for the Tolles-Parsons Center is expected to come before the 2015 ATM. Advisory notes that future Town Meeting action may be necessary for projects like the Hardy/Hunnewell/Upham replacement and/or renovation (\$90 million), construction or renovation of a new location for the Facilities Maintenance Department, Middle School infrastructure upgrades, a new High School stadium, and a Town Hall reconstruction project. These projects are still in the planning stages and have not yet been approved by the Board of Selectmen or other relevant boards. Advisory continues to recommend that a consolidated statement of large anticipated expenses (e.g., pension and OPEB costs, and facilities work beyond school projects) be provided as part of the Town’s long range financial planning so that Town Meeting Members can place current proposed appropriations in context. Where relevant, prioritization of projects and timing should be indicated.

Advisory is pleased that the Town received significant turn-back from Town departments and boards such that an override is not contemplated for FY16. If Advisory has further considerations on the state of Town finances after the October 16 meeting, it will include them in an Advisory supplement or present them at STM.

**Advisory will make its recommendation at or before Special Town Meeting.**

**ARTICLE 3.** To see if the Town will vote to rescind the unused portion of the appropriation authorized under Motion 1 of Article 5 of the Warrant for the October 20, 2008 Special Town Meeting for construction of the new Wellesley High School, or take any other action in relation thereto.

**(Board of Selectmen)**

This Motion seeks Town Meeting authorization to rescind unused borrowing authority where the funds are no longer needed because the projects have been completed:

<b>Authorized</b>	<b>Date Authorized</b>	<b>Article</b>	<b>Purpose</b>	<b>Rescind</b>
\$ 123,583,000	2008 STM	5	Wellesley High School	\$22,966,866

This is a housekeeping article to close the books on the Wellesley High School project, which is complete except for the outside basketball courts; there will be no need to borrow any further money for this project. There will be an opportunity to apply remaining project funds to another capital project once the WHS project is formally closed with Massachusetts School Building Authority (MSBA), which provided 40% reimbursement on eligible portions of the construction of the new high school; this fund transfer cannot occur until the books are closed and audited.

Advisory is pleased that the Wellesley High School project has been completed under budget and without the need for the full scope of authorized borrowing and that this authorization may now be rescinded.

**Passage requires a 2/3 vote.**

**Advisory recommends favorable action, 14 to 0.**

**ARTICLE 4.** To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, and/or otherwise provide a sum of money to reimburse the School Department for expenses incurred during planning for replacement of certain Middle School windows; or take any other action in relation thereto.

**Board of Selectmen / School Committee)**

**ARTICLE 5.** To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, and/or otherwise provide a sum of money to be expended under the direction of Permanent Building Committee for work associated with the replacement of approximately 280 original windows (circa 1950-1966) at Wellesley Middle School located at 40 Kingsbury Street in Wellesley, Massachusetts. This proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority (“MSBA”). The Town acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) 31 percent (31%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; or to take any other action in relation thereto.

**(Board of Selectmen / School Committee)**

Articles 4 and 5 request Town Meeting to authorize appropriation of funds related to the replacement of the Wellesley Middle School windows. The Articles are closely related and Advisory believes that they are most efficiently addressed together, though they do remain separate Articles requiring separate appropriations.

Article 4 seeks an appropriation by Town Meeting to reimburse the School Committee (SC) in the amount of \$125,000 for the cost of the feasibility study required by the Massachusetts School Building Authority (MSBA) to gain an invitation to their Accelerated Repair Program (ARP). This feasibility study and the resulting project proposed in Article 5 are both potentially reimbursable by the MSBA at a rate of 31% of eligible costs.

Article 5 requests Town Meeting authorization to appropriate funds to the Permanent Building Committee (PBC) for the total design and construction cost for the replacement of 280 Wellesley Middle School (WMS) windows, and to fund this appropriation by borrowing outside the levy. As this report goes to print, PBC is working with their consultants to prepare an estimate for the remaining design and construction funds for the project, expected to be in the range of \$3.7 million<sup>1</sup> before reimbursement by the MSBA for 31% of eligible costs. If Advisory receives these costs in advance of STM, they will be included in an Advisory supplement to be published electronically and posted on the Town’s website.

If this Motion receives STM approval and is successful at the Town-wide debt exclusion vote in December 2014, the School Committee will submit this project and Town Meeting funding approval, if granted, to the MSBA for its January Board meeting for final acceptance. If the MSBA Board approves the project, the Town will enter into a “Project Funding Agreement” (PFA) with the MSBA and comply with all of the terms and conditions set forth in the PFA in order to qualify

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<sup>1</sup> This cost estimate comes from the Executive Director’s TWFP presentation on October 1, 2014.

for reimbursement payments.<sup>2</sup> The MSBA has just assigned its Owner's Project Manager (OPM) and designer to this project.

### **The Need for WMS Windows Replacement**

The main structure of WMS was built in 1953 and included the installation of 210 windows. The Town built additions to the school in 1958 and 1966 which required additional windows. The school's windows currently comprise approximately 17,700 square feet of the building's envelope. All of the windows are original to their construction – 1953, 1958 and 1966 (47 to 60 years old) – with the exception of a small number of windows replaced during the 2006-2007 WMS renovation and the 2011 classroom expansion project. These new windows do not need replacement and are not part of this project. The remaining 280 windows are single pane and constructed of metal and wood. The deficiencies associated with the windows are largely age- and condition-related.

The School Committee has provided the following reasons in support of window replacement:

1. Safety concerns. Some of the hardware is beyond repair, making it difficult for teachers and custodians to open and close the windows.
2. Negative impacts on the learning environment. The single pane design, lacking proper gaskets and the absence of a tight window system, allows transmission of outside noise into the classroom:
  - The design leads to solar heat gain and heat buildup, making it difficult to control building temperatures, particularly during hot spring and fall days;
  - The single pane design with its lack of insulation can result in uncomfortably cold classrooms in the winter;
  - The windows lack appropriate film coatings to prevent uncomfortable and distracting glare in the classrooms.
3. Energy Inefficiency. The Middle School is the largest user of natural gas and electricity among all Town buildings, using approximately 19 kilowatt-hours annually<sup>3</sup>. The District's energy modeling suggests that the large window area and energy inefficient windows contribute to at least 5 to 10% of this cost, or about \$18,000 per year;
4. Opportunity for Cost Reimbursement by MSBA. The opportunity for substantial cost savings to the Town exists through MSBA reimbursement of up to 31% of the eligible replacement costs, as discussed below.

This project proposes to replace the windows through collaboration with the MSBA and its ARP. The ARP is "focused on preservation of existing assets by performing energy-efficient and cost-saving upgrades, which will result in direct operational savings for school districts."<sup>4</sup> The program is primarily intended for the repair and/or replacement of roofs, windows, and/or boilers in school buildings. To participate, school districts submit a "Statement of Interest" (SOI) to MSBA describing the proposed repair. If the MSBA determines that the project fits within the ARP guidelines, the MSBA may issue an "invitation" to the district to participate in the program. Once

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<sup>2</sup> See the MSBA website at <http://www.massschoolbuildings.org/building/funding/agreements> for more details.

<sup>3</sup> In comparison, the new Wellesley High School uses 14 kilowatt hours annually even though it has 20% more square footage than the Wellesley Middle School,

<sup>4</sup> See the MSBA website at [http://www.massschoolbuildings.org/programs/Accelerated\\_Repair](http://www.massschoolbuildings.org/programs/Accelerated_Repair) for more details.

invited into the program, districts are required to perform feasibility studies using their own funds and the OPM and designer pre-selected by the MSBA for the design and construction phases of the project. In addition, districts are required to appropriate funding within 90 days of MSBA's final approval of the project (in Wellesley's case, January 2015) and the district must complete the project within 18 months of the MSBA invitation. Under the ARP, the MSBA has advised that it will reimburse Wellesley an amount up to 31% of the eligible project costs.

### **Wellesley's Submission**

On February 12, 2014, Wellesley Public Schools (WPS) submitted to the MSBA its Statement of Interest (SOI) to replace the WMS windows through the ARP. On June 5, 2014, the MSBA invited WPS to participate in the ARP. On July 8, 2014, WPS informed the MSBA of funding sources and the schedule of funding votes. Specifically, WPS proposed that feasibility study funds come from the WPS FY15 operating budget (with the possibility of reimbursement from the Town).

### **Project Costs and Funding**

PBC considered two options for requesting design and construction funds for the project:

1. During the October 2014 STM, the PBC would seek funding authorization for the estimated design and construction costs, subject to approval of the project by the MSBA at the January 2015 Board meeting. This "fast track" option would allow work to begin as early as the summer of 2015.
2. During the October 2014 STM, the PBC would seek a vote on design funds, planning to return to Annual Town Meeting (ATM) in March 2015 for construction funds, possibly with bids in hand, *after* the MSBA would have voted on the project during its January 2015 Board meeting. Under this option, it was unclear how much could be accomplished over the 2015 summer.

Option 1 provides greater assurance that the project can be completed over the next two summers, thereby keeping costs down and better assuring the optimal MSBA reimbursement amount. This project will require a long 'lead time' to order and deliver the windows to the site. In addition, there are several different window designs and sizes. The assigned OPM and designer are experienced in the ARP and specifically with window replacement, which will help with potential cost triggers such as interior framing and mechanical impact, and caulking and removal difficulties.

If STM approves the windows appropriation and the Town-wide vote and the MSBA January Board vote are successful, PBC and its consultants will spend January finalizing the design and preparing construction documents for bidding. Further schedule details will be developed and included in the *Advisory Supplement* if they become available.

### **Article 4**

As noted above, in order to adhere to the MSBA's deadline to provide funding for a feasibility study, the SC decided to fund this expense through its operating budget. This unanticipated expense was therefore not included in the SC budget at the 2014 ATM. The SC believes that the circumstances of the expenditure are uniquely compelling in that the Town potentially stands to gain hundreds of thousands of dollars in reimbursement funds for one of the Town's highest priority school construction projects.

The designer that the MSBA assigned to the WMS windows replacement project started working on the feasibility study in early October. PBC expects that a significant portion of the feasibility study will be complete by the date of STM. On the basis of information gathered through the

development of the feasibility study up to that point, PBC plans to prepare project cost estimates to provide by STM.

#### **Article 4 – Advisory Considerations**

Advisory believes that reimbursement of the School Department's operating budget for the cost of the feasibility study is justified. In order to qualify for reimbursement of the cost of one of the Town's highest priority school construction projects, the SC needed to act decisively and with dispatch in funding the feasibility study or likely lose the ability to participate in the ARP. Some on Advisory were concerned that this could set a precedent for non-Town Meeting authorized expenditures by other boards and committees. The majority of Advisory, however, believes that the circumstances leading to this expenditure were unique, compelling and unlikely to be repeated. The majority believes the expenditure and reimbursement of the SC operations budget funds are justified.

**Advisory will make its recommendation at or before Special Town Meeting.**

#### **Article 5 – Advisory Considerations**

Advisory agrees that the 280 windows that the WPS proposes to replace are well past their service life. District staff has reported that these windows have a significant negative impact to the learning environment including outside noise transmission, heat buildup due to solar gain, cold air infiltration, and glare. Energy conservation considerations also point to window replacement. The Middle School is the largest user of natural gas and electricity of all Town buildings, consuming substantially more energy than the significantly-larger High School; while the High School has 20% more square footage than the Middle School, it uses 25% less energy. WPS has identified the Middle School as the least energy-efficient building in the District.<sup>5</sup> The sizable square footage of window space combined with the obsolete single-pane window design contributes to the Middle School's disproportionate energy use. Finally, much of the window hardware is also beyond repair and difficult (if not impossible) to replace. The condition of the windows has become a safety concern. While the Facilities Maintenance Department has lubricated and made adjustments to window hardware and replaces broken glazing immediately, these repairs provide only short-term solutions to the hardware issues. For these reasons, WPS has identified the Middle School window replacement as an urgent and significant need that could be best addressed under the ARP.

The abundance of large windows throughout the Middle School has the potential to enhance learning. However, these 50 to 60 year old windows have a deleterious effect on the learning environment. The majority of Advisory agrees that the ability of Middle School students to fully focus and concentrate is compromised by the existing windows as optimal learning takes place in an environmental that is comfortable and safe.

Advisory expects that replacing the 50 to 60 year old windows will greatly improve the learning environment and significantly reduce energy consumption at the Middle School. Furthermore, the estimated up to \$18,000 annual savings in natural gas which new windows may yield could be redirected to other Town needs. Some Advisory members were concerned that a savings of \$18,000 per year on energy costs was not a substantial return on investment on a multi-million dollar project. However, all of Advisory agree that the existing windows have exceeded their usual

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<sup>5</sup> WHS has a 94/100 "Energy Star" score, while WMS has a 52/100 rating. The Town's Energy Manager expects that by replacing the WMS windows, the energy rating of WMS will rise to about 88/100. Energy Star is a voluntary US Environmental Protection Agency (EPA) program that certifies energy ratings of products, homes, and buildings.

service life by a factor of two. New, state-of-the-art, high efficiency windows would be expected to have a useful life of 25 to 30 years. The replacement of this important building system would address a significant building deficiency, while also substantially improving the learning environment at the Middle School. As this report went to press, there were no specific cost estimates available for the WMS windows appropriation. Before making a final recommendation on this Motion, Advisory will review project costs with the PBC and SC.

**Passage requires a 2/3 vote.**

**Advisory will make its recommendation at or before Special Town Meeting.**

**ARTICLE 6.** To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, and/or otherwise provide a sum of money to be expended under the direction of the Permanent Building Committee for architectural, engineering and/or other services for plans and specifications for renovations to the Fiske and Schofield Elementary Schools, located at 45 Hastings Street and 27 Cedar Street respectively, for the reconstruction, remodeling, and/or additions to the existing Fiske and Schofield Elementary Schools, to accommodate the classroom and/or administrative needs of the School Department and/or other educational needs of the Town; and for the necessary site work, construction, reconstruction, remodeling, rehabilitation and/or modernization of the same; and for other services in connection therewith; or take any other action in relation thereto.

**(Board of Selectmen / School Committee)**

Through this Motion, the Board of Selectmen (BOS) and School Committee (SC) seek an appropriation to the Permanent Building Committee (PBC) for the renovations to the Fiske and Schofield Schools. The total amount of this appropriation is not yet known as this report goes to press. In December 2013, the total cost of this project was estimated to be between \$18 and \$20 million, consistent with the \$19.3 million figure in the Executive Director's Town-Wide Financial Plan presentation on October 1, 2014. PBC is negotiating with the Construction Manager for the renovation project and expects to have a Guaranteed Maximum Price by mid-October. If Advisory receives these costs in advance of STM, they will be included in an Advisory supplement to be published electronically and posted on the Town's website.

If approved by this Special Town Meeting (STM), the funds for the Fiske/Schofield project will be financed through a debt exclusion requiring approval from Wellesley voters. If the debt exclusion is approved in December 2014, work on the project will commence in the summer of 2015. Design funds totaling \$2,432,000 were appropriated for these two projects in Article 7, Motion 1 at the 7:30 December 2013 STM and much of the background for this article may be found in the 2013 7:30 PM STM Advisory Report on pages 21-27.<sup>6</sup>

### **Background**

As part of a Town review of school buildings in 2005-2006, Symmes, Maini & McKee Associates (SMMA) evaluated the elementary schools and found all but Sprague and Bates to be in need of substantial work. Based on this review, \$11.2 million was approved at the 2007 ATM and by a successful debt exclusion vote to support school infrastructure projects at Fiske, Schofield, Hardy, Upham, Hunnewell, the High School, and the Middle School. A total of \$8.5 million was ultimately spent on these school projects, of which approximately \$3.2 million went to Fiske for a new boiler,

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<sup>6</sup>[http://www.wellesleyma.gov/Pages/WellesleyMA\\_Clerk/2013/STM2013/AdvisoryReportTo2013STMA.pdf](http://www.wellesleyma.gov/Pages/WellesleyMA_Clerk/2013/STM2013/AdvisoryReportTo2013STMA.pdf)

new roof, replacement of all windows, and asbestos abatement in the ceiling and floor. Schofield received a new roof and boiler replacement for approximately \$1.4 million.

In 2012, SMMA created a comprehensive database with detailed information on the state of each school building. The School Facilities Committee (SFC) identified Fiske and Schofield as having well-defined, immediate and extensive needs, largely related to replacing mechanical, electrical and plumbing systems, which were outside of the scope of the infrastructure projects approved by the 2007 ATM.

In December 2013, the SFC recommended that the renovations to Fiske and Schofield be completed concurrently so as to gain cost and timing efficiencies, since both buildings are of similar vintage, have modular classrooms, similar site challenges and similar needs.<sup>7</sup> In deciding to renovate rather than replace Fiske and Schofield, the SFC noted that the replacement cost of each school was estimated to be between \$35 and \$40 million. However, if school replacement was being considered, consolidating Fiske and Schofield would be more economically viable; \$48 million was the best estimate for the cost of building a single new school to house the current enrollment of both schools (692 students). Furthermore, as a result of the SMMA review of the schools, the SFC categorized the buildings based on need. Schools needing the most work, *i.e.*, Hardy, Hunnewell and Upham, were viewed as being the most likely candidates for MSBA reimbursement. That finding, and the more immediate nature of the work needed at Fiske and Schofield, led the SFC to recommend that this renovation project come before this Town Meeting.<sup>8</sup>

The renovations of Fiske and Schofield will bring the infrastructure and function of the two schools up to industry standards and into compliance with Americans with Disabilities Act (ADA) and Massachusetts Architectural Access Board (MAAB) regulations and will extend the life of each building by more than 15-20 years. Advisory notes that many mechanical, electrical and plumbing components of school infrastructure have a life span that exceeds 15-20 years so that building life may be continuously extended by performing repeated infrastructure upgrades; the overall building envelopes of the two schools are expected to last significantly longer.

The proposed construction schedule is for most of the interior work to be performed during the summer of 2015 and the exterior work during the summer of 2016. The intensity of the project will require a six-day work schedule and site work and building prep work will be done during the school vacations. During the summer of 2015, work on the buildings will include renovations to the mechanical, electrical and plumbing systems. Accessibility and security issues will be addressed at both schools with the installation of ramps; a new CCTV system; and new access control systems with card readers at building entry points. Fiske will also gain an elevator, the only change to the footprint of either school, and a new intrusion detection system. The Schofield project will include the installation of new windows except in the 2006 modular addition. Some educational spaces used for both special and regular education will be re-worked, and the food services areas at both schools will be renovated. Although every room in each school will experience some refurbishment, about 5,800 square feet of Fiske's interior and 4,000 feet of Schofield's will receive programmatic improvements.

During the summer of 2016, the exterior site work will be completed. This includes reconfiguring the parking lots to alleviate congestion issues at drop-off and pick-up; lighting and accessibility

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<sup>7</sup> Fiske was built in 1952 and Schofield a decade later in 1963. In 2006, ATM approved the construction of three modular additions for Fiske and four for Schofield.

<sup>8</sup> Other SFC findings were that Bates, Sprague, PAWS and WHS were recently renovated and could be maintained by cash capital, and WMS could be maintained through cash capital and future mechanical systems replacement.

upgrades to address safety issues; new paving; underground drainage improvements; and asbestos abatement and plumbing renovations at Schofield, including a recessed duplex pump system to prevent the sewage problems Schofield experienced in May of this year. The Preschool at Wellesley (PAWS) will need to be temporarily relocated during the summer of 2016. The summary of proposed Fiske and Schofield renovations presented on page 25 of the *7:30 PM 2013 STM Report* for the appropriation of Design Funds for the project is largely consistent with the planned scope of this work. Additionally, the playground areas at Fiske and Schofield need to be made ADA-compliant using a special resilient surface so that each play structure will have a path for access. Wood chips will remain in some areas to control costs.

PBC has hired SMMA to be the architect for the Fiske-Schofield renovations, Dore & Whittier as the Owner's Project Manager (OPM) and Agostini Corp. as the Construction Manager (CM). PBC has received approval from the Inspector General to allow them to use Chapter 149A construction, also known as the Construction Manager at-Risk (CM@R) process, which is both a cost-effective and time-conscious alternative to the traditional Chapter 149 design-bid-build process.<sup>9</sup>

Advisory strongly supports the recommended renovations of Fiske and Schofield. The School Facilities Committee has proposed a well-defined project that will not only extend plumbing, mechanical and electric systems at Fiske and Schofield Elementary schools by at least 15 to 20 years, but at the same time will address programmatic and infrastructure needs. Executing the renovation of each school in parallel over the summer of 2015 and 2016 will allow for the least disruption to the learning process and will result in efficiencies and cost savings. At last year's STM, the request for design funds for this project received unanimous support.

Advisory feels that this project will help meet the needs of the Wellesley elementary population and provide equity across the District. If the project costs come close to the estimates presented last year, a favorable vote is expected.

**Passage requires a 2/3 vote.**

**Advisory will make its recommendation at or before Special Town Meeting.**

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<sup>9</sup> In the CM@R process, the PBC is allowed to choose the CM based on qualifications before the design stage is complete, and the CM gives PBC a guaranteed maximum construction price and coordinates all subcontract work. PBC used the CM@R process for the High School construction project and believes this choice saved the Town both time and money and resulted in a superior building.

**ARTICLE 7.** To see if the Town will vote to acquire by purchase, gift, eminent domain, or otherwise, for municipal purposes, the real property located at 156 Weston Road, being further identified as Parcel No. 5 on Assessor's Map No. 149 and commonly known and referred to as the "North 40"; to raise and appropriate, borrow, transfer from available funds, including Community Preservation Funds, and/or otherwise provide a sum of money for such acquisition and for such planning and managerial undertakings as the Board of Selectmen determine to be necessary in relation to the Town's ownership of the Property, both of which include due diligence, further planning studies, site work, necessary traffic studies, and any other costs associated with said purposes; or take any other action in relation thereto.

**(Board of Selectmen)**

This Motion requests Town Meeting authorization to allow the Board of Selectmen (BOS) to acquire the real property located at 156 Weston Road, also known as the "Property" or the "North 40," for municipal purposes. Wellesley College has announced that it plans to sell the North 40, and the question before the Town is, in essence, whether the Town or a private developer will control how the Property is developed.

At the time that this Advisory Report went to press, the Town had just submitted its initial bid on the Property to Wellesley College. All discussions by the BOS on the acquisition terms of this purchase have been conducted in executive session. If successful in negotiating with the College, the BOS hopes to be able to present a Purchase and Sale (P&S) Agreement to Special Town Meeting (STM) which will detail the specific terms and conditions of the sale. At this point in time, Advisory is evaluating this Article with limited information and basing its analysis on publicly known information and assumptions. Advisory will include updated information about Article 7 in an Advisory supplement if that information becomes available before STM.

The BOS seeks Town Meeting approval to purchase the 46.8 acre Property using three funding streams. A portion (about 24 acres) is expected to be purchased through general obligation borrowing with fixed payments spanning 30 years. Another portion (about 8 acres) is expected to be purchased with taxable municipal bonds, again with fixed payments to be repaid over 20 years.<sup>10</sup> The third portion of funding, covering approximately the remaining 14 acres, is expected to come from borrowing by the Community Preservation Committee (CPC) based on future Community Preservation Act (CPA) revenues. The CPC has committed to borrow whichever is lesser: (1) \$9,300,000 or (2) 30% of the total purchase price for the North 40 agreed to in the P&S. The CPC's annual debt service on its 30 year bond shall not exceed \$600,000, which is approximately 60% of the CPC's annual revenue from the local CPA surcharge.

If the BOS does purchase the parcel based on the funding sources outlined above, the land will be zoned or designated in direct proportion to the source of funds. The percentage of the North 40 purchased by the CPC will be placed under a permanent CPA restriction, which may be a conservation restriction (if the land will be used for open space or recreation) or a deed restriction (if the land will be used for community housing) or a combination of both restrictions. See page 31 for a detailed discussion of the implications of using CPA funding for the North 40 acquisition. Town Meeting is being asked to decide whether Wellesley should acquire the North 40. The discussion of what the Town should do with the land if acquired is not before this Special Town Meeting. If Wellesley ultimately gains control over the North 40 parcel, Advisory expects the Town to thoroughly vet possible options and build consensus for uses of the land. This process could

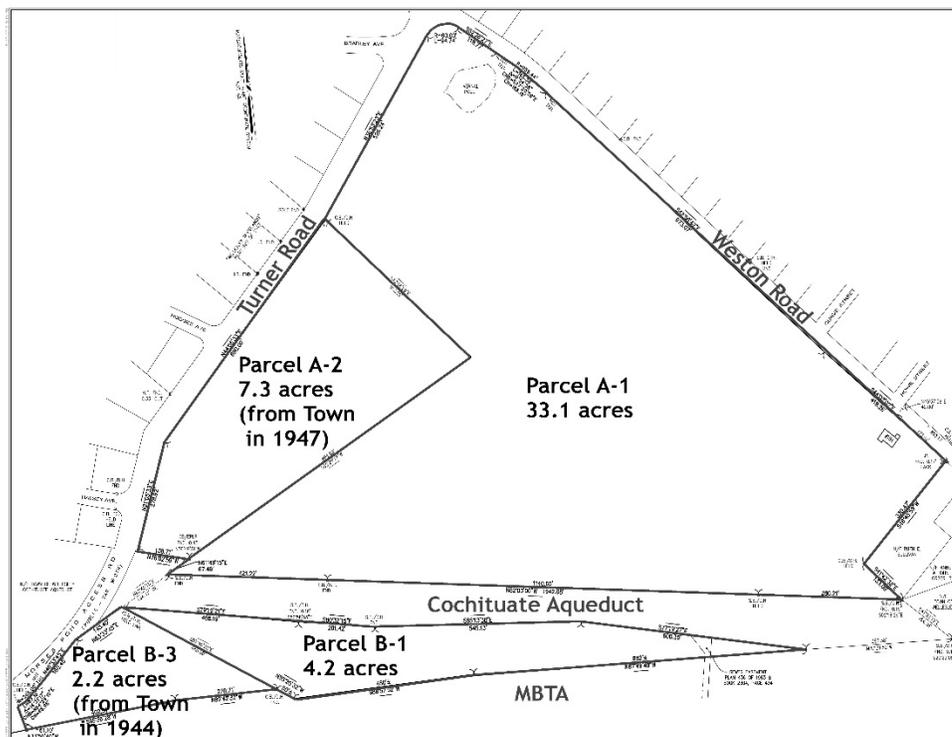
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<sup>10</sup> Although having a slightly greater tax impact on residents, taxable bonds (which generally offer a higher yield than tax-exempt municipal bonds) offer the Town a way to take advantage of public/private partnerships, which would otherwise be restricted if using tax-exempt bonds.

take many months or years and require discussion and voting by many future Town Meetings. The Municipal Uses and Visioning sections of this report are intended to provide context for the North 40 purchase and provide a sense of the potential value of the Property both economically and otherwise. This report also contains an economic analysis showing the potential impact to the Town and its taxpayers under scenarios where the Town purchases the North 40 and scenarios where it does not.

### Summary of the Property

The North 40 is a triangular-shaped parcel of property consisting of 46.8 acres located at the western side of town just north of Wellesley College (the “College”) and east of Morses Pond. The Property is bordered by the Massachusetts Bay Transportation Authority (MBTA) railroad tracks which run parallel to Route 135 on the south, Weston Road on the north-east and Turner Road/Morses Pond Access Road on the northwest. The single family Woodlands and Weston Road neighborhoods are immediately adjacent to the North 40 and the Property is accessible to the Wellesley Square and other Town buildings.<sup>11</sup>



The Property is bisected by the Cochituate Aqueduct near its southern border, creating an approximately 6 acre land-locked parcel (Parcel B) between the rail line and the Aqueduct; the remaining larger parcel (the approximately 40 acres comprising Parcel A) lies north of the Aqueduct. Parcel A consists of approximately 33 acres from the original Durant indenture combined with a 7.3 acre parcel conveyed to the College in 1947 by the Town.<sup>12</sup> The North 40

<sup>11</sup> Wellesley Square lies within 500 feet of the North 40, while the MBTA Rail Station, Post Office Square, Hardy Elementary School and the Wellesley Town Beach are all 0.1 to 0.2 miles from the Property. The Wellesley Library, Wellesley Town Hall, Hunnewell and Sprague Schools are 0.2 to 0.3 miles from the North 40 and the Wellesley Middle School is approximately 0.4 miles away.

<sup>12</sup> There are actually three lots which comprise the North 40; A-1 and B-1 are considered a single lot even though bisected by the Cochituate Aqueduct, while A-2 (the 1947 land) and B-3 (the 1944 land) are separate. For the purposes of this discussion, the North 40 will most often be divided into its northern Parcel A (Parcel A-1 and Parcel A-2) and its southern Parcel B (Parcel B-1 and Parcel B-3).

lies within the Town's Water Supply Protection District overlay zoning district and most of the site lies within a Zone II wellhead protection area for Wellesley College's wells. Both the Town's and College's wells are located near the Property so that the entire North 40 area is part of the recharge area for three wells. The only protected wetland on the North 40 is a roughly 10,000 square foot vernal pool<sup>13</sup> located at the northern tip of the Property. No portion of the North 40 lies within a 100-year floodplain zone. The topography of the North 40 includes steep slopes, particularly at the southern portion of the parcel. In 2014, the land was assessed by the Town of Wellesley Assessors' Office at \$25,277,000.

The North 40 currently consists largely of open space crisscrossed by trails, with the Crosstown Trail running along the aqueduct. A 6-7 acre portion of the parcel contains about 55 Wellesley College-administered community gardens which appear to have existed since at least 1940. From 1955-1960, the Town leased approximately 23 acres of the North 40 from Wellesley College to use as a landfill, sited on the western portion of the Property. After closing the landfill, the Department of Public Works (DPW) planted approximately 13,500 pine seedlings, which have matured into stands of tall trees.

The North 40 is zoned 15,000 Square Foot Single Family Residence District (SRD15) which also allows for educational and municipal uses. Approximately 32 "Approval Not Required" (ANR) lots would be allowed along Turner and Weston Roads, with each lot having a minimum of 15,000 square feet and 100 feet of frontage. Creating a subdivision of more than 5 acres within the interior of the North 40 would trigger the Town's Natural Resource Protection (NRP) Zoning Bylaw XVIF, established by the 2013 ATM, which would require approximately 50% of the subdivision to remain open space and allow the lot sizes to be reduced to 7,500 square feet. The Town's zoning would therefore allow for approximately 75 (NRP alone) to 95 (ANR and NRP) single family homes to be constructed on the North 40. Chapter 40B construction, which allows developers to build affordable housing in towns which do not meet minimum Massachusetts affordable housing guidelines, would remove Town zoning restrictions and allow as many as 300 housing units to be built on the site.

Further details about each aspect of the North 40 may be found below and also in the Report of the North 40 Steering Committee on pages 49-163 of this report.

### **History and Time Line**

The 46.8 acre North 40 parcel is currently owned by Wellesley College, with most of Parcel A made up of land acquired by the College via a gift by Henry Durant, one of the College's founders. He had aggregated the parcel via prior acquisitions in the 1860s from the City of Boston (1862), Charles Dana (1869) and Gilbert Seagrave (1868). Mr. Durant placed a restriction on the property via an indenture deed in October 1873, which contractually obligated the grantee, Wellesley College, to accept certain conditions in return for receiving the property rights. In December 1946, an additional 7.3 acres of Parcel A (A-2) was purchased by Wellesley College from the Town of Wellesley for \$4,500, and this portion of the property was not encumbered by the Durant Indenture. This transaction was part of a land swap whereby the Town bought 32 acres from the B&A Railroad for \$20,000 and 19+ acres from the College for \$12,000 as approved by the 1946 Special Town Meeting. The 19+ acres was used for Veterans' housing and today is known as the Woodlands/Generals neighborhood.

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<sup>13</sup> A vernal pool is a temporary body of water that is not sourced by a spring and is dry for at least part of the year, filling with winter rains or snow melt and usually devoid of fish. It provides a habitat for insect and amphibian species and is considered a type of wetland. Town Wetlands Protection Bylaws require isolated wetlands like vernal pools to have a 100-foot buffer zone which includes an inner 25-foot No Disturbance zone and an outer 75-foot Limited Disturbance Zone.

In 1950s, Wellesley experienced significant issues with rubbish disposal and at a Special Town Meeting in 1955, Town Meeting approved the lease of 23 acres from the College for a sanitary landfill. Seventeen acres of the landfill were located in Parcel A, and six acres were located in Parcel B. The landfill was in operation in the Parcel A section for only five years before the Town constructed an incinerator at the current RDF site.

On April 16, 2014, the BOS was informed by Wellesley College that the College would be seeking approval from the State to reclassify the portion of the North 40 which was restricted by the Durant Indenture. On April 18, the College filed a complaint with the Massachusetts Supreme Judicial Court (SJC) requesting that the Durant Indenture be removed so that Wellesley College could sell the property; the Commonwealth’s Attorney General assented to the granting of this relief. The College’s request was granted by the SJC on May 2, 2014.

A summary of the North 40 timeline is presented below:

<b>2014-2015 North 40 Timeline</b>	
April 16	ATM dissolves
April 18	Wellesley College files a case with SJC to make the North 40 land available for sale
April 23	College informs Weston Road and Woodland neighbors about the potential sale
April 30	BOS issues a statement and FAQs about the Property
May 2	SJC rules to release the restriction (Durant Indenture) on the North 40
May 27	First meeting of North 40 Steering Committee (N40SC)
May 27	CPC appropriates \$25,000 to study the North 40 site; BOS contributes \$30,000
June 18	Public Forum at Wellesley Library
June 30	Meeting with College to understand their timeline with anticipated offering in September
July 14-16	BOS votes to seek \$75,000 from the Advisory Reserve Fund; unanimously supported by Advisory Committee
July-August	Town and College conduct initial financial and environmental due diligence, hiring Flinker & Dodson / Brovitz to conduct visioning studies for property; Beta to perform “high level” traffic analysis and EcoTec to act as a peer reviewer of College’s environmental findings. Town also hires Collier International to help with property appraisal
August 4	Natural Resource Assessment Report issued by Vanasse Hangen Brustlin (VHB), hired by Wellesley College (discusses wetlands and significant trees)
August-September	Four Visioning workshops (town officials, neighbors, two general interest) held to discuss potential future uses of the land.
September 11, 18	Haley & Aldrich summary of environmental conditions on site reported to College and shared with Town
September 29	Flinker & Dodson / Brovitz visioning meeting with Town
October 3	Bids from Town and developers due at Wellesley College; start of first round of negotiation with the College
October 27	First day of Special Town Meeting
November-December	Continued due diligence period
December 12	Potential Town-wide debt exclusion vote?
February, 2015	North 40 Closing?
2015+	Development of Master Site Plan?

## **North 40 Steering Committee**

In order to decide whether the Town should pursue acquisition of the North 40 parcel, the BOS established the North 40 Steering Committee (N40SC) in May to develop municipal land use visions and investigate the following issues:

1. Whether the ability to develop/locate municipal uses on the property satisfies an existing identified need.
2. Whether the site is appropriate for the location of municipal uses, and if so, what uses should be considered to be located on the site.
3. If the Committee determines it is appropriate to relocate and/or consolidate existing uses on the site, whether vacated sites should be repurposed for other municipal purposes or monetized to offset short term and long term costs of the acquisition and/or development of the property. This evaluation should be conducted on a town-wide scale.
4. If the Committee determines it is appropriate to relocate and/or consolidate existing uses on the site what will be the municipal systems impacts (traffic, water, sewer, stormwater, etc.) and the potential neighborhood impacts relative to project appearance, access, noise, traffic, parking, lighting, landscape buffers, screening, etc. for the various uses proposed.
5. Whether the relocation and/or consolidation of existing uses to the site would have an impact on Town assets including maintenance costs and responsibilities.
6. Whether municipal uses in planning stages are better located on the subject property.
7. Whether there are any environmental issues on the property which may negatively impact the Town's ownership and development of the property.

In addition to making a recommendation on acquiring the North 40, the N40SC was also charged with understanding the municipal impacts if the Town chose not to pursue the purchase. A total of \$130,000 was appropriated to the Committee (\$75,000 from the Advisory Committee Reserve Fund, \$25,000 from CPC funds, and \$30,000 from BOS-controlled funds) to allow the N40SC to hire consultants to assist with real estate appraisal, peer review of College-provided environmental and natural resource assessments, "high-level" traffic studies, and to help the N40SC and Town with "visioning" for the Property.

The Committee is comprised of ten voting members from the BOS, School Committee, Planning Board, CPC, Board of Public Works (BPW), Recreation, Wellesley Housing Development Corporation (WHDC), Natural Resources Commission (NRC), the Woodlands neighborhood and the Weston Road neighborhood. In addition, the BOS, School Committee, Planning Board, Woodlands neighborhood and Weston Road neighborhood each have a second non-voting alternate representative. The Executive Director, Selectmen Staff, Planning Director, DPW Director, Town Engineer, Superintendent of Schools, and the Deputy Chief of Police all serve as staff to the N40SC.

The interim report of the N40SC to the BOS, which recommends that the Town purchase the North 40, is found on pages 49-163 and the Committee's discussion of their seven-part charge is given on page 72. Appendices I-VII on pages 74-130 describe the rationale for the Steering Committee recommendation and discuss potential economic impacts of the North 40 purchase by either the Town or a private developer. These appendices are written by each of the Town boards, committees, and neighbors represented on the N40SC. The major public reports from the Wellesley College and Town consultants are included in appendices VIII-XI on pages 131-163.

## Zoning

The North 40 is zoned 15,000 Square Foot Single Family Residence District (SRD15) and is located in the Water Supply Protection District overlay zoning district. The Property is comprised of three existing lots (Parcel A which is comprised of two lots per the Registry of Deeds and Parcel B; see Footnote 12 on page 18). It is believed that two of the lots are conforming and a building permit could be sought and issued for any one of the by-right uses without any additional approvals. There are as well a number of potential uses requiring the issuance of a special permit, which are similarly outlined in the North 40 Steering Committee report on page 54.

Residential development would generally require conformance with the Subdivision Control Law. However, as the Property fronts on two existing public streets, Turner Road and Weston Road, an estimated maximum of 32 house lots could be developed and be exempt from the Subdivision Control Law under that law's "approval not required" (ANR) mechanism for parcels with direct frontage public ways.

Development of the interior portions of the property (lacking frontage on an existing way) would be subject to the Subdivision Control Law. Subdivisions must comply with the Town's adopted development standards for streets and other municipal infrastructure, and proposed lots must comply with the Natural Resource Protection (NRP) Zoning Bylaw passed at the 2013 ATM, which would require clustering of smaller lots within the subdivision such that at least one half of the subdivision remains open space.<sup>14</sup> Given the various scenarios for single family homes that have been discussed, it is anticipated that residential development of the property could yield a maximum of 95 lots (a portion being created under the ANR process and the remainder through an approvable subdivision).

Chapter 40B of the Massachusetts General Laws allows a developer to qualify for waivers of local zoning and permitting rules if the developer's proposed project constitutes "low or moderate income housing," defined as housing subsidized under any state or federal government program. A 40B proposal would be reviewed by the Zoning Board of Appeals (ZBA), which may issue a "comprehensive permit" covering all local permitting requirements. As Wellesley's housing stock is less than 10% affordable (currently approximately 6%), if the ZBA were to deny a comprehensive permit for a 40B project, the developer would likely appeal the denial to the Commonwealth's Housing Appeals Committee. That committee generally reverses such denials, absent compelling health and safety reasons for the denial or unless the project constitutes a "large project." A large project, as it pertains to Wellesley, would consist of more than 300 units. Therefore, it is expected that a 40B proposal would not exceed 300 units.

All uses other than one-family or two-family dwellings or a development under Chapter 40B would require a Project of Significant Impact (PSI) special permit from the Planning Board, if involving newly-constructed floor area of 10,000 or more square feet. Projects issued a PSI Special permit would then be required to receive Site Plan approval from the ZBA.

Reviews and permits required for municipal uses vary based on the type of use. Schools and their associated accessory uses would be allowed by-right, without the issuance of a special permit for the use; however, PSI and Water Supply Protection District special permits would likely be required, as well as Site Plan approval. Other municipal uses, allowed after issuance of a special permit, include recreational facilities (e.g., playing fields).

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<sup>14</sup> See Zoning Bylaw Section XVIF; the yield is calculated by a formula where the total property area less nine tens of the primary conservation areas is divided by lot size. Primary conservation areas include easements, wetlands (including the 25 foot No Disturb Zone as defined in the Town Wetlands Protection Bylaw), vernal pools, 100 year flood plains, wildlife habitat, and steep slopes (exceeding 10% grade).

An even broader set of uses of the Property could be considered if the property was rezoned or rezoned in conjunction with amendments to the Zoning Bylaw.

### **Potential Municipal Uses for the North 40**

Each Board and Committee that was part of the N40SC was asked to provide a written statement explaining how the North 40 could address a Town need if purchased. These reports from the NRC, Recreation, Trails Committee, Playing Fields Task Force (PFTF), School Committee, DPW and Wellesley Housing Development Corporation (WHDC) are included in the N40SC Report on page 74-130 of this *Advisory Report* and are summarized below:

#### NRC

The NRC analyzed the existing open space in Wellesley and concluded that sixty percent of Wellesley's "open space" is actually privately owned, which places the Town behind Natick, Needham, and Newton in the percentage of its protected open space.<sup>15</sup> Because the North 40 more than meets the NRC land acquisition goals, as outlined in the *NRC Criteria for Open Space*,<sup>16</sup> the NRC enthusiastically recommended that the Town purchase the North 40 and set aside at least 70% of the land as open space. The North 40's location within a MassDEP Zone 2 Water Supply Protection Area means that the land acts as a recharge area for the Town's wells and provides natural flood protection to nearby properties and streets. It is already heavily used by residents at the western end of Town and provides similar passive recreation opportunities for those neighborhoods, analogous to those provided by Centennial Park, Fuller Brook Park, Boulder Brook and Carisbrooke Reservations, Longfellow Pond and the Town Forest in other parts of Town.

Appropriate North 40 open space uses would include maintaining and/or increasing the Community Gardens and expanding the current walking, hiking trails, and bike paths for recreation and for travel in lieu of Weston Road. The NRC would also support passive recreation through playing fields for ball sports and an innovative educational playground to explore the natural phenomena of the site.

#### Recreation and Playing Fields Task Force (PFTF)

The PFTF analyzed the growth of youth sports in Wellesley, noting that although the Town's total population has not fluctuated by more than 7.6% over the last fifty years, the number of children participating in certain youth sports that require rectangular fields (e.g., soccer, lacrosse, baseball, softball, and field hockey) has grown significantly in the past decade.<sup>17</sup> Purchase of the North 40 could enable the addition of multipurpose, ADA-compliant, synthetic turf fields to the Town's field inventory. Three such new fields would meet immediate demand, reduce scheduling conflicts, reduce grass field overuse, allow for enhanced programming by the Recreation Department (e.g., new intramural after-school programs), and eliminate the dependency of the Town's Youth Soccer program on the Elm Bank Reservation fields. In addition, the Youth Basketball program has doubled in the past five years with no new courts becoming available.

#### Trails Committee

The Trails Committee recommends that the Town purchase the North 40 and protect it for passive recreational use in its current state, continuing to provide the Crosstown Trail along the Cochituate

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<sup>15</sup> Currently, 32.3% (2,168 acres) of Wellesley consists of open space of which 866 acres is protected. Purchase of the North 40 would increase the Town's inventory of protected open space by 5.3%.

<sup>16</sup> See [http://wellesley.ma.gov/Pages/WellesleyMA\\_NRC/NRC%20Policy%20and%20Regs.pdf](http://wellesley.ma.gov/Pages/WellesleyMA_NRC/NRC%20Policy%20and%20Regs.pdf), pages 2-2, 2-3.

<sup>17</sup> For example, the number of youth lacrosse teams has grown 240% since 2000.

Aqueduct with a woodland buffer between Weston Road and the railroad. If the Town decides to develop the Property, at least 50% of the land should be retained as contiguous, natural open space not fragmented by driveways or buildings, with particular effort given to protecting the integrity and continuity of the Crosstown Trail.

### School Committee

The Schools were asked to consider both the value of the North 40 purchase to the School Department were the Town to acquire the North 40 and the impact on the schools if a private developer purchased the Property. The School Facilities Committee (SFC) had already begun evaluating the potential renovation, replacement and/or consolidation of the three elementary schools – Hardy, Hunnewell and Upham – using funds appropriated at the 2013 STM. Although the North 40 site is not the optimal location for a potential new school from a demographic or traffic perspective, there are significant advantages to building on an open site, including reduced disruption to the Town and students during construction, ability to develop an optimal building layout and site circulation plan, and the availability of the new school as “swing space” enabling other schools to be renovated without students on site.

Private development of the North 40 could have a significant impact on schools, depending on the type of development proposed. Restricted age housing (e.g., 55+) would not impact the schools. A typical development based on the Town zoning regulations (ANR along Weston and Turner Roads and NRP zoning within the interior of the site) could bring 95 single family homes to the Property, adding about 70 students to the Wellesley Public School (WPS) system. A Chapter 40B non-senior housing development could add 300 residential units, bringing 250 students to WPS. There would be both annual operating cost increases (\$1.2 million per year for single family homes; \$4.3 million for 40B units) as well as increased capital costs. With a residential development, consolidation of Hardy, Hunnewell and Upham to two schools would probably still be possible, though at least one of the remaining two schools would need to be larger than would otherwise be the case. With a 40B development, there would probably be no consolidation of Hardy, Hunnewell and Upham possible and all three elementary would need renovation or replacement. These financial impacts are further discussed in the Economic Analysis section.

### Wellesley Housing Development Corporation

The WHDC agrees that purchase of the North 40 is a unique opportunity for the Town and would enable the Town to implement its Affordable Housing Policy as outlined in the *Wellesley Comprehensive Plan 2007-2017 Update*.<sup>18</sup> The Town currently has 6.16% of its housing stock affordable to households with incomes at or below 80 percent of the area median income, below the 10% state threshold which would prohibit 40B development. The WHDC supports limited development of a mix of market rate and affordable housing on a portion of the site, taking advantage of the Town’s new NRP zoning to maximize the open space on the site and minimize the project footprint. The North 40 is located close to the center of Town with access to retail shops and grocery stores, public transportation, schools, and religious and cultural institutions, making it a suitable site for affordable housing.

### **Neighborhood Impact**

The Woodlands and Weston Road neighborhoods have been active participants in helping to establish the future of the North 40 property. In addition to regular neighborhood-organized meetings, and the creation of the informational blog <http://north40wellesley.wordpress.com/>, four neighbors serve on the N40SC and have worked closely with the Town, both to inform the Town

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<sup>18</sup> See the Executive Summary at <http://www.wellesleyma.gov/Pages/FOV1-0001FDAB/execsummary.pdf> and <http://www.wellesleyma.gov/Pages/FOV1-0001FDAB/draftfinal> for the complete draft.

of the neighborhood concerns as well as communicate each step of the Town process to the neighbors. There is also a grass-roots organization, the Friends of the Wellesley North 40, which is encouraging the College to preserve the North 40 as open space by selling it to a nature conservancy rather than placing it on the open market.

A survey of the Woodlands and Weston Road neighborhoods was created by a Woodlands neighbor in August, reaching about 120 households in the Woodlands and 200 households in the Weston Road area (see Appendix VI on page 112). The response rates were 51% and 43%, respectively. Although there were small differences between the two survey groups, in both cases the top concerns arising from potential development were increased traffic, loss of forest land, loss of neighborhood integrity (Woodlands), and loss of the community gardens. In general, potential development was rated more highly if it was low impact (conservation land, community gardens, dog walking areas, playgrounds and athletic fields) and least desired if it was high impact (housing). Municipal uses like a school, senior housing, senior center, swim facilities, or skating rink were polarizing, viewed favorably by some of the neighbors and unfavorably by others. Additional concerns included contamination of the aquifer/wellhead/Morses Pond resulting from development, overcrowding of the schools, light and noise pollution, lowering of the property values of existing homes, and harm to wildlife. About 80% of the survey respondents currently use the land for passive recreation.

One of the four visioning workshops run by Flinker & Dodson/Brovitz was specifically designed to understand the value of the North 40 to the neighbors as well as listen to their primary concerns, discussed more fully in the Visioning section of the Steering Committee report. It is important to take the input of the Woodlands and Weston Road neighbors as they are in close proximity to the North 40 parcel and would be most impacted by any development or physical changes to the land. However, the funding for a Town purchase of the parcel would be come from the entire community and the potential uses would need to be for the benefit of the community at large.

### **Traffic**

The increased traffic resulting from any development of the North 40 is a principal concern of both the Woodlands and Weston Road neighborhoods and the Town in general. Currently, 2300 cars travel through the intersection of Weston Road at Central Street (Route 135) during the morning and afternoon peak hours (7:30 – 8:30 a.m. and 4:30 – 5:30 p.m.), which exceeds by 500 cars the volume capacity of 1800 vehicles that the intersection can handle. Queues for this intersection can extend 1200 feet back from the intersection at these peak times.

The N40SC hired Beta Group, Inc. to consider “high level” potential solutions to ameliorate traffic along Weston Road, and specifically at the intersection of Weston Road and Central Street. The Beta traffic study starts on page 154 of this report. Alternatives to divert 500 cars from the Weston Road/Central Street intersection at peak hours include widening the bridge over the railroad tracks to provide a dedicated right turn lane from Weston Road onto Central Street, full signalization of the existing traffic light at Linden Street and Weston Road, building a second bridge over the railroad tracks (at various locations between the motor entrance to Wellesley College and the current bridge) and the construction of additional roadways through the North 40, potentially connecting to Weston Road, Turner Road or even Route 9. All options have significant costs and impacts on the surrounding neighborhoods.

To Advisory’s knowledge, an analysis of the additional volume of cars that would be generated by different types of private development on the North 40 has not been performed. A quick perusal of transportation planning literature suggests that each additional household generates from 3 to as many as 20 trips per day, with the average being slightly over 10. The lower end of the range

would be more applicable to senior residences, while the higher end of the range applies to active family neighborhoods.

An analysis of the traffic impact on Weston Road and the neighborhood surrounding the North 40 would be required in most of the projects, municipal or otherwise, which might be proposed for the Property. Special permits are not required for single family or two-family dwellings, but are required for all other projects that involved the construction of more than 10,000 square feet of floor area. The exception would be a Chapter 40B housing project, which would be exempt from Town zoning regulations. An attempt by the Zoning Board of Appeals (ZBA) to deny the comprehensive permit required for such a development would likely be reversed on appeal of the developer to the Commonwealth’s Housing Appeals Committee, absent health and safety reasons for the denial. Increased traffic and congestion is not considered a sufficient reason for the ZBA to deny a comprehensive permit, though it is often used as a negotiating tactic to reduce the number of units being proposed. A summary of where traffic review is required is provided below:

Type of Development	Oversight	Traffic Impact Analysis Required?	Comments
ANR Housing	None	No.	
NRP Subdivision	Planning Board	Yes, if the project generates 30+ vehicle trips in any single hour of the day.	Minimum of two alternative designs to address the impact required.
Project floor area between 2,500 and 10,000 sf and grading/land disturbance area > 5,000 sf	ZBA	Yes. ZBA reviews access/egress and considers number of vehicles trips during peak hours	Does not apply to single family or two-family dwellings
Municipal use; Floor area > 10,000 sf	Planning Board (PSI Special Permit); ZBA (Site Plan approval)	Yes.	
Non Chapter 40B Floor area > 10,000 sf	ZBA (PSI Special Permit)	Yes.	Does not apply to single family or two-family dwellings.
Chapter 40B Floor area > 10,000 sf	ZBA (Comprehensive Permit)	Yes.	If ZBA denies Comprehensive Permit, likely to be overturned by Commonwealth Housing Appeals Committee.

### Visioning Workshops

Four Visioning Workshops were held in August and September, 2014; the first for Town officials and staff, the second for the Woodlands and Weston Road neighborhoods and the last two for all Town residents. Run by the Peter Flinker and Ted Brovitz, the workshop participants were combined into 6-8 person groups and each group was asked to identify preferred uses for the land by placing stickers on maps of the North 40. Eleven groups presented their preferred site uses at the last two meetings. There was unanimous interest in retaining the Community Gardens and strong interest (9-10 groups) in maintaining wildlife habitat, hiking trails, and/or creating a bike path. There was moderate support (6-8 groups) for a picnic areas, visitor parking, age-restricted housing, attached homes and/or a solar farm while 3-5 groups supported a community farm, elementary school, ball field, affordable housing, market-rate housing, cottage-style housing, apartments, a fenced dog park, and/or a BMX trail. Only 1-2 groups supported a

playground, single-family homes, indoor recreation, a skating rink, swimming pool or a wind farm. A description of the Visioning Workshops may be found in the *N40SC Report* beginning on page 67.

The Visioning Workshops were not intended to develop any sort of “Master Site Plan” for the North 40 but merely to help the Town understand what municipal uses might be preferred for the site. A few themes emerged consistently; for example, there was a general preference for any proposed housing to be sited at the southern portion of the property, nearest to shopping and public transportation. Parcel B (the lower six acres) was most often left as open space, although groups that supported solar farms and/or BMX trails tended to locate them there.

### **Environmental Findings**

In June 2014, Wellesley College hired Haley and Aldrich, Inc. (H&A) to perform the American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment (ESA) for the North 40. A Phase I ESA is a non-invasive determination of the current condition of a property (and any relevant surrounding properties which could environmentally impact the subject property) and uses interviews, historical records, and observations to identify Recognized Environmental Conditions (REC), historical REC (HREC), and controlled REC (CREC).<sup>19</sup>

H&A identified the following environmental issues for the North 40 property:

- REC #1: Historic use of a portion of the site as a municipal landfill from 1955-1960
- REC #2: Historic on-site oil pump house which connected to an oil pipeline that ran from the Boston & Albany rail right of way to the main College campus. The pump house was observed in the 1938-1960 aerial photographs but was not in the 1969 photograph.
- HREC #1: Former on-site release of approximately 10 gallons of gasoline from an automobile fire on the gravel access road for the Community Gardens in July, 2013. ENPRO was hired by Wellesley College to remediate the spill by removing and disposing (off site) of 20 cubic yards of contaminated soil; the release achieved regulatory closure in September, 2013.
- Other Environmental Finding (not clearly defined by the ASTM Standard): Possible long-banned pesticide use in the community gardens portion of the site.

At the request of the College, H&A performed subsurface investigations to evaluate REC #1 and REC #2, returning in August 2014 with the following findings:

- The landfill was estimated to be 4.9 acres, significantly smaller than the 23 acres that the Town had leased and smaller than the 9 acre area delineated through a geophysical survey of the landfill conducted in the 1980s;
- The landfill was deeper than expected, ranging from 7.5 to 29 feet below ground;
- The landfill was household waste typical of the 1955-1960 period with no signs of industrial waste;

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<sup>19</sup> A REC is “the presence or likely presence of any hazardous substance or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. HREC and CREC both refer to past releases of hazardous substances or petroleum products which have been satisfactorily addressed by the appropriate regulatory authority. In a CREC, the hazard is allowed to remain in place subject to the implementation of required controls (which could include property use restrictions, activity and use limitations, and institutional or engineering controls), while a HREC does not require any such controls.

- One of the groundwater samples indicated a slightly elevated level of arsenic, a condition which must be reported to the Commonwealth within 120 days. Overall, H&A considered the groundwater “remarkably clean” and reported that “the landfill has had little impact on the quality of groundwater immediately adjacent to the landfill.”
- Some of the landfill samples contained elevated levels of semi-volatile and volatile organic compounds and one sample contained a polychlorinated biphenyl (PCB) compound; these were also 120-day reportable conditions. Overall, H&A found that contaminant concentrations were lower than would be expected for a typical solid waste landfill from the 1955-1960 time frame;
- Methane was found in two test pits at low levels but was not detected in the soil gas samples collected from the perimeter soil vapor monitoring wells, indicating that methane migration through the soil at dangerous concentrations is not occurring;
- There was no evidence of contamination at the pump house.

### **Natural Resource Findings**

On September 18, the Wellesley College consultant Vanasse Hangen Brustlin, Inc. (VHB) provided an updated assessment of the natural resources and significant trees on the North 40, based on peer review by the environmental consulting service EcoTec, Inc., hired by the Town to review the VHB findings:

- There is a certified vernal pool in the northernmost corner of the parcel, which falls under state and local (but not federal) regulations; it is the only wetlands on the property;
- There is no designated mapped 100-year floodplain within the parcel;
- There are no priority habitats of rare or endangered species within the North 40;
- Almost the entire parcel falls within a Zone II wellhead protection area and therefore the site lies within the Town of Wellesley Water Supply Protection Overlay District. Increased stormwater recharge requirements and limitations on grade reduction as it relates to groundwater elevation are the major implications of this finding;
- There are three stands of significant trees on the property, defined as trees having Diameter at Breast Height (DBH) measurements exceeding 10 inches. VHB was asked to identify significant trees which might trigger the Town’s Tree Bylaw, approved at the 2011 ATM. Not all the trees in the three stands are within the parcel’s Tree Yard (a buffer zone 0-20 feet from the property’s boundaries), and not all of the 10” DBH trees in the Tree Yard were identified by VHB;
- A portion of the center of the site is mapped by UMass Extension Center as a “Habitat of Potential Regional or Statewide Importance” based on Conservation and Prioritization System maps dated November 2011. The only regulatory significance of this mapping would occur if this region contained a wetland wildlife habitat, but the vernal pool is not within this area.

### **Economic Analysis**

Given the fluid nature of the North 40 bid process and the limited communication by the BOS of key financial terms due to standard confidentiality agreements, the Advisory analysis is based on high-level assumptions. Advisory believes this financial modeling will provide guidance to Town Meeting members and taxpayers with respect to an economic impact of the North 40 decision. It is important to note there are many intangible aspects to consider related to the potential acquisition of the North 40. This following section is limited to an analysis of the purchase from a financial perspective.

The Advisory model evaluates the impact of the purchase of the North 40 by the Town, a purchase by a third party for standard residential development, or the purchase of the land for a maximized

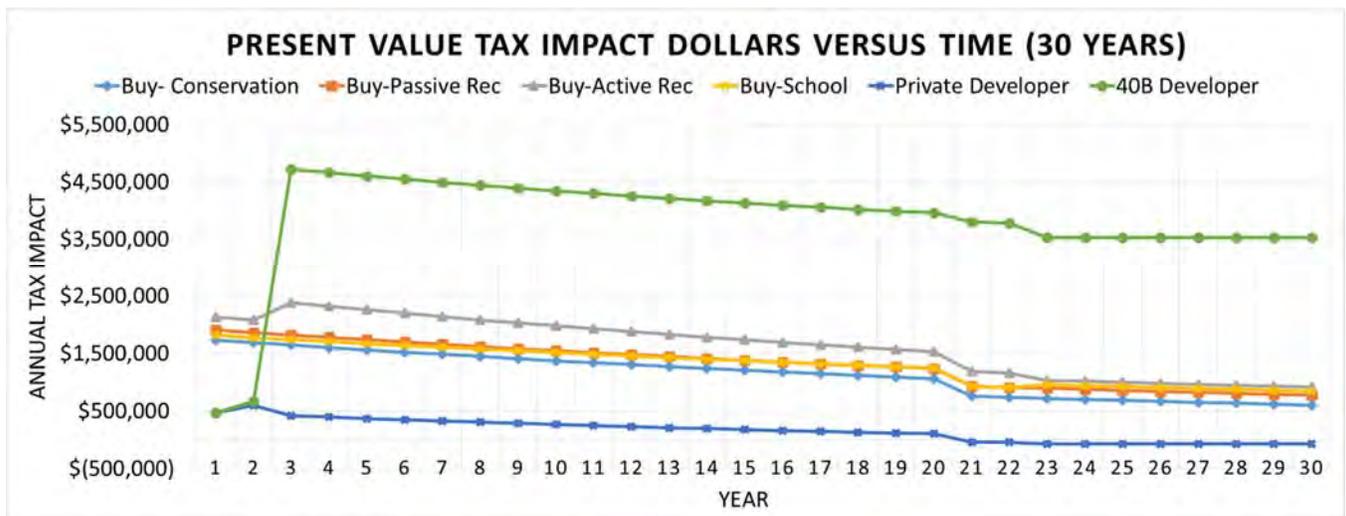
40B development. One key variable, the assessed value of the property, is based on the Wellesley Board of Assessors' 2014 valuation of approximately \$25 million.

With respect to the purchase price, three possibilities were modeled: \$25 million (the 2014 assessed value); \$30 million (consistent with the CPC's purchasing 30% of the property for \$9.3 million); and \$35 million. Advisory used these assumptions to drive six different scenarios. The scenarios were evaluated over a thirty-year time horizon and focus on the tax impact to the median Wellesley homeowner. Advisory is cognizant that the ultimate outcome may be a hybrid situation (e.g., affordable housing and recreation) and it would be superfluous to model all of the dynamic variables. The model does not include "ripple" effects which could arise from the re-purposing or sale of other Town assets if the Town succeeds in acquiring the North 40, except for modeling the financial impact that each scenario would present on future renovation /reconstruction/consolidation of the Hardy, Hunnewell and Upham schools.

Advisory created six "pure" scenarios for the North 40 acquisition that were modeled over a term of 30 years. These scenarios are as follows:

- A. The Town buys the North 40 and leaves it untouched (minimal DPW maintenance)
- B. The Town buys the North 40 and uses it for passive recreation (includes some DPW maintenance)
- C. The Town buys the North 40 and uses it for active recreation, modeled here as building and maintaining three artificial turf fields
- D. The Town buys the North 40 and builds a school on it
- E. A developer buys the North 40 and builds single family residential homes on it
- F. A developer buys the North 40 and builds Chapter 40B non-senior housing on it

A graph of the total tax impact of the North 40 purchase on the Town over thirty years is shown below assuming a \$30 million purchase price. Note that for simplicity, active recreation, school construction, and housing costs all begins in Year 3. Landfill remediation is modeled to begin in Year 1. All additional municipal borrowing for non-operating costs (e.g., turf fields, landfill remediation, school construction) are assumed to be through level principal, 20 year bonds at 5%. The data for this graph as well as further details of the Advisory model and its assumptions are presented in an addendum to Article 7 on page 35.



Assuming a \$30 million purchase price, the Advisory model also includes the tax impact of the six scenarios on the median Wellesley taxpayer:

Present Value Tax Impact Cost of North 40 Purchase to the Median Taxpayer Modeled using \$30 Million Purchase Price						
Cost in Year	A Buy- Conserve	B Buy- Passive Rec	C Buy- Active Rec	D Buy- School	E Private Developer	F 40B Developer
1	\$123	\$139	\$158	\$131	\$41	\$41
2	119	134	153	126	52	58
5	108	122	166	117	32	387
10	91	105	139	102	22	350
20	65	78	100	79	9	296
30	34	46	56	51	(4)	245
31	1	13	22	18	(4)	243

Key takeaways from the analysis are:

- If a developer bought the North 40 for non-age-restricted “family friendly” 40B housing, it would be extremely costly to the Town, largely as a result of the expense to educate the new students in such a development. Even accounting for the increased property taxes paid by North 40 residents, the annual operating cost to the Town would exceed \$3.5 million.
- Every \$5 million increase in the purchase price of the North 40 increases the cost to the median taxpayer by about \$30 in the first year of borrowing.<sup>20</sup> The present value of the impact decreases with time.
- If the Town buys the North 40, the economic impact is approximately the same whether the land is used for passive recreation or for building a school.<sup>21</sup>
- Single family residential development has the least tax impact of the six scenarios. However, the tax impact of private development is very sensitive to assumptions related to incremental property tax revenue offset by the costs of the mandatory Town and education services provided to new residents.<sup>22</sup>
- A three-fold increase in the projected cost of the landfill remediation would bring the 10 year cost to the Town of single family residential development in line with the cost of buying the land and using it for conservation.
- If the Town owns the land, it has a valuable asset in its portfolio which is projected to appreciate at least 3.4 times in real dollars over the 30 year borrowing period.

An important economic factor not considered in a conventional “cash flow” view of Town finances is that in the first four scenarios, the Town would own the land. The appreciation of the North 40 parcel since 1999 has been approximately 4.2% using the data from the Board of Assessors’ on-

<sup>20</sup> This effect is not strictly linear below a \$30 million purchase price because of the cap placed on the CPC portion of \$9.3 million or 30%, whichever is less.

<sup>21</sup> This perhaps counter-intuitive finding arises because the new school option is compared to the baseline Hardy-Hunnewell-Upham reconfiguration that would be required without the North 40 purchase. The cost of a new building on the North 40 site saves the Town about \$2.4 million in school construction costs which must be balanced against increased DPW costs and increased landfill remediation costs.

<sup>22</sup> For example, increasing the number of single family homes from 80 to 95 and decreasing their median assessment from \$1.25 million to \$1 million would change the net annual cost to the Town from (\$66,512) to \$206,017 (including property tax revenue from North 40 development and school and DPW operating costs for the North 40 resident).

line database. If we model the economic worth of the North 40, even making the conservative assumption that the development potential of the CPC portion has been reduced in half by a conservation restriction, the North 40 will be worth \$40,855,323 to the Town in present value dollars at the end of 30 years if the property is purchased for \$30 million. If a developer has purchased the property, the North 40 will be worth \$0 as a Town asset.

### **Appropriation Request from Community Preservation Act (CPA) Funds**

In 2002, Wellesley accepted the Massachusetts Community Preservation Act (CPA) which established a 1% surcharge on real estate (with certain exemptions, including the first \$100,000 of real property value) and enabled the Town to participate in a partial State “match” from a Massachusetts Community Preservation Trust Fund.<sup>23</sup> In addition, the 2002 STM action formed the Community Preservation Committee (CPC)<sup>24</sup> to make recommendations to Town Meeting on how to utilize these funds. CPA funds may be used to acquire, create, and preserve open space, recreation, community housing and/or historic projects as well as to support affordable housing. If open space or housing is acquired or created with CPA funds, it may also be rehabilitated and/or restored using these funds. In 2012, the CPA was revised to allow the rehabilitation and/or restoration of recreation projects whether or not they had been acquired or created with CPA funds. Funds which are not expended in one year may be “banked” or carried over to subsequent years as long as the funds are ultimately expended for the purpose for which they were reserved. Ten percent of each year’s CPA total revenue must be added to each of the three specific reserves: Open Space, Historic, and Community Housing; the rest of the revenue may remain undesignated.

Within the context of the above purposes, CPC has articulated a set of guidelines which it uses to determine whether a project is appropriate for CPA funding. Not all guidelines apply to every potential project. Among the guidelines which apply to the consideration of the potential partial funding of the North 40 include:

- Preservation of a resource or opportunity that would otherwise be lost.
- Involvement of two or more of the purposes designated for funding under the CPA;
- Preference for substantial projects that would have a significant long-term benefit to the community;
- Involvement of multiple sources of funding, including leveraging other public and/or private funds;
- Demonstration that the proposal is feasible and the most reasonable plan to implement the project;
- Provision for cost/funding that is compatible with the Town's long-range financial plan;
- Consistency with Town-wide planning efforts/reports that have received broad-based scrutiny and input.

The Board of Selectmen (BOS) requested, and the CPC agreed, to fund the lesser of \$9.3 million or 30% of the purchase price and costs related to acquisition of the North 40 for open space purposes. As a result of this CPC funding, 14 acres of the North 40 would be placed under a permanent deed restriction limiting its use to the CPA purpose(s) for which it was acquired. In

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<sup>23</sup> Historically, the State match has ranged from 25 –100% of the local CPA appropriation, with Wellesley receiving a full match in FY03-FY08, 67% match in FY09, and approximately 25% match in FY10-FY13. The FY14 State match was 52%.

<sup>24</sup> The CPC consists of nine members, five appointed by and from the NRC, the Planning Board, the Wellesley Housing Authority, the Historical Commission and the Recreation Commission and four additional members are appointed by the Moderator (one traditionally named by the WHDC).

order to determine the appropriate allocation of CPA versus General Fund sources, the BOS, N40SC and CPC worked to find a balance between managing affordability (*i.e.*, use of General Funds), maintaining development flexibility, and meeting CPC objectives.

The following were key considerations driving the proposed funding split between CPC and general obligation borrowing:

- Parcel B, the southern 6 acres of the North 40, possesses steep slopes and is landlocked. A conservation restriction (CR) on this section would not greatly affect development potential and it would provide a desirable woodland buffer to the south of the Crosstown Trail and a buffer from the train tracks.
- The 8 acre landfill portion of the North 40 might require a very costly remediation should the land be developed for housing or municipal buildings. However, if the land were to be used for playing fields or kept as open space, other remediation methods such as “capping” would be less expensive. Both of these uses would be suitable for CPA funding and amenable to the CPC.
- The CPC expressed its desire that for the portion of the site purchased with CPA funds be essentially contiguous and of potential use for some type of passive or active recreation.
- The BOS and CPC agreed that a portion of the land should be reserved to preserve the option of building a bridge to connect the North 40 to Route 135 near the Wellesley College entrance.

In an informal 8-0 vote, the CPC agreed to support acquisition of the North 40, finding it consistent with three of the four CPA missions: preserving open space<sup>25</sup>, enabling recreation<sup>26</sup>, and promoting community housing.<sup>27</sup> Section 12 of the enabling CPA legislation specifies:

“A real property interest that is acquired with monies from the Community Preservation Fund shall be bound by a permanent restriction ... limiting the use of the interest to the purpose for which it was acquired. The permanent restriction shall run with the land and shall be enforceable by the city or town or the commonwealth.

One or more permanent restriction would therefore be imposed on the portions of the Property acquired with CPA Funds for open space and recreation (conservation restriction), and/or community housing (affordable housing restriction). This Motion specifies only the percentage of the North 40 which would be placed under a permanent restriction. The decision about what specific acres of the North 40 would be placed under conservation restrictions is expected to

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<sup>25</sup> “Open space” shall include, but not be limited to, land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh and salt water marshes and other wetlands, ocean, river, stream, lake and pond frontage, beaches, dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use.

<sup>26</sup> “Active or passive recreational use” includes, but is not limited to, the use of land for community gardens, trails, and noncommercial youth and adult sports, and the use of land as a park, playground or athletic field. “Recreational use” shall not include horse or dog racing or the use of land for a stadium, gymnasium or similar structure. This definition has generally been interpreted that CPA funds could not be used to build a swimming pool or hockey rink.

<sup>27</sup> “Community housing” includes low and moderate income housing for individuals and families, including low or moderate income senior housing. Low (moderate) income housing is defined as housing for persons and families whose annual income is less than 80 (100) per cent of the areawide median income. The areawide median income shall be the areawide median income as determined by the United States Department of Housing and Urban Development. “Seniors” are defined as persons aged 60 or over in this legislation.

occur within two years of the purchase. The permanent restrictions on the use of the Property as a condition of CPA funding require a careful consideration of the potential impact on the Town's use of the North 40 now and in the future. While the action proposed under this Motion will not determine how the Town will use the Property, the use of CPC funding will impose limits on future use for approximately 30% of the Property. From a financial viewpoint, a permanent restriction reduces the value of the Property by the development potential of the land which is restricted.

The CPC is considering borrowing approximately 30% of the total purchase price of the North 40 under borrowing terms that will allow for debt service payments not to exceed \$600,000, which is approximately 60% of the CPC's current annual funding from the local surcharge. The CPC requires agreement from the Town Treasurer on the terms of this borrowing. From Section 11 of the enabling CPA legislation [reference], the CPC is allowed to borrow in a similar manner to a municipality:

“A city or town that accepts [the CPA] may issue, from time to time, general obligation bonds or notes in anticipation of revenues ... the proceeds of which shall be deposited in the Community Preservation Fund. Bonds or notes so issued may be at such rates of interest as shall be necessary and shall be repaid as soon after such revenues are collected as is expedient. ... Except as otherwise provided in this chapter, bonds or notes issued pursuant to this section shall be subject to the applicable provisions of Chapter 44.”

In calculating how much of a bond may be issued under the CPA, the CPC may only consider the local surcharge portion of CPA revenue and not the State matching funds. The CPC feels that this degree of funding is prudent and will allow the CPC to fund other Town projects. Because the CPC portion of the North 40 purchase will be used to support the acquisition of open space, the yearly debt service payment will be allowed to count towards the 10% required yearly appropriation into the Open Space Reserve Fund.

### **Advisory Considerations**

Wellesley College's decision to sell the parcel known as the North 40 presents an important opportunity to the town and citizens of Wellesley. This is a “once in a lifetime” opportunity to acquire a large parcel of land which could be used for recreational land, a variety of municipal purposes, or a combination of both. There is a scarcity of open space in Wellesley coupled with an increased demand for town land driven by school, recreational and other needs. There is a finite amount of open space in the town that would be suitable for such municipal purposes.

This Motion asks Town Meeting to make a decision whether or not to purchase the North 40. No action is contemplated at this STM regarding any future use of the land. This is an important distinction. As we have discussed, there are many possible uses for the Property, and it will take many years for the Town to decide and implement the optimal uses for the land. But, given the very likely action by Wellesley College to sell the North 40 to another party, the question is whether the Town buys and controls the Property, or whether that control is ceded to a private developer.

In the early 1970s, the Town elected not purchase the land of the former Elizabeth Seton High School on Oakland Street. Mass Bay Community College purchased the land instead and occupies it to this day. In 1982, Wellesley took advantage of the opportunity to purchase the land which is now Centennial Park and has not been presented a real estate opportunity of this magnitude until now.

Perhaps partly as a result of the missed opportunity in the 1970s, the North 40 Steering Committee has recommended that the BOS acquire the North 40 for municipal purposes, noting that “for over 130 years, [the site] has been utilized as a Town asset and failure to acquire the site

would be a loss for Wellesley residents.” Not only does the Town have a great many municipal needs which have been presented in the *N40SC Report* and summarized above, but the large size of the parcel and its location near Wellesley Square, Hardy School, Morses Pond, and 900 Worcester Street makes it particularly suitable for many different municipal uses or combinations of uses. The Recreation Department, NRC, Trails Committee, and WHDC have all expressed interest in the North 40 site for open space, recreation and affordable housing (see Appendices I, II, IV, and VII, respectively). The School Committee has noted that a school built on the North 40 offers many advantages including the ability to develop an optimized site plan compliant with modern regulations and to avoid the need for alternative space to be used as “swing space” as the trio of elementary schools – Hardy, Hunnewell and Upham – are renovated/consolidated/rebuilt (see Appendix III on page 98). Although the N40SC did not specifically consider synergies which might arise from owning the North 40, allowing the Town to re-purpose other Town assets, it is clear to Advisory that the benefits of the Town owning additional land in a densely-built suburb are significant.

An equally important consideration is the impact to the Town and taxpayer if Wellesley does not acquire the North 40. Whether or not the Town purchases the property, there will be costs, financial and otherwise, to the sale of the Property. If a private developer acquires the parcel, there would be an expected increase in traffic congestion on Weston Road and in the surrounding neighborhoods. If the North 40 were developed for single family residences (75-95 homes) or Chapter 40B (300 units), there would be a significant influx of new students to the Wellesley Public Schools. In the case of a non-age-restricted 40B development (an estimated 250 additional children), the school operating budget would increase by \$4.3 million per year and more elementary school building space would be required. Additionally, a 40B developer would not be bound by the Town’s Natural Resource Protection zoning which requires approximately one half the North 40 to remain as open space.

The Town financing plan for the North 40 is necessarily in a preliminary state because of uncertainties in the negotiations with the College. The current plan calls for the Town to finance the acquisition of about 25 acres (53% of the site) with 30 year municipal bonds, with equal payment annual debt service (like a typical home mortgage) and about 8 acres (17% of the site) with 20 year taxable bonds. Municipal borrowing in Wellesley is typically on an equal principal annual basis, which means that the impact on the taxpayer is initially larger but the debt repayment falls off more rapidly; the terms of borrowing usually range from 7-10 years, which means that the taxpayers currently residing in Town are the ones paying for the majority of the project being funded by debt.

A major land acquisition is a different proposition, as its value exists for both current and future generations of Town residents. Advisory supports the rationale to use longer term, equal payment borrowing for the North 40, even recognizing that the total amount of interest paid on equal payment repayment exceeds that paid for equal principal repayment.<sup>28</sup>

Using CPA funds to fund a portion of the North 40 reduces the amount of tax-impact borrowing the Town must fund through a debt exclusion. The use of CPA funds ensures a portion of the site will be used as open space, recreation and possibly for community housing -- all providing value to the town. Borrowing funds with a limit of a \$600,000 in annual debt service will allow the CPC to have adequate funds for other future worthy projects (including projects that may arise on the North 40). Advisory agrees that the re-direction of CPA funds from the 900 Worcester to the North 40 will allow the Town to retain maximum flexibility over the two sites.

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<sup>28</sup> Assuming a 5% borrowing rate and a 2.6% inflation rate, the present value of the total loan payments is 1.34 times the principal in the equal payment case and 1.28 times the principal in the equal principal case.

In the context of this article, Advisory reviewed the use of CPA funds, including the statutory parameters for the use and borrowing of funds. The analysis was guided by Wellesley's adoption of the CPA, CPC's long range planning goals and its strategic focus on open space, community housing, and the requirements related to conservation (and deed) restrictions on land acquired using CPA funds. Advisory believes it is prudent to ensure that the Town maintain flexibility and not unduly limit options for any unforeseeable future uses for CPA funding. CPA funding places conservation restrictions (and/or deed restrictions) on property that by definition make that property unavailable for development. Advisory agrees that the proportion of the North 40 (approximately 30%) that will be restricted by use of CPA funding is a reasonable balance between maintaining flexibility on the Property and for other uses of CPC monies while at the same time limiting the tax impact of the North 40 purchase.

Advisory also considered the implications of development of the North 40 on the surrounding Woodlands and Weston Road neighbors. The BOS and N40SC has been appreciative of neighborhood concerns, appointing four neighbors (two with voting privileges) to act as representatives on the N40SC. Advisory notes that there has been substantial grass roots interest in preserving the North 40, possibly by convincing Wellesley College to sell the property to a conservancy and place it under a conservation restriction. Absent such an agreement, which appears very unlikely, Advisory feels that the neighborhood concerns, including potential traffic increases and loss of open space, are much more likely to be addressed by a Town purchase of the land rather than sale to a private developer. Advisory also agrees that the potential municipal uses for the North 40 envisioned by the Town boards and committees would benefit the entire Wellesley community and not solely the adjacent neighborhoods.

Without knowing a purchase price at the time this report went to press (or indeed whether the Town and College have negotiated a P&S agreement), Advisory can only make general observations about the North 40 acquisition. If further information becomes public in advance of STM, Advisory will publish a supplement to this report. However, if the Town has control over the North 40 parcel, it will have the ability to build consensus regarding potential uses using conventional town governance process and methods. Concerns regarding traffic and other development impacts can be addressed via Town zoning bylaw amendments. The Town is perpetually facing a shortage of land, and much of what appears to be open space on zoning maps is in fact unprotected and not available for desired municipal uses. Advisory feels strongly that the Town should make a good faith attempt to purchase the land, thereby gaining control of its future use.

**Passage requires a 2/3 vote.**

**Advisory will make its recommendation at or before Special Town Meeting.**

#### **Addendum to Article 7 – Financial Details of Advisory Economic Analysis**

The various scenarios include assumptions related to cost estimates provided by the DPW and School Committee, which are summarized in the table below. The table also includes projected Town financial parameters (bond rates, terms) and values for inflation and the North 40 appreciation. The model also incorporates the Town's estimates relative to the tax revenue anticipated by residential or Chapter 40B housing if a private developer were to purchase the property.

Advisory acknowledges that the ultimate outcome might involve a "mix-use" scenario, but feels the current scenarios form a solid context in which to evaluate future uses of the land.

ADVISORY MODEL PARAMETERS			
Purchase Price	\$25, \$30, or \$35 million	Annual School operating costs for residential development [5]	\$963,088
CPC bond	Minimum of 30% of purchase price or \$9.3 million	Annual School operating costs for 40B development [5]	\$4,321,548
Taxable bond acres	8	Capital cost of new school for school scenario net of Scenario A [6]	(\$187,766)
Municipal bond interest rate & loan period	5%, 30 year, level payments	Capital cost of new school for residential housing scenario net of Scenario A [6]	\$68,947
Taxable bond interest rate & loan period	5%, 20 year, level payments	Capital cost of new school for 40B scenario net of Scenario A [6]	\$673,503
CPC bond interest rate & loan period	5%, 30 year, level payments	Turf field costs for 3 fields [7]	\$3,750,000
Interest rate for all other municipal borrowing	5%, 20 year, level principal	Impact of conserving land only on DPW [8]	\$14,000
Inflation rate [1]	2.6%	DPW impact of using land for passive recreation [8]	\$188,000
Appreciation of North 40 land [2]	4.2%	DPW impact of using land for active recreation [8, 9]	\$327,000
Number of single family homes to be built on North 40	80	DPW impact of using land for a school [8, 9]	\$265,000
Average tax revenue from these single family homes [3]	\$1,200,000	DPW impact of residential housing [8]	\$213,000
Number of 40B units	300	DPW impact of Chapter 40B housing [8]	\$240,000
Estimated 40B tax revenue [4]	\$1,031,184	Landfill capping costs for active recreation or a school [10]	\$857,500
		Landfill removal costs for housing development [10, 11]	\$4,654,265

[1] Calculated from Consumer Price Index statistics for New England from 1998-2013; reference <http://www.bls.gov/ro1/9150.htm> [2] Model includes the impact of adding a conservation restriction to the land. [3] From the October 1, 2014 TWFP presentation by the Executive Director. [4] From the 9/17/14 presentation of the BOS to Advisory. [5] Uses SC numbers in Appendix III scaled to 80 rather than 100 single family homes. [6] Assumes Town consolidates to two schools in A-D (1061 students), two larger schools in E (1085 students), and three schools in F (1497 students). School capital costs do not include potential MSBA reimbursement, construction estimates come from Appendix III-B, and costs are determined from Town borrowing parameters. [7] Reference <http://www.fieldturf.com/de/artificial-turf/faq> [8] Operating impact only. [9] Includes estimate costs of additional DPW personnel. [10] Capping costs estimated in to be \$175,000/acre; see <http://ocw.mit.edu/courses/civil-and-environmental-engineering/1-34-waste-containment-and-remediation-technology-spring-2004/lecture-notes/lecture08.pdf> [11] Approx. cost to dispose of a 4.9 acre, 15 foot average depth landfill (does not include excavation costs) at a landfill tipping fee per ton cost of \$78.50; see [http://www.epa.gov/osw/conserves/tools/recmeas/docs/guide\\_b.pdf](http://www.epa.gov/osw/conserves/tools/recmeas/docs/guide_b.pdf) and <http://www.cleanenergyprojects.com/Landfill-Tipping-Fees-in-USA-2013.html>.

Under some scenarios, the Town may have to assume some or all of the costs associated with land pollution remediation. Advisory notes that because the College environmental studies found two 120-day reportable conditions on the North 40 property (see Environmental Findings), the State could potentially be involved in determining a remediation plan for the site. The model makes the conservative assumption that the Town would be solely responsible for any remediation. In the cases where the Town buys the North 40 for conservation land or passive recreation, the model assumes that no remediation would be required. In the cases where the

Town buys the North 40 for active recreation or a school, the model assumes that “capping” of the landfill in a manner analogous to what the Town did for the Sprague turf fields would be the extent of the remediation required. In the case where a private developer buys the land, the model conservatively assumes that the Town would have to pay for the full removal of the landfill to another location (outside of Wellesley).

Under an equal payment borrowing plan, the annual debt service for the three modeled purchase prices is given below for a 5% interest rate, holding the CPC portion to either 30% of the parcel (14 acres) or \$9.3 million, whichever is less. The Town’s taxable bond portion of the North 40 is assumed to be 8 acres.

<b>Annual Debt Service on the North 40 Purchase Price (real dollars)</b>					
Purchase Price	CPC Cost	CPC Fraction	Municipal Bond (30 year)	Taxable Bond (20 year)	CPC Bond* (30 year)
\$25 million	\$7.5 million	30.0%	\$852,032	\$338,439	\$483,139
\$30 million	\$9.0 million	30.0%	\$1,022,439	\$406,127	\$579,767
\$35 million	\$9.3 million	26.6%	\$1,270,147	\$473,814	\$599,093

\*Non tax-impact

The chart above only includes the annual debt service on the bonds – Municipal, Taxable Municipal, and CPC – which would be used to buy the North 40. It does not include additional municipal costs for school construction, landfill remediation, or recreation construction that results in some of the scenarios.

In present value dollars, the total annual tax impact on the Town is summarized below for a \$30 million purchase price (relevant to the first four scenarios):

<b>Present Value Tax Impact Cost of North 40 Purchase to Town (\$30 million Purchase Price)</b>						
Cost in Year	A Buy-Conserve	B Buy-Passive Rec	C Buy-Active Rec	D Buy-School	E Private Developer	F 40B Developer
1	1,422,648	1,596,648	1,819,238	1,506,238	467,703	467,703
2	1,386,534	1,560,534	1,778,921	1,465,921	601,292	670,892
5	1,283,652	1,457,652	1,977,871	1,394,593	373,682	4,607,359
10	1,129,033	1,303,033	1,731,793	1,270,578	266,171	4,347,818
20	873,989	1,047,989	1,341,008	1,061,060	106,927	3,962,804
30	488,718	662,718	801,718	729,718	(66,512)	3,530,364
>30	14,000	188,000	327,000	255,000	(66,512)	3,530,364

It is clear from this model that a non-age restricted 40B development which brings students to the public schools is by far more costly to the Town than any other alternative. The private developer option is the least costly to the taxpayer, though it is sensitive to the assumed property assessment of any housing that is built and the number of students who will attend the Wellesley Schools resulting from that new housing. Unsurprisingly, operating costs are shown to persist while borrowing costs resolve with repayment of the debt.

**ARTICLE 8.** To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, and/or otherwise provide a sum of money to be expended under the direction of the Board of Selectmen to prepare the Town for: 1) the potential acquisition or development by entities other than the Town of the real property located at 156 Weston Road, being further identified as Parcel No. 5 on the Assessor's Map No. 149 and commonly referred to as the "North 40" site; and, 2) any evaluation or remediation of the landfill located on the "North 40"; said preparation to include conducting planning, traffic, environmental and other studies, engaging counsel, consultants and experts as deemed appropriate, and participating in any evaluations or response actions associated with the landfill, in accordance with Massachusetts General Laws Chapter 21E, the Massachusetts Contingency Plan, and any additional requirements of the Massachusetts Department of Environmental Protection; or take any other action in relation thereto.

**(Board of Selectmen)**

Advisory received initial information on this article on October 8, 2014, the day before this report went to print. We expect to provide information in an Advisory supplement to be published closer to Town Meeting. Copies of the supplement will be emailed to Town Meeting Members, posted on the Town's website, and hard copies will be available at Special Town Meeting.

**Advisory will make its recommendation at or before Special Town Meeting.**

**ARTICLE 9.** To see if the Town will vote to amend its vote under Motion 1 on Article 2 of the Warrant for the June 13, 2012 Special Town Meeting and its vote under Motion 1 on Article 18 of the 2014 Annual Town Meeting, both of which concern the acquisition of the property located at 900-910 Worcester Street, being further identified as Parcels No. 10 and 10-T on Assessor's Map No. 192 and commonly known and referred to as 900 Worcester Street, in the following manner: 1) to rescind all appropriations from the Community Preservation Fund and transfer a sum of money from available funds to reimburse the Fund for any expenditures against such appropriations; 2) to rescind the requirement that a portion of the property be placed under one or more conservation restrictions and to rescind the requirement that the entire property be restricted to municipal purposes for 40 years; and 3) to raise and appropriate, borrow, transfer from available funds, and/or otherwise provide a sum of money to be expended under the direction of the Board of Selectmen for the purposes of acquiring the property and preparing the property for development, including, but not limited to, the cost of demolition of any existing structures and other site work, necessary traffic studies, further planning and initial site design, and any other costs associated with said purposes, including the payment of real estate taxes until the date of closing; to authorize a further amendment to the Purchase & Sale Agreement in connection therewith; or to take any other action in relation thereto.

**(Board of Selectmen)**

This Article seeks Town Meeting approval to complete the Purchase and Sale agreement (P&S) with the Roman Catholic Archbishop of Boston (the "Archdiocese") for the real property at 900-910 Worcester Street (the "Property"), the site of the former Saint James the Great Church and rectory. The Article also seeks to modify the original funding plan approved at the 2012 STM by replacing the Community Preservation Act (CPA) funds allocated for 62.5% of the property with taxable General Fund borrowing to allow more flexibility in terms of any potential future private development of the site.

The BOS is still planning how to organize the motions within Article 9 as this report goes to print, but fundamentally there will be three principal actions asked of Town Meeting Members:

- To appropriate \$876,694 in additional funds to cover an increase in the overall acquisition cost of the Property: \$746,694 to cover higher-than-expected demolition costs of the church and rectory which have been found to contain more asbestos than originally projected<sup>29</sup> and \$130,000 to support the development and review of Request for Proposals (RFPs) from private firms interested in developing and operating recreational amenities with the Town on the site;
- To alter the Town’s 2012 funding plan, removing the \$2.6 million in CPA funds allocated for the purchase and replace them with tax impact borrowing under the levy. The full “all-in” acquisition cost (including the additional \$876,694 and the \$47,000 appropriated at the 2014 ATM for taxes and legal fees on the Property) is \$5,083,694;
- To reimburse the Community Preservation Committee (CPC) for the \$198,132 they have spent to date on due diligence and legal costs for the Property to date (out of the \$2.6 million earmarked by CPC for the project).

The total amount to be appropriated in this Article is thus: (1) \$4,885,562 to be borrowed under the levy using taxable municipal bonds to allow the Town to retain maximum flexibility in developing the Property;<sup>30</sup> and (2) \$198,132 to be taken from Free Cash to reimburse the CPC. The \$2,600,000 in CPA funds that were originally designated by the CPC for the 900 Worcester acquisition has been withdrawn and redirected to the North 40. Note that the numbers presented in the discussion reflect current knowledge as the book goes to print and are subject to change. The funding plan is summarized below:

<b>Appropriation Source</b>	<b>When Approved</b>	<b>Amount Approved</b>	<b>Proposed at 2014 STM</b>
General obligation borrowing*	2012 STM	\$1,560,000	\$4,160,000
CPA fund contribution**	2012 STM	2,600,000	0
Cost adjustment for taxes and legal fees (Free Cash)***	2014 ATM	47,000	47,000
Cost adjustment to general obligation borrowing (for demolition, remediation)		0	746,694
Cost adjustment to general obligation borrowing for analysis needed to prepare and review private sector RFPs		0	130,000
<b>Total</b>		<b><u>\$4,207,000</u></b>	<b><u>\$5,083,694</u></b> ***

\*No municipal borrowing has yet occurred for this project.

\*\*Includes \$700,000 from Community Preservation Fund Open Space Reserve and \$1,900,000 from Community Preservation Fund unallocated funds. To date, \$198,132 of this CPA funding has been spent and \$2,401,868 is unspent but encumbered.

\*\*\*The \$47,000 appropriation approved in Article 18 at 2014 ATM will be reimbursed to the CPC.

\*\*\*\*Of the total “all-in” acquisition cost of \$5,083,694, \$198,132 will be returned to the CPC from Free Cash and the balance of \$4,885,562 will be borrowed under the levy.

<sup>29</sup> Demolition of the church and rectory is one of the conditions of the original Purchase & Sale agreement.

<sup>30</sup> Although having a slightly greater tax impact on residents, taxable bonds (which generally offer a higher yield than tax-exempt municipal bonds) offer the Town a way to take advantage of public/private partnerships, which would otherwise be restricted if using tax-exempt bonds.

## Background

In June 2012, 94% of Town Meeting voted to authorize a total of \$4,160,000 to acquire 900 Worcester Street, with \$3,800,000 used to purchase the Property<sup>31</sup> and the balance of \$360,000 to be used for due diligence on the Property; abatement and demolition of the existing structures; site work; real estate taxes; and all related studies and incidental costs. A total of \$2,600,000 (62.5%) was to come from Community Preservation Act (CPA) funds and the remainder (\$1,560,000 or 37.5% of the total cost) was to be funded by general obligation (tax impact) borrowing. The split between CPA and tax impact funds was determined by the percentage of open space proposed for recreational open space use on the Property, as land purchased with CPA funds is bound by a permanent deed restriction that limits its use to the CPA purposes for which it was acquired.<sup>32</sup> Many more details on this transaction are provided in the *Advisory Report to the June 2012 Special Town Meeting*.<sup>33</sup>

In addition to authorizing the purchase price for the Property, the Town agreed to fund the accruing property taxes until closing at a rate of approximately \$6,692 per quarter or \$26,768 per year, essentially providing an option to purchase (Article 18 at the 2014 ATM appropriated \$27,000 to fund property taxes for FY15). The Town also agreed to dismiss all pending tax appeals by the Archdiocese for FY10, FY11, and FY12 at closing, with the Town absorbing any tax losses.

The P&S also required that all obligations of the Archdiocese be satisfied by the Canon Law Condition before closing, which meant that the Archdiocese would have obtained final favorable determinations on all appeals of Canon Law and challenges to the desacralization and sale of the Property, *i.e.*, the Archdiocese would be within its rights and not subject to further appeal in its decision to sell the Property to the Town.

## Increased funding needed for the purchase

A request for reconsideration, the final appeal available to the parishioners under Canon Law, was ruled in favor of the Archdiocese and the Town was notified on July 8, 2014 that the due diligence period (60 days with an automatic extension of 30 days) had started. By October 8, 2014, the Town had completed its due diligence on the Property, arriving at the following key conclusions:

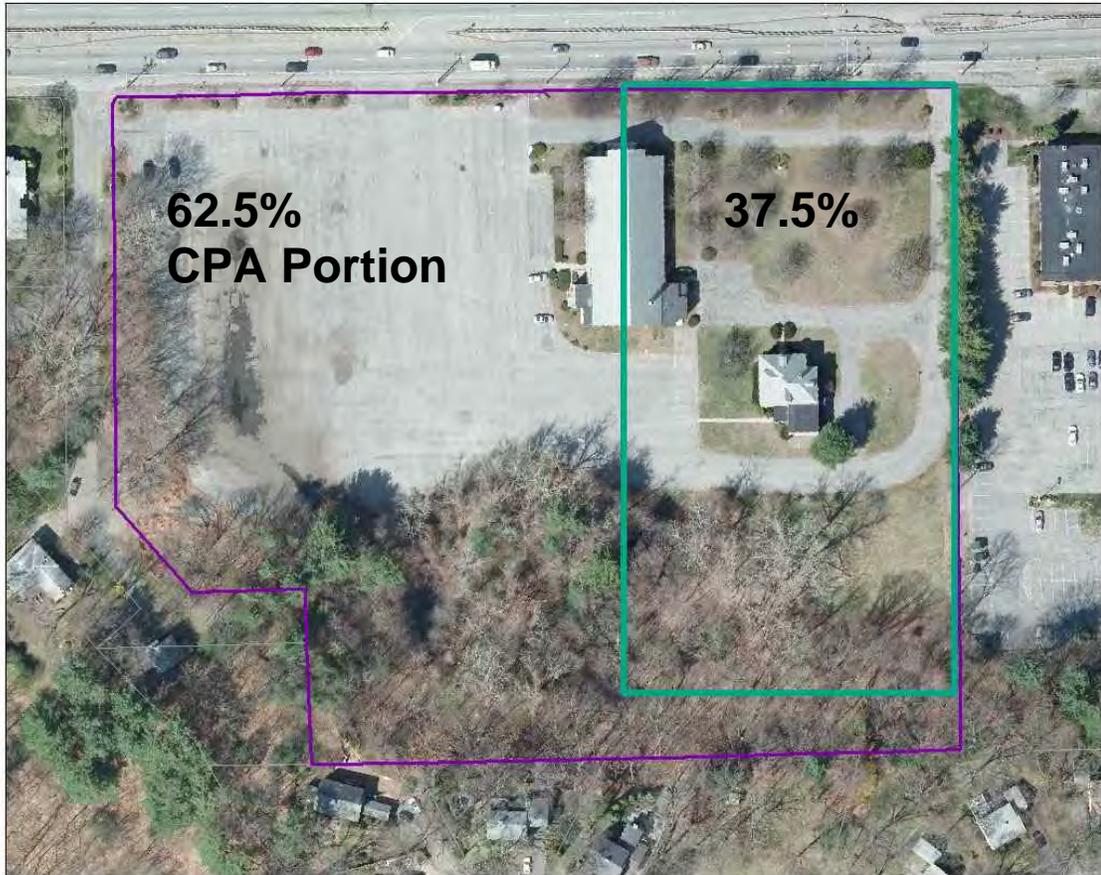
- The assessment of the subterranean condition via test pits and borings was satisfactory;
- The church and rectory have some asbestos in the tiles which will require a trained hazmat contractor to remove and necessitates special disposal.

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<sup>31</sup> The Property is an eight-acre parcel of land south of Route 9 and east of Dale Road in Wellesley at the western gateway to the Town. Existing structures include a 17,600 square foot church and 4,200 square foot rectory. The Property contains wetlands in the south/southwestern section comprising approximately 23% of the land and there is a steep grade change to the south. The Property lies within the Water Supply Protection District and approximately one third of the Property on the west side is within the Flood Plain District. It is located in a Single Residence District.

<sup>32</sup> Section 1 of the Massachusetts Community Preservation Enabling Statute, MGL Chapter 44B, is interpreted to mean that CPA funds may only be used for outdoor, land-based recreational uses and facilities and that CPA funds may not be used to acquire land for any recreational structure such as a gymnasium, ice rink or pool or to build these structures. The Town proposed to use the CPA-acquired portion of the Property for playing fields, noting that nearly 50% of the Property was unsuitable for development because of wetlands and floodplain restrictions.

<sup>33</sup>[http://www.wellesleyma.gov/Pages/WellesleyMA\\_Clerk/2012/STM2012/ADVISORY%20REPORT%20to%20June%202012%20STM.pdf](http://www.wellesleyma.gov/Pages/WellesleyMA_Clerk/2012/STM2012/ADVISORY%20REPORT%20to%20June%202012%20STM.pdf)



The major increase in cost is the demolition expenditure. Although the Town was aware that the buildings likely contained asbestos because of their age, more asbestos was found than originally anticipated. Fortunately, asbestos was not found throughout the buildings but only in the tile and adhesive. With this information in hand, the Town solicited bids to demolish the two buildings (one of the terms of the original P&S) and found that the costs greatly exceeded the demolition estimates from early 2012; this difference in demolition cost is the major additional source of funds needed to complete the purchase of the Property.

The Board of Selectmen (BOS) also determined that additional post-acquisition studies were needed to support the next steps in the development of the site. The 900 Worcester Street Committee (the "Committee") has continued to follow the process agreed upon with the BOS and ATM as presented on pages 180-184 of the Report of the 900 Worcester Street Recreational Use Committee in the *2013 ATM Advisory Report*.<sup>34</sup> The Committee believes that this process offers the best chance for the Town to get desired recreational facilities at the lowest Town expenditure. With the completion of the purchase of the Property, the Committee requires incremental funding to prepare for the Request for Proposals (RFP) process which will seek to find private partners for the development of the site. The funding increase is \$130,000 above the approved 2013 STM amount of \$60,000. The proposed new total is \$190,000 and the breakdown of costs is summarized in the chart on the next page.

<sup>34</sup> <http://www.wellesleyma.gov/pages/FOV1-0001FDBB/2013/ATM2013/AdvisoryReportTo2013ATM.pdf>

	<b>Appropriated To Date</b>	<b>Payments To Date</b>	<b>Additional Costs to be Borrowed</b>	<b>Total</b>	<b>Cost Adjustments</b>
<b><u>ACQUISITION</u></b>					
Purchase Price	\$3,800,000	-	\$3,800,000	\$3,800,000	-
Property Tax Bills	83,933	\$71,438	(71,438)*	-	(\$83,933)
Survey, Site Assessment, Wetlands	53,742	89,470	-	89,470	35,728
Oil Tank Removal	5,500	-	-	-	(5,500)
Building Demolition	163,825	-	947,000	947,000	783,175
Legal	40,000	32,224	20,000	52,224	12,224
Other Consultants	-	5,000	-	5,000	5,000
<b>Subtotal</b>	<b><u>\$4,147,000</u></b>	<b><u>\$198,132</u></b>	<b><u>\$4,695,562</u></b>	<b><u>\$4,893,694</u></b>	<b><u>\$746,694</u></b>
<b><u>POST ACQUISITION</u></b>					
Aquatic Facility Study	-	-	50,000	50,000	\$50,000
Stormwater/Hydrology Study	-	-	50,000	50,000	50,000
Traffic Study	35,000	-	50,000	50,000	15,000
Legal Fees	-	-	25,000	25,000	25,000
Other Consultants	25,000	-	15,000	15,000	(10,000)
<b>Subtotal</b>	<b><u>\$60,000</u></b>	<b><u>\$0</u></b>	<b><u>\$190,000</u></b>	<b><u>\$190,000</u></b>	<b><u>\$130,000</u></b>
<b>Total</b>	<b><u>\$4,207,000</u></b>	<b><u>\$198,132</u></b>	<b><u>\$4,885,562</u></b>	<b><u>\$5,083,694</u></b>	<b><u>\$876,694</u></b>

\*Reimbursed by the Archdiocese

Funds for the aquatic facility study will be used by the Committee to determine an optimal aquatic center given the demographics of Town residents, and better enable the Committee to evaluate developer RFPs and analyze potential revenue streams to the Town. Stormwater and hydrology study funds will assess the existing flood plain and manage the site stormwater run-off; traffic studies will analyze the incremental traffic increase expected from the site; and legal fees will provide some legal and consulting support through the RFP process.

The Committee plans to complete these studies using a Massachusetts 30B procurement process and RFPs to identify preferred partners, specific facilities to be developed, and the terms of a long-term land lease with the Town. Those recommendations with associated development plans will be presented to a future Town Meeting for approval. Only then will the Town and the approved private partners complete a comprehensive Master Site Plan and begin development.

#### **The Fourth Amendment to the Purchase and Sale Agreement**

The current P&S (Third Amendment) would have obligated the Town to close on the Property 90 days after July 8, 2014 (by October 8, 2014), which would not have allowed the Town to modify the original funding agreement by action of Town Meeting. In addition, the BOS re-opened negotiation on some of the substantial and unexpected demolition costs which surfaced during the due diligence period. The Town and Archdiocese signed a Fourth Amendment to the P&S on October 8, 2014 which addressed some of the Town's concerns.

The amended P&S makes the following provisions:

- The Town acknowledges that it has completed its inspections and tests of the Property and will not seek further permission to enter the site for these purposes. The results of inspections of the buildings in particular will require abatement for which the Town does not have sufficient funds currently available, and has scheduled a Special Town Meeting for October 27, 2014 to seek a further appropriation;
- The “Inspection Period”, currently expiring on October 8, 2014, is extended to eight days following the dissolution of the October 27, 2014 Special Town Meeting or by November 13, 2014, whichever occurs earlier. The Town may terminate this Agreement for any reason or no reason, in its sole discretion, prior to or on the final day of the Inspection Period. Absent any such written notice to the Archdiocese, the Town will close on the Property on November 24, 2014 or any earlier agreed-upon date;
- The Archdiocese will reimburse the Town for the real estate taxes billed and paid on the Property to the date of closing;
- The Archdiocese will waive its right to reimbursement by the Town of the cost of removing the underground fuel tanks on the Property;
- The Town agrees to undertake all actions at its sole cost and expense to remediate any contaminants found in the soil of the Property as documented by Environmental Partner’s September 30, 2014 Report to David Hickey, the Town’s Engineer;
- The CPA funds are removed from the original P&S, leaving it to the Town’s discretion whether to place a conservation restriction on the original CPA portion.

The remaining terms of the Third Amendment to the P&S Agreements remain in effect, including the “Participation” provision and the 40-year municipal use restriction on the Property.<sup>35</sup>

The chart on the previous page updates the appropriation request found on page 5 of the *June 2012 STM Advisory Report*, reflecting cost adjustments over the past two years, including the latest cost adjustment from the modified P&S, worth \$71,438 to the Town.

### **Replacing CPA funding with general revenue under-the-levy debt**

The 2012 STM appropriation to purchase 900 Worcester Street obtained \$2.6 million of the total \$4.16 million acquisition price from CPA funding, representing 62.5% of the acreage of the site. In return, the Town agreed to place a conservation restriction, to exist in perpetuity, on 62.5% of the site. The portion of the site purchased with CPA funds would be required to be used for open space or open space recreation (e.g., playing fields). A natural turf field would be eligible for CPA funds, as would the purchase of land intended to be for artificial turf fields (but not the purchase of the turf fields themselves). CPA funds could not be used for recreational structures such as stadiums, dog tracks, skating centers or aquatic centers, but the Town was confident that a rink and pool could be built on the 37.5% of the site to be purchased through municipal borrowing. The site has been widely acknowledged to be a tight “fit” for the three proposed uses – fields, rink and pool – and the accessory parking that would be required. Well before any knowledge that North 40 would become available, the recreational plan for the Property developed and supported by the 2012 STM best reflected the Town’s needs and available assets at the time.

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<sup>35</sup> The “Participation” provision holds that if the Town sells all or any portion of the Property within five years of the recording of the deed, the Town will remit to the Archdiocese a percentage of the amount by which the new sale price exceeds 120% of the original sale price of the Property (\$4.56 million). This percentage is set at 50% for the first year and decreases by 10% each subsequent year until the fifth year following the recording of the deed. There is also a participation provision in the event the Town issues a long-term lease (exceeding seven years) for any use other than recreational use. The 40-year municipal use restriction would also affect future owners if the Town decided to sell the Property within that time frame.

During the two years that it took for the Canon Law Condition to be resolved and before the Town was able to close on the Property, the North 40 land was offered for sale by Wellesley College (see Article 7 on page 17). When the Town identified this additional opportunity to use CPA funds for a land purchase, it also recognized the opportunity to unencumber the 900 Worcester Street site development plans by removing the conservation restrictions placed on the site by using CPA funds. Therefore, the BOS has elected to remove the CPA funding from the 900 Worcester Street acquisition and replace it with more flexible Town borrowing inside the levy. This change in financing creates two very significant improvements in the 900 Worcester Street acquisition:

1. The 900 Worcester Street development now has the flexibility to allow more space to be allocated to uses that require a structure, like a rink or a pool. The elimination of the conservation restriction does not mean a field cannot be built at 900 Worcester Street. However, it means that if field space can be found elsewhere in Town, the space for fields previously allocated to the Property could be used for something else.
2. If the Town acquires the North 40 property and determines it does not need the 900 Worcester Street property any longer, the Town has the right to sell the Property. With the conservation restrictions removed, the Property would have maximal value for resale. Advisory notes that there is a "Participation" provision in the First Amendment to the P&S which entitles the Archdiocese to a portion of the profits of a sale of the Property within five years of the recording of the deed or in the event the Town issues a long-term lease (longer than seven years) for any use other than recreational use.

Purchasing the property with general obligation borrowing does not preclude the use of CPA funds in the future on this site. Recent changes in CPA law allow CPC funds to be used for the improvement of non-CPA purchase land – including some of the expenses that might occur should the Town develop a turf field on the site. The Town plans to use taxable general revenue debt to fund the purchase to allow for public/private partnerships to be created for the planned development of the facilities on the site.

Since the 2012 STM, the Town has expended \$198,132 from the \$2.6 million of the CPA portion of the acquisition funding to cover tax bills from 2012-2014, legal costs, survey work, site assessment and wetlands delineation. The altered funding plan returns the \$2,401,868 in unspent CPA funds to the CPC, which can now "un-encumber" these funds. Additionally, the BOS will request Town Meeting to appropriate \$198,132 from Free Cash to reimburse the CPC for the CPA funds already spent.

### **Advisory Considerations**

The original Advisory statement that describes the Property as a desirable "West Gateway" entrance to Wellesley still holds true. Extensive commercial development on the site is not viewed favorably, as it brings extra traffic and congestion to the site. The distinct need for recreational facilities in Town, which has been thoroughly vetted on the 900 Worcester Street site, has not changed in the past two years. The North 40 site, which presents additional prospects for the Town, has not passed through this rigorous evaluation. Given the purchase and use uncertainties surrounding the potential North 40 acquisition, purchasing 900 Worcester Street remains a great opportunity for the Town to acquire scarce land for key missing recreational amenities.

Advisory finds the rationale for removing the CPA funding from the 900 Worcester Street purchase compelling, agreeing that it will greatly enhance the Town's flexibility as it considers how best to utilize the land in its portfolio, including possibly the North 40 property. In order to completely remove the CPA funding from the 900 Worcester Street purchase, the funds which have been spent to date on this acquisition for due diligence, legal fees, and property taxes must be returned

to the CPC. No Town funds have been expended on this purchase to date. Advisory agrees that this housekeeping matter is an important step in keeping the two funding streams separate.

Advisory does have some concerns that the BOS proposes to borrow approximately \$4.9 million to purchase the Property under the levy, though it recognizes that the Fourth Amendment to the P&S specifies the latest closing date to be November 24, 2014, before a debt exclusion vote could take place (early December). There are two main issues:

1. Because under-the-levy borrowing does not require a debt exclusion, this acquisition requires only Town Meeting approval. Wellesley residents will not have a chance to vote on acquiring the 900 Worcester Street property. A project with \$1.56 million in tax impact to residents (2012 scenario) is a very different proposition from one which has a \$4.9 million tax impact (current funding plan).
2. Advisory would like to better understand the implications on the FY16 budget of borrowing \$4.9 million under the levy. The proposed under-the-levy borrowing for this project has increased by more than a factor of three, which could have a significant effect on other capital projects and town finances in general.

The original offer price approved at STM 2012 was supported by a market appraisal that estimated the value of the property based upon the fourth quarter 2011 market conditions. This Motion's addition of \$874,694 to the acquisition price represents a 21% increase in the cost of the Property to the Town. By comparison, residential homes in Wellesley have risen on average from \$848,000 to \$1.1 million over the same time period, an increase of 29% from December 2011 through August 2014. Similarly, residential properties around 900 Worcester Street (namely, 925 and 930 Worcester Street) have risen an estimated 30%. Although recognizing that 900 Worcester Street is not a residential property and has very few "comps," Advisory believes that the purchase price of the Property is reasonable, even given the increases in the price required for asbestos abatement.

**Passage requires a 2/3 vote.**

**Advisory will make its recommendation at or before Special Town Meeting.**

**ARTICLE 10.** To act on the report of the Community Preservation Committee and, pursuant to the provisions of Chapter 44B of the General Laws, to appropriate funds or amend previous appropriations from the Community Preservation Fund annual revenues or available funds for the undertaking of community preservation projects, the payment of debt service, and all other necessary and proper expenses for the year; or take any other action in relation thereto.

**(Community Preservation Committee)**

**Advisory expects no motion under this Article.**

**ARTICLE 11.** To see if the Town will vote to authorize the Board of Selectmen to enter into one or more leases of privately owned office space within the Town of Wellesley for the Facilities Maintenance Department; to raise and appropriate, transfer from available funds, and/or otherwise provide a sum of money for said purpose; or take any other action in relation thereto.

**(Board of Selectmen)**

The Board of Selectmen (BOS) seeks Town Meeting approval to appropriate \$84,500 from Free Cash to lease office space from a private party to serve as the central office space for the Facilities Maintenance Department (FMD) for one-half year. The lease arrangement is expected to continue on an interim basis, projected to last three years, while the Town continues to review its options to determine the best long-term solution for FMD space needs. This appropriation will cover the lease from January 1, 2015 to June 30, 2015, with future funding of the three-year interim leasing arrangements to become part of the FMD's operating budget beginning in FY16.

Effective July 1, 2012, the Town consolidated the operations of two separate facilities maintenance organizations – one for schools and one for other municipal buildings – into a single operation, designated the Facilities Maintenance Department, which functions under the authority of the BOS and is responsible for overseeing more than 1.1 million square feet of municipal building space. Before the FMD came into existence, the two staff for school maintenance (Director and Administrative Assistant) worked from an office at the Middle School. The individual overseeing the maintenance of other municipal buildings worked out of a cubicle at Town Hall. School maintenance staff, including plumbers, electricians and mechanics, had dedicated facilities on the grounds of Sprague School and at Fiske School. The municipal electrician had space at Town Hall. The FMD maintenance staff has continued to operate out of facilities at Sprague and Fiske, and the electrician's space at Town Hall, much as before.

With the introduction of the FMD, the Town increased its administrative staff from two full-time employees in FY11 to seven full-time employees and one part-time employee by FY13 (with an eighth full-time employee, the Building Operations Liaison, still to be hired). The FMD believes that its current space in the Middle School, approximately 1,080 square feet, is insufficiently sized for its expanded administrative staff, and that it will require 3,000 square feet of space for its central office. The current FMD central office also has poor acoustics, lacks natural light, and has limited meeting/drawing review space.

In addition to space limitations, morning and afternoon drop-off and pickup activities at the Middle School can interfere with trips to and from the FMD office, particularly between 2:00 p.m. and 2:45 p.m. Finally, the Superintendent confirms that the School Department would like to reclaim the space in the Middle School as they are developing new programs and have been hiring additional staff.<sup>36</sup> The FMD is bringing this Motion to STM (rather than waiting until ATM) to be able to relocate before the beginning of summer. The Superintendent concurs that the FMD move cannot wait until ATM.

The Municipal Light Plant (MLP) substation was considered for FMD space but was determined to be too costly to renovate and too small. FMD engaged the architectural firm of Court Street Architects to perform a feasibility study of permanent central office space options. Based on the

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<sup>36</sup> As part of the Massachusetts Association of School Business Officials' (MASBO) audit of the WPS's business office in 2011, the office was found to be understaffed and has undergone reorganization and new hiring. Implementation of the WPS Strategic Plan has also increased staffing needs. Finally, some staff who would normally work outside of the Central Office at an elementary school are unable to do so because of space shortages at the schools.

report by the architects, it appears that it will be three years at the earliest (2017) before the FMD could move into newly-constructed or renovated office space. The Selectmen have therefore decided that the best option is to rent space from a private landlord in Wellesley and to house the FMD administrative functions there until the Town can determine the optimal long-term location of the FMD. The proposal to lease space on an interim basis has no impact on maintenance operations centered at Sprague and Fiske, which will continue to function at those locations much as they did before the Town established the FMD.

The FMD's Director and Financial Assistant have determined that annual lease costs may vary from \$24 to \$32/square foot (sf) depending on type of space and location. There would also be additional fees, including a \$1.50/sf "lights and plugs" surcharge and recurring maintenance and utility charges, depending on location. Tenant fit-up costs, such as partition removal/installation, painting and new carpeting would also be worked into a lease price. For planning purposes, the FMD assumes that 2,000 sf of net space will be needed, which corresponds roughly to 2,300 sf "rentable square footage" at an estimated annual cost of \$30/sf for the first year, with an assumed escalation rate of 5% for each of the remaining years of the lease.

The FMD also proposes to purchase new furniture for the interim space for an estimated cost of \$25,000, which is also intended to be used in their ultimate location. Installation of phone and computer services in the interim facility is projected to cost an additional \$20,000. Copier, printer and mail machine charges are estimated to be around \$5,000 annually. A summary of the total FMD office cost for one year is:

<b>FMD YEAR LEASE (YEAR ONE)*</b>	
Rental (2,300 sf at \$30/sf)	\$69,000
FF&E (one time install)	25,000
IT (one time install)	20,000
Copier, Printer, Mail Machine Lease (yearly cost)	5,000
<b>COST TOTAL FOR FIRST YEAR OF LEASE</b>	<b>\$119,000</b>
<b>Proposed appropriation in Article 11 of 2015 STM (FY15)</b>	<b><u>\$84,500</u></b>

*\*Total cost of a three year lease is estimated to be \$277,522, with a leasing escalation rate of 5% per year. The FY16 appropriation is projected to include half of the \$69,000 Year 1 lease and half of the \$72,450 Year 2 lease and the copier cost, totaling \$75,725.*

Although Advisory generally agrees that the FMD's existing office space at the Middle School is not ideal and is sympathetic to the FMD's desire to pursue long term alternative, some members are unconvinced that this project is sufficiently critical to warrant attention at this Special Town Meeting, particularly given the complex and large scale projects which have been presented to Advisory in an extremely compressed time frame. In going through its "debriefing" process after last year's Annual Town Meeting, Advisory recommended that fall Special Town Meetings be reserved for large capital projects with significant timing issues (e.g., the North 40 and 900 Worcester acquisitions which involve negotiations with a third party, or school projects which require funding in advance of ATM to take advantage of the summer construction window). Advisory further recommended that articles which primarily affect the operating budget not be brought mid-budget cycle so the full financial impact of these proposals could be evaluated in the context of the omnibus budget. The members were concerned that mid-cycle appropriations set an undesirable precedent for the Town budgeting process.

However, the majority of Advisory is convinced that the FMD's current space is inadequate, the cost of the lease reasonable, and note that the FMD has been actively looking for a new location for the past several years so that this request is part of an ongoing discussion with the Town. The School Department made it clear that it is seeking to reclaim all of its Central Office space at the Middle School to be able to support its own programs and new staffing increases and that this cannot wait until ATM. Most Advisory members agrees that moving the FMD in the time between ATM and the end of school, when the FMD is gearing up for its summer construction projects and is at its busiest, would not be a good use of FMD's time and resources, another compelling reason to support the leasing request out of the budget cycle.

**Advisory recommends favorable action, 10 to 2.**

**REPORT OF THE NORTH 40 STEERING COMMITTEE  
AN INTERIM REPORT TO THE BOARD OF SELECTMEN  
Dated October 3, 2014**

A report of the North 40 Steering Committee on whether the Town should acquire the land known as the North 40 for municipal purposes.

**1. Introduction**

Wellesley College officials informed the Board of Selectmen on April 16, 2014, and College alumnae and neighbors on April 23, 2014 that they had filed a petition with the Massachusetts Supreme Judicial Court seeking to remove the deed restrictions that then precluded the sale of the large, undeveloped parcel of land bounded by Route 135, Weston Road and Turner Road. This site, totaling approximately 46 acres, is commonly referred to as the “North 40”. The Selectmen, understanding that the potential sale and development of this land has significant implications to the Town with regards to traffic, infrastructure and municipal services, began efforts to analyze the possible uses of this land. The Selectmen appointed the North 40 Steering Committee to consider whether the Town should acquire the site or some portion thereof to address outstanding municipal needs and, in support of that consideration, to undertake a comprehensive visioning effort.

Committee Formation and Membership

On May 2, 2014, the Massachusetts Supreme Judicial Court ruled in favor of the College to release the deed restriction on the North 40, commonly referred to as the Durant Indenture. The Board of Selectmen, following the decision, drafted the charge to and composition of a newly appointed committee to study the potential acquisition of the site. The North 40 Steering Committee was established and an organizational meeting of the Committee was held on May 27, 2014.

The North 40 Steering Committee is comprised of representatives and alternates from various Town Boards and Committees and includes a neighborhood representative and alternate from both the Woodlands Neighborhood and the Weston Road Neighborhood. Each representative of the 10 person committee has one vote towards the recommendation. The Committee is further comprised of staff support from the various Town departments.

**Table 1. Committee Members Appointed**

Representative	Board or Committee	Staff Support
Don McCauley, Chair Dave Murphy, Alternate	Board of Selectmen	Hans Larsen, Executive Director Meghan Jop, Deputy Director Terrance Connolly, Deputy Director Jack Pilecki, Deputy Chief of Police
Deborah Carpenter, Vice Chair Catherine Johnson, Alternate	Planning Board	Michael Zehner, Planning Director
Patricia Quigley KC Kato, Alternate	School Committee	David Lussier, School Superintendent
Owen Dugan	Board of Public Works	Mike Pakstis, DPW Director Dave Cohen, DPW Assistant Director Dave Hickey, Town Engineer
Allan Port Tad Heuer, Alternate	Community Preservation Committee	
Jim Conlin Steve Burt, Alternate	Recreation Commission	

Representative	Board or Committee	Staff Support
Robert Kenney	Wellesley Housing	
Dona Kemp, Alternate	Development Corp.	
Heidi Gross	Natural Resources	Janet Hartke Bowser, NRC Specialist
Raina McManus, Alternate	Protection Commission	
Maria Vijil-Davis	Woodland Neighborhood	
Elisa Romano, Alternate		
Thomas Fitzgibbons	Weston Road	
Blair Caple, Alternate	Neighborhood	

### *Committee Charge and Funding*

The Committee's mission is to recommend to the Board of Selectmen whether the acquisition of the North 40 for the development of municipal uses and purposes should be pursued. The Committee's charge was to investigate, analyze, and report on the following to the Board of Selectmen:

1. Whether the ability to develop/locate municipal uses on the site satisfies an existing identified need.
2. Whether the site is appropriate for the location of municipal uses, and if so, what uses should be considered to be located on the site.
3. If the Committee determines it is appropriate to relocate and/or consolidate existing uses on the site, whether vacated sites should be repurposed for other municipal purposes or monetized to offset short term and long term costs of the acquisition and/or development of the property. This evaluation should be conducted on a town-wide scale.
4. If the Committee determines it is appropriate to relocate and/or consolidate existing uses on the site, what will be the municipal systems impacts (traffic, water, sewer, stormwater, etc.) and the potential neighborhood impacts relative to project appearance, access, noise, traffic, parking, lighting, landscape buffers, screening, etc. for the various uses proposed.
5. Whether the relocation and/or consolidation of existing uses to the site would have an impact on Town assets including maintenance costs and responsibilities.
6. Whether municipal uses in planning stages are better located on the subject property.
7. Whether there are any environmental issues on the property which may negatively impact the Town's ownership and development of the property.

### *Resources Appropriated to the Committee*

To accomplish the charge and mission of the Committee, funding for consultants was necessary to assist in the study. Funding was generated from multiple sources. The Community Preservation Committee approved the use of \$25,000 of administrative funds, and the Board of Selectmen committed the use of \$30,000. Once the work of the Committee was underway, it became apparent that the initial \$55,000 appropriated for the project would be insufficient given the numerous tasks required to study the site in a condensed timeframe. On July 23, 2014, the Board of Selectmen requested a Reserve Fund Transfer from the Advisory Committee in the amount of \$75,000. The Advisory Committee voted unanimously to support the transfer bringing the funding for the Committee up to \$130,000.

### Consultants Hired

Each of the consultants engaged to study the North 40 have separate sections of this report detailing their findings. A brief summary of the consultants engaged and their purpose is described below.

### *Vision*

The Committee, following a Request for Proposals and interviews, voted to engage Dodson & Flinker, Inc., with Brovitz Planning and Design to conduct a Vision Study for the site. The objective of the Vision Study is to structure public participation activities in order to develop a vision statement and mission for the North 40. As part of the Vision Study, an inventory of the existing land use conditions was compiled. The consultants, through workshops with various groups, identified the ways in which the North 40 is currently used and the varied relationships between the North 40 and stakeholders including: adjacent neighbors, Moses Pond neighbors, and Wellesley residents living outside the immediate neighborhoods. The consultants strived to identify how the North 40 is perceived and valued by the participating groups and individuals.

### *Environmental Assessment*

The Committee and the Board of Selectmen, working with Wellesley College, performed a peer review of the Phase 1 and Phase 2 environmental analysis conducted by the College's consultants, Haley & Aldrich, with regard to the former Town landfill located on site. The Town engaged Environmental Partners, Inc., to review the documentation of the Phase 1 report and to oversee the boring and test pit activities performed by Haley & Aldrich on site. Environmental Partners advised the Town on the findings.

### *Wetlands Peer Review*

The Committee engaged John Rockwood of EcoTec, Inc. to perform a site evaluation and to peer review the College's wetlands analysis performed by VHB. The findings of the study are detailed in Chapter 2.

### *Circulation and Access Study*

The Committee engaged Beta Engineering, the Town's on call traffic engineers, to perform a preliminary traffic access evaluation. The purpose of this study was to identify any potential roadway and access connections to the site, including the potential for future roadways and bridges. Beta's charge was to use "out of the box" thinking to, among other things, envision ways in which The Town could increase the capacity of the existing Weston Road Bridge and roadway or direct traffic to alternative existing or new roadways and access ways. In addition to the access evaluation, Beta was asked to conduct new traffic counts and turning movement studies along Weston Road and Central Street. The findings of the study are detailed in Chapter 7.

**Table 2. Committee Expenditures**

Consulting Firm	Committee Expenditure
Dodson & Flinker, Inc.	\$25,000
Environmental Partners, Inc.	\$7,000
EcoTec, Inc.	\$2,200
Beta Engineering, Inc.	\$20,000

## **2. North 40 Overview**

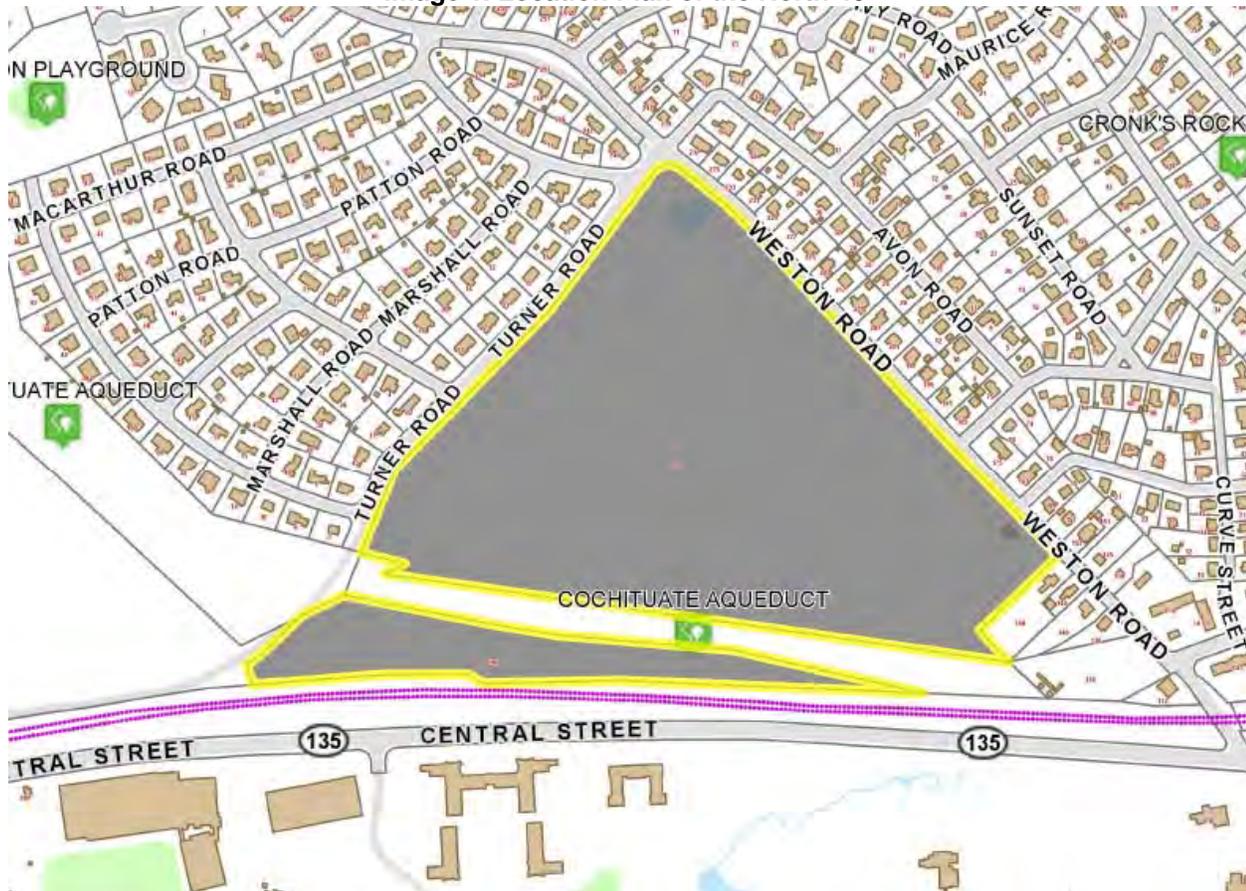
### Location

The North 40 is a forty-six (46) acre parcel of land owned by Wellesley College located between Weston Road to the east, Turner Road to the north, Central Street (Route 135) to the south, and Town land (Morses Pond) to the west. The site is bisected by the Cochituate Aqueduct, and the MBTA rail line is located along the southern property line. The site is largely wooded with varying topography. The site has approximately 7 acres of community gardens along the eastern border of the site. A vernal pool is located on the site on the northwest corner of the parcel.

### Neighboring Areas

Generally, the North 40 is surrounded by established residential areas to the northeast and northwest legs of the triangular parcel. To the west of the site are Morses Pond, the Town's beach and three of the Town's wells which provide drinking water to residents. The site as noted above is bisected by the Cochituate Aqueduct. A trails system, along with the interior trails on the site, allows a hiker, biker, or dog walker to walk within a natural setting continuously to Route 9. The site is within a ¼ mile of the Wellesley Square MBTA station and Hardy School, and within a ½ mile of Fells Market to the north and Linden Square to the east.

**Image 1. Location Plan of the North 40**



### Environmental Inventory

#### *Wetlands and Natural Resources*

Wellesley College hired Vanasse Hangen Brustlin, Inc. (VHB) to conduct a Natural Resources site analysis (Appendix IX on page 135). VHB inspected the parcel for wetland resource areas as defined by the local bylaw, the WPA and the U.S. Army Corps of Engineers. VHB identified one area in the northernmost corner of the site. The wetland is shown as a certified vernal pool (CVP No. 32) by the latest Natural Heritage Program mapping (2008). It is a depression that appears to hold water for much of the year and receives runoff from the surrounding roadways and uplands. The pool itself is unvegetated and is underlain by a mucky substrate. The edges are vegetated with red maple, silver maple (*Acer saccharinum*), silky dogwood (*Cornus amomum*), burning bush (*Euonymus alatus*), multiple *Carex* species and Virginia creeper. VHB determined the resource appears to meet the regulatory definitions of an Isolated Land Subject to Flooding (ILSF) under the WPA and as a Vernal Pool and Isolated Wetland under the local by-law. This

wetland area is presumed to be not regulated by the USACE under Section 404 of the CWA as it does not have a significant nexus to a regulated Water of the U.S.

VHB found no other state regulated resource areas on the site. The low lying areas adjacent to the former aqueduct were inspected closely during the site. While some of these areas contained hydric vegetation VHB determined they lacked any evidence of wetland hydrology or hydric soils.

#### *Peer Review*

The Town hired John Rockwood of EcoTec, Inc. to conduct a peer review of the VHB report (Appendix X on page 141). EcoTec was provided with a copy of the 'Natural Resource Assessment, North 40, Wellesley, Massachusetts' memorandum, prepared by VHB, dated August 4, 2014. EcoTec concurred that there is a single wetland area on the subject site and that this wetland area may be characterized as Isolated Land Subject to Flooding under the Regulations and Isolated Vegetated Wetlands, Isolated Land Subject to Flooding, and Vernal Pool Habitat under the Bylaw or alternatively a Pond, which would be regulated as Land Under Water Bodies and Waterways and Bank, with a fringe of Bordering Vegetated Wetlands under the Regulations and Bylaw. Certain resource areas have a 100-foot Buffer Zone under the Regulations and/or the Bylaw and Bylaw Regulations.

#### *Habitat*

VHB's report found that according to the 2008 Edition of the Massachusetts Natural Heritage Atlas2, the North 40 parcel is not located within an estimated habitat of rare wildlife or priority habitat of rare species, and that according to data available on MassGIS, the site is not located within a Living Waters resource.

A portion of the center of the site is mapped by the UMass Extension Center as Habitat of Potential Regional or Statewide Importance based on the Conservation and Prioritization System (CAPS) mapping dated November 2011. This CAPS mapping is not an area subject to regulatory jurisdiction under any state regulatory program, but is used by DEP to determine whether supplemental wildlife habitat evaluations would be required for work in wetlands.

#### *Peer Review*

Mr. Rockwood agreed with VHB's findings on Habitat.

#### Historic Use of the Property

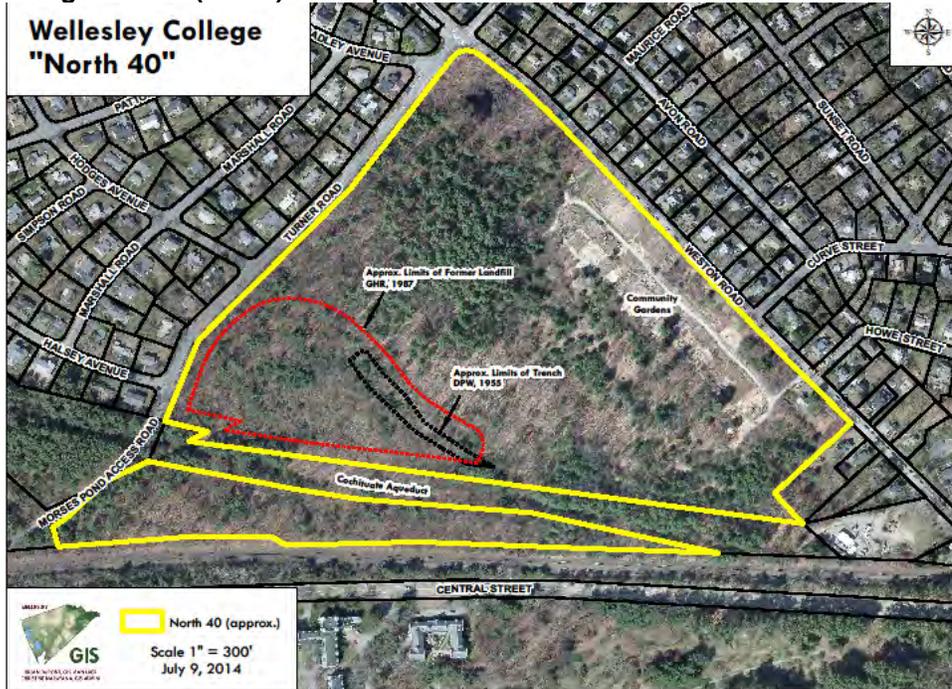
The land known as the North 40 is comprised of land acquired through transactions in the 1860s from the City of Boston (1862), Charles Dana (1869), Gilbert Seagrave (1868), and a 7 acre parcel from the Town (1947). The 7 acres from the Town was the only portion of the site unrestricted by the deed restriction known as the Durant Indenture. The site has largely remained as open space since the 1860s, excepting a short period of time when the Town leased a portion of the site for a Sanitary Land Fill.

From 1955-1960 twenty-three (23) acres of the site were leased from Wellesley College and a portion was used by the Town as a sanitary land fill. After 1960, the Town planted over 13,000 pine saplings on the disturbed portion of the leased site and returned the property to the College. The College has historically allowed public access and use of the site. As such, the site today is largely an upland woodland area with public access trails. Approximately seven (7) acres of the site has been used for community gardening since prior to the 1940s. The southern six (6) acres of the site are largely isolated due to the location of the Cochituate Aqueduct (Town owned) bisecting the lot to the north, and MBTA tracks to the south. The site is located within walking distance to Wellesley Square and is located on the MWRTA Route 8 bus route which runs along Weston Road.

### Current Use

A portion of the land is currently used for the Community Gardens which is comprised of 60 plots equating to approximately 7 acres of the site. There is one single family structure at 156 Weston Road, located at the entrance to the Community Gardens, occupied by an employee of Wellesley College. The balance of the site largely remains untouched with only passive recreation including, walking, hiking, biking, and snowshoeing in the winter.

**Image 2. Area (in red) of the potential delineation of the former landfill site.**



### **3. Development Scenarios**

*NOTE: This section, prepared by the Planning Board and the Planning Director, is a summary and general interpretation of the bylaws applicable to the development of the North 40. This section is not intended to serve as opinion of the Planning Board or the Planning Director of action that could or should be taken by a potential developer, or any Town board, in connection with a proposed development of the Property by any party for any use.*

### Zoning and Land Use

#### *Current Zoning*

The North 40 is zoned Single Residence District - 15,000 sq. ft. minimum area district (SRD15); additionally, the site is located in the Water Supply Protection District overlay zoning district. The site is comprised of three (3) existing lots, with one of the lots bisected by the Cochituate Aqueduct. It is believed that two (2) of the lots are conforming and building permits could be sought and issued for any one of the by-right uses, without any additional approvals necessary; the third lot has frontage solely on the Morses Pond Access Road, which may not satisfy frontage requirements.

### *Permitted Uses*

The following uses are allowed by-right in the SRD15 zoning district, without the issuance of a Special Permit:

1. One-Family Dwelling;
2. Religious Purposes;
3. Educational purposes, subject to compliance with specific dimensional restrictions, including a requirement that a minimum of 75% of the lot area shall be open space;
4. Child Care Facility ("day care center" or a "school age child care program"), subject to compliance with specific dimensional and operational restrictions;
5. Club, except a club the chief activity of which is a service customarily carried on as a business;
6. Agriculture, horticulture, floriculture, including the use of the premises for the sale of natural products raised thereon, subject to compliance with operational requirements;
7. Home Occupations, subject to compliance with specific operational restrictions; and
8. Accessory uses which are customary and incidental to the uses included above.

### *Special Permit Uses*

The following uses are allowed in the SRD15 zoning district only with the issuance of a Special Permit:

1. Continuation of a preexisting residence for not more than two families, or boarding or lodging house, but not a restaurant;
2. Educational purposes (in addition to those permitted by-right), and any non-profit purpose, subject to compliance with specific operational restrictions (not to include Registered Marijuana Dispensaries);
3. Public, semi-public institution of a Philanthropic, Charitable or Religious character;
4. Community Group Residence in an existing building having a single kitchen facility. Requires compliance with specific dimensional and operational restrictions;
5. Telephone exchange provided there is no service yard or garage; unless otherwise provided for under SECTION XV, Public Service Corporations, of the Zoning Bylaw;
6. Removal of sand, gravel, rock, clay, loam or sod there from; except for permitted construction activities or construction of streets under a subdivision plan;
7. Residence where more than three (3) persons reside together as a single housekeeping unit and where such persons are not related to one another by blood, adoption or marriage;
8. Home occupations, in addition to those permitted by-right, that include additional parking and/or nonresident employees;
9. Municipally owned or operated public parking lot or other public use;
10. Off-street parking as a non-accessory use subject to specific dimensional and operational criteria;
11. Such accessory uses as are customary in connection with any of the above special permit uses and are incidental thereto; and
12. Use by the Town of a building, structure or land for its Municipal Light Plant or its Water Works Plant.

### *Uses Requiring Town Meeting Approval*

The following uses are allowed in the SRD15 zoning district only with the prior approval of Town Meeting; not all uses listed require the separate issuance of a Special Permit.

1. Air Navigation Facilities, subject to specific dimensional and operational restrictions;

2. Conversion of a building and site previously used for a municipal purpose to a use permitted in residential districts;
3. Cemetery (burial use), with specific dimensional and operational restrictions.

#### *Water Supply Protection District Restrictions*

Under the Water Supply Protection District, the following uses are specifically prohibited:

1. Solid waste disposal facilities, including without limitation landfills and junk and salvage yards, that require a site assignment from the Board of Health;
2. Storage of petroleum and other refined petroleum products, including without limitation gasoline, waste oil, and diesel fuel, except within buildings which it will heat or where it currently exists or for in-kind replacement or in quantities for normal household use, provided there is compliance with all local, state, and federal laws;
3. Storage of road salt or other de-icing chemicals in quantities greater than for normal household use;
4. Storage of hazardous wastes, including without limitation chemical wastes, radioactive wastes, and waste oil in quantities greater than resulting from normal household activities;
5. Manufacture, use, storage, or disposal of toxic or hazardous materials as an integral part of a principal activity, but excluding domestic activities and pesticide applications;
6. Motor vehicle service stations, repair garages, car washes, truck or bus terminals, heliports, airports, electronic manufacturing, metal plating, commercial chemical and bacteriological laboratories, and dry cleaning establishments using toxic or hazardous materials on site; and
7. Disposal of hazardous wastes.

Under the Water Supply Protection District, the following uses are permitted with the issuance of a Special Permit, and subject to a determination by the ZBA that specific design and operation standards are adequately satisfied. These uses would only be allowed with the issuance of a Special Permit if permitted by the underlying SRD15 zoning district.

1. Commercial mining of land (not a permitted use in the SRD15 zoning district);
2. Major construction projects as defined and subject to site plan review (may include uses allowed in the SRD15 zoning district);
3. Parking lots, vehicle rental agencies, photographic processing establishments, or printing establishments (except for parking lots, these uses are not permitted in the SRD15 zoning district); and
4. Any uses where more than 10,000 square feet of any lot would be rendered impervious (may include uses allowed in the SRD15 zoning district).

If the Property was to be developed for a residential subdivision (due to the likelihood of new roadways and other paved, impervious surfaces exceeding 10,000 square feet) or a non-residential use (due to the likelihood that such projects would constitute a major construction project, include a parking lot, and/or render 10,000 sq. ft. or more of any lot impervious), it is likely that the Water Supply Protection District Special Permit would be triggered. It is important to note that the Planning Board would act as Special Permit Granting Authority for a Water Supply Protection District Special Permit associated with a subdivision application; otherwise, the Zoning Board of Appeals would review and consider the Special Permit request.

## Subdivisions and ANR

### *Residential Development of Existing Lots and Creation of ANR Lots*

Under a specific exemption from the Subdivision Control Law, the site is allowed to be divided and/or reconfigured into two or more lots, with each lot having the SRD-15 minimum required frontage of one-hundred (100) feet on at least one of the two (2) public streets, Turner Road and Weston Road, and the minimum area of 15,000 square feet. Due to the location of the MBTA Commuter Rail line, the site does not have frontage along Central Street. Based on the approximate frontage of 1,500' along Turner Road and 1,700' along Weston Road, it is estimated that a maximum of 32 lots could be developed through the ANR process (15 lots along Turner Road and 17 along Weston Road). This estimate does not take into account an inability to utilize the former landfill portion of the site for home construction, or that a developer might eliminate one or two potential ANR lots to allow access to the interior of the site for further development, discussed below, either of which would reduce the number of lots that could be developed under the ANR process.

### *Residential Subdivision and Natural Resources Protection Development*

While an estimated 32 lots could be developed along Turner Road and Weston Road through the ANR process, development of the interior of the site would be subject to the Subdivision Control Law. Additionally, a property owner could decide to forgo creation of lots through the ANR process and make the development of the entire site subject to Subdivision Control. Proposals to divide property into two or more buildable lots, where each lot proposed does not have existing frontage, are considered to be subdivisions. Subdivisions must comply with the Town's adopted development standards for streets and other municipal infrastructure (established in the *Rules and Regulations Governing the Subdivision of Land in Wellesley Massachusetts*), and proposed lots must comply with the Zoning Bylaw. Subdivisions are reviewed and approved (endorsed) by the Planning Board.

A first step in planning a subdivision would be to determine the Zoning Bylaw requirements for lots. While the site is zoned Single Residence District - 15,000 minimum area district, the Natural Resources Protection Development bylaw, (Section 16F of the Zoning Bylaw, referred to herein as "the NRPD bylaw") would require the property owner to determine applicability since it is triggered by any subdivision proposal for property that has the potential (under the NRPD bylaw's yield formula) to be divided into five (5) or more lots. Based on the size of the site and the zoning, a subdivision of the site would be subject to the NRPD bylaw, whether it was the entire site or only the interior remaining from the creation of ANR lots.

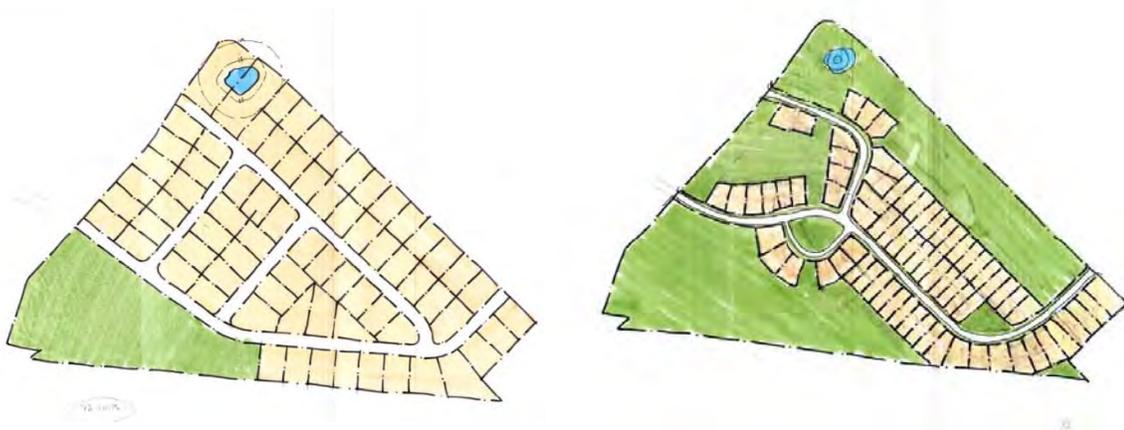
Except where deviations from the NRPD bylaw requirements are requested (which would necessitate a Special Permit) or if a Water Supply Protection District Special Permit is necessary (as discussed above), the development of a Natural Resources Protection Development subdivision is not handled under a separate review and permitting process; rather, subdivision plans that are required to be submitted under Subdivision Control must demonstrate compliance with the design and open space standards contained in the NRPD bylaw. While there are specific, detailed design standards in the NRPD bylaw, development potential is primarily controlled by the allowance to reduce lot area and dimensions to a minimum of 7,500 sq. ft. in area and 50' in frontage/front yard width, and the requirement that 50% of the total site must be protected open space. Considering the two scenarios, development under NRPD vs. ANR and NRPD, it is anticipated that residential development of the Site could yield a maximum of 75 lots under NRPD vs. 95 lots under ANR and NRPD.

As noted, subdivision plans are reviewed and approved by the Planning Board. An applicant may choose to submit a Preliminary Plan for consideration prior to the Definitive Plan, but submittal of

the Definitive Plan is a requirement. The Preliminary Plan is allowed to be less detailed and allows the applicant to receive initial staff, department, and Board comments and feedback prior to undertaking more costly design work. The Definitive Plan is required to be more detailed, providing the Town with all information necessary to determine compliance and functionality of proposed infrastructure, some of which may eventually be accepted by the Town. The Planning Board's decision to approve a Definitive Subdivision Plan is based on compliance of the plan with the Rules and Regulations.

Once approved, the developer may begin constructing improvements, following recordation of the plan at the Registry of Deeds. To ensure compliance with the approval, the Planning Board is obligated to require a covenant and/or bond. Additionally, the Board may require a bond to be established prior to releasing lots for home construction to ensure project completion. Binding obligations, such as covenants and bonds, are not released until Town staff and the Planning Board are satisfied with the completion of the subdivision in accordance with the approval, allowing for a release of such obligations, the acceptance by the Town of certain utilities, and the pursuit of street acceptance by Town Meeting.

**Image 3. Traditional Subdivision v. Natural Resource Protection Subdivision of 72 Lots**



**Image 4. Natural Resource Protection Subdivision with ANR Lots - 93 Lots  
ANR Frontage Lots Subdivision**



#### Development of Municipal and Other Uses

As noted above, uses other than single-family dwellings are permitted, either by-right or with the issuance of a Special Permit. Regardless of whether a Special Permit is needed for the specific use sought, all uses other than one-family or two-family dwellings will require a Project of

Significant Impact (“PSI”) Special Permit from the Planning Board if involving newly constructed floor area of 10,000 or more square feet in area. Projects issued a PSI Special Permit would then be required to receive Site Plan approval from the Zoning Board of Appeals (with recommendations from the Design Review Board, Planning Board, and other Town departments and boards). Projects with less than 10,000 square feet of newly constructed floor area, but more than 2,500 square feet of newly constructed floor area, or involving grading/regrading and removal/disturbance of vegetation over an area of 5,000 or more square feet would constitute a Major Construction Project, requiring Site Plan review by the Zoning Board of Appeals. Additionally, as discussed above, development of uses triggering these reviews would require the review and issuance of a Water Supply Protection District Special Permit from the Zoning Board of Appeals.

Reviews and permits required for municipal uses vary based on the type of use. Schools and their associated accessory uses would be allowed by-right, without the issuance of a Special Permit for the use; however, PSI and Water Supply Protection District Special Permits would likely be required, as well as Site Plan approval. Other municipal uses, which would include recreational facilities such as fields, are covered under the allowance of, by Special Permit, “municipally owned or operated public parking lot or other public use.” The Special Permit for the use would need to be reviewed and issued by the Zoning Board of Appeals, following issuance of any required PSI Special Permit, and generally considered in conjunction with the ZBA’s review of the Site Plan and any other special permits. Consideration should be given to whether recreational facilities accessory to a municipal school use, used for non-school events, requires the issuance of a Special Permit for such non-school use of the facilities.

Affordable housing developed by the Wellesley Housing Development Corporation, not intended to be Town-owned, would need to consist of one-family dwellings. These dwellings could be developed similar to privately developed residential uses discussed above.

#### Development under a Comprehensive Permit/40B

Sections 20-23 of Chapter 40B of the Massachusetts General Laws allows a developer to qualify for waivers of local zoning and permitting rules if the developer’s proposed project constitutes “low or moderate income housing”, which means housing subsidized under any state or federal government program. A 40B proposal would be reviewed by the Zoning Board of Appeals (other than the submittal of a recommendation, the Planning Board has no jurisdiction), who may issue a “comprehensive permit”, which covers all local permitting requirements, including necessary zoning relief. If the Zoning Board of Appeals were to deny a comprehensive permit, since the Town’s housing stock is less than 10% affordable (currently approximately 6%), the applicant could appeal the denial to the Commonwealth’s Housing Appeals Committee. The Housing Appeals Committee generally reverses such denials, absent compelling health and safety reasons for the denial or unless the project constitutes a “large project.” A large project, as it pertains to Wellesley, would consist of more than 300 units, and given the uncertainty a developer would have to contend with in order to undertake a large project, it might be expected that a 40B proposal would not exceed 300 units.

Existing 40B projects in Wellesley include Hastings Village on Hastings Street with 52 units, Ardmore Apartments on Cedar Street with 36 units; Waterstone at Wellesley qualifies under 40B with 135 units, Edgemoor Circle Condominiums, and Glen Grove Apartments with 120 units.

#### Context of the Comprehensive Plan; Consideration of Alternative Development Proposals

In order to consider alternative development proposals for the site, which may include rezoning and possibly rezoning in conjunction with amendments to the Zoning Bylaw, it is necessary to review the 2007-2017 Comprehensive Plan as it applies to the site. While there are several

policies and recommendations that could relate to the specific type of development of the site (*i.e.*, housing, municipal uses, etc.), there are generally two over-arching policies or recommendation that guide the anticipated, if not desired use of the site; these are as follows:

1. The “10 key Comprehensive Plan recommendations that can shape Wellesley’s future”, identify the site (and other similar properties) and note that based on the site’s size, “mandatory cluster zoning for the few remaining large open space parcels that lack conservation restrictions” should be considered. This recommendation was essentially implemented and is applicable to the subject site through the Natural Resources Protection Development bylaw.
2. The land use recommendations for future land use indicate that the use of the site should be “Colleges and Schools” with identification that the Town “Consider Mandatory Cluster Zoning.”
3. Based on the above, it is difficult to contemplate or support alternative uses for the site other than those identified in the Comprehensive Plan. Should uses or development other than those identified in the Comprehensive Plan be sought, it is recommended that a thorough planning study (or revision of the Comprehensive Plan) be conducted to determine the appropriateness of such development.

#### **4. Inventory of Town Assets and Identification of Needs**

The North 40 Steering Committee asked each representative to prepare a report outlining whether the existing municipal land holdings and municipal facilities meet the existing and future service demands of the various departments and how acquisition of the North 40 parcel may assist in improving programming and services. Below is a brief summary of the identification of needs from the various departments.

##### Recreation

Based on the number of current sports, leagues, and participants and playing seasons for field sports in Wellesley, the Playing Fields Task Force has estimated that three additional full size rectangular multipurpose, synthetic turf fields are needed to alleviate the existing shortage. They have also surmised that lighting the fields could reduce the need from three to two fields. The additional fields would meet the immediate demand, reduce scheduling conflicts, reduce grass field overuse and eliminate the dependency on the Elm Bank Reservation fields. Adding a “bubble” to one or more of the fields would create additional capacity to utilize the fields for indoor sports during the winter. The PFTF full report can be found in Appendix I on page 74.

##### Natural Resources Commission

The Natural Resources Commission analyzed the percentage of Wellesley’s open space in relation to the Town’s comparable communities including Natick, Needham, and Newton and found that Wellesley has the lowest percentage of protected open space at 40% of the 2,168 acres of open space. The NRC’s analysis concluded that Wellesley needs to not only preserve its open space, but needs to aggressively acquire more open space to protect against private conversion of the considerable (60% of existing 2,168 acres of open space) private, unprotected space. The NRC recommended acquiring the entire site for open space and recreation. The NRC full report can be found in Appendix II on page 80.

##### Schools

The School Committee prepared a report analyzing the impacts of private development on the site relative to school enrollment. In addition, the School Committee considered whether acquisition of the North 40 could be used as a green site for school building to assist in the

renovation or new construction of one or more of the Hardy, Hunnewell, and Upham elementary schools. The School Committee's full report can be found in Appendix III on page 98.

#### Affordable Housing

The Wellesley Housing Development Corporation (WHDC) goals are to promote the creation of housing options for a range of income, age, family size and needs, other than single-family homes; and to promote affordable housing to households with incomes at or below 80 percent of the area median income. The Town is currently at 6.16% of the State's goal of 10% for affordable housing. Should the Town choose to not acquire the site, or fail to acquire the site it could be susceptible to a 40B development. Should the Town acquire the site, the WHDC supports the limited development of a mix of both market and affordable housing on a portion of the site in a "cluster type" development. The WHDC's full report can be found in Appendix IV on page 108.

#### DPW

The Department of Public Works developed preliminary estimates for various build out scenarios of the North 40. With exception of leaving the site as conservation land, other developments would generate additional costs to the DPW for maintenance. The DPW's full report can be found in Appendix V on page 110.

#### Neighborhood

The Woodlands and Weston Road Neighborhood Representatives conducted a survey of each of the respective neighborhoods in late June, early July timeframe. The results of their findings were presented at the July 8, 2014 meeting of the Committee. The surveys identified the neighbors' concerns with potential development and if developed, identification of uses both desirable and undesirable to the neighborhoods. Separate surveys were conducted for both neighborhoods, but the results were comparable.

The identified concerns of any development of the North 40 were the integrity of the neighborhood (Woodlands), traffic, loss of forest-land, and the loss of the community gardens. The Woodland Neighborhood 's top concern is the impact new construction along Turner would have in terms of opening the neighborhood to increased traffic and a lower quality-of-life.

Both surveys indicated the most desirable uses were to maintain the site as open space with the preservation of the land, community gardens, dog-walking areas, playground, and athletic fields. The least desired uses were residential housing, including both market and affordable housing. The complete surveys of both neighborhoods can be found in Appendix VI on page 112.

### **5. Impact of Development for Non-municipal Purposes**

If the North 40 is sold to a private developer, it has been estimated that 70-93 single family homes can be constructed on the site through the use of subdivision control, and up to 300 units under a Comprehensive Permit (40B) that is not classified as a "large project". Under the Town's permitting procedures for a Project of Significant Impact or subdivision control, the impacts of a development project must be mitigated both on and off site. This section will discuss a limited list (given significant variation dependent upon development) of identified impacts should the site be purchased by a private developer for non-municipal development.

#### Traffic

Traffic volume and delays along Weston Road have long been a concern for residents and the Town. As part of the North 40 Committee's review of the site, a preliminary assessment of the existing traffic conditions was conducted in efforts to creatively evaluate whether it is possible to divert traffic to alleviate congestion.

Beta Engineering, the Town's traffic consultant, noted the intersection of Weston Road at Central Street (135) has a volume capacity of 1800 vehicles during the morning and afternoon peak hours. For this intersection, the morning peak hour is between 7:30 am to 8:30 am, and the afternoon peak hour is between 4:30 p.m. - 5:30 p.m. Traffic data indicates approximately 2300 cars are traveling through the intersection during these peak hours, exceeding the volume capacity by approximately 500 cars. As a result of the demand, queues for the Weston Road/Central Street intersection can extend during these times approximately 1200 feet back from the intersection along Weston Road. This is an existing site condition, and should additional uses be added to the site, the circulation pattern and vehicle trips would be additive to the existing traffic volumes.

### Schools

Should the site be developed for residential construction, age restricted homes would have a less intensive impact to the schools, but some additional students would be added by existing residents selling their single family homes elsewhere in Town to live in the new complex. Based on sales trends for the past 4 years, a new subdivision of 100 units without age restrictions is anticipated to increase the enrollment in the Wellesley schools by approximately 70 students at a cost per year of \$1,200,430. Of the 70 students, over 60% are anticipated to be within grades K-5 within the existing Hardy School district which is currently at/over capacity.

A 40B project, as described in Chapter 3, could allow for a project of 300 units on the site. Should a non-age restricted 300 unit housing development be constructed on site, the student/household multiplier indicates over 250 students would be added to the current enrollment with a cost of per year of \$4,321,548. Of these 250 students, over 50% are estimated to be in grades K-5 which would necessitate the addition of a new elementary school given existing enrollment and facility capacity limits.

### Open Space

The Natural Resources Commission strongly supports acquisition of the North 40.

The NRC's report to the North 40 Steering Committee stated there are 2,168 acres of open space in Wellesley. Of this open space, 866 acres is Town land that is protected. These lands include parkland, playing fields, playgrounds, the Cochituate Aqueduct, and the RDF. An additional 1,302 acres are considered private open space. These 1,302 acres include State and Federally owned lands such as Mass Bay Community College, the Sudbury Aqueduct, and the National Guard Armory; land trusts; educational institutions and cemeteries; lands that benefit from tax relief such as lands under conservation easements/restrictions and golf courses.

Wellesley's per capita of protected open space is currently at 0.031, or 1,350 square feet per person. The acquisition of the North 40 would increase our per capita protected open space by 87 square feet, to 1,437 square feet per person.

The sale of the North 40 for private development would decrease open space, with minimal opportunities remaining in Wellesley to acquire land holdings of this size in the future. The loss would also strain protected open space and remaining natural resources.

### Recreation

The Playing Fields Task Force (PFTF) analyzed the rise in the participation in Town sport programs with the impact on the limited number of fields present in Town. They found that over the years the number of sports activities and participants has grown in Wellesley while the number of athletic fields available to support activities has remained the same. In particular, participation in two of the four major sports that require rectangular fields has grown meaningfully over the past six years with youth soccer and youth lacrosse combined adding over 40 new teams. Private

development of family housing could have a considerable impact on participation in youth sports exacerbating the existing shortage of playing fields, indoor basketball court space, tennis courts, and available ice time in the region for hockey and figure skating.

#### Department of Public Works

The DPW notes if the site is developed under subdivision control, 40B, or rezoning, the Town's permitting process would mandate the access, upgrade, and/or maintenance of the Town's infrastructure improvements be paid for and installed by the developer. The infrastructure included in this analysis is roads and sidewalks, water, sewer, stormwater drainage, and electric. The cost to the DPW to improve the infrastructure for private development is minimal. Once a project is constructed, the maintenance activities generated from the site would be an operating cost for the DPW. Maintenance includes for example, road repairs, catch basin cleaning, street sweeping, debris clean up, plowing, and hydrant flushing on public ways and sidewalks. Estimated current annual costs for 100 single family homes is \$213,000 and for a 300 unit 40B housing development is \$240,000.

The North 40 site is outside the Zone II Wellhead Protection District for the Town wells; however, the majority of the site is within the Zone II Wellhead Protection District for the Wellesley College wells. Development of the site, whether private or municipal, should take into account the watershed as part of the Wellesley Water Supply Protection Bylaw to insure the Town and Wellesley College drinking water is protected.

#### Neighborhood

Private development of the North 40 into single family residential units or multi-family residential units is found by the Neighborhood representatives to have a substantial impact on both the Woodlands and Weston Road neighborhoods. The concerns range from traffic impacts from increased vehicle volumes, additional curb cuts, and direct access to the neighborhoods to loss of the community gardens, loss of open space, impact to habitat, additional noise and lighting. The neighbors were concerned over the impact a dense development could have on the water supply, particularly the Wellesley College wellhead protection zone and the Town wells just west of the site. Additionally, dense development is a concern for significant tree removal and grading would be required to make the site suitable for building.

#### Affordable Housing

Private development of the North 40 into single family residential units or multi-family residential units has positive impacts to the Town's goal of attaining 10% affordable housing. Under the Town's Inclusionary Zoning Bylaw any subdivision of land that creates 5 or more lots is required to have 20% of the units qualify on the Town's Subsidized Housing Inventory as "assisted units". "Assisted units are dwelling units which qualify for enumeration under Chapter 40B, which are at 80% or less of the median income as determined by HUD.

Should a 40B project of any size be approved for the site (rental or ownership), the law requires 25% of the project to meet the 80% of median income affordability threshold.

From an affordable housing aspect, both by right and 40B options yield assisted units in the range of 20-25%. Below are the 2013 income limits, as determined by HUD, for individuals and families to qualify for Chapter 40B moderate to low income housing opportunities.

**Table 4. 2013 HUD Income Limits for Town of Wellesley**

Wellesley town, Massachusetts										
FY 2013 Income Limit Area	Median Income <a href="#">Click Here</a>	FY 2013 Income Limit Category	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
Wellesley town	\$94,400	Very Low (50%) Income Limits <a href="#">Click Here</a>	\$33,050	\$37,800	\$42,500	<b>\$47,200</b>	\$51,000	\$54,800	\$58,550	\$62,350
		Extremely Low (30%) Income Limits <a href="#">Click Here</a>	\$19,850	\$22,650	\$25,500	<b>\$28,300</b>	\$30,600	\$32,850	\$35,100	\$37,400
		Low (80%) Income Limits <a href="#">Click Here</a>	\$47,150	\$53,900	\$60,650	<b>\$67,350</b>	\$72,750	\$78,150	\$83,550	\$88,950

## 5. Potential Utilization for Town Needs and Associated Impacts

### Open Space

#### *Passive Recreation*

The NRC found residents already heavily use the area for passive recreation. The land hosts walking and running trails, bike paths, natural play areas for children, and community gardens. The land connects the Crosstown Trail, sits atop a wellhead protection zone, and provides valuable wildlife habitat, including a vernal pool. These reasons for acquisition, and more, are illustrated in the NRC Report Appendix II-F, "The Heart of a Neighborhood" on page 93.

#### *Associated Impacts*

The NRC advocates retaining as parkland as much of the North 40 as possible. This would not impact traffic, have minimal maintenance cost, and keep the land as a valuable community open space asset. Acquiring the 46 acres as protected open space would raise Wellesley's protected open space totals from 40% to 42%.

#### *Active Recreation*

The NRC suggested, as a possible active recreational use, the addition of sport playing fields, a natural playground for active play and educational purposes, and expanded bike paths in lieu of biking on Weston Road.

#### *Associated Impacts*

See "Recreation," below.

### Housing

The Wellesley Housing Development Corporation (WHDC) finds the Town has an identified need for affordable housing that qualifies under the Department of Housing and Community Development. The DHCD regulations include pricing (sale and rental) to accommodate a person making 50-80% of the median income of the Boston Metropolitan Statistical Area (MSA). The Town currently has 6.1% of the mandatory 10% affordable housing, leaving the Town open to hostile 40Bs and reducing the number of individuals and families in need that can benefit from affordable homes and affordable rental units in Wellesley. The WHDC also identified a need for workforce housing which allows for pricing (rental and ownership) up to 110% of the median income of the Boston MSA. Workforce housing would not qualify towards the Town's 10%

affordability goal, but is seen as a positive endeavor to assist a segment of the Wellesley population.

The WHDC finds the North 40 location to be favorable to affordable housing given the proximity to the MBTA Commuter Rail, Wellesley Square, schools, supermarket, religious and cultural institutions. The Metrowest Regional Transit Authority Route 8 also travels down the Weston Road corridor allowing for public transportation options to connect the site the commercial districts, Commuter Rail, and the Woodlands T station.

#### *Associated Impacts*

The impacts of housing will depend on the number and type of units generated. WHDC would suggest a “cluster development” to maximize the open space of the entire site as well as minimize the project’s footprint. Initial suggestions on unit types would include a mix of both market rate and affordable units. This would allow for a sufficient income stream to finance the entire housing portion of the project. As discussed in Chapter 5, an increase in residential development has a myriad of impacts. A moderate number of age-restricted units will not have a significant impact on traffic or schools, but would require additional curb cuts, roadwork, and may have aesthetic impacts. Family housing would have a greater impact on traffic and potential impact on schools. The type of unit (First Time Buyer, Over 55, for sale /for rent) and the unit mix and density would be determined as the scoping and visioning process is further defined.

#### Schools

In the School Committee’s report to the North 40 Steering Committee, they indicated there is value in the Town acquiring the North 40. The Town’s School Facilities Committee hired the consulting firm SMMA to study and evaluate all of the School Department buildings and found that Hardy, Hunnewell, and Upham will require significant renovations or replacement over the next 5-7 years. If the North 40 site was available, and the land or a portion thereof was found suitable, with a reasonable traffic plan it could be a location for a new consolidated elementary school. SMMA estimated that in order to construct the school, associated open space, and parking, approximately 10-12 acres of land is necessary with the remainder of the site available for alternative uses. A new school is estimated to cost approximately \$45 million, which is comparable to the cost likely to be incurred for renovation and remodeling of one or more of the existing school sites in the next 5-7 years. The School Committee’s full report can be found in Appendix III on page 98.

#### *Associated Impacts*

The Weston Road corridor is home to an existing elementary school. If a new school housed the same number of students or a minor increase in student population, additional traffic impacts would be minimal. A new 4 to 5 section school, which would consolidate 2 or 3 schools, would generate approximately 250 additional vehicle trips during the school pick up and drop off period. The site would better accommodate stacking and queuing and would facilitate an improved pickup/drop off.

#### Recreation

Use of the Town’s playing fields is not solely limited to the youth sport population. In addition to the regularly scheduled practices and games of the youth and school sports, there are a number of groups who pay user fees, including recreation, youth sports and other third parties that host a variety of camps, clinics and games on the playing fields throughout the year on a space available basis. The lack of available field time reduces the ability to add programs that require rectangular fields. The Recreation Commission would like to create after school programs (e.g., flag football) that are in proximity to the middle school, that require the use of rectangular fields, but is unable to do so due to the lack of field availability. Increased field capacity would allow for an increase in

programming. Further, the current shortage of adequate rectangular athletic field space necessitates Wellesley United Soccer Club to lease fields at Elm Bank Reservation to accommodate all of their teams. Elm Bank is owned by the State, and there is no long term guarantee that Elm Bank will continue to be available for use in the future.

The Recreation Commission also considered other potential Town Facilities including the need for indoor basketball courts. The Recreation Commission reported that in the past 5 years the participation in various basketball programs has grown from 630 players to 1185 players, and the required court time has increased from 107 hours a week to 179 hours a week. The Town School facilities serve a large portion of the hours; however, court time has been rented at Dana Hall, the Warren Building, and out of town venues to make up for the increase in hours.

A Town Pool and Ice Rink are under considerable study in anticipation of being located at 900 Worcester Street. This report does not account for those uses, but should the Town only acquire the North 40, those uses would also be considered for this site.

#### *Associated Impacts*

The creation of playing fields and/or the potential construction of recreational facilities have positive impacts with the generation of revenue from fee paying groups. Additional field space allows for a potential reduction in traffic given the potential to distribute users geographically throughout Town at various times. Field space is currently centralized at Hunnewell Field and Sprague Field.

Negative impacts of playing fields include the potential for lights and noise. Should playing fields be constructed on the site, the Town would work closely with neighbors and user groups to find the best design to reduce potential impacts, as was done with the Sprague Field project.

#### *Trails*

The Trails Committee, a subsidiary of the NRC, is in support of acquisition of the land. The Trails Committee's preference is to keep the land in its current condition, and to not alter the landscape. The Trails Committee prefers total preservation of the land, but recognizes that may not be possible. They encouraged the Town, should the site be acquired and later developed, to retain at least 50% of the site as contiguous protected open space. The Trails Committee's full memorandum to the North 40 Steering Committee can be found in Appendix VII on page 130.

#### *Associated Impacts*

There are no associated impacts with the Trails Committee proposal.

#### Project Maintenance Costs

The DPW has estimated potential maintenance costs for various municipal projects, which are substantially within the \$200,000-\$225,000 range for active and passive recreation and/or a school. Upgrades to the Town's infrastructure to accommodate new uses would be part of the permitting of the site and are always calculated into the Design and Permitting costs presented at Town Meeting.

An active recreation site would require field maintenance, mowing, seeding, weeding, grooming, and site amenity maintenance. Schools similarly would have the same requirements plus plowing, catch basin cleaning, debris clean up and street sweeping.

**Table 3. DPW Projected Maintenance Costs**

<b>Scenario</b>	<b>Tax Impact</b>	<b>Water/Sewer Impact</b>	<b>Additional F/T Staff</b>	<b>Additional P/T Staff</b>
Conservation	\$14,000	\$0	0	0
Passive Recreation	\$187,000	\$1,000	0	0
Active Recreation	\$222,000	\$5,000	1	2
School	\$200,000	\$5,000	0.5	1

Any combination of these uses would yield an aggregate cost of the various scenarios. As an example, a school with a field would have a DPW cost of \$422,000 per year. For the complete DPW memo see Appendix V on page 110.

## **6. Other Factors**

### Vision

A separate report will be submitted on the findings of the visioning exercise; however, a brief summary of the scope of work is provided. The consultants were asked to review previous plans and reports submitted by the North 40 Committee representatives and plans on file. They were asked to develop an inventory of existing site conditions and through a public process determine potential viable uses for the site. The public process included a series of “Visioning Workshops”. The Visioning Workshops were divided into three main areas of focus: town officials and staff, neighborhoods, and town-wide.

An internal workshop held on August 13, 2014 brought together elected and appointed officials and management level Town staff. The intent of this session was for elected officials and staff, who oversee the town finances, planning, maintenance, public safety and other elements of Town government to verify the facts and mapping developed by the consultants and to weigh in on opportunities and constraints as seen from their respective department.

The second workshop for the neighborhood was conducted on September 7, 2014. This workshop invited residents living in the Woodlands and Weston Road neighborhoods and asked them to evaluate the site conditions and discuss ways in which they currently use and value the North 40 and the surrounding area. The goal of this workshop was to listen to the concerns of the neighbors, and to discuss and brainstorm alternative uses for the site.

Two town-wide workshops were conducted on September 14, 2014. These workshops included a presentation on the existing site conditions, the environmental analysis, and a brainstorming session. The workshops had participants break into small groups with plans of the site. Participants were asked to consider potential uses for the site and were given stickers with various open spaces, community, and housing uses listed. The results had considerable variation, but there was general consensus that the Town should acquire the North 40 and retain a portion of the site as open space. Several of the groups also proposed including a range of housing and recreational uses on the site.

Below is an example of the Open Space findings from the town-wide workshops.

**Image 5. Sample of a Vision Workshop Matrix**



Please see the Vision Report due October 17, 2014 for a complete list of findings.

**Traffic**

The existing traffic conditions along the Weston Road corridor are described above. To improve the intersection of Weston Road at Central Street, already at capacity, Beta considered 6 alternatives to divert the 500 additional cars during the peak hours.

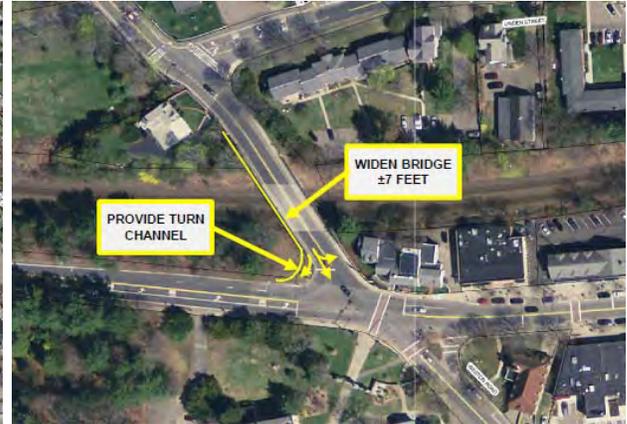
Alternative 1. proposed to create a dedicated right turn only lane on the south bound approach to Central Street to facilitate the movement of approximately 250 cars during the morning and afternoon peak. The existing width of the bridge (33') could not accommodate a new right turn only lane, and the bridge would require widening by approximately 7 feet.

Alternative 2. proposed to fully signalize Linden Street at Weston Road. This alternative would allow for gaps in the traffic flow, for cars traveling southbound along Weston Road, to turn onto Linden Street and not delay the traffic continuing to Weston Road. The analysis for alternative 2 shows an improvement to Linden Street, but only a small benefit to Weston Road.

**Alternative 1.0**



**Alternative 2.0**



Alternative 3. proposed to extend Linden Street at the existing signal and to connect via a bridge to Central Street (135). The benefits of this connection would be the ability to divert the cars that would take a right at Weston Road to head west on Central Street towards Natick, as well as providing an opportunity for cars heading east on Central Street to take a right in advance of the Central/Weston intersection.

Alternative 4. proposed creating a signal at Curve Street to divert traffic through North 40 to Central Street. This proposal would create two new signals (Curve and Central). In addition to diverting the westbound traffic at the Weston/Central intersection, this proposal has an optional connector road to facilitate a four way intersection at Linden Street. The disadvantage to this proposal is the likely increase of cut through traffic on Curve Street and the increased number of traffic lights.

**Alternative 3.0**



**Alternative 4.0**

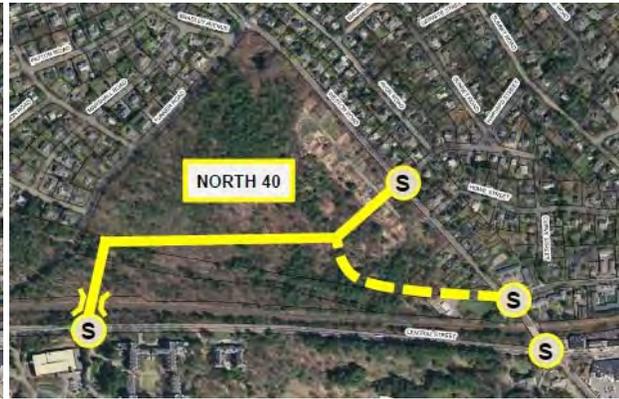


Alternative 5 and 5B. continues with the need for a bridge, but aligns the bridge with the existing signal at the Wellesley College entrance on Central Street (135) to reduce the number of signals. The variation from 5A and 5B is that 5A would have a connection to Turner Road, where it is eliminated in 5B. Beta found that from a pure traffic management analysis option 5A is the optimal design alternative.

**Alternative 5.A**



**Alternative 5.B**



Alternative 6. Proposes to modify Alternative 5A and to make a further connection to Route 9 via Halsey Avenue to Russell Road. This proposal has the greatest impact on takings, with the smallest cost benefit to improving traffic.

**Alternative 6.0**



The majority of the proposed alternatives include the installation of a bridge to allow vehicles to cross the MBTA Commuter tracks to access Central Street. In considering the ability to actually construct such a structure, cost and negotiations with Mass Highway and MBTA are both limiting factors. Beta's preliminary cost estimates range from \$1.5M for alternatives 1 and 2 up to \$5.5M for alternatives 5A and 5B.

Weston Road in 2010 was found to have approximately 16,000 vehicles trips a day, new counts conducted from September 15, 2014 to September 20, 2014 revealed that the Average Daily Traffic on Weston Road is approximately 15,500 vehicles per day. The new data concurs with past efforts that the intersection of Weston Road and Central Street operates with Level of Service (LOS) F with long queues on Weston Road and Central Street. The intersection at Weston and Central continues to operate over capacity with approximately 500 vehicles during the AM and PM peak hours. Beta's complete Draft Report can be found in Appendix XI on page 154.

Landfill

As noted previously, the Town leased land from the College from 1955-1960 for the use of a sanitary land fill. The College hired Haley and Aldrich, an environmental consulting company to evaluate the environmental conditions of the landfill and herein is a summary of their findings. The full Haley and Aldrich Summary can be found in Appendix VIII on page 131 and the Phase I

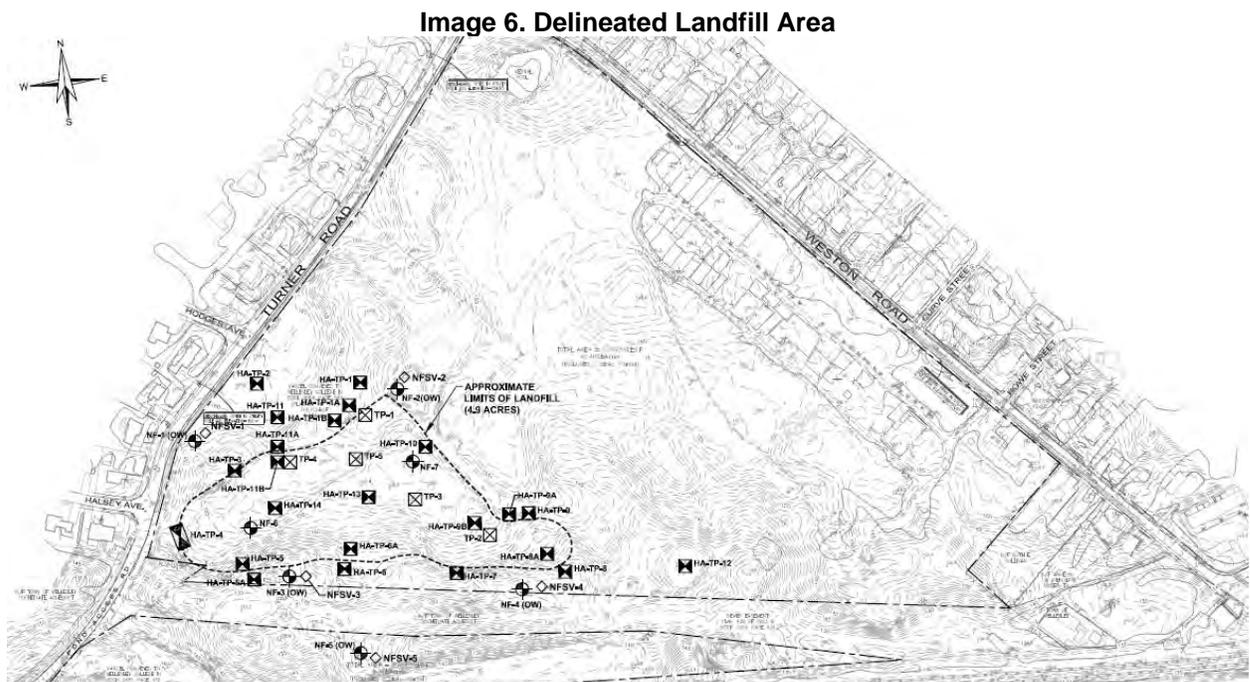
environmental report can be found online at [www.wellesleyma.gov/north40](http://www.wellesleyma.gov/north40). In addition to the landfill, a former pump house structure was located south of the Cochituate Aqueduct and north of the railroad tracks, and was possibly related to the former transport of oil to Wellesley College's main campus. Haley and Aldrich investigated this site for contamination as well.

Haley and Aldrich (HA) conducted subsurface investigations including 14 test pits around the perimeter and within the center of the former landfill. HA conducted 2 deep soil borings with the center of the landfill, and 5 soil boring/groundwater monitoring wells and 5 co-located soil vapor monitoring points outside the perimeter of the landfill. The investigations revealed that the former Town landfill "was significantly smaller than previously believed, was used primarily for the disposal of ordinary municipal solid waste, and has resulted in contaminant conditions that are remarkably benign relative to what typically is found in and around former municipal landfills."

The test results found the landfill is contained to approximately 4.9 acres of the site with waste found at depths ranging from 7.5 ft to 29 ft below ground surface. Results of testing found elevated levels of semi-volatile and volatile organic compounds above reportable concentrations established in the Massachusetts Contingency Plan (MCP). A polychlorinated biphenyl compound (PCB) was detected above its reportable concentration in one location. This finding will require a 120 day notice to the Department of Environmental Protection (DEP).

The groundwater testing found an elevated level of arsenic in one monitoring well located down gradient of the landfill. This one result was above the MCP reportable concentration for arsenic, and is also subject to the 120-day reporting rule.

Methane gas, a typical landfill-producing gas, was detected in two test pits at low levels, but was not detected in other test pits. The site investigation did not identify any evidence of petroleum or other contamination at a former pump house facility located south of the aqueduct.



## 7. Recommendation

The North 40 Steering Committee unanimously recommends the Board of Selectmen acquire the North 40 for municipal purposes. The Committee has three core findings in making this recommendation: the site for over 130 years has been utilized as a Town asset and failure to acquire the site would be a loss for Wellesley residents; the site's size and location as exhibited in this report can serve a variety of municipal needs; and third party development of the site may severely impact the Town's infrastructure with regards to traffic and elementary school student population.

In review of the Committee's Charge, comments addressing the findings of their investigation and analysis of the site, largely addressed elsewhere in the report, are summarized below and are the basis for the favorable recommendation.

### **1. Whether the ability to develop/locate municipal uses on the property satisfies an existing identified need.**

The Committee is in agreement that this process has identified a wide variety of potential uses for the site and that a clear consensus, other than in support of acquisition, has not been reached on those uses suitable for the site. Chapter 4 Inventory of Town Assets and Identification of Needs explicitly identify open space, recreation, affordable housing, schools, neighborhood preferences, and trail amenities needed and desired in Town. In addition to recommending acquisition, the Committee recommends a thorough site development study be prepared with an evaluation of the impact the acquisition would have on Town-wide municipal assets.

### **2. Whether the site is appropriate for the location of municipal uses, and if so, what uses should be considered to be located on the site.**

As identified throughout the report, the Committee has identified various open space, recreation, affordable housing, and school uses for the site. The Community Preservation Committee Representative finds the open space, recreation, and affordable housing uses qualify for CPA funding. The Neighborhood Representatives find the Town must buy the site to control the future development of the site. The Neighborhoods are supportive of passive open space uses on the site which will have the lowest traffic impact on the surrounding area, but have not precluded the potential for additional uses. The Planning Board finds acquisition of the site for any of the identified uses falls within the parameters of the Comprehensive Plan. The Committee is divided on conservancy and development potential, but is united in Town acquisition of the North 40.

### **3. If the Committee determines it is appropriate to relocate and/or consolidate existing uses on the site, whether vacated sites should be repurposed for other municipal purposes or monetized to offset short term and long term costs of the acquisition and/or development of the property. This evaluation should be conducted on a town-wide scale.**

The North 40 Steering Committee focused efforts on the main question of acquisition and did not focus on whether other Town assets would be repurposed, sold, or leased. As noted above, the Committee recommends the next phase of study seek to evaluate potential uses on the North 40 in conjunction with performing a detailed analysis of Town assets to determine the best course of action for asset management and enhancement.

### **4. If the Committee determines it is appropriate to relocate and/or consolidate existing uses on the site what will be the municipal systems impacts (traffic, water, sewer, stormwater, etc) and the potential neighborhood impacts relative to project appearance, access, noise, traffic, parking, lighting, landscape buffers, screening, etc. for the various uses proposed.**

The North 40 Committee finds development of the site would likely increase traffic, but would not have significant impact on water, sewer, electric or stormwater infrastructure. Any development on the site will need significant buffers to minimize impacts to the neighbors, and all efforts will need to be made to reduce noise and lighting associated with any development of the site. Large residential projects would have a significant impact on student enrollment during a time when the elementary schools, particularly the Hardy District where the North 40 lies, is at capacity. The neighbors are concerned about the described impacts, but additionally raise significant concern with the environmental implications of development on the site's habitat, Wellesley College Wellhead Protection Zone, the Town Wells, potential cost, impact, and neighborhood disturbance with any remediation of the landfill, and the increased carbon footprint associated with development of the site.

**5. Whether the relocation and/or consolidation of existing uses to the site would have an impact on Town assets including maintenance costs and responsibilities.**

As noted in #3 above the Committee determined the best course of study was to answer whether the North 40 should be acquired for municipal purposes and to inventory the needs of the Town departments and organizations. The ripple effect of relocating uses on the North 40, or on other Town assets was not contemplated or considered. That being said, the Recreation Report indicates the construction of additional rectangular playing fields on the North 40 may reduce the maintenance cost of the Town's existing fields given the ability to rest grass fields as appropriate.

**6. Whether municipal uses in planning stages are better located on the subject property.**

The North 40 Committee did not evaluate municipal uses in planning stages.

**7. Whether there are any environmental issues on the property which may negatively impact the Town's ownership and development of the property.**

The former Town landfill on the site has been evaluated by Haley and Aldrich and a brief summary of those findings has been received and reviewed by the Town and the North 40 Committee. Additional study of the landfill is needed to determine the necessary remediation and as additional information on the landfill is available, the Town will need to determine how the landfill will be capped or improved. The Committee did not find the presence of the landfill to be a deterrent for acquisition.

The only other regulated environmental issue identified on site is the vernal pool located on the north tip of the site at Turner Road and Weston Road. Given the large acreage of the site and the location of the vernal pool, the Committee finds the impact on development is minimal.

Respectfully submitted to the Board of Selectmen,

**The North 40 Steering Committee**

Don McCauley, Chair  
Deborah Carpenter, Vice Chair  
Allen Port  
Owen Dugan  
Patricia Quigley  
Robert Kenney  
Jim Conlin  
Heidi Gross  
Maria Davis

Tom Fitzgibbons  
David Murphy, Alternate  
Catherine Johnson, Alternate  
Matthew Kelley, Alternate  
Dona Kemp, Alternate  
Steve Burt, Alternate  
Raina McManus, Alternate  
Elisa Romano, Alternate  
Peter Jones, Alternate

**APPENDIX I: REPORT OF THE RECREATION COMMISSION AND THE PLAYING FIELDS  
TASK FORCE  
Dated July, 2014**

**Section 1. Introduction**

The North 40 Steering Committee requested that the Playing Fields Task Force (PFTF) provide its perspective on the current status and availability of athletic fields in Wellesley and to make recommendations on current and future needs.

The PFTF surveyed the Wellesley youth sports groups that utilize playing fields (soccer, lacrosse, football, baseball, softball) to develop data on the changes in the number of teams using recreational fields from 2008 to 2014. In addition, we received input from the Wellesley Athletic Director on the number of high school and middle school teams using recreational fields from 2008 to 2014.

Section 2 includes some background on demographic trends, field inventory, scheduling and maintenance. Section 3 provides a high level analysis of field usage trends and our recommendations for future needs are presented in Section 4.

**Section 2. Background**

Demographic Trends

The population of Wellesley since 1960 has ranged from a low of 26,071 in 1960 to a high of 28,051 in 1970. While there have been fluctuations in the distribution of the age groups over the years the total population has not fluctuated by more than 7.6% over the last 50 years (see table below). However, the number of children participating in certain youth sports that utilize rectangular fields has grown significantly in the last 10 years. For example the youth lacrosse program had 10 teams in 2000, 24 teams in 2008 and 34 teams in 2014, a 240% increase in the number of teams since 2000. In addition, many more children are participating in athletic activities at early ages and several sports have become multi-seasonal in the last decade or so.

<b>Wellesley</b>	<b>1990</b>	<b>2000</b>	<b>% chg</b>	<b>2010</b>	<b>% chg</b>
All Persons	26,615	26,642	0.10%	27,982	5.03%
Under 5 yrs	1,570	1,957	24.65%	1,570	-19.78%
5 - 17 yrs	3,833	4,727	23.32%	5,962	26.13%
18-64 yrs	17,486	16,247	-7.09%	16,585	2.08%
65 yrs and over	3,726	3,711	-0.40%	3,865	4.15%
Source: Bureau of the Census					

Field Development History and Use Characteristics

The last new field to be developed in Wellesley was Tom Lee field in the mid 1990's. While the population has remained relatively stable since that time the number of children in town has grown dramatically (see table above). In addition to, or perhaps as a result of that growth there has been an increase in the number of youth sports teams since then.

Field use is governed chiefly by the type and size of field required for a particular sport and the amount of use that the field can support. For those fields without lights field use is also governed by the amount of daylight and for those with artificial lights, by town imposed limitations on the hours the lights can be operated. Field availability is also governed by the condition of the fields. Periodically weather related issues or intensity of use issues (soil compaction that results in the thinning of the grass) limits the availability of grass fields.

Current Inventory of Athletic Fields and Primary Users

Currently all sports teams (adult, youth and school based) requiring a playing field have access to the following fields in town:

Wellesley Playing Field Inventory				
Name	Owner	Surface	Lights (Y/N)	Primary Users
Fiske School Field	School	Grass	N	Youth Soccer, Youth Baseball
Hardy Field 1	School	Grass	N	Youth Baseball, Youth Soccer
Hardy Field 2	School	Grass	N	Youth Baseball, Youth Soccer
Schofield School Fields	NRC/School	Grass	N	Youth Soccer, Youth Baseball
Sprague School Field 1	School	Grass	N	MS Football, MS Soccer, HS Lacrosse, HS Softball, Youth Soccer, Youth Lacrosse, MS Softball, Youth Softball
Sprague School Field 2	School	Turf	N	HS Lacrosse, HS Soccer, Youth Lacrosse, Youth Soccer, HS Football, MS Football
Sprague School Field 3	School	Turf	N	Youth Soccer, HS Lacrosse, HS Soccer, HS Field Hockey, Youth Lacrosse
Sprague School Field 4	School	Grass	N	Youth Soccer, HS Soccer, HS Lacrosse, Youth Lacrosse, MS Baseball
Sprague School Field 5	School	Grass	N	HS Baseball, MS Field Hockey, MS Soccer, Freshmen Soccer, MS Baseball
Upham School Lower Field	School	Grass	N	Youth Soccer
Upham School Upper Field	School	Grass	N	Youth Baseball
Brown Field	NRC	Grass	N	Youth Baseball
High School Stadium Field and Track	NRC	Grass	N	HS Football, Youth Lacrosse, HS Track, Youth Track
Hunnewell Multipurpose Field	NRC	Grass	Y	Youth Football, Youth Softball, Adult Softball
Hunnewell Park Fields	NRC	Grass	N	HS Field Hockey, HS Soccer, HS Football, HS Baseball, HS Softball, HS Lacrosse, HS Track & Field, HS Cross Country, MS Field Hockey, MS Soccer, MS Track & Field, MS Cross Country, Youth Lacrosse, Youth Soccer
Kelly Field 1 (Bates School)	NRC	Grass	N	Youth Soccer, Youth Baseball
Kelly Field 2 (Bates School)	NRC	Grass	N	Youth Soccer, Youth Baseball
Kelly Field 3 (Bates School)	NRC	Grass	N	Youth Soccer, Youth Baseball
Kelly Field 4 (Bates School)	NRC	Grass	N	Youth Soccer, Youth Baseball
Lee Field	NRC	Grass	N	Youth Softball
Ouellet Field	NRC	Grass	N	Youth Baseball
Perrin Park	NRC	Grass	N	Youth Soccer, Youth Lacrosse
Reidy Field	NRC	Grass	Y	Youth Baseball

These properties have one or more playing fields of varying types including soccer, lacrosse, baseball, softball, field hockey, track & field and/or practice fields (not regulation size fields for competition). Many of the fields, while not necessarily designed to be so, are multi-purpose fields that are used to accommodate multiple sports at different times (or sometimes shared at the same time during peak demand) of the day and year. It should also be noted that several of the fields (Schofield, some of the Hunnewell Park fields and the High School Stadium field) are not ADA compliant.

In addition, due to the existing shortage of adequate rectangular athletic field space in town, Wellesley United Soccer Club (WUSC – youth soccer) leases two fields at Elm Bank Reservation in order to accommodate all of their teams. It should be noted that while WUSC has been able to lease the land at Elm Bank for a number of years, the land is owned by the state and there is no long term guarantee that Elm Bank will continue to be available for use in the future.

#### Regulation Rectangular Field Size Requirements

High School Soccer Field – 60-80 yds wide by 110-120 yds long

High School Lacrosse Field – 65 yds wide by 120 yds long

High School Field Hockey Field – 60 yds wide by 100 yds long

High School Football Field – 53½ yds wide by 120 yds long

#### Scheduling

Scheduling and permitting for the fields is handled by the Recreation Department or the School Athletic Department, depending on the field.

In the spring and fall, the largest field users (the Athletic Department, Youth Soccer, Youth Lacrosse and Youth Baseball/Softball) meet to develop a master use schedule for the needs of their respective programs. These schedules are revised as necessary to accommodate unforeseen changes in needs as the season progresses. The school teams always have priority for the playing fields. The high school and middle school sports programs have exclusive use of the Sprague Fields prior to 6:00 p.m. weekdays, during the school year. This makes it difficult for all the youth sports to get their practices in during the spring and fall due to shorter daylight hours in those seasons. The limited daylight hours and lack of lighted fields means that practices must finish by dusk, thereby necessitating that more fields be available for practices during the relatively short window of daylight after 6:00 p.m.

Opportunities to share fields with other sports are consistently evaluated as scheduling takes place. However, such opportunities are limited. For example, it is difficult for youth sports such as soccer and lacrosse to share fields with baseball or softball as the potential for injury due to stray hardballs flying through the fields is too great.

#### Maintenance

Maintenance of the grass and turf fields is performed by the Department of Public Works Park and Tree Division. Grass field maintenance typically includes include mowing, fertilization, irrigation, cultivation, weed control, over seeding, controlling field use, and controlling pests like insects or diseases when necessary. Turf field maintenance primarily involves infill maintenance.

Due to the current level of sports participation and the shortage of available fields, particularly for the youth soccer program, tremendous stress has been put on many of the existing fields from overuse (e.g., high school stadium field, Hunnewell multipurpose field, Sprague Field 1, Sprague Field 4). The high demand for use of these fields makes it difficult to “rest” the fields during ideal growing seasons (fall and spring). This can result in degradation of the surface quality with the

development of unstable, loose or uneven areas leading to divots and pot-holes resulting in twisting or trip hazards that could cause injury to the participants.

### **Section 3. Field Usage Analysis**

Over the years the number of sports activities and participants has grown in Wellesley while the number of athletic fields available to support activities has not. In particular, participation in two of the four major sports that require rectangular fields has grown meaningfully over the past six years (see Chart on next page).

What is not captured by the number of teams is the frequency of practices and games. Youth sports (except for football) tend to have a 2 or 3 day per week event schedule on average (1 or 2 practices and 1 game). The school sports have a 5 day per week schedule. As a result the number of teams does not correlate equally with the amount of field time needed by the respective school and youth sports.

In addition to the regularly scheduled practices and games of the youth and school sports there are a number of groups who pay user fees, including recreation, youth sports and other third parties that host a variety of camps, clinics and games on the playing fields throughout the year on a space available basis. The lack of available field time does have a dampening effect on adding additional programs that require rectangular fields. As an example, recreation would like to create after school programs (e.g., flag football) that are in proximity to the middle school, that require the use of rectangular fields but is unable to do so due to the lack of field availability.

### **Section 4. Recommendation**

In 2007, the town completed a two year project to develop a Town of Wellesley Ten Year Comprehensive Plan. As described in the Open Space and Recreation section of the plan:

“Open space used for active recreational programs totals approximately 225 acres of Town-owned land. Some of this land is attached to schools and includes school playgrounds and playing fields. As is the case in many communities, demand for athletic fields is growing as sports programs increase resulting in the need for expanded fields year-round. The Town has a limited number of fields and good turf management requires that they be “rested” to keep them from being overused.”

The shortage of playing fields and overuse of fields is not new to Wellesley and continues to be an issue today. With the possible purchase of the North 40 the town has an opportunity to address some of the playing field needs.

Wellesley Playing Field Usage				
<b>Rectangular Fields</b>				
		#	#	
		Teams	Teams	
	Season	2008	2014	Variance
Youth Lacrosse	Spring	24	34	10
Youth Soccer	Spring	160	160	0
	Fall	130	160	30
Youth Football	Fall	5	5	0
School Lacrosse	Spring	6	6	0
School Field Hockey	Fall	5	5	0
School Football	Fall	4	4	0
School Soccer	Fall	9	9	0
	<b>Total</b>	<b>343</b>	<b>383</b>	<b>40</b>
<b>Diamond Fields</b>				
Youth Baseball	Summer	18	18	0
Youth Baseball/Softball	Spring	108	85	(23)
Youth Baseball	Fall	28	24	(4)
School Baseball	Spring	4	4	0
School Softball	Spring	4	4	0
Adult Coed Softball	Spring/Summer	4	0	(4)
Mens Slo Pitch Softball	Spring/Summer	8	7	(1)
	<b>Total</b>	<b>174</b>	<b>142</b>	<b>(32)</b>
<b>Other Fields</b>				
Youth Track and Field	Summer	0	1	1
School Track and Field	Spring	4	4	0
School Cross Country	Fall	4	4	0
	<b>Total</b>	<b>8</b>	<b>9</b>	<b>1</b>

NOTE: The baseball/softball team numbers are estimates based on user fees paid in the respective years.

Based on the number of current sports, leagues, participants and playing seasons for field based sports in Wellesley, the existing shortage of rectangular fields, the limited ability to fully utilize the High School Stadium field due to its condition and the inability to properly “rest” a number of fields which could lead to future harm to those fields, the PFTF has estimated that three additional full size rectangular multipurpose, synthetic turf fields are needed to alleviate the existing shortage. We estimate that lighting the fields would reduce the need from three to two fields. The additional fields would meet the immediate demand, reduce scheduling conflicts, reduce grass field overuse and eliminate the dependency on the Elm Bank Reservation fields. Adding a “bubble” to one or more of the fields would create additional capacity to utilize the fields for indoor sports during the winter.

It should also be noted that the high school track is near the end of its useful life and will need to be replaced within the next few years.

There are several additional considerations that could modify the need for the number of new additional fields:

1. High School Stadium Field – This field is underutilized due to the chronically poor condition of the field. Converting this field to a synthetic turf field would increase the opportunity to optimize the utilization of this field. The addition of lights to this field would increase the number of available field hours, thus reducing the number of new fields needed.
2. Hunnewell Multipurpose Field – This is the only rectangular field with lights in Wellesley. However use of this field is not maximized due to soil compaction issues associated with current levels of use. Converting this field to a synthetic turf field would increase the number of available field hours for this field, thus reducing the number of new fields needed.
3. Sprague Fields Usage – Increasing the number of available field hours for the two synthetic turf fields at Sprague could be achieved with the addition of lights, thus reducing the number of new fields needed.

## APPENDIX II: REPORT OF THE NATURAL RESOURCES COMMISSION

Dated July 22, 2014, Revised September 16, 2014

### NATURAL RESOURCES COMMISSION

Heidi K. Gross, Chairman  
Stephen Murphy, Vice  
Chairman  
Joan E. Gaughan  
Lise Olney  
Raina McManus

Telephone: (781) 431-1019, Ext. 2290  
Facsimile: (781) 237-6495  
Janet Hartke Bowser, Director  
(781) 431-1019 Ext. 2290  
Website: [www.wellesley.ma.gov/NRC](http://www.wellesley.ma.gov/NRC)

#### **It is the mission of the NRC to maintain Wellesley's public open spaces and to acquire additional land when opportunities arise.**

Wellesley College officials recently informed the Town that the land known as the North 40 would be put on the market for sale. This 46-acre parcel more than meets NRC land acquisition goals, as outlined in the ***NRC Criteria for Open Space Acquisition***, which is attached to this report.

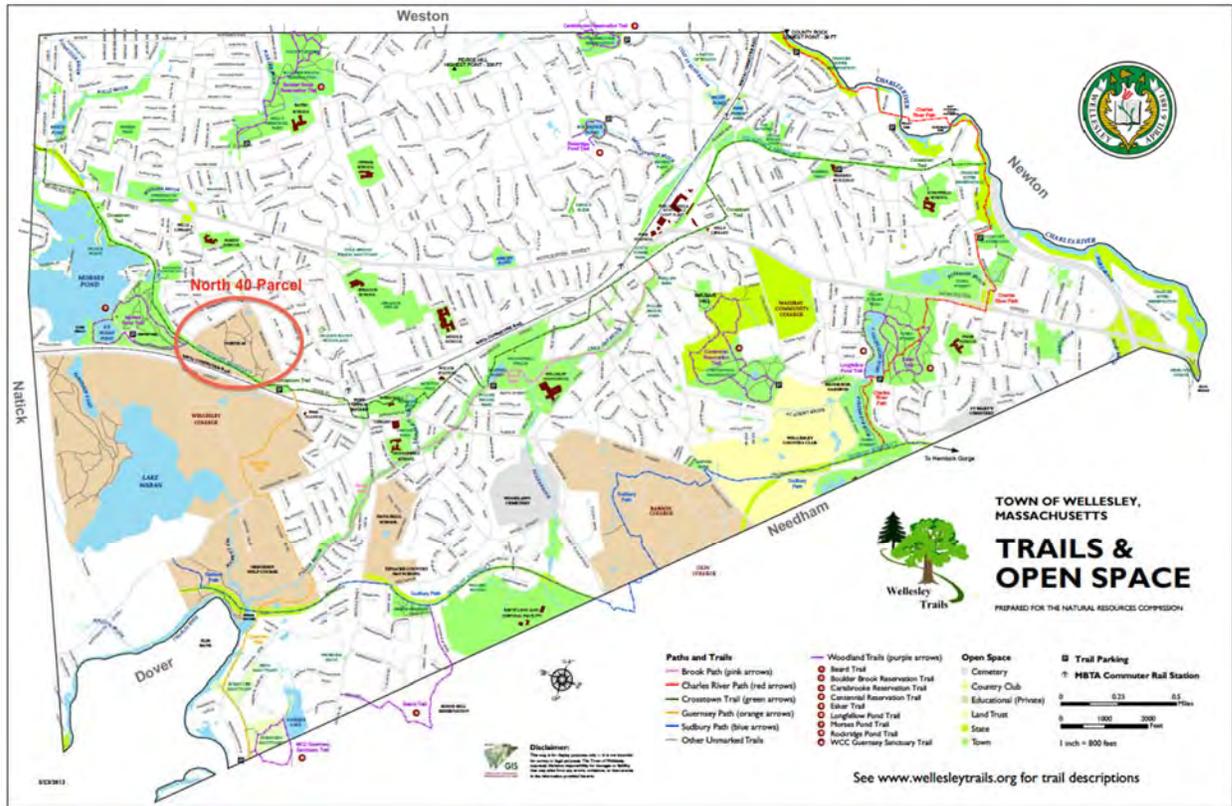
Mostly accumulated from the late 19<sup>th</sup> to the early 20<sup>th</sup> century, Wellesley's open spaces and natural resources provide extensive opportunities for the entire community to engage in, all contributing greatly to the quality of life our residents expect and enjoy.

Additionally, our open spaces provide valuable wildlife habitat and contribute to the health of our environment (and to us) by protecting our drinking water, storm water and cleaning our air.

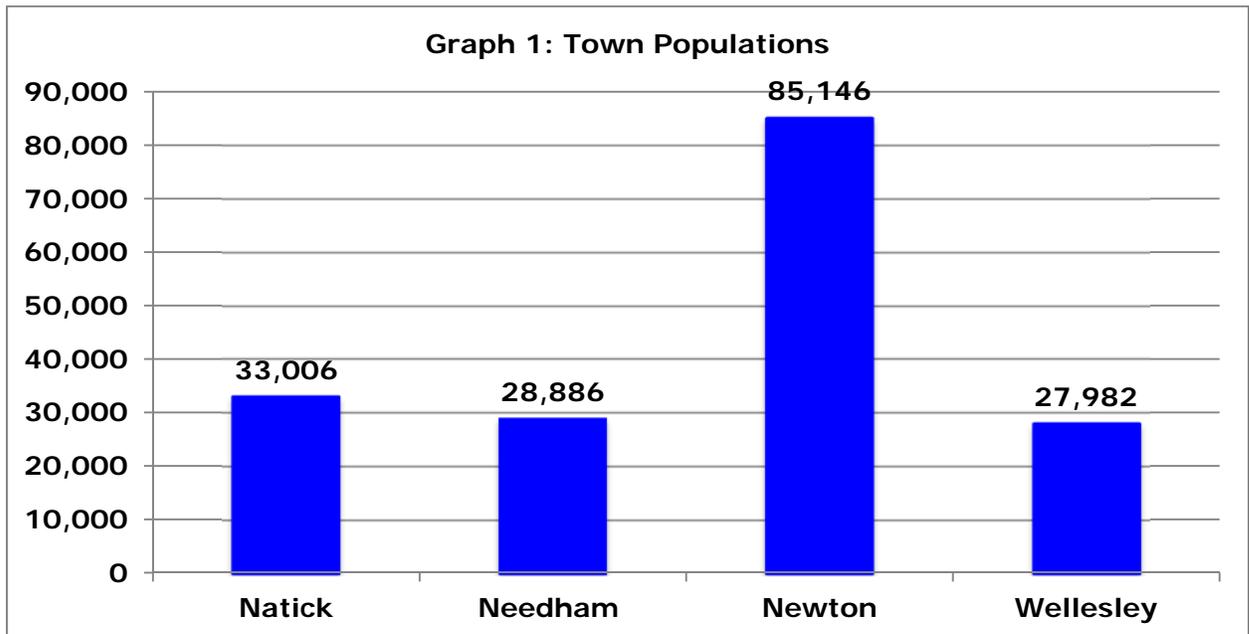
In fact, recognizing the above environmental qualities, our residents have continuously demonstrated their support for the acquisition of open spaces, such as the 1982 purchase of the 40-acre Centennial Park, and most recently, the approval of the Fuller Brook Park Restoration Project. Individual neighborhoods continue to work hard to raise funds to secure and maintain small pocket parks and playgrounds, and their Friends' groups are the go-to assets for the NRC.

The following study carefully examines the benefits of obtaining all – or part – of the North 40 for open space and for recreation, as well as the negative implications of the loss of this land for residents. As comparators for our analysis, we used Natick, Needham, and Newton.

Located on the western side of town, this large undeveloped parcel of land is bounded by Route 135, Weston Road and Turner Road, as shown below in the red circle.

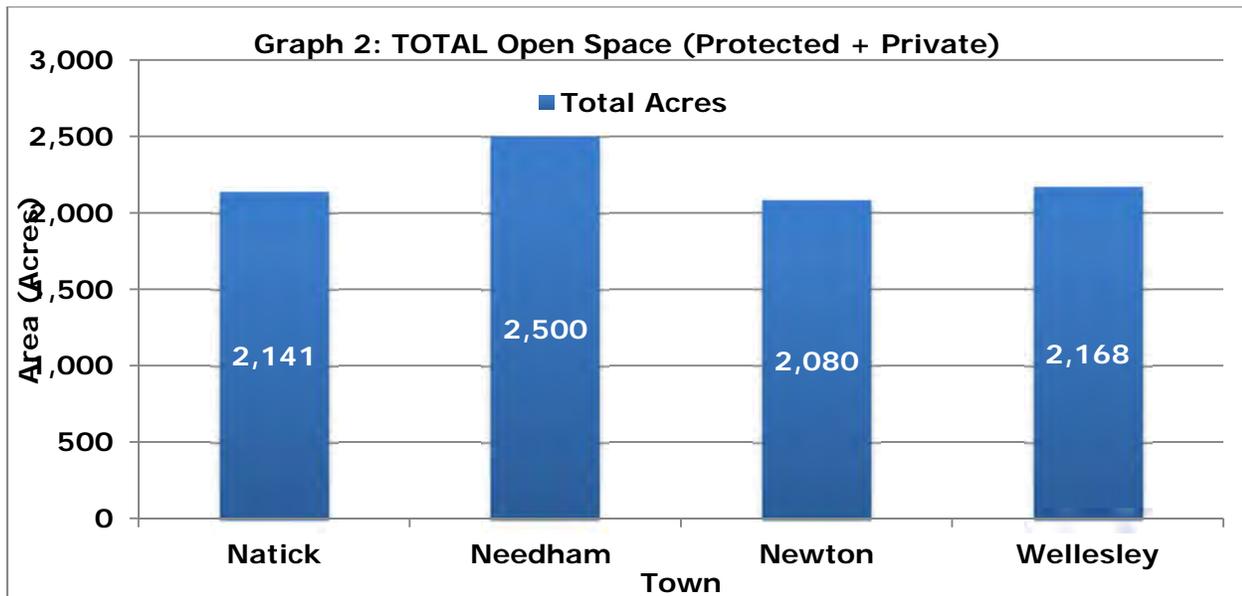


First, let's look at the relative populations of these 3 municipalities as compared to Wellesley. (See Graph 1 below created from the 2010 US Census data). Wellesley has the smallest population of the four municipalities, with Newton having the largest population.



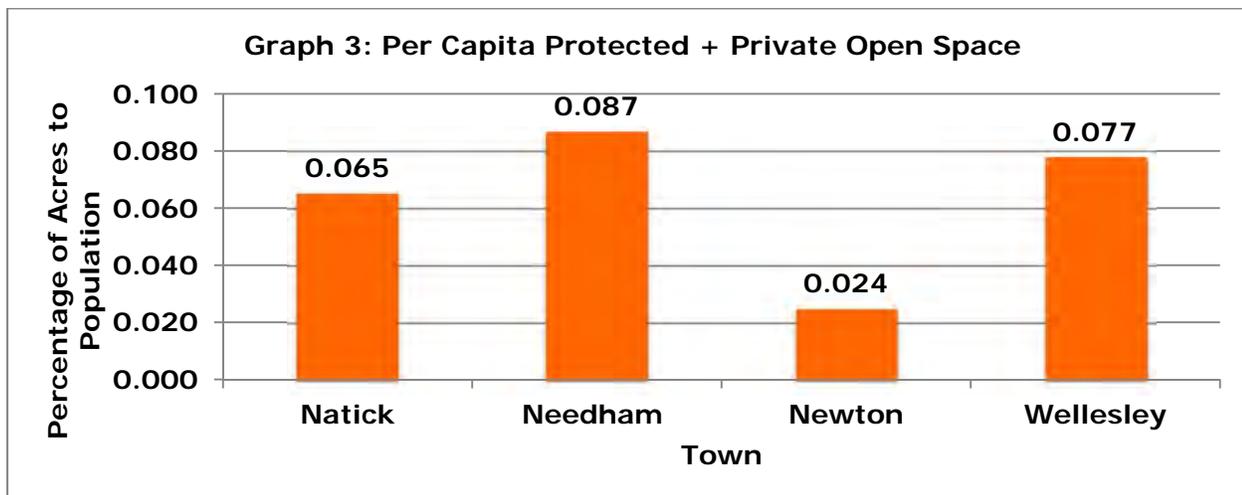
Now, let's examine the total open spaces, including both public protected lands and private unprotected lands.

Graph 2 shows that Wellesley, Natick, and Newton are relatively close in their total open space, with Needham having the largest amount of open space.



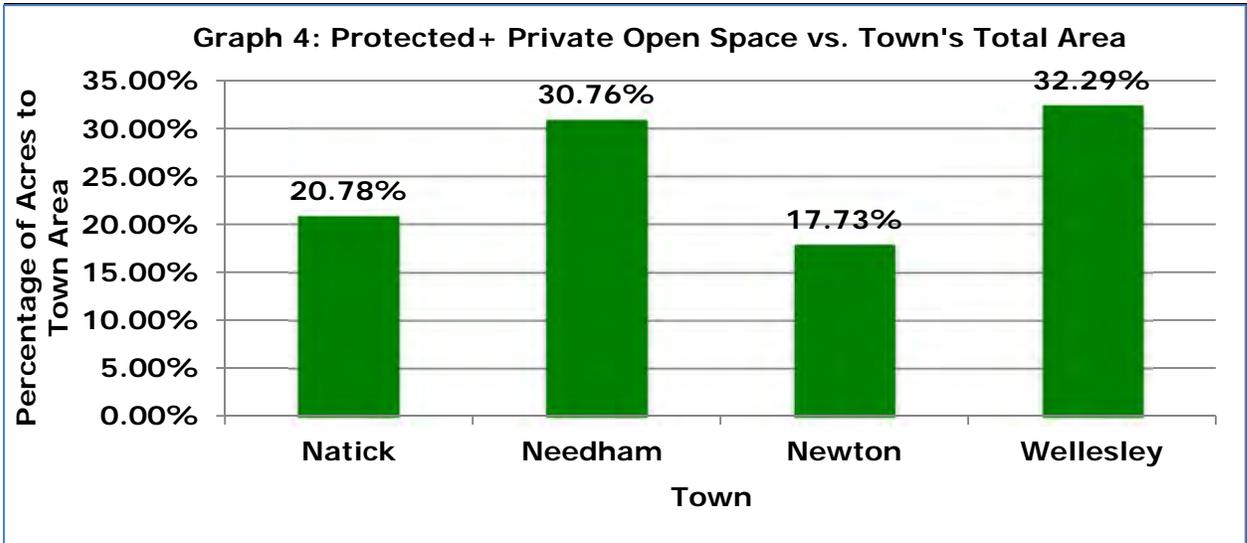
If we combine the data behind Graph 1 and Graph 2, we create Graph 3, which shows the *per capita* values for the total open space versus the population of each municipality.

Note that Wellesley is second behind Needham in its per capita ranking.



Graph 4 shows the percentage of the municipalities' total area that is occupied by its total open spaces.

Note that Wellesley leads with the largest percentage of open spaces in its total municipal area.



However, the above 4 graphs do not provide a complete picture of Wellesley's open space. If we examine the breakdown of the open space into the two categories of *protected open space* and *private unprotected space*, as show in Graph 5, it shows that Wellesley ranks *last* in the percentage of its total open space that is *protected open space*.

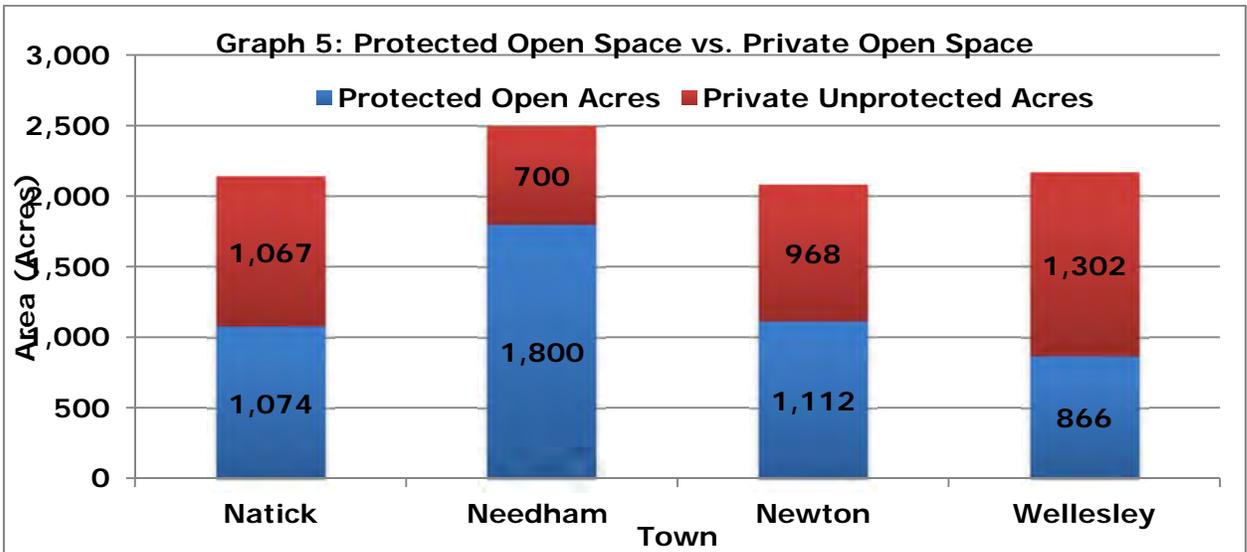
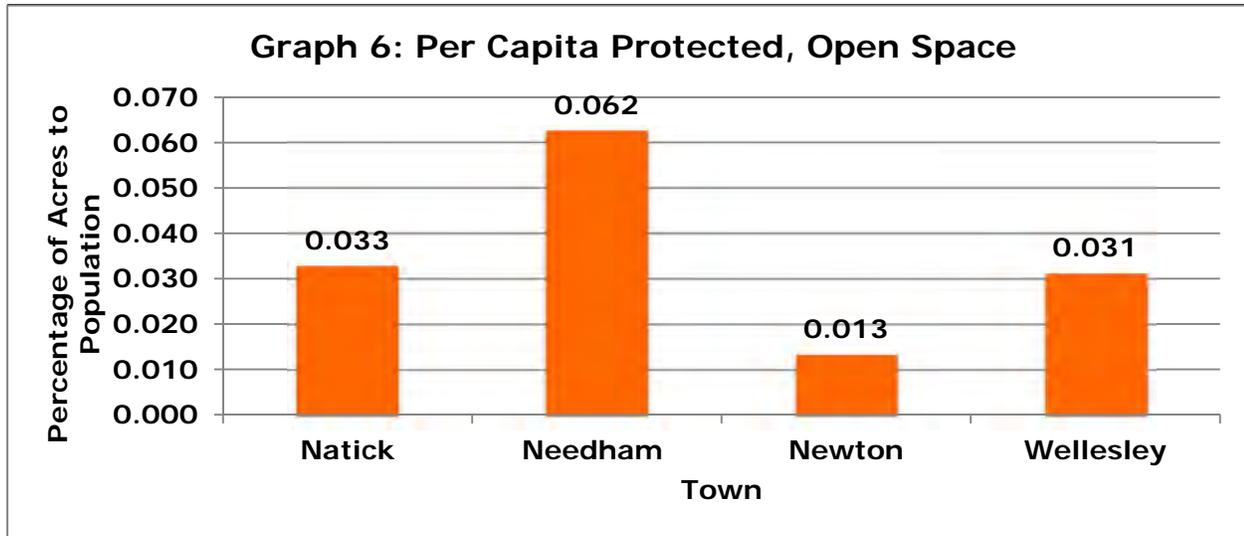


Table 1 (below) provides a percentage view of the protected open space versus private unprotected space.

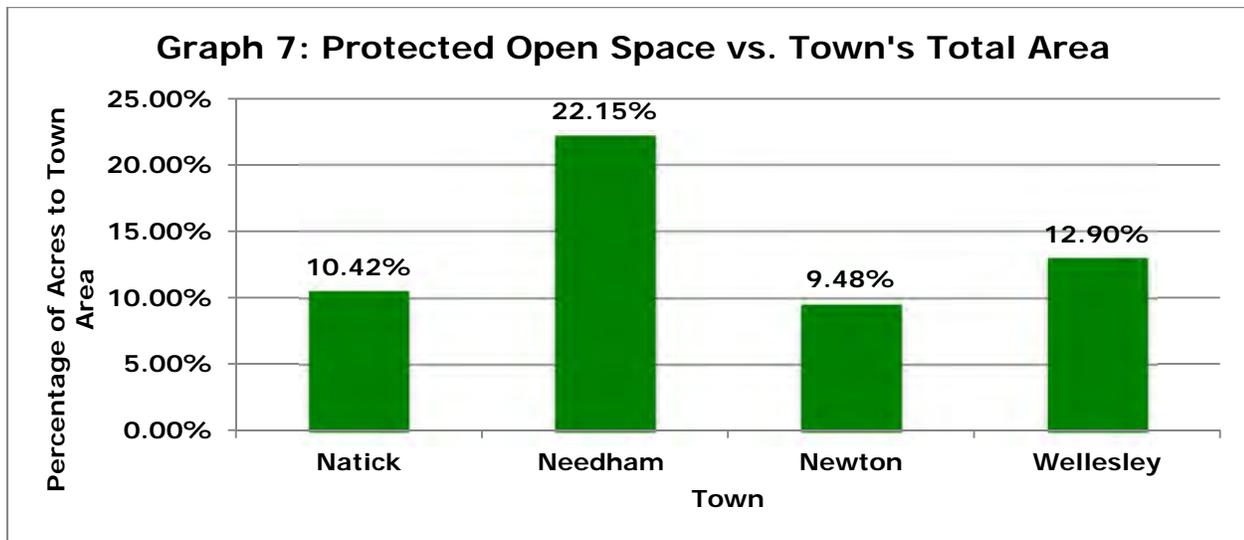
Town	% Protected Open	% Private, Unprotected
Natick	50%	50%
Needham	72%	28%
Newton	53%	47%
Wellesley	40%	60%

Note: 60% of Wellesley's open space is private unprotected space, with only 40% of its open space protected. This puts Wellesley in last place of the four municipalities.

Considering an extreme case where all private unprotected open space is lost, Wellesley would slip from 2<sup>nd</sup> in its per capita rating, shown in Graph 3, to third as shown in Graph 6.



Finally, Graph 7 shows the change in Wellesley's number-one ranking in open space as shown in Graph 4 to a distant second place behind Needham.



Our analysis clearly shows that Wellesley needs to not only preserve its open space, but needs to aggressively acquire more open space to protect against private conversion of the considerable private, unprotected space.

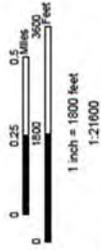
# DEVELOPABLE AND UNPROTECTED OPEN SPACE



TOWN OF WELLESLEY,  
MASSACHUSETTS



Prepared for  
The Open Space & Recreation Plan  
by  
Network & Information Systems  
GIS  
2013

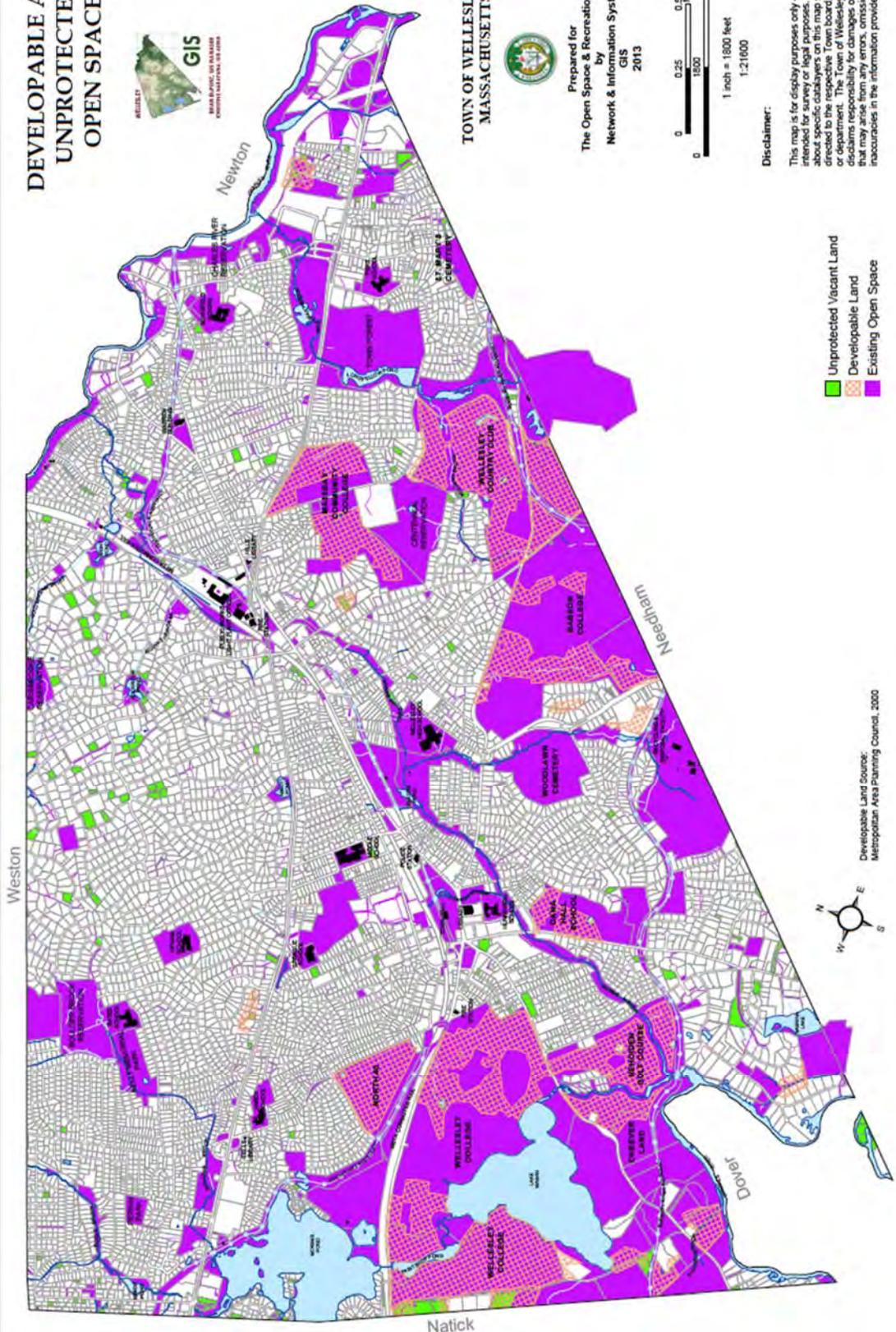


**Disclaimer:**

This map is for display purposes only — it is not intended for survey or legal purposes. Questions about specific stakeholders on this map should be directed to the respective Town board, committee, or department. The Town of Wellesley expressly disclaims responsibility for damages or liability that may arise from any errors, omissions, or inaccuracies in the information provided herein.

Revised 12/2013

- Unprotected Vacant Land
- Developable Land
- Existing Open Space



Developable Land Source:  
Metropolitan Area Planning Council, 2000

## Summary

**As the above analysis makes clear, the North 40 property represents an important opportunity for Wellesley to positively impact its open space assets.**

**Specifically**, acquiring the 46 acres of open space contained in the North 40 will raise Wellesley's open space from 40% to 42%.

Also, this change represents a 5.3% increase in our total protected open space, raising it from 866 acres to 912 acres.

**Additionally**, Wellesley's per capita of protected open space is currently **at 0.031, or 1,350 square feet per person**. The acquisition of the North 40 would increase our per capita protected open space **by 87 square feet, to 1,437 square feet per person**.

**Furthermore**, the town's percentage of protected open space—as a percentage of the entire town's land area—**will rise from 12.90% to 13.58%**.

Please refer to the appendices for detailed maps of the open space of each municipality.

### **Following is the NRC's North 40 Wish List:**

The Commissioners envision more passive and more intensive recreational uses for this site, all centered on the land's natural infrastructure and viability.

This would include (in no particular order):

- Community Gardens
- Trial and Demonstration Gardens
- Walking and Hiking Trails
- Biking Paths – for recreation, and for travel in lieu of Weston Road
- An innovative Playground as center for play and educational opportunities to explore the natural phenomena of the site, as well as a water feature
- Playing Fields for field sports

### **All features would be accessible via trails to encourage alternatives to car use.**

In summary, Wellesley has less open space compared to our neighboring towns. Our residents already heavily use the North 40 for passive recreation, including gardening. The NRC believes acquiring the land would be strongly supported by our community and makes good sense for our Town.

It is well understood that large homes—or any other institutional development—will never serve the civic use and beauty of our Town as will the North 40 as open, passive and recreational space. As our Town Historian, Beth Hinchcliffe, writes in *A Brief History of Wellesley*:

*“And finally, the flower in the (town) seal symbolizes the town's concern for its future. By providing new open space... and by continuing the level of pride in our town shown by Wellesley's leaders throughout the years, Wellesley's residents are pledging to future citizens gifts of immeasurable value: land, the beauty of nature, and the rare treasure of a community truly pledged to cooperation and unity.”*

**NRC CRITERIA FOR OPEN SPACE ACQUISITION**

The Natural Resources Commission evaluates potential open space acquisitions according to the following criteria. The applicability of the acquisition of the North 40 property is identified below:

**I. RELATIONSHIP TO OPEN SPACE GOALS**

A. Is the parcel identified in the Comprehensive Open Space Plan For Conservation or Recreation or does it meet a specific public open space need in terms of location, type of land or resource protection relating to one or more of the following:

Protection of wetlands:	<b>YES</b>
Protection or improvement of water quality:	<b>YES</b>
Active recreational uses (potential for playing fields, access to recreational resources such as the Charles River, regional resources, etc.):	<b>YES</b>
Passive open space uses (conservation, wildlife habitat, nature study areas):	<b>YES</b>
Urban parks in or near shopping and commercial areas:	<b>YES</b>
Neighborhood or pocket parks and buffer areas:	<b>YES</b>
Trail system and open space linkages:	<b>YES</b>

**Would acquisition of the parcel contribute to Town land use goals as expressed in:**

Town zoning regulations:	<b>TBD</b>
The Town's Comprehensive (Master) Plan as updated by the Planning Board:	<b>YES</b>

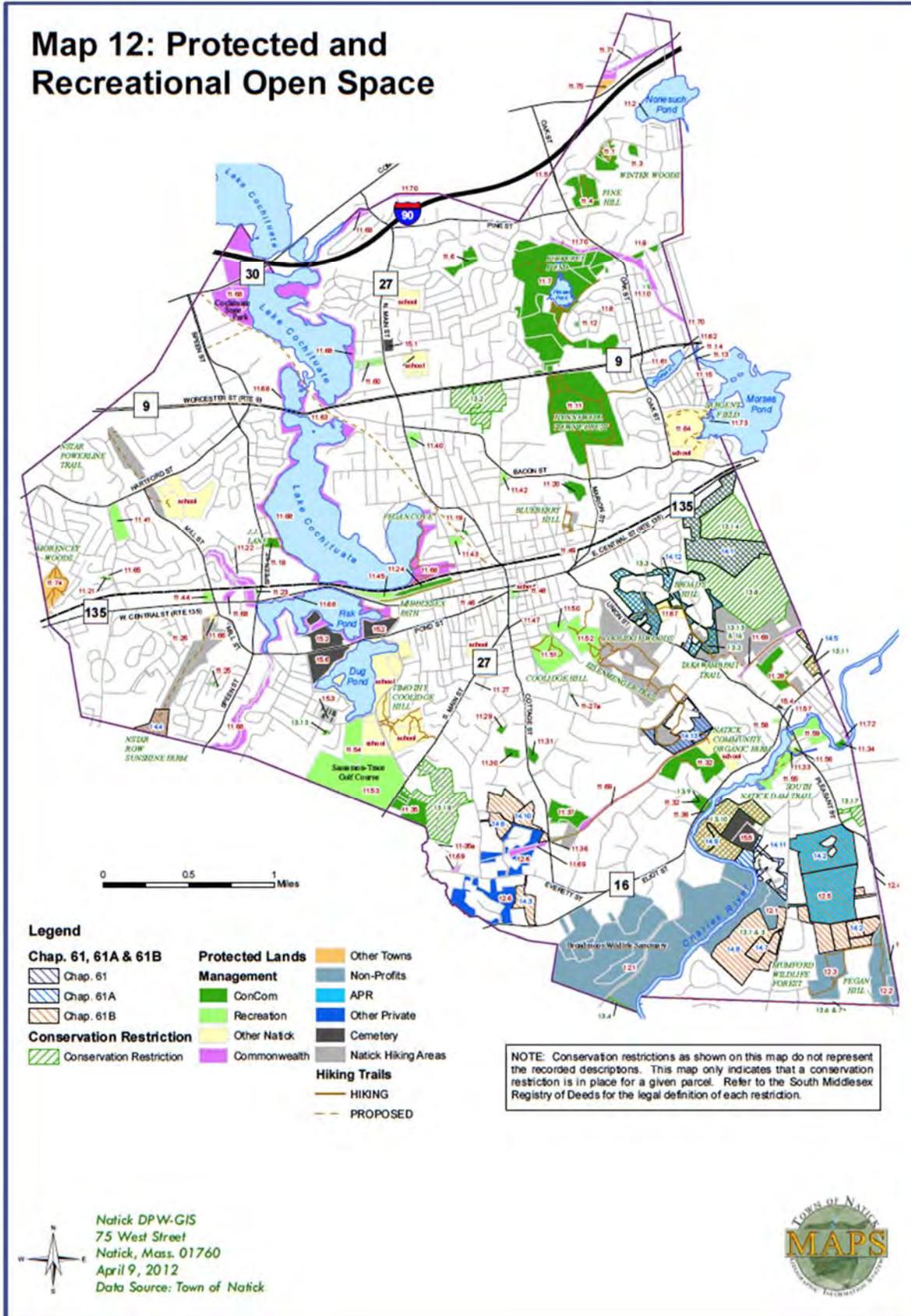
**II. EVALUATION OF THE SITE**

To what degree does the parcel fulfill the need or needs identified above?	<b>ALL</b>
Is the parcel essential in terms of type or location, or is there another parcel owned by the Town or available for future acquisition or public use that would do the job equally well or better?	<b>NORTH 40 PARCEL IS ESSENTIAL</b>
Can the parcel serve several purposes in relation to Town goals or needs?	<b>YES</b>
Can the parcel be linked to adjacent lands to enhance the usefulness of the open space system beyond the parcel's own boundaries?	<b>YES</b>
Is there adequate public access to the parcel?	<b>YES</b>

**III. EVALUATION OF COST/BENEFIT EQUATION**

Does the cost of acquiring the parcel bear a favorable relationship to the parcel's public value as open space?	<b>YES</b>
Are there indirect costs that this acquisition would incur, such as unusual maintenance needs, insurance costs, etc.?	<b>NONE IDENTIFIED</b>
Are there alternatives to outright acquisition in fee, such as acquiring development rights, conservation easements or restrictions, zoning, wetlands regulation, cooperative use arrangements, etc.?	<b>TBD</b>
What are the possible sources of funding for the acquisition (state or federal grants, public fundraising, neighborhood contributions, etc.)?	<b>PRIMARY SOURCE FOR OPEN SPACE ACQUISITION WOULD BE CPA FUNDS</b>

Appendix II-A – Map of Natick’s Open Space





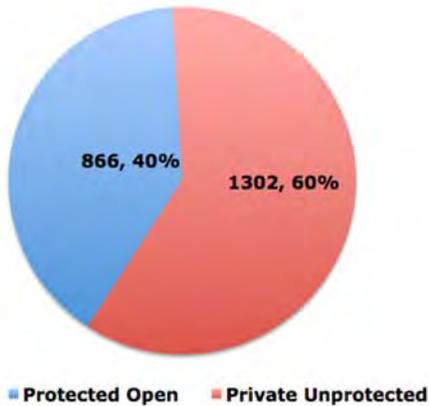




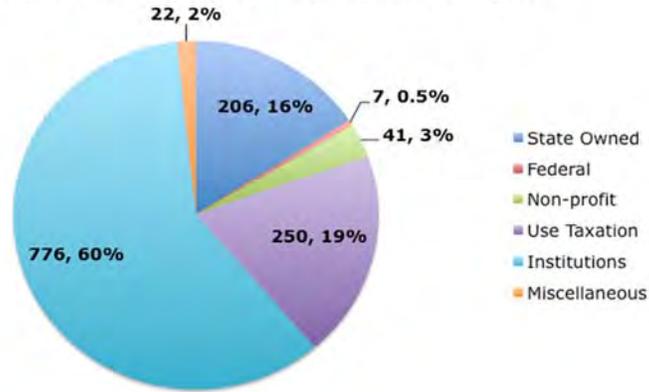
## Appendix II-E – Breakdown of Wellesley’s Open Spaces

Chart 1 below shows a breakdown of Wellesley’s public protected open space versus the private unprotected open space. Chart 2 shows the breakdown of the private unprotected 1,302 acres.

**Chart 1: Breakdown of Public Protected vs. Private Unprotected Open Space (acres)**



**Chart 2: Breakdown of Private Unprotected Space**



## REFERENCES

Population numbers are from the 2010 US Census

NATICK: Natick Open Space and Recreation Plan 2012

<http://www.natickma.gov/sites/natickma/files/file/file/natickosrpfinal.pdf>

Page 1: The inventory of Lands of Conservation and Recreation Interest identifies 1074 acres of protected open space and recreation land owned by the Town, State and abutting towns.

Page 54: 1067 Acres of Unprotected Privately owned Parcels

NEEDHAM: Town Of Needham Community Preservation Plan, October 14, 2005, Amended March 26, 2014

<http://www.needhamma.gov/documentcenter/view/9621>

Page 12: 1800 Acres of Permanently Protected Open Space (2500 Acres of Designated Open Space)

NEWTON: City of Newton Recreation and Open Space Plan Update 2013-2017

<http://www.newtonma.gov/civicax/filebank/documents/45077>

Page 38: Inventory of Lands of Conservation and Recreation Interest

WELLESLEY data compiled from the: Inventory of Lands of Conservation and Recreational Interest, on file with the NRC

There are 2,168 acres of open space in Wellesley. Of this open space, 866 acres is Town land that is protected. These lands include parkland, playing fields, playgrounds, the Cochituate Aqueduct, and the RDF.

An additional 1,302 acres are considered private open space. These 1,302 acres include State and Federally owned lands such as Mass Bay Community College, the Sudbury Aqueduct, and the National Guard; land trusts; educational institutions and cemeteries; lands that benefit from tax relief such as lands under conservation easements/restrictions and golf courses.

**Appendix II-F – THE NORTH FORTY: *The Heart of a Neighborhood***  
***Together with Fuller Brook Park and the Centennial Reservation, the North Forty is the***  
***third Jewel and the one we should not lose.***  
**The numbers speak for themselves:**  
**Only 40% of Wellesley's open spaces are protected.**

In order to discover the real benefits these 46 acres provide to the Town of Wellesley, and what they mean to the abutting neighborhood, we need to take a closer look:

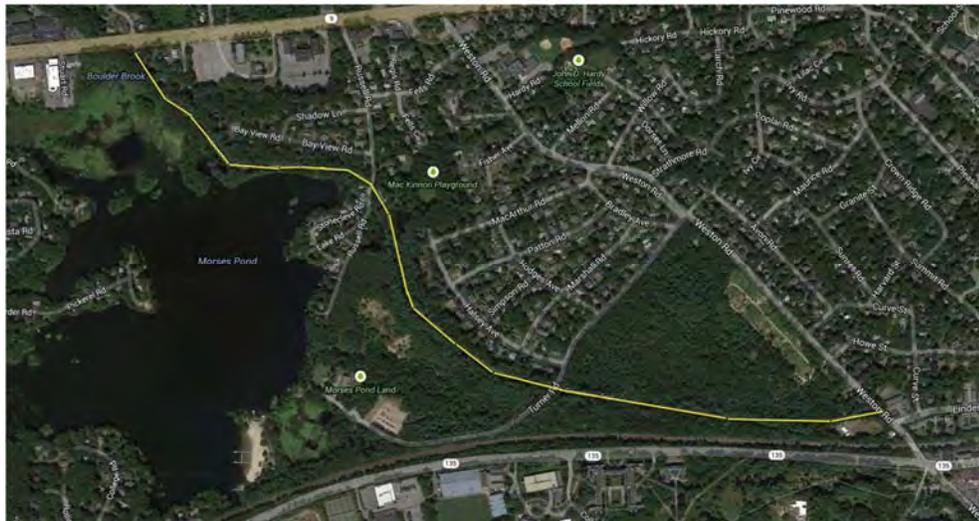
For many decades, Wellesley College has allowed our community the use of the North 40 for passive recreation of all kinds, which are particularly important to the residents of this densely populated part of town surrounding it. Combined with adjacent Morses Pond, this open space -- just steps from busy downtown -- gives the Town's residents the opportunity to be immersed in virgin nature, passive and active recreation.

Dotted throughout Wellesley, our open spaces offer respite from our busy lives and provide nourishment for our spirits. These areas are the touchstones of our Town, the hearts of our neighborhoods. Residents love and use their abutting open spaces, like Fuller Brook Park, Boulder Brook, Carisbrooke and Centennial Reservations, Town Forest and Longfellow Pond, every day.

Similarly, the North 40's 46 acres are used and beloved by residents at this western end of town. Losing the North 40 would be like removing the heart from this neighborhood, and a great loss for the Town's inventory of parkland and open spaces, protected or unprotected.

While it can be hard to convey the emotional reasons open spaces are so valued in our Town, we are offering the following 10 realistic reasons to purchase the North 40 outright

**TEN REASONS TO PRESERVE THE NORTH 40**



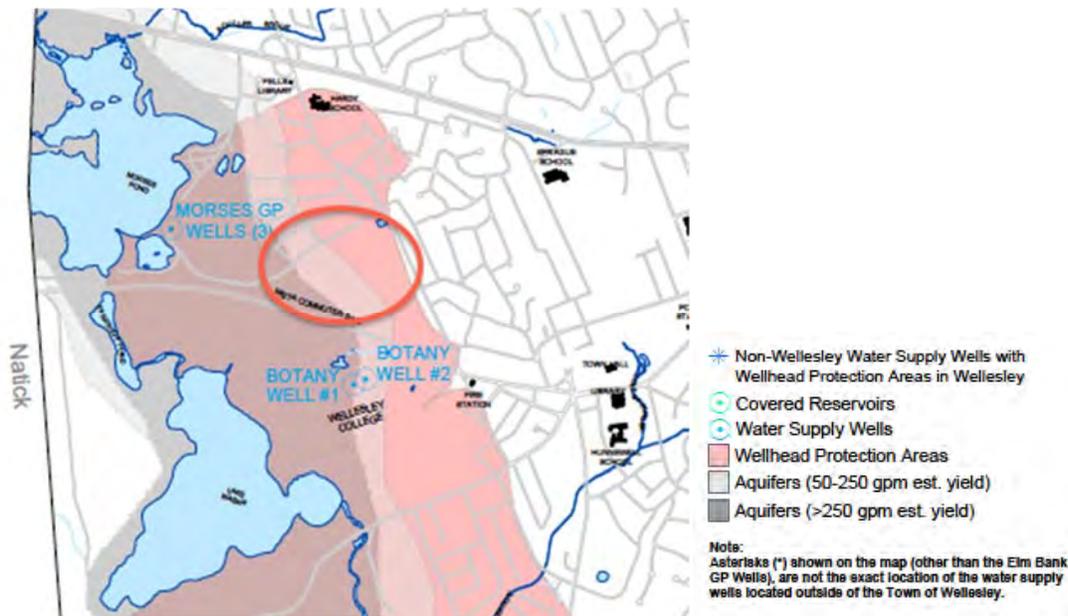
**1. THE CROSTOWN TRAIL**

...is the pride of the NRC's all-volunteer Trails Committee, and heavily used by all Town residents; this part of the Crosstown Trail is perhaps the most scenic. It has views of Morses Pond, tall stands of pine trees, and a variety of dense wooded terrain, much of it unique to our geographic area. To walk it means one never sees a structure or car. It runs from Route 9, right through the North 40, and into Town.



## 2. EXERCISE FOR ALL

Walking, hiking, biking, running, cross-country - there's nothing better than a workout in nature. Children play on the land, climb on boulders, and experience nature as they used to, before plastic swing sets and scripted activities became the norm.



## 3. CLEAN WATER & LAND

The orange oval on the above Wellesley Groundwater Resources Map\* approximately shows the location of the North 40. The pink area indicates the Wellhead Protection Area. The light and dark grey areas indicate the location of underground aquifers. The area is a MassDEP Zone 2 Water Supply Protection Area. Simply stated, this land allows the rain and snow to return to ground water wells and be reused. The area provides natural flood protection to nearby properties and streets; vegetation, soils and roots naturally filter and clean the water. While the North 40 is very beautiful, it's much more than just a pretty face.



#### **4. WILDLIFE**

The North 40, along with next-door Morses Pond, provides important wildlife habitat. Snakes, bats, hawks and foxes keep our rodent and mosquito populations in check. Allowing our wildlife their own space helps keep them out of ours. A sensitive vernal pool occupies the site; the vernal pool is protected under state and local bylaws.



#### **5. VEGETATION**

Home to diverse and abundant moss, lichen, fungi, flora, and fauna, foliage and berries provide food for birds and animals. Roots protect against erosion, and help maintain our valuable topsoil.



#### **6. THE GARDENS**

They are the spirit of the North 40. Residents from all walks of life meet, greet and bond over the vegetables. The Community Gardens exemplify the true meaning of community.



## 7. COMMUNITY SERVICE

Many community gardeners generously donate produce weekly to the Wellesley Food Pantry. Students and Scouts volunteer and learn how good it feels to give back.



## 8. NO NEW TRAFFIC

We're all frustratingly familiar with the current traffic situation on Weston Road and surrounding streets. Why add more cars? Walking paths and bike trails alleviate traffic by providing alternate and safe transportation. These paths could be expanded to further mitigate traffic.



#### **9. PEACE and BEAUTY**

Both have value and add meaning to our lives. The North 40 provides 46 acres of serenity for reflection, bird watching, star-gazing -- the chance to commune with nature. That's priceless!



#### **10. AND -- IT'S FREE!**

Once purchased, keeping the North 40 as open space costs ZERO - nothing. The DPW estimates that a residential development of 80-100 homes would cost the Town approximately \$200K annually in upkeep of new roads alone. More homes mean more families and additional students for our schools. Leaving the land undisturbed is the most cost-effective way to preserve this jewel.

Our open spaces provide all these things and more. They are a gift we give to ourselves and to future generations.

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\* Wellesley Groundwater Resources map:  
[http://www.wellesleyma.gov/Pages/WellesleyMA\\_Planning/7.3.pdf](http://www.wellesleyma.gov/Pages/WellesleyMA_Planning/7.3.pdf)

Thanks to Jean Wiecha, Jack Davis, the Wellesley Trails Committee, and Save the North 40 for their use of photography. Thanks also to Drs. Judith and Giles Boland for their comments and support.

**APPENDIX III: REPORT OF THE SCHOOL COMMITTEE**  
**Dated August 25, 2014**

**PURPOSE OF THIS REPORT**

In preparation of a recommendation to the Board of Selectmen, the North 40 Committee has asked each board to answer two questions:

1. Is there value to your department if the town were to purchase the North 40? If so, give us your vision.
2. What would be the impact on your department's operation if the North 40 were to be purchased by a private developer?

**PREPARATION OF THIS REPORT**

To answer the questions on behalf on the School Committee and school administration, KC Kato and Patti Quigley used the following resources to gather information:

The School Facilities Committee (SFC)  
Symmes Maini & McKee Associates (SMMA)  
Brian DuPont – manager of the Geographic Information Systems (GIS)  
Judy Belliveau – Assistant Superintendent of Finance and Operations  
Meghan Jop – Deputy Director of General Government Services  
Department of Elementary and Secondary Education (DESE)

**ASSUMPTIONS MADE FOR THIS REPORT:**

- Only considered current school property and the North 40 property
- Only a high level analysis was performed (detailed analysis would be performed when a decision is made but is unnecessary at this time)
- The North 40 land conditions are found to be safe and suitable for children and their educational needs
- The town finds a suitable solution to the traffic impact
- 0.78 students/house sale between Nov'09 and Oct'13 for typical development
  - 61.1% K-5
  - 18.0% MS
  - 21.0% HS
- 0.84 students/household (K-12) for 40B (affordable housing) development
  - 51.3% K-5
  - 19.6% MS
  - 24.1% HS
- 10% of Wellesley students attend private schools
- Cost per student FY13: \$17,149 (DESE K-12)

**QUESTION ONE**

**Is there value to the school department (WPS) if the town were to purchase the North 40? If so, give us your vision.**

In short, YES, there is value to the WPS in the purchase the North 40 property.

An SMMA study evaluated all WPS buildings and found 3 of Wellesley's elementary schools will require significant renovations or replacement over the next 5-7 years. If the North 40 parcel were available, the land suitable and a reasonable traffic plan possible it could potentially be a wonderful site for a school. A new school with 4 or 5 sections per grade requires approximately 12 acres of land to support a building, adequate parking, a playground and a multipurpose field.

The remainder of the North 40 would be available for alternative uses such as recreation, open space (trails and parks), community gardens, housing, etc.

The value of building on the North 40 site is less economically quantifiable but would have a significant impact on the students, teachers, parents, administration and the town as a whole. Some of the considerations include:

- Enabling the town to build on an open site, free of the challenges of building next to an in-use building
- Less disruption to the town and students during construction
- Ability to develop an optimal building layout and site circulation plan
- No swing space needed for the long term plan

See attachment A and B for more details on the analysis by the SFC

If an alternative open site were to become available for a school, especially one that is better situated for distribution of students, has less traffic issues and fewer constraints, the SFC recommends the town consider it for a school site. Having any open space site, which currently does not house an in-use school, provides the same value as the North 40 property to the schools.

## **QUESTION TWO**

**What would be the impact to WPS if the North 40 were to be purchased by a private developer?**

If a private developer purchases the North 40 and the development does not add students (e.g., senior housing), WPS can support the existing students on two of our current sites. However, further study is needed to determine the exact school configuration - replacement or renovation and which site. The SFC has evaluated the Hardy, Hunnewell and Upham sites and, although rough capital cost estimates are available, it is still too preliminary in the discussion to know exactly which sites would be used and which sites would be closed. This discussion requires greater analysis and community input.

If a private developer purchases the North 40 and the development does add students, then the enrollment and facilities capacity data would need to be revisited. It is likely the Town would need to replace and/or renovate and/or enlarge all three sites - Hardy, Hunnewell and Upham.

For a typical development, based on town zoning regulations, the North 40 site could fit up to 100 residential houses of approximately 3600 square feet (3-4 bedroom) each. We estimate 70 students could be added to the WPS at cost of \$1,200,430 per year for the town (no inflation impact).

For a 40B, non-senior housing, development, the North 40 could fit up to 300 residential units. We estimate 252 students could be added to the WPS at a cost of \$4,321,548 per year for the town (no inflation impact).

These costs are the operating cost to the schools and do not include the SFC capital cost estimates.

See Attachment C for more details on the analysis by GIS

## **ATTACHMENT III-A – SFC AUGUST 6, 2014 MEETING REPORT**

To: The School Facilities Committee  
From: KC Kato, SFC Chair

***If the Town were to purchase the North 40, given the need to replace and/or renovate 3 existing schools, the SFC recommends that we consider the North 40 for a new school site.***

- The construction costs of a new building on the North 40 or building a new building on the Hardy site are quite similar. A North 40 school project would require the inclusion of utilities and roads not currently in place.
- The value of building on the North 40 site is less economically quantifiable but is significant.
  - It would enable the town to build on an open site, free of the challenges of building next to an in-use building.
  - Less disruption to the town and students during construction.
  - Ability to develop an optimal building lay-out and site circulation plan.
  - No swing space needed for the long term plan.
- Any school configuration requires further study in the following areas:
  - Traffic, impact on site, impact to neighborhood and surrounding roads
  - Location of students - where might the redistricted lines be? Is there enough students in the nearby geography to support a school? (currently, the high density of students is in the NW and W part of Wellesley)
  - And then which school(s) would remain and which school(s) would close? Given the number of students, the geography of those students and the roadway infrastructure, how might this drive the decision?'

***If an alternative open site were to become available for a school, especially one that is better situated, has less traffic issues and fewer constraints, the SFC recommends we consider it for a school site.*** Having any open space site, which currently does not house an in-use school, provides the same value as the North 40 to the schools.

***If the Town was to not purchase the North 40 and there was NOT development, which added students (e.g., senior housing), the SFC believes we can support the existing students on two of our current sites.*** However, it recommends further study to determine the exact schools configuration; replacement and/or renovation and on which site or sites. The SFC has evaluated the Hardy, Hunnewell and Upham sites. And although we do have rough cost estimates, it is still too preliminary to know exactly which sites we would use and which sites we would close. This discussion requires greater analysis and community input.

***If the Town was to not purchase the North 40 and it was developed with housing which added students, then the enrollment and facilities capacity data would need to be revisited. It is likely we would need to replace and/or renovate and/or enlarge all three sites - Hardy, Hunnewell and Upham.***

***There are several options of size and combination of schools that could meet the needs of the Wellesley Public Schools.***

Attached are rough cost estimates for various schools. In reviewing the cost estimates, please note the following:

- Any school configuration requires further study in the following areas:
  - Traffic, impact on site, impact to neighborhood and surrounding roads
  - # of students and geographic distribution -- Location of students - where might the redistricted lines be? Are there enough students in the nearby geography to support a school? (Currently, the highest density of students is in the NW and W part of Wellesley.)
- Cropper projections indicated a need for 850 students cross the areas we are considering
- The SC and SFC recommended we develop scenarios for 1100 students across the areas (10% increase in TOTAL elementary enrollment which is 2250 including Schofield, Fiske, Bates and Sprague)
- The consensus of SFC, SC and the School Administration is that there are advantages to larger schools. Operating efficiencies, the ability to manage class size (less unevenness of class size), teacher collaboration and professional development, more district wide approach to teaching and curriculum, etc. There is also construction cost efficiencies (cost per student) when building larger schools. Therefore, we had SMMA developed cost estimates for schools sized at 425 students (3 sections/grade), 536 students (4 sections/grade) and 660 students (5 sections per grade). (interesting fun fact -- when Sprague and Bates were considered for renovations, the initial plan considered was 24 sections - 4 sections per grade. The town ended up building slightly smaller, but just a few years after both Sprague and Bates were opened, we needed to add 7 modulars between Fiske and Schofield.)
- For Hunnewell
  - Although SMMA did do some cost estimating for a new school and larger schools, they have been rejected.
    - A new school does not really fit on the site without taking down the current building first (due to wetlands).
    - Due to the small site, there is already a lack of parking. The town would need to consider expanding parking at the Cameron lot.
    - Due to the site constraints and size, the optimal Hunnewell solution is a renovated school of 425 students.
- For Upham
  - Although SMMA did do some cost estimating for a renovation/addition, it was rejected
    - The addition would be significantly greater than the renovation.
    - There is no cost advantage to doing a renovation
    - The resulting school from a renovation would be suboptimal - flow, educational program, parking, site circulation
  - The back part of Upham is quite big and could support a larger new school
  - However, due to the low density of housing and thus students, if we build it, will they come? Or how would we fill it?

- For Hardy
  - After the North 40, this is the easiest and most cost effective site to build a new school while still using the original school.
  - Building a new school in the back would allow the development of a better site circulation plan.
- The rough cost estimates do not include MSBA reimbursement. MSBA reimbursement, if invited, might contribute up to 30% of the cost of 1 school.
- The cost estimates assume starting construction mid-2016 and therefore have incorporated the appropriate escalation factor. Later start dates would increase the costs by an escalation rate of 3.5% per year.
- The cost estimates do not take into consideration the cost to maintain Hardy, Hunnewell and Upham while we wait to replace and/or renovate buildings. While we work through the process of the North 40 and begin the facilities plan, our schools and specifically the modulars are getting older and will require some investment/work to be usable by students and staff.

As you can see, there many options to consider. The School Facilities Committee will be on hiatus until the North 40 decision has been reached.

**ATTACHMENT III-B – SFC COST ANALYSIS**

Total Costs

# Students	# of Sections Per Grade	North 40-New	Hardy-New	Hunnewell-Reno	Upham-New
425	3	N/A	N/A	\$ 35,019,279	N/A
536	4 \$	42,427,645	\$ 42,657,561	N/A	\$ 46,939,601
660	5 \$	47,494,312	\$ 47,867,356	N/A	N/A

Cost Per Student

# Students	# of Sections Per Grade	North 40-New	Hardy-New	Hunnewell-Reno	Upham-New
425	3	N/A	N/A	\$ 82,398	N/A
536	4 \$	79,156	\$ 79,585	N/A	\$ 87,574
660	5 \$	71,961	\$ 72,526	N/A	N/A

# Students	Combo	North 40-New	Hardy-New	Hunnewell-Reno	Upham-New	Total	Cost/Student
961	Hardy 536/ Hun 425		\$ 42,657,561	\$ 35,019,279		\$ 77,676,840	\$ 80,829
961	Upham 536/ Hun 425			\$ 35,019,279	\$ 46,939,601	\$ 81,958,880	\$ 85,285
961	N40 536/ Hun 425	\$ 42,427,645		\$ 35,019,279		\$ 77,446,924	\$ 80,590
1072	Hardy 536/ Uph 536		\$ 42,657,561		\$ 46,939,601	\$ 89,597,163	\$ 83,579
1085	N40 660/ Hun 425	\$ 47,494,312		\$ 35,019,279		\$ 82,513,591	\$ 76,049
1085	Hardy 660/ Hun 425		\$ 47,867,356	\$ 35,019,279		\$ 82,886,635	\$ 76,393

## ATTACHMENT III-C – GIS ANALYSIS

Town of Wellesley, MA  
Information Technology Department  
Geographic Information Systems Office



**Brian C. DuPont, GIS Manager**  
**Christine Narayana, GIS Administrator**

TO: Patti Quigley, K.C. Kato  
DATE: July 22, 2014  
**SUBJECT: School-Age Population Projections for Potential North 40 Development**  
CC: Hans Larsen, Meghan Jop, David Lussier, Judy Belliveau

Ms. Quigley and Ms. Kato,

After a statistical and spatial analysis of the Town's Assessors' database, Annual Census, and GIS database, as well as information from the 2010 U.S. Census, I estimate that each new household from the traditional subdivision of the North 40 into single-family lots would yield an additional **.85 to 1.0 children under 18** to Wellesley's existing population. My analysis is detailed on the pages that follow.

Using these numbers as an estimate, a 100 lot subdivision on the North 40 property would likely add somewhere between 85 to 100 children to Wellesley's population. My analysis also indicates that the average age of these incoming children would be **noticeably younger** than the average age of all children in Town, and greater impacts may be felt at the elementary schools. Roughly 25% of these incoming children would be under the age of 5, 45% would be between the ages of 5 and 10 (K-5<sup>th</sup> Grade), and the rest would be old enough to attend Middle School or High School.

The estimates above are for *total children*, not necessarily new *WPS students*. Presumably, a certain percentage of these children would attend private schools vs. Wellesley Public Schools. I'm confident that the WPS Business Office can get you estimate of that percentage.

The estimates above are also for a traditional subdivision. Children from an apartment or condo-style development would likely be very different, depending on the number and composition of the units (# of bedrooms, age restrictions, etc...).

Please don't hesitate to contact me if you have any questions or concerns about any of this information...

Regards,



Brian DuPont

**Residential Sales** (source: Assessors' Office)

- **8821** properties in Wellesley
  - Excludes apartments
- **1512** residential properties bought/sold between Nov. 2009 and Oct. 2013.
  - Excludes purchases/sales less than \$100K.
  - Includes new residents, as well as current residents moving *within Town*.
  - Analysis includes 4 years of sales to account for families that had their first child immediately *after* moving to Wellesley.

**Child Population** (source: Town of Wellesley Annual Census, received Oct. 2013)

- **6199** children between the ages of 2 and 17 (birth date between 9/1/1996 and 8/31/2012) residing in Wellesley as of Oct. 2013.
  - Because of the timing of the Annual Census, information on residents younger than 2 was incomplete at time of receipt.

**Children / Sale**

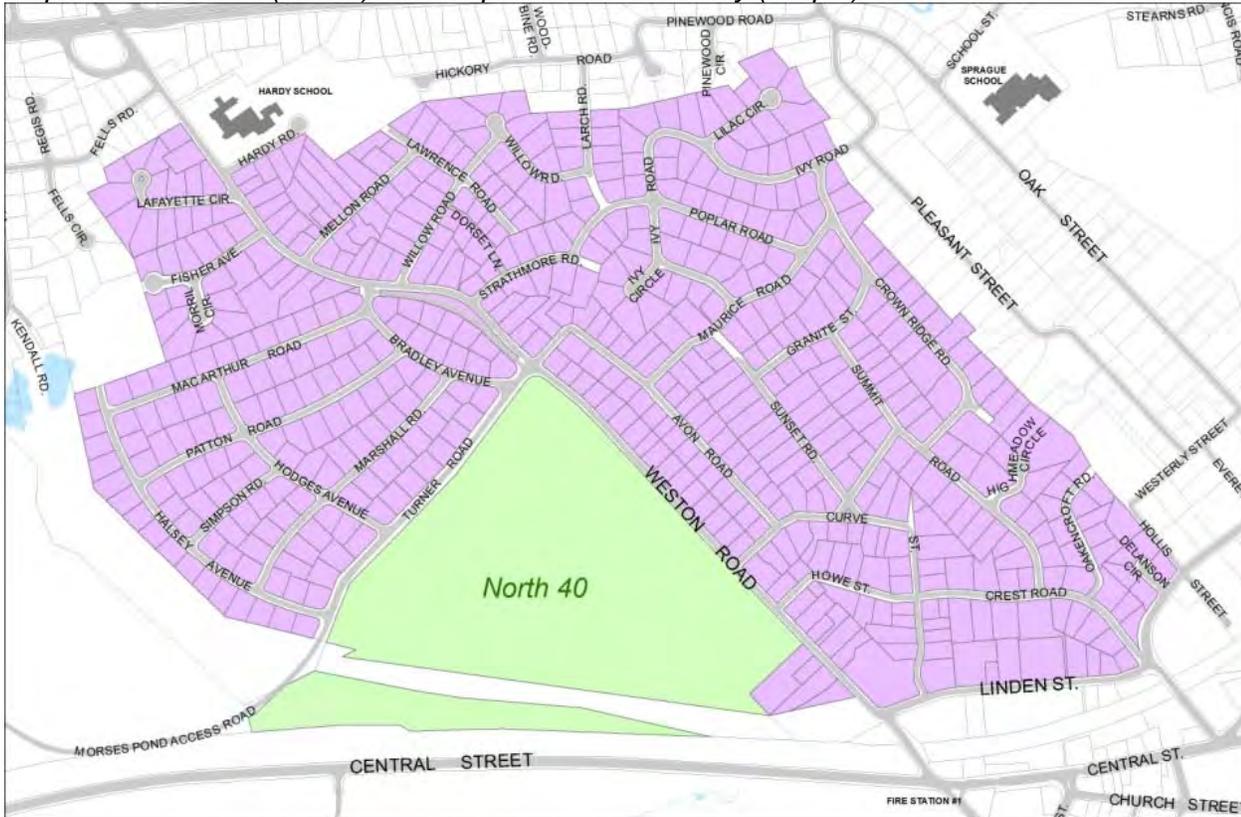
- **1578** of these 6199 children reside in the 1512 homes bought/sold between Nov. 2009 and Oct. 2013.
  - Some children may have moved within the town...
- **By these numbers, each residential sale would yield an estimated 1.04 children.**
- Age distribution of incoming children is noticeably **younger** (see table below)

	In All 8821 Properties		In 1512 Residential Properties Bought/Sold	
Age	# Children	% of Total	# Children	% of Total
17	453	7.3%	58	3.7%
16	463	7.5%	57	3.6%
15	449	7.2%	57	3.6%
14	498	8.0%	74	4.7%
13	433	7.0%	58	3.7%
12	444	7.2%	75	4.8%
11	458	7.4%	78	4.9%
10	400	6.5%	<b>99</b>	<b>6.3%</b>
9	398	6.4%	<b>99</b>	<b>6.3%</b>
8	380	6.1%	<b>121</b>	<b>7.7%</b>
7	378	6.1%	<b>114</b>	<b>7.2%</b>
6	370	6.0%	<b>144</b>	<b>9.1%</b>
5	301	4.9%	<b>140</b>	<b>8.9%</b>
4	282	4.5%	<b>141</b>	<b>8.9%</b>
3	257	4.1%	<b>127</b>	<b>8.0%</b>
2	235	3.8%	<b>136</b>	<b>8.6%</b>
<b>Total</b>	<b>6199</b>	<b>100.0%</b>	<b>1578</b>	<b>100.0%</b>

### In Vicinity of the North 40

- 584 properties (see map below)
- 104 residential properties bought/sold between Nov. 2009 and Oct. 2013.
- 477 children between the ages of 2 and 17.
- 133 of these children live in homes bought/sold between Nov. 2009 and Oct. 2013.
- Age distribution is consistent with Town-wide numbers (see table below)

Map of the North 40 (Green) and Properties in the Vicinity (Purple)



Age	In All 584 Properties		In 104 Residential Properties Bought/Sold	
	# Children	% of Total	# Children	% of Total
17	26	5.5%	3	2.3%
16	29	6.1%	3	2.3%
15	30	6.3%	3	2.3%
14	33	6.9%	7	5.3%
13	30	6.3%	6	4.5%
12	41	8.6%	8	6.0%
11	32	6.7%	3	2.3%
10	35	7.3%	11	8.3%
9	31	6.5%	8	6.0%
8	28	5.9%	6	4.5%
7	28	5.9%	14	10.5%
6	26	5.5%	8	6.0%
5	32	6.7%	12	9.0%
4	30	6.3%	16	12.0%
3	18	3.8%	11	8.3%
2	28	5.9%	14	10.5%
<b>Total</b>	<b>477</b>	<b>100.0%</b>	<b>133</b>	<b>100.0%</b>

From the U.S. Census 2010 (available at <http://factfinder2.census.gov>)

- **8695** total households in Wellesley
- **3730** households with individuals under 18, or **42.9%** of total.
- **7512** children under 18 residing in Town
- Therefore, there are an average of **2.01** children for every household with children (7512/3730)
- **By these numbers, each new household in Wellesley would yield an estimated 0.86 children (42.9% x 2.01).**

**APPENDIX IV: REPORT OF THE WELLESLEY HOUSING DEVELOPMENT CORPORATION**  
**Dated August 4, 2014**

**Board of Directors**

Robert E. Kenney, *Chairman*  
Robert A. Goldkamp, *Vice Chairman*  
Timothy J Barrett, *Treasurer*  
Susan S Troy *Assistant Treasurer*  
Dona M. Kemp, *Secretary*  
Sara G. Schnorr

Town Hall  
525 Washington Street  
Wellesley, MA 02482-5992

(781) 431-1019 ext 2232  
*Facsimile* (781) 239-1043  
*Email* [whdc@wellesleyma.gov](mailto:whdc@wellesleyma.gov)

**Mission Statement:** The Wellesley Housing Corporation's mission is to sponsor and assist in the development of affordable housing opportunities for persons of low and moderate income in the town of Wellesley, Massachusetts in order to implement the Town's Affordable Housing Policy. **(As outlined in Wellesley Comprehensive Plan 2007-2017 update)**

**North 40 and Housing**

Two of the Housing Goals identified in the 2007-2017 Update to the Town's Comprehensive Plan are:

1. Promote the creation of housing units other than single-family homes to provide housing options for people across a range of income, age, family size and needs while complementing town character.
2. Promote the creation of housing units permanently affordable to households with incomes at or below 80 percent of the area median income.

The North 40 site provides an opportunity to work toward these goals while at the same time meeting numerous other Town needs. An established need for additional Affordable Housing has been outlined in a report prepared for the WHDC by LDS Consulting Group, LLC entitled **"Affordable Housing Market Study For Wellesley and Surrounding Communities" (June 29, 2009)**

Among the reasons that this is a suitable site is that it meets the criteria as established by the WHDC for the location of affordable housing including;

- Close to the center of town with access to retail shops and grocery stores.
- Access to Public Transportation
- Access to nearby Schools
- Access to Religious and Cultural institutions.

If the Town of Wellesley elects to purchase the "North 40" for a variety of municipal purposes, then the Wellesley Housing Development Corporation supports the limited development of housing on a portion of the site. Our preliminary suggestion for housing is for "cluster type" development of homes under the Town's newly adopted Natural Resource Protection Regulations. This would maximize the open space of the entire site as well as minimize the project's footprint. We would foresee, potentially, a mix of both market rate and affordable units. This would allow for a sufficient income stream to finance the entire housing portion of the project.

The type of unit (First Time Buyer, Over 55, for sale /for rent) and the unit mix and density would be determined as the scoping and visioning process is further defined. We would also propose to update our current market study in order to better understand the specific needs of the potential end users. This would include the determination of the appropriate mix of “Percentage of Median Income” (PMI) as it relates to the housing types proposed.

The WHDC agrees that this is a unique opportunity for the Town to control a significant parcel of well-located land with many options for diverse municipal uses. If the Town chooses not to purchase the site it could be susceptible to a 40B type development (The Town is currently at 6.16% of the States goal of 10% for Affordable housing). As of right, the entire site could be developed to as many of 80-90 single family homes. In controlling such a parcel, the Town will be able to be pro-active in setting the agenda and direction of growth for many generations to come.

The need for additional housing in Wellesley is documented in the Town’s ***Comprehensive Plan***, especially Chapter 4 and in the 2009 ***Affordable Housing Market Study for Wellesley and Surrounding Communities***. Both documents are available through the Wellesley Planning Department.

**APPENDIX V: MEMORANDUM FROM THE DEPARTMENT OF PUBLIC WORKS**  
**Dated August 4, 2014**

**TOWN OF WELLESLEY**  
**DEPARTMENT OF PUBLIC WORKS**

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**DAVID A. COHEN, ASSISTANT DIRECTOR**

August 4, 2014

To: Owen Dugan, Board of Public Works  
 Don McCauley, North 40 Steering Committee

Re: DPW Cost Impacts of North 40 Development

In response to inquiries made by the North 40 Steering Committee, the Department of Public Works has developed preliminary estimates for various development scenarios at the North 40 property.

With the exception of leaving the property as conservation land, the various other scenarios result in additional costs of \$187K to \$240K. These amounts represent roughly a 2-3% increase to our total tax impact budget. The table below summarizes the estimated impacts for each scenario and also shows the incidental enterprise fund impact and additional staff anticipated. Our estimates includes personal service costs, expense costs, and ongoing capital costs of maintaining added inventory to our asset infrastructure (for example, 3 miles of road that would need to be repaved every 10 – 14 years).

<b>Scenario</b>	<b>Tax Impact</b>	<b>Water/Sewer Impact</b>	<b>Additional Permanent Staff</b>	<b>Additional Seasonal Staff</b>
Conservation	\$14,000	\$0	0	0
Passive Recreation	\$187,000	\$1,000	0	0
Active Recreation	\$222,000	\$5,000	1	2
100 Homes	\$213,000	\$5,000	0	0
300-400 Housing Units	\$240,000	\$7,000	0	0
School	\$200,000	\$5,000	.5	1

These estimates are based on projected maintenance required to support the infrastructure typical for each development scenario. For example, if 100 homes were to be built, we assume that approximately 3 miles of road, sidewalk and drainage infrastructure would need to be maintained. Maintenance requirements for these activities would include, for example, road repairs, catch basin cleaning, street sweeping, debris cleanup, plowing and hydrant flushing. In comparison, if an active recreation site were created, some portion of the above activities would be required along with field maintenance, mowing, seeding, weeding, grooming, and site amenities maintenance. Similar maintenance requirements would exist to more or less extent for each of the scenarios except for conservation.

If the property were to be left as is, there would be very little maintenance required and we have included a token amount to account for incidental maintenance that is typically required in existing similar areas for parking lots, access roads, and occasional trail maintenance.

We believe that our current water and sewer infrastructure is sufficient to handle the added demand in each scenario. Any costs of pumping additional water would be paid for by the specific users through their water and sewer rates. We have assumed that any initial infrastructure, including water and sewer, would be part of the capital cost or developer cost of any development. We estimate an incremental increase in water and sewer system maintenance and we have also accounted for capital maintenance and replacements due to any new infrastructure installed.

Finally, we expect that additional staff may be needed to handle the maintenance of select potential development. Specifically, active recreation space will require one (1) full time groundskeeper and two (2) additional seasonal staff. The creation of a new school will require one-half ( $\frac{1}{2}$ ) of a full time groundskeeper and one (1) additional seasonal employee. We estimate that the maintenance required for the other scenarios could be handled by existing staff. Benefit costs for any additional staff have not been included in this analysis.

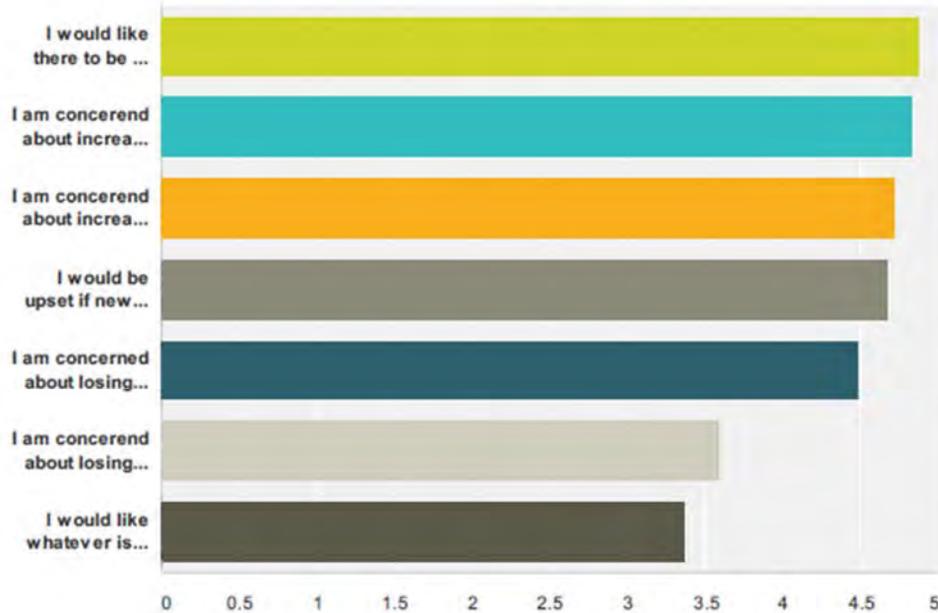
We hope this information is helpful to you and the Committee. Please let me know if you have any questions or need any additional information.

Cc: Mike Pakstis, Director of Public Works  
David Donohue, Board of Public Works  
Paul Criswell, Board of Public Works

**APPENDIX VI: NEIGHBORHOOD SURVEYS FROM WOODLANDS AND WESTON ROAD  
A. WOODLANDS SURVEY**

**Q1 In considering potential development of the North 40, please rate your agreement with the following statements:**

Answered: 61 Skipped: 0



	Strongly disagree	Somewhat disagree	Neutral	Somewhat agree	Strongly agree	Total	Average Rating
I would like there to be a buffer-zone of forest-land between the Woodlands neighborhood and any development.	1.64% 1	0.00% 0	3.28% 2	0.00% 0	95.08% 58	61	4.87
I am concerend about increased traffic in the Woodlands neighborhood.	3.28% 2	0.00% 0	0.00% 0	4.92% 3	91.80% 56	61	4.82
I am concerend about increased traffic on Weston road.	3.33% 2	0.00% 0	5.00% 3	5.00% 3	86.67% 52	60	4.72
I would be upset if new roads entered into the Woodlands neighborhood from the North 40 development.	1.67% 1	1.67% 1	6.67% 4	8.33% 5	81.67% 49	60	4.67
I am concerned about losing natural forest land.	6.56% 4	0.00% 0	4.92% 3	16.39% 10	72.13% 44	61	4.48
I am concerend about losing the community gardens that are currently present in the North 40.	14.75% 9	1.64% 1	26.23% 16	24.59% 15	32.79% 20	61	3.59
I would like whatever is built to produce revenue for the town.	13.79% 8	3.45% 2	43.10% 25	12.07% 7	27.59% 16	58	3.36

## Q2 I have concerns you did not mention, and they are:

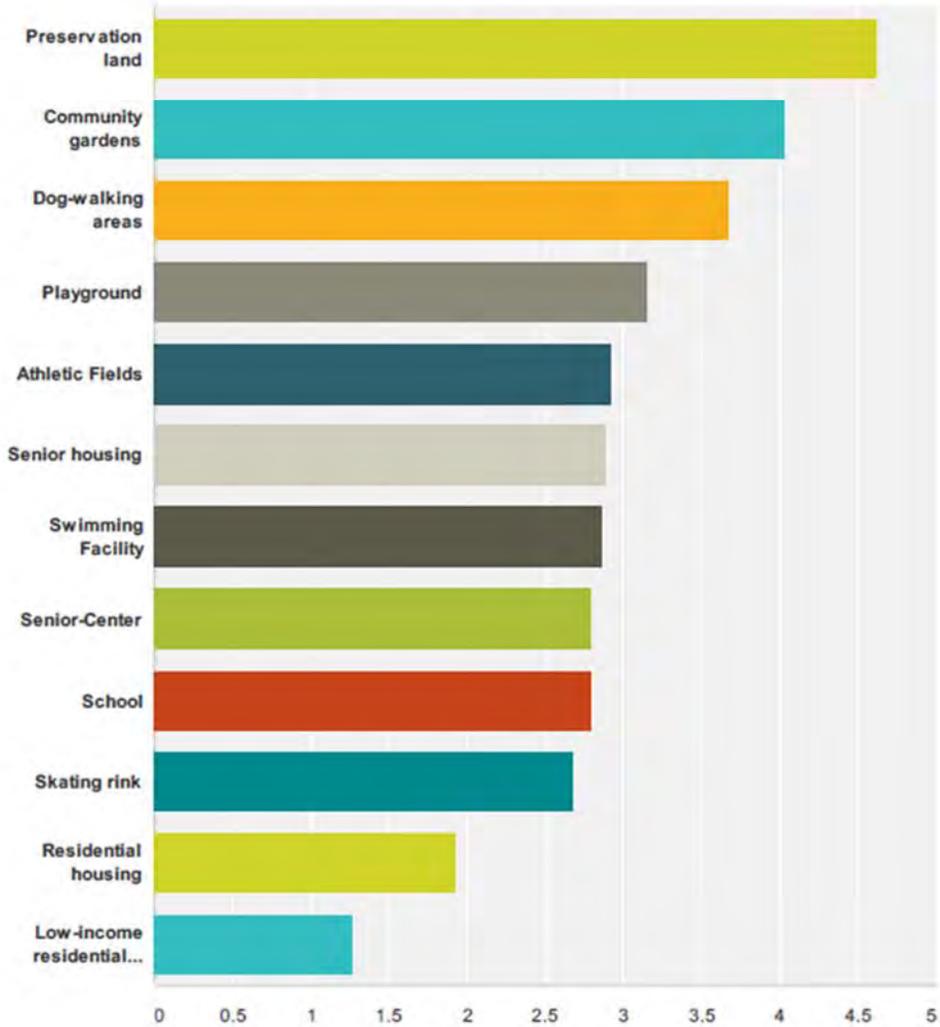
Answered: 28 Skipped: 33

#	Responses
1	Concerns about creating a new route from Turner to Route 135 that reduces traffic on Weston Road.
2	Would like to keep it as conservation land.
3	I FEEL AS THOUGH IT WOULD NOT BE WISE TO ALLOW ANY NEW HOUSING OR OTHER DEVELOPMENT THAT WOULD REQUIRE NUMEROUS VEHICLES TO TRAVEL TO THE AREA.
4	IF THEY CONSTRUCT ROADS INTO WOODLANDS THEY MUST BE NOT LINED UP DIRECTLY WITH EXISTING ROADS. MORE STOP SIGNS FOR WOODLANDS AND SPEED BUMPS.
5	Environmental concern about disturbing area that was the town landfill.
6	question of toxic waste under North 40 and possible poisoning of Moses Pond aquifer via run-off resulting from development.
7	effect upon the Town wells at Moses Pond - if developed it will have an impact on the quality of our drinking water.
8	The landfill under the North 40 is a SIGNIFICANT concern for the following reasons: 1. contents and extent of contamination are unknown. 2. No known/public studies have been undertaken to determine the extent of possible contamination and the possible effects of exposure and or disruption of the existing contents to abutting owners; nor of changes to drainage patterns and excavation activities which will occur as a result of any significant construction on the site 3. If the Town were to procure the property, because of the lack of current information regarding the issues in 1 and 2 above, the true cost to the town and its taxpayers is not calculable 4. Construction will inevitably uncover unknown contents 3. Abutter impact cannot be currently calculated 4. Abutting residents (woodlands) will bear the brunt of any contaminated material exposure and/or remediation efforts, along with the general disruption and potential property value impacts associated with the topics listed above
9	The exposure to toxins as a result of the development of the land that had the old dump
10	I would prefer a school or town fields to be built rather than have the land developed with new homes that would crowd our currently crowded elementary schools.
11	that the newly developed area, depending on what gets built there, leads to devaluation of the properties in the Woodlands neighborhood
12	the potential noise generated by traffic to new developed land (IE: delivery truck backup alarms at night/early morning, noise from trash pickup (typically early morning), also the increased demand on town services.
13	If more housing is developed, I am concerned about increased demand on schools and other town resources.
14	Whatever study they do will say that it will not impact traffic, that is nonsense. Weston Rd now is ridiculous when it comes to traffic and it will only get worse as well as Turner Rd.
15	The old Wellesley College oil storage building that was located on the North 40 between the railroad tracks and the Aqueduct, it was demo years ago, is the site oil free? An old fire hydrant might still be near the site. Move community gardens to a less visible location.
16	I'm more concern about a developer buying the land, and doing whatever they like with the property. I would rather have the town buy the property so we can have input on what is developed there.
17	I do not want to see any access roads cut into Turner Road. If this parcel is going to be developed the access must be on Weston with two roads entering the new neighborhood. One somewhat near the corner of Turner Road and one by the switching station at the base of Linden Street and Weston Road.

18	Foremost priority should be to preserve the land. This is an issue for all of Wellesley, not just abutters of the North 40. If you look at a map of Wellesley that shows forested land open to the public, we have much less vs. comparable towns. We cannot afford to lose 40+ acres to any kind of development, be it town or private. The town should not be shortsighted: once this land is developed it is gone forever. Having in place zoning regulations that make builders preserve/conserv 50% still destroys the integrity of the landscape - it will be divide into piecemeal. We need to also consider the abundant wildlife which reside in the North 40. The town does not need to pave over every possible inch of available land. The town should only buy the North 40 if it is committed to preservation for future generations.
19	I favor preservation above all else. Town development (school or playing fields) will cause more traffic, pollution, and noise. Private housing development will also contribute to these negative effects on citizen health and safety although to a lesser degree. More attention should be paid to the environmental outcomes of favoring preservation over any kind of development as Wellesley has already become more urbanized and will continue to do so. I am very concerned about any negative effect of town or private development of the North 40 on access to and safety of our town water supply given the presence of wellheads and aquifers on the North 40.
20	Any development that allows direct access to the woodlands would be terrible for the neighborhood-even if there is a buffer zone of forestland.
21	I am strongly concerned about the trails for biking and the turkeys and other animals i see on a daily basis. This would also impact my desire to explore the outdoors with my biking fishing metal detecting and boating skills
22	Major concerns: The Marshall C. Springs dumping area at north 40 and I would hope that the town's people are not going to be taxed again for any removal expenses. There is probably a lot of other toxic stuff that has been buried there over the years. The Woodlands neighbors area have also had an enormous amount of cancer. Pretty close to each and every home in the area. Would not like to see a school or a soccer field located as this would not bring in extra revenue to the town.
23	Property values due to increase density Things that come with increase traffic such as street safety, noise, increase truck traffic to service new housing, school, etc and using the street as cut through for those not will to sit on Weston Rd
24	The loss of the last true piece of open space would be devastating to the town.
25	Safety, traffic and revenue for the town key concerns
26	Traffic traffic traffic is my concern.
27	Construction period and construction noise and traffic during any development. I would be very sad to lose the natural forest space. My greatest wish is that the integrity of Woodlands is not compromised, in that there's a buffer land of forest between Woodlands any any development, and that no new roads enter Woodlands.
28	I am concerned about the effect of lighting in the neighborhood for playing fields, etc. I am also concerned that the loss of the woods will increase train and traffic noise.

**Q3 In considering uses of the North 40, please rate the desirability of each of the following options. Keep in mind that the land could be used for multiple purposes:**

Answered: 61 Skipped: 0



	Very undesirable	Somewhat undesirable	Neutral	Somewhat desirable	Very desirable	Total	Average Rating
Preservation land	5.00% 3	0.00% 0	5.00% 3	8.33% 5	81.67% 49	60	4.62
Community gardens	5.00% 3	5.00% 3	23.33% 14	15.00% 9	51.67% 31	60	4.03
Dog-walking areas	13.33% 8	1.67% 1	26.67% 16	21.67% 13	36.67% 22	60	3.67

Playground	20.00% 12	11.67% 7	16.67% 10	36.67% 22	15.00% 9	60	3.15
Athletic Fields	20.00% 12	25.00% 15	11.67% 7	30.00% 18	13.33% 8	60	2.92
Senior housing	17.54% 10	17.54% 10	33.33% 19	22.81% 13	8.77% 5	57	2.88
Swimming Facility	32.76% 19	10.34% 6	12.07% 7	27.59% 16	17.24% 10	58	2.86
Senior-Center	22.03% 13	15.25% 9	33.90% 20	18.64% 11	10.17% 6	59	2.80
School	33.90% 20	13.56% 8	15.25% 9	13.56% 8	23.73% 14	59	2.80
Skating rink	35.59% 21	8.47% 5	20.34% 12	23.73% 14	11.86% 7	59	2.68
Residential housing	50.85% 30	22.03% 13	16.95% 10	5.08% 3	5.08% 3	59	1.92
Low-income residential housing	82.46% 47	8.77% 5	8.77% 5	0.00% 0	0.00% 0	57	1.26

### Q4 I strongly desire something that was not listed, and that is:

Answered: 9 Skipped: 52

#	Responses
1	LARGE RECREATION AREA FOR COMMUNITY WITH ATTACHED SENIOR CENTER.
2	Use the land for the benefit of hundreds of kids playing soccer and sports year round. Not a few farmers and dog walkers.
3	I strongly desire so see the town make a decision on Saint James property to develop athletic fields and double hockey rinks so the project can support itself instead of the town 'bonding' its way to buying what captures its fancy.
4	re residential- certain portion of affordable housing ok with me
5	I strongly desire preservation land from its benefits to the comunity i think it could help kids be more active and desire to play outside than to play video games which do not help you in life what so ever
6	Whatever is done to that property, please do something that will not drive the senior citizens out of this town. Most seniors have built this lovely town and are being penalized for living here new additional taxes, the lack of a free standing senior center (where is the money that was donated to the town)
7	Condos age 55 and up.
8	A swimming pool
9	if the town is not going ahead with a plan for building a pool, then i would like to see a indoor pool there

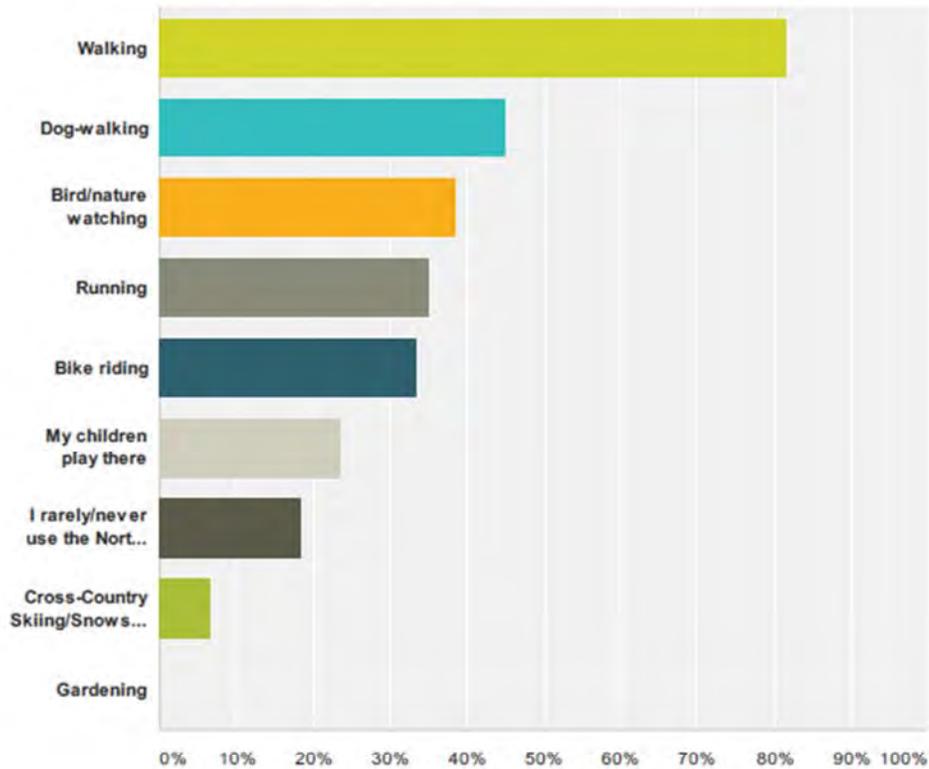
## Q5 I strongly oppose something that was not listed, and that is:

Answered: 10 Skipped: 51

#	Responses
1	Any fields with lighting; we have lit fields at Honeywell that are rarely used and several other fields there that could be lit at much lower cost or neighborhood impact.
2	RETAIL AREA
3	anything that is going to increase traffic on Weston Road - it is already a nightmare.
4	Any commercial use; expanded roadways which would feed through the Woodlands
5	shopping center
6	commercial development
7	Any other commercial development
8	I strong oppose to more housing and anything that would ruin our strong desire to be active in the wellesley community. I think if this would ever happen it would be like somebody died in my family because how much the ability to play outside affects my life
9	We do not need another school. Remember when we closed the six schools and built Sprague?????? High School???? It is time we maintain what we have instead of tossing it out like an old pair of shoes.You may think money grows on trees, but many townspeople do not make the hundred thousand dollar salary.
10	Hospital or health care facility

### Q6 In what ways do you currently use the North 40 (check all that apply)?

Answered: 60 Skipped: 1



Answer Choices	Responses
Walking	81.67% 49
Dog-walking	45.00% 27
Bird/nature watching	38.33% 23
Running	35.00% 21
Bike riding	33.33% 20
My children play there	23.33% 14
I rarely/never use the North 40.	18.33% 11
Cross-Country Skiing/Snowshoeing	6.67% 4
Gardening	0.00% 0
<b>Total Respondents: 60</b>	

#	Other (please specify)
1	drive by it - the increase of traffic will be huge if it is a school, fields or development
2	For me, I value and the open space. The absence of additional traffic, sewerage, etc. is what I value.
3	children played there when younger
4	I also take friends and family there for an adventure
5	I enjoy watching the gardens growing.
6	Snowshoeing, X country skiing in winter.
7	Hiking, snowshoeing
8	I used to when i had dogs
9	As a short cut to Linden Street

## Q7 Do you have any additional comments for your Woodlands neighborhood representative?

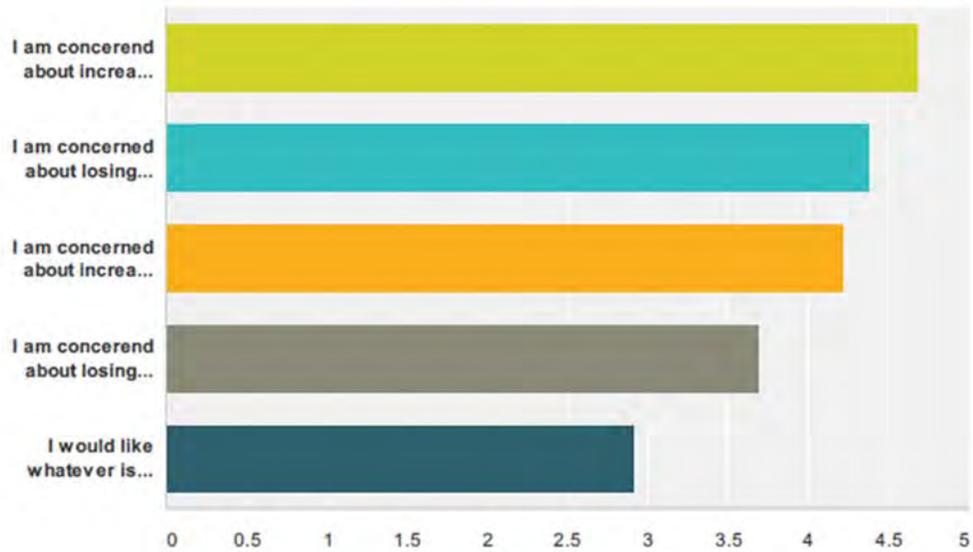
Answered: 21 Skipped: 40

#	Responses
1	Whatever goes in the North 40, I don't want the Woodlands to be changed.
2	Thank you for creating a steering committee and involving the neighborhood.
3	We are concerned about disturbing the land over our water shed area and would like the EPA to look into the matter and advise. Also concerned about all the wildlife we have living there.
4	HOW DO WE STAY ABREAST WITH COMMUNICATIONS?
5	I definitely think that something should be done with that area because it is a TOTAL EYESORE to anyone driving down Weston Road. It looks like a junk yard whenever I drive past it so would whole heartedly support it being developed in something more pleasing to the eye, however, nothing that would cause an huge increase in traffic to that area which is already congested with Rt 9 traffic making it's way to the center of town and Linden St.
6	Keep this land undeveloped. Once cut and paved there is no going back!
7	Please raise the issue re: the landfill and the potential risks associated with its exposure during any construction process, as well, potential costs for remediation/liability associated with disruption of the current landfill
8	Very simply, Weston Road at that point is a traffic nightmare. The poorly designed traffic lights at Weston and Linden only add to the problem. The only way to alleviate traffic congestion is to make Weston at least three or four lanes, and have better turning onto Central Street. Addition traffic on Weston is a disaster in the making.
9	Thank you for representing the neighborhood!
10	Don't let them build anything that will effect the little bit of woodlands that exist in all of Wellesley.
11	Weston Road is over capacity as it is. It is narrow, unsafe for cyclists, seemingly hard for emergency vehicles to access. There is no use besides full preservation that Weston Road can handle.
12	I think it is sad that all meetings are held during normal working hours. How are we supposed to pay high property taxes and not work?
13	We need to ensure that the safety of our water supply is not compromised since there are wellheads and aquifers on it. If the North 40 is unfortunately developed, the impact of that development must be mitigated as much as possible re traffic, congestion, noise, pollution. Any development will have a significant impact on the quality of life for the entire town since Weston Road is a major thoroughfare both for residents and commuters from other towns. It could also have an possible negative economic impact on Wellesley Center since the resultant problems could dissuade patrons from wanting to deal with all the issues (e.g., traffic).
14	We need to organize and fight to keep the North 40 as preservation land.
15	Like to see this neighborhood remain free of additional traffic - the streets are great for walking and biking -anything that changes this would be a big negative
16	I hope this never happens because it would be a major loss to the wellesley community and would affect a generation of wellesley kids
17	Do we have a chance or is this all politics and the decisions have already been made.
18	For some reason, did not receive ice email. Just a comment re survey. It covered everything but found that I was filling out incorrectly at first as I am use to most desirable being 1st.
19	This entire process needs to be slowed down. What is the rush to try to develop something that has been open space for several hundred years!
20	Remember as neighbors we are impacted by everything that is built on the North 40. The noise and traffic generated by a school, the lack of any return on town owned buildings.....
21	Thanks for doing this. You are awesome.

## B. WESTON ROAD SURVEY

**Q1 In considering potential development of the North 40, please rate your agreement with the following statements:**

Answered: 86 Skipped: 0



	Strongly disagree	Somewhat disagree	Neutral	Somewhat agree	Strongly agree	Total	Average Rating
I am concerned about increased traffic on Weston road.	0.00% 0	2.38% 2	4.76% 4	14.29% 12	78.57% 66	84	4.69
I am concerned about losing natural forest land.	2.33% 2	4.65% 4	9.30% 8	19.77% 17	63.95% 55	86	4.38
I am concerned about increased traffic on the smaller neighborhood streets near Weston Road.	3.49% 3	10.47% 9	8.14% 7	16.28% 14	61.63% 53	86	4.22
I am concerned about losing the community gardens that are currently present in the North 40.	10.47% 9	6.98% 6	20.93% 18	25.58% 22	36.05% 31	86	3.70
I would like whatever is built to produce revenue for the town.	17.65% 15	14.12% 12	38.82% 33	18.82% 16	10.59% 9	85	2.91

## Q2 I have concerns you did not mention, and they are:

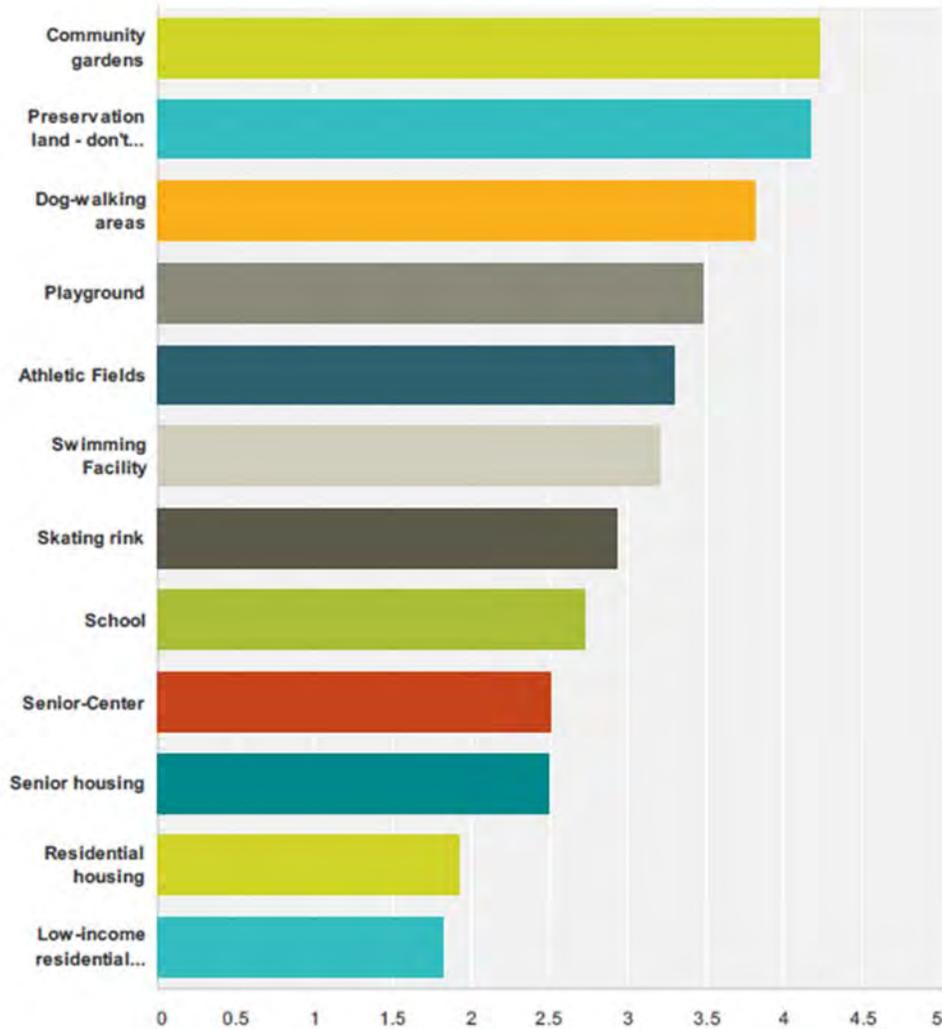
Answered: 33 Skipped: 53

#	Responses
1	What is in the dump area?
2	Continued overbuilding the town and the loss of its beauty. Diminished quality of life due to traffic and loss of open space.
3	I would prefer the town found a way to utilize this space for community use (fields, facilities, etc) rather than have it developed.
4	Noise from new use; lights if they put in playing fields; construction traffic/noise/disruption; loss of visual appeal of area; loss of general access to open space
5	Turner Road and the Morse's Pond Road have become Indy 500 practice zones during the summer season - unsafe for small children on bicycles, pedestrians/joggers, and dog walkers. Unfortunately, the Police will not put down traffic bumps to make people sl-o-w down. I am concerned about losing a park-like setting where people can exercise, bird watch, dog walk, and just commune with Nature. The College has been very generous to let us use this open land for so many years. Were something to be built in the North 40, where would Town Residents park to utilize the new facilities or simply to walk in the remaining woods? I am also extremely concerned on the impact on the community living in the immediate area (The Generals).
6	I am concerned about someone building a bunch of McMansions here. Would prefer higher density townhomes with more forest preserved.
7	HOW WOULD TAXES BE IMPACTED BY THE TOWN'S PURCHASE OF THE LAND?
8	Loss of community gardens means LOSS OF COMMUNITY that developed there and around it - not a trivial thing.
9	My biggest concern is a 40B development wherein the Town loses almost all control over zoning restrictions and density. We will not be able to have all of our desires met unless there are conservation foundations willing to put the land in preservation. This is highly unlikely for that spot and the \$ required. My desire is that we help officials come up with innovative, yet practical approaches to this...including partnerships. I appreciate the need to protect the neighborhood and its residents. That is the first priority. Keeping the land and gardens and trails as is would be fantastic, but unrealistic.
10	I mainly use that area to walk my dogs, off-leash. I know that the Aqueduct Trail will still be public, but I hope that the abutting development is still dog-friendly.
11	I'm concerned that additional housing may be proposed for this location. Our school system and road system cannot handle the increased load that this additional housing would bring. I don't believe that would be a good use of the land.
12	I would love to have a real community garden that is not individual lots, but a Wellesley Farm / Garden.
13	I am concerned that if the land is used to build houses, the Town would need additional school(s) to support that.
14	I am concerned about the over development of the town as a whole. Wellesley is losing its charm which is what brought many people into the town.
15	I hate to think of all this land being developed. I fear the amount of building might be excessive.
16	The town buys the land and pays too much
17	Added congestion in the area might lower property values

18	the town needs open spaces but we also need tax revenue, an elderly housing complex would be ideal here as it could have an open space for the community, a community garden and the elderly housing our neighbors deserve. the town should buy a portion of it and have a developer create a small community of single story houses for our elderly neighbors to enjoy so they may vacate their houses and sell them to people who have children. this will remediate any traffic concerns as the elderly likely dont drive as much and reduce the potential burden on the hardy school because the elderly won't have school aged children
19	Loss of trails, wildlife; Noise
20	Top priorities are community space. For example, I am concerned about increased traffic in the area, but if it was because the space became a public use park of some sorts, I would not mind the increased traffic. As long as it is for the community!
21	I am also concerned about the environmental impact to the current district and the nearby areas such as the Morse's pond if the north 40 is developed.
22	Cost of acquiring the land and also whatever the town decides to do on said property.
23	I want nothing to be built on that land. The town is already overbuilt and being taken over by monster houses with no relationship to the sizes of their lots. Open space is precious and should be preserved for the benefit of all.
24	The wild life that lives in the area.
25	Affecting the watershed area for Morse's Pond
26	Loss of space and trails for walking dogs
27	access to undeveloped land for walking, bird watching, walking dogs, breathing fresh air
28	Increase student enrollment in Hardy school
29	additional homes will put a strain on our already crowded schools.
30	We don't have many opportunities to save forest land for the use of the community. This is a beautiful pine forest with diverse wildlife, especially birds who feed on the garden. Developing this plot is short-sighted. We should make it an Audubon protected preserve or a campground for the town's children.
31	If the gardens are kept they should be kept neater and more presentable.
32	How the schools, specifically Hardy which already has enrollment issues, would accommodate an inflow of more children in this neighborhood.
33	This is a great resource for the town. if it needs to be developed, why not consider a town pool, lit athletic fields and a skating rink?

**Q3 In considering uses of the North 40, please rate the desirability of each of the following options. Keep in mind that the land could be used for multiple purposes:**

Answered: 84 Skipped: 2



	Very undesirable	Somewhat undesirable	Neutral	Somewhat desirable	Very desirable	Total	Average Rating
Community gardens	1.19% 1	5.95% 5	15.48% 13	23.81% 20	53.57% 45	84	4.23
Preservation land - don't build anything, keep it like it is	7.23% 6	8.43% 7	6.02% 5	18.07% 15	60.24% 50	83	4.16
Dog-walking areas	9.52% 8	3.57% 3	19.05% 16	30.95% 26	36.90% 31	84	3.82

Playground	14.29% 12	5.95% 5	23.81% 20	28.57% 24	27.38% 23	84	3.49
Athletic Fields	19.28% 16	12.05% 10	15.66% 13	25.30% 21	27.71% 23	83	3.30
Swimming Facility	21.95% 18	12.20% 10	18.29% 15	18.29% 15	29.27% 24	82	3.21
Skating rink	29.27% 24	10.98% 9	19.51% 16	18.29% 15	21.95% 18	82	2.93
School	30.95% 26	13.10% 11	23.81% 20	15.48% 13	16.67% 14	84	2.74
Senior-Center	25.30% 21	20.48% 17	36.14% 30	13.25% 11	4.82% 4	83	2.52
Senior housing	31.33% 26	21.69% 18	21.69% 18	15.66% 13	9.64% 8	83	2.51
Residential housing	56.63% 47	13.25% 11	15.66% 13	9.64% 8	4.82% 4	83	1.93
Low-income residential housing	62.65% 52	10.84% 9	12.05% 10	9.64% 8	4.82% 4	83	1.83

### Q4 I strongly desire something that was not listed, and that is:

Answered: 11 Skipped: 75

#	Responses
1	Not strongly, but maybe some Woodlands type moderately sized detached single family houses which would be priced under \$1,000,000
2	Given Wellesley's strong desire to be a leader in green initiatives this space might be ideal for putting in a solar farm - panels could supply electricity back to the grid for years to come while the public could still have access to a reasonable portion of the land for walking/recreational paths as part of the open space requirement. Developing the area for regular use purposes - whether residential, athletic, or for a school - would make a very bad traffic situation impossible. If we wanted to live on Route 9 we would have bought our house there in the first place.
3	What about a designated dog park/green area, since Perin is so restricted? Children have enough areas to play. Dogs and their humans need a place to exercise, explore, and enjoy the out of doors off leash. What about building other walking/hiking nature trails identifying flora/fauna/geological features of the area? Is there enough security for the sub-station on the corner of Weston and Linden at the trail head?
4	preservation of green spaces is key!
5	A car-free zone for whatever ends up there.
6	I think a center that combines programming for Seniors AND youth is needed in this town, both to save resources and to promote interaction between generations.
7	Recreation center and/or affordable art studios
8	Preserve the land as it is and I wish that we would not disturb wildlife.
9	fence enclosed dog park
10	Create a safe bike lane along Weston Road.
11	What about small retail/restaurants? Is that an option?

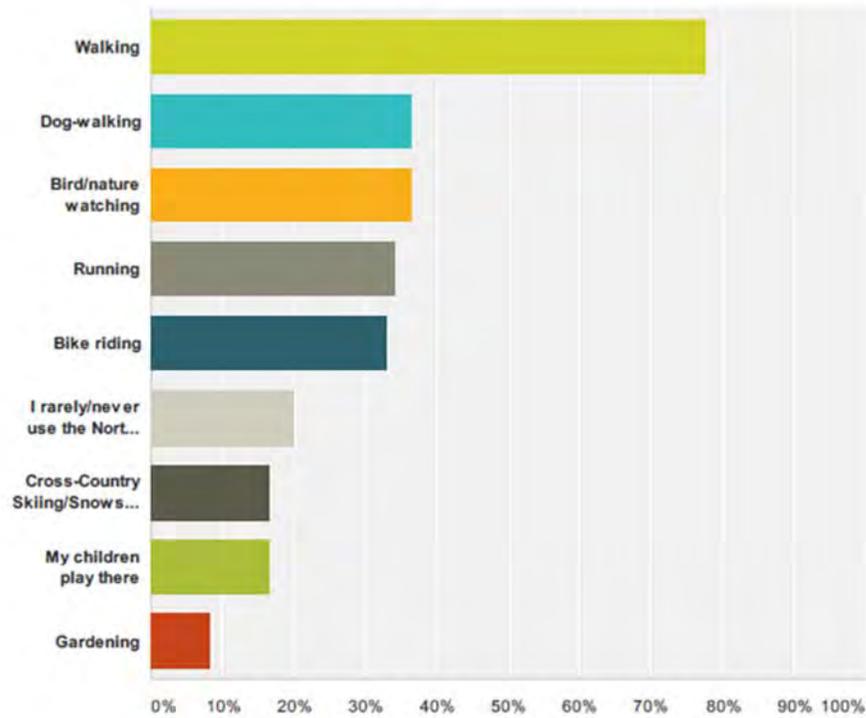
## Q5 I strongly oppose something that was not listed, and that is:

Answered: 18 Skipped: 68

#	Responses
1	Anything that will increase taxes in the town significantly. I would like to see this land generate revenue for the town or at least not cost us anything more.
2	No townhouses/apartments!
3	I assume it is zoned residential and not commercial...
4	A new housing complex due to traffic on Weston Road and impact on the Morse's Pond Water shed.
5	Any religious building, structure, gathering place of worship. Any commercial buildings. - no CVS needed here
6	anything that will be a money sink for the town like pool or skating rink.
7	development of this land into MacMansions!
8	An athletic complex to complement the Warren Building (other than a town swimming facility). A school and fields complex that would make the area designed for the school population only.
9	I strongly oppose anything that increases traffic on Weston Road and other neighborhood roads.
10	Shopping mall or commercial space Government or administrative building
11	We don't need a senior center.
12	As a home owner in this area I strongly oppose low income housing
13	luxury houses
14	Moving the Wellesley High School Stadium (and lights) to North 40
15	anything commercial
16	Using the land only for residential developments seems like a missed opportunity for the town.
17	retail
18	Why would we use forest, paths and public land for more housing - isnt there enough already?

### Q6 In what ways do you currently use the North 40 (check all that apply)?

Answered: 85 Skipped: 1



Answer Choices	Responses
Walking	77.65% 66
Dog-walking	36.47% 31
Bird/nature watching	36.47% 31
Running	34.12% 29
Bike riding	32.94% 28
I rarely/never use the North 40.	20.00% 17
Cross-Country Skiing/Snowshoeing	16.47% 14
My children play there	16.47% 14
Gardening	8.24% 7
<b>Total Respondents: 85</b>	

#	Other (please specify)
1	great for photos
2	We often use the trail to walk to downtown from the Fells neighborhood.
3	my children are grown up but they used to play there and I used to have gardens there
4	It is a treasure and should be preserved as it is. For once let the common good prevail over money.
5	It feels good to know that that land is there and is not being developed.
6	But when I do use it, it's usually for running or walking.

## Q7 Do you have any additional comments for your neighborhood representative?

Answered: 36 Skipped: 50

#	Responses
1	My primary concern is traffic. There are times when I have to wait 10 min to pull out of Lafayette Circle. It is a very bad road. The Hardy School creates a traffic problem (imagine having another school or recreation area on Weston Road!) Lafayette Circle is a parking lot for the parents of the Hardy School students. There are times that cars make it very difficult to back out of driveways.
2	Feel the town should zone the land green space no buildings
3	Thank you for your time in helping to find reasonable solutions to a very difficult problem - whenever money is involved, we know who will win.
4	Thank you for your time and effort on behalf on the neighbors. Having been caught in the AM/PM Hardy School traffic and well as the commuter traffic back-ups, we are very concerned that any construction in the North 40 would deleteriously impact our neighborhood. We feel that renovating Hardy and Hunnewell Schools would be preferable to any new building. Also, what would it cost to bring Warren School back on line to accommodate future enrollment?
5	Keeping the way it is probably is the best way; however, if going to develop the land anyways despite of objections, I will vote for a infrastructure that will benefit the community, instead of single family houses that will increase the tax base
6	I believe the best use of the North 40 would be a mixed use of residential (cluster housing) and open space recreation (playing fields, green belts, and walking paths)
7	Developed land can never be undeveloped. If we don't save it from development now, it will be gone forever. Make the North 40 preservation land, of which the town has so little left.
8	i did not agree with the court decision to let the college sell this land, but i suppose that's water under the bridge.
9	PLEASE DO NOT SELL OFF TO DEVELOPERS!!!
10	You are in a difficult position. Appreciate the complexity of the problem. Listen to all the neighbors and keep the dialog on a "high" level. Be sure to communicate clearly in both directions. You have the potential to be a huge asset to the Town officials.
11	One reason I moved to the Fells neighborhood was all the open space. I feel like I live in the woods. I understand the pressure for more athletic fields, playgrounds, and senior housing ... , but there is something wonderful about just letting your kids run around in the woods. If this area just became a development of cookie-cutter McMansions, I might enjoy my new neighbors and my taxes might go up less quickly, but Wellesley would be less of a special place.
12	Town should sell St. James parcel and buy North 40 for recreation facilities: pool, skating rink, playgrounds, athletic fields. Thanks!
13	Thanks for volunteering to do this!
14	We need to be very, very careful about "developing" this area. Open space is hard to come by. Once it's gone, it's gone.
15	The North 40 is not a good location for a senior center, as it would be too far from shopping and other services.
16	Weston Road can't handle any more major traffic.
17	The town has to stop trying to build things for itself, its time to let the market forces determine the use of the land instead of spending taxpayer money to buy all of it. if it does become a school, the hardy should then be made into a senior center and the horrible trailer behind it demolished. if people want a skating rink, let them pay for it, it is not the responsibility of the town to use town resources to build our own club med. you want it, pay for it like the rest of us have for years through places like the BSC and Wellesley Country Club. the town has to stop hemorrhaging money to suit the baby-factory mentality of these stupid housewives.

18	The town or the community should seek to buy the land through fundraising to keep it as is forever. It should be in a land trust. It's precious, and once gone, is gone forever. Along with the deer, mice, hawks, songbirds, woodpeckers, foxes, coyotes, snakes, butterflies and other wonderful residents. My children grew up playing there and I am there several times a week. The north 40 and the rest of the reservation are a big part of why I live here. We need open, undeveloped, beautiful space we share with each other and with wildlife. We just do. I can't see how any development there could take place without serious, longterm disruption of the already awful Weston road traffic.
19	Thank you for doing this!
20	please preserve community gardens. forest is public land that is accessible by many people and widely used and appreciated. any development should be on a limited basis only with a priority for maintaining community garden and forested land. taking away community garden would remove food donation program, which has been very popular.
21	what mostly to see open space, nature undisturbed or as natural as possible and nothing that will generate increased traffic on an already extremely busy Weston Rd and entire area
22	Weston Road is virtually impassable during certain times of day. We need to be very conscious of adding more traffic to this area.
23	Please be strong and advocate for preservation of this space. I think it should be declared conservation land and protected from any development. Thank you.
24	I would agree to the town buying the land and not developing it beyond minimal necessity.
25	Please keep it as is.
26	I don't want to see residential development of more McMansions.
27	A town swimming pool near a senior center would be a great opportunity to encourage safe exercise (no danger of falling!) for seniors.
28	As a resident of Weston Rd, I take my life in my hands getting my car out of my drive as cars race by at 40+ mph. I actually hope that development of this land will lead to slower traffic and a 25mph speed limit,.
29	I am concerned that the vocal minority - in the form of community gardeners and people worried about traffic - will overshadow the opportunity to have a constructive and balanced discussion about potential uses of the site.
30	Anything that would add traffic is not feasible. Traffic on Weston Road is already a problem several times of the day.
31	Thank you for organizing this
32	Feel strongly that the town should buy the property.
33	We have a working farm here, something many interested foodies/restaurants/schools/CSA buyers would have more enthusiasm for if they knew about it. And the surrounding area is beautiful forest. Please let's not squander these impossible to replace last remaining wild spaces. Someone please do an air quality/light pollution/ water pollution/ noise pollution study on the affects of turning this place into more houses/cars/pavement. the results may be disastrous!
34	We feel strongly that the town should buy the property.
35	Additional excessive traffic, other than more residential traffic, is a major concern.
36	In an era where towns and cities are looking to be create parks and land for recreational purposes - it seems ironic that a densely populated town like Wellesley is looking to take it away and create more housing.

## APPENDIX VII: MEMORANDUM FROM THE TRAILS COMMITTEE

Dated July 27, 2014

To: North 40 Steering Committee  
From: Trails Committee  
Date: July 27, 2014  
Subject: Recommendations for North 40 Land Usage  
CC: Selectmen, Natural Resources Commission, Planning Board

We would prefer to see the land remain as is, with no new development, changes in usage, or alteration of the landscape. The North 40 is part of the open space lands and trails system around Morses Pond and provides the Crosstown Trail along the Cochituate Aqueduct with a woodland buffer between Weston Rd and the railroad. This is a golden opportunity for preserving this open space, and the Town should purchase the 46 acres as conservation land and designate it as protected or passive recreational use. The old adage is truer than ever: When open space is lost, it is gone forever.

If the Town purchases the land and decides to develop it, we recommend retaining at least 50% as contiguous protected open space, kept in a natural state for passive recreational use, and not fragmented with driveways or buildings by:

1. Providing a woodland buffer between the Crosstown Trail and any development along the north side of the trail from Turner Road to the Weston Road electric substation as a visual barrier.
2. Retaining the narrow woodland buffer along the south side of the Crosstown Trail and the railroad tracks.
3. Not constructing new roadways crossing the Crosstown Trail between the Morses Pond Access Road and the Weston Road electric substation to preserve the continuity of the trail corridor.
4. Retaining parts of the existing trails and adding new trails as needed to supplement loss of existing trails. Having at least two trail pedestrian access points from the neighborhoods, one from Turner Road and one from Weston Road (note this is in addition to the Crosstown Trail access from [the Morses Pond Access Road](#) and at the Weston Road substation).
5. Retaining the pine forests and mature deciduous treed areas as woodlands.
6. Including the Trails Committee in the planning, layout, design, and construction of new trails or rerouting of existing trails.
7. Providing a small parking area off Turner Rd near the [Morses Pond Access Road](#) gate for trail walkers and the many other users of the area.
8. Retaining the community gardens, since it is an intrinsic part of the landscape and provides an important resource for the Town's residents.

**APPENDIX VIII: SUMMARY OF ENVIRONMENTAL CONDITIONS**  
**By HALEY & ALDRICH**  
**Dated September 11, 2014**

11 September 2014  
File No. 40420-002

TO: Wellesley College  
Ben Hammond, Marianne Cooley  
FROM: Haley & Aldrich, Inc.  
Paul P. Ozarowski, P.E., LSP, Jennifer L. Sweet, P.E., LSP  
SUBJECT: Summary of Environmental Conditions  
North 40 Property  
Wellesley, Massachusetts

Haley & Aldrich, Inc. (Haley & Aldrich) was engaged by Wellesley College to evaluate environmental conditions at the North 40 property (herein referred to as the subject site) in Wellesley, Massachusetts. The approximately 46-acre subject site consists of one residence, community gardens and undeveloped wooded property (including a former municipal solid waste landfill). Haley & Aldrich completed a Phase I Environmental Site Assessment (Phase I) in July and August 2014. At the request of Wellesley College, Haley & Aldrich then performed subsurface investigations to evaluate the following two “recognized environmental conditions” identified during the Phase I:

- 1) the Town of Wellesley’s former municipal landfill, which reportedly operated between 1955 and 1960; and
- 2) a small former “pump house” structure located south of the Cochituate Aqueduct and north of the railroad tracks, possibly related to former transport of oil to Wellesley College’s main campus.

**EXECUTIVE SUMMARY**

Our investigations have revealed that the former Town landfill on the North 40 was significantly smaller than previously believed, was used (as intended) primarily for the disposal of ordinary municipal solid waste rather than industrial wastes, and has resulted in contaminant conditions that are remarkably benign relative to what typically is found in and around former municipal landfills. Still, we did identify conditions that require reporting to the Massachusetts Department of Environmental Protection (MassDEP), and then further response under that agency’s regulations governing the investigation and remediation of land affected by releases of oil or hazardous material. Based on our findings to date, this work can be confined to the landfill itself. We identified no adverse impacts spreading beyond the landfill’s relatively small footprint. Finally, we identified no evidence of petroleum or other contamination at the former pump house facility located south of the aqueduct.

**DISCUSSION**

On behalf of Wellesley College, Haley & Aldrich performed a subsurface exploration program during July and August 2014 in the area of the former landfill and in the area of the former “pump house” structure. The primary objectives of the exploration program were to delineate the lateral extent of landfill refuse, determine depth of landfill refuse within the center of the landfill at select locations, to characterize the landfill refuse and soil quality, and to evaluate potential groundwater and soil gas impacts associated with the landfill, both within and beyond its delineated footprint.

The program also included evaluation of potential impacts to soil and groundwater related to historic operations at the former “pump house” structure.

The subsurface exploration program consisted of 14 test pits around the perimeter and within the center of the former landfill, 2 deep soil borings within the center of the landfill, and 5 soil boring/groundwater monitoring wells and 5 co-located soil vapor monitoring points located outside the perimeter of the landfill. Landfill gas was field monitored with a combustible gas instrument and samples of mixed degraded refuse and soil were collected from test pits where refuse was encountered and submitted to an analytical laboratory for chemical testing. Landfill gas was also field monitored in the perimeter soil vapor monitoring points. Groundwater samples were collected from monitoring wells and submitted to an analytical laboratory for chemical testing. The locations where we conducted subsurface explorations are shown on the attached figure.

The test pit and soil boring program confirmed the presence of municipal refuse in an area estimated to be approximately 4.9 acres. This footprint is significantly smaller than the 23 acres that the Town historically leased for landfilling purposes and the 9-acre area preliminary delineated through a geophysical survey of the landfill conducted in the 1980’s. The bottom of landfill refuse materials was encountered in two soil borings and in one test pit ranging in depth from 7.5 ft to 29 ft below ground surface. Remaining test pits were completed to delineate the lateral extent and general quality of refuse.

The landfill refuse observed within the test pits was characterized as household waste material typically disposed of at municipal landfills during the period of time in question (1955-1960). Landfill refuse observed included glass and glass bottles, metal cans, other metal and wire, wood, paper, fabrics, plastics, leather, rubber, concrete and bricks, roofing materials, car parts (mufflers, wheel rims, etc.), and leaves. There were signs of potentially burned materials at five test pit locations. There were no obvious signs of the disposal of industrial wastes; the landfill appears to have been used exclusively for the disposal of municipal solid wastes.

Results of analytical testing of some of the soil/degraded refuse samples taken from within the landfill’s footprint indicated elevated levels of semi-volatile and volatile organic compounds above reportable concentrations established in the Massachusetts Contingency Plan (MCP). A polychlorinated biphenyl (PCB) compound was detected above its reportable concentration in one location. The few reportable conditions identified in the soil samples were only marginally above the relevant reportable concentration. Although the MCP establishes fast-track (*i.e.*, 2-hour or 72 hour) reporting obligations for certain conditions that are considered to pose an elevated risk of harm to human health or the environment, the reportable conditions discovered at the landfill do not have to be reported until 120 days (four months) after their discovery. Overall, contaminant concentrations are lower than would be expected for soils and refuse located in a typical solid waste landfill that operated in the 1955-1960 time frame.

Results of analytical testing of groundwater samples indicated an elevated level of arsenic in one monitoring well located immediately downgradient (*i.e.*, south) of the landfill. This one result was slightly above the MCP reportable concentration for arsenic, and also is subject to a 120-day reporting rule. Dissolved arsenic is commonly observed in landfill groundwater, which typically is lower in oxygen content because of the decaying waste materials. These so-called “reducing conditions” have a tendency to cause the arsenic that is naturally present in the soil to dissolve into the groundwater. The concentration of arsenic detected in this single well is likely a result of this typical landfill condition. Arsenic was not detected in any other groundwater wells above the MCP reportable concentration, including a well located farther away from the landfill and south of the Cochituate Aqueduct and is anticipated to be a localized condition. In our opinion, the analytical results for groundwater are remarkably clean and indicate that the landfill has had little

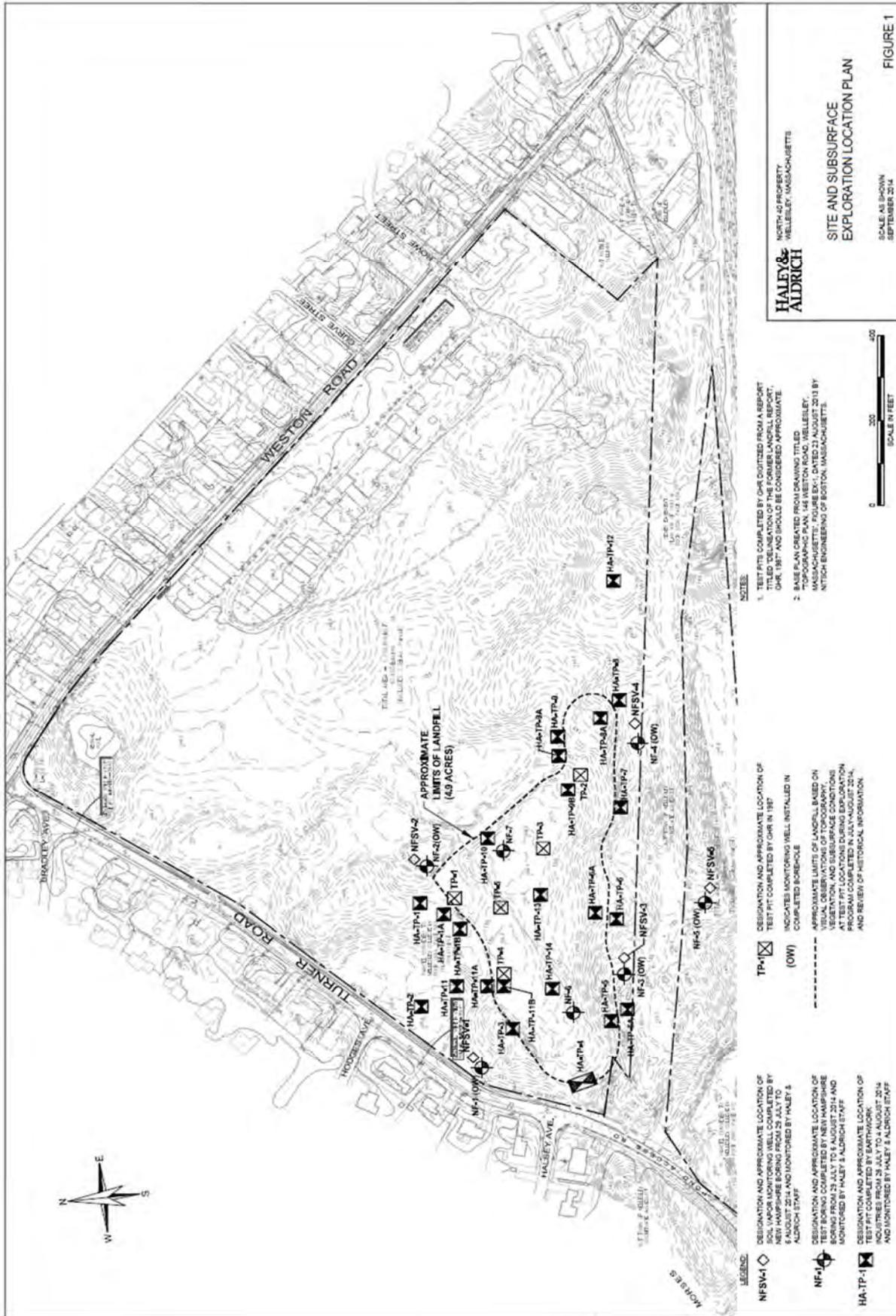
impact on the quality of groundwater immediately adjacent to the landfill. It is possible that the single arsenic detection marginally above the reportable concentration may, through additional sampling in that location, be demonstrated to have been anomalous.

Methane, a typical landfill-producing gas, was detected in two test pits at low levels and was not detected in the remaining test pits. Methane was not detected in the soil gas samples collected from the perimeter soil vapor monitoring wells. Based on the results of the soil gas screening along the perimeter of the landfill and the very low concentrations of methane measured in test pits during excavation, methane migration through soil gas at concentrations that may pose a health or safety risk to any other portion of the North 40 or any adjacent properties is not anticipated to be occurring.

The test boring/monitoring well in the footprint of the former “pump house” structure was completed to a depth of 27 ft below ground surface. Observations on soils and field screening results during the drilling of the boring did not indicate evidence of contamination. Petroleum compounds, SVOCS, and VOCs were not detected in the groundwater sample collected from this monitoring well. Some dissolved metals were detected in groundwater at this location, but in all cases below MCP reportable concentrations.

Attachment

Figure 1 – Site and Subsurface Exploration Location Plan



**APPENDIX IX: NATURAL RESOURCE ASSESSMENT**  
**By Vanasse Hangen Brustlin, Inc. (VHB)**  
**Dated September 18, 2014**

This memorandum describes the natural resources as well as stands of significant trees located on the North 40 Parcel located at 156 Weston Road in Wellesley, Massachusetts. The memorandum also describes the regulatory status of each of the wetland areas, and the anticipated permitting requirements for development of the site.

On July 15, 2014, VHB personnel inspected the North 40 for the presence of wetland resources regulated under the Wellesley Wetland Protection Bylaw -- Article 44 (the Bylaw), the Massachusetts Wetland's Protection Act (WPA), and the federal Clean Water Act (CWA). The parcel was also inspected for the presence of "significant trees" as defined in the Town of Wellesley Tree Bylaw (Section XVIIE). A desktop review was also completed using the following resources:

- Town of Wellesley GIS
- Town of Wellesley Natural Resources Commission
- MassGIS
- MA DEP
- MA Natural Heritage Program
- MA Water Resources Authority
- U.S. Department of Agriculture Soil Conservation Service

This memorandum also relies on information on the site history provided by others. The findings of the desktop review and site inspection are outlined below.

**Site Description**

The North 40 parcel is a triangular piece of largely undeveloped land located north of the Wellesley College Campus at 156 Weston Road in Wellesley, Massachusetts. The parcel is bounded by Weston Road to the east, the MBTA rail line to the south and Turner Road to the west. The parcel is transected east-west by the former Cochituate Aqueduct, now owned and controlled by the Town and part of its trail system and water and sewer infrastructure. The rail line and Aqueduct combine to effectively "landlock" six acres of the site from the larger parcel to the north. Fifty-five community garden plots are located in the northeast portion of the site with access from Weston Road. The Town of Wellesley leased approximately 23 acres of the parcel for use as a landfill for household waste. The landfill was in use from approximately 1955 to 1960 and the area has since revegetated. A network of walking trails runs throughout the parcel.

The majority of the site is made up of mixed coniferous-deciduous second growth upland forest. The conifer dominated communities have a sparse sub-canopy and groundcover layer and are vegetated with white pine (*Pinus strobus*), red oak (*Quercus rubra*), white oak (*Quercus alba*), glossy buckthorn (*Frangula alnus*), lowbush blueberry (*Vaccinium angustifolium*), wild sarsaparilla (*Aralia nudicaulis*), spotted wintergreen (*Chimaphila maculata*) and wild lily of the valley (*Maianthemum canadense*). The communities dominated by hardwoods have a denser layer of undergrowth. Dominant species include red oak, red maple (*Acer rubrum*), American elm (*Ulmus americana*), white pine, apple (*Malus* sp.), glossy buckthorn, bush honeysuckle (*Lonicera* sp.), lowbush blueberry, wild lily of the valley, Virginia creeper (*Parthenocissus quinquefolia*) and poison ivy (*Toxicodendron radicans*).

The soil map for Norfolk County shows that Hinckley sandy loam, Merrimac fine sandy loam, Merrimac-urban land complex and Sudbury fine sandy loam soils occur on the site. No mapped wetland soils occur on the site.

### **Floodplains**

According to the Flood Insurance Rate Map (FIRM)<sup>37</sup> for the Town of Wellesley no portion of the North 40 parcel is within a designated 100-year floodplain zones (See attached FIRM Map).

### **Wetland Description**

Approval of all wetland resource boundaries is subject to review by the Wellesley Wetlands Protection Committee and / or DEP through an Abbreviated Notice of Resource Area Delineation (ANRAD) or Notice of Intent (NOI) process. To our knowledge, wetlands on the site have not been formally reviewed by the Wetlands Protection Committee, and there is no valid Order of Resource Area Delineation (ORAD) issued by the Wetlands Protection Committee in response to the filing of an ANRAD; therefore, all wetland boundaries and resource area identifications should be considered the opinion of VHB based on available survey information and other records and are subject to the approval of the Wellesley Wetlands Protection Committee.

The parcel was inspected for wetland resource areas as defined by the local bylaw, the WPA and the U.S. Army Corps of Engineers. One ponded area was identified in the northernmost corner of the site. The wetland is shown as a certified vernal pool (CVP No. 32) by the latest Natural Heritage Program mapping (2008). It is a depression that appears to hold water for much of the year and receives runoff from the surrounding roadways and uplands. The pool itself is unvegetated and is underlain by a mucky substrate. The edges are vegetated with red maple, silver maple (*Acer saccharinum*), silky dogwood (*Cornus amomum*), burning bush (*Euonymus alatus*), multiple *Carex* species and Virginia creeper. This resource appears to meet the regulatory definitions of an Isolated Land Subject to Flooding (ILSF) under the WPA and as a Vernal Pool and Isolated Wetland under the local by-law as discussed in greater detail below. This wetland area is presumed to be not regulated by the USACE under Section 404 of the CWA as it does not have a significant nexus to a regulated Water of the U.S.

No other state regulated resource areas were identified on the site. The low lying areas adjacent to the former aqueduct were inspected closely during the site visit as the site topographic map provided by the Client showed several depressions in this area which could potentially hold water for short periods of time during the year. These areas did not meet the necessary criteria to be regulated as a wetland resource areas. While some of these areas contained hydric vegetation they lacked any evidence of wetland hydrology or hydric soils.

According to the most recent USGS topographic map, there are no perennial streams on or immediately adjacent to the site, and therefore Riverfront Area is not present. This determination is supported by observations made by VHB personnel during the site visit.

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<sup>37</sup> Federal Emergency Management Agency, 2012. FIRM, Norfolk County, Massachusetts. Map Number 25021C0016E Map 16 out of 430.

## **Regulatory Jurisdiction and Constraints**

### **Federal Wetlands Regulations**

Wetlands meeting the regulatory definition (areas that contain hydric soils, have a wetland hydrology, and support hydrophytic vegetation) are subject to jurisdiction under Sections 401 and 404 of the federal Clean Water Act (CWA). No federally regulated wetlands were identified on the property. The vernal pool does not meet the specified criteria and does not have a significant nexus to a regulated Water of the U.S. and therefore is not believed to fall under federal CWA regulations.

### **Massachusetts Wetlands Regulations**

The vernal pool on the parcel does not border on a stream or other waterway and therefore is not a Bordering Vegetated Wetland regulated under the WPA. It is not within Bordering Land Subject to Flooding or Riverfront Area. However, the depression containing the vernal pool may qualify as Isolated Land Subject to Flooding (ILSF) (310 CMR 10.57(2)(b)1.), as defined below:

*Isolated Land Subject to Flooding is an isolated depression or closed basin without an inlet or an outlet. It is an area which at least once a year confines standing water to a volume of at least ¼ acre-feet and to an average depth of at least six inches.*

The vernal pool receives roadway runoff discharges via a small swale from a storm water outfall. The DEP Wetlands Program Policy 85-2 clarifies definition of ILSF by explaining that presence of an inlet does not necessarily exclude an area from being classified as ILSF. This clarification allows us to conclude that the vernal pool; should it meet the necessary volume requirements, could be regulated as ILSF. Per the definition of ILSF, the depression must support ¼-acre-foot of water on an annual basis. Preliminary calculations of both available volume within the depression and the runoff volume contributed from the depression's watershed indicate that the depression will qualify as ILSF under the WPA regulations. Additional survey information on the contributing watershed area, in particular the upstream developed neighborhoods is needed to finalize this determination.

We note that the water surface in the depression is also in excess of 10,000 square feet based on engineering survey and may qualify as a Pond. Additional historical research will be required to determine if the pond dries up. The definition of a Pond in the WPA regulations is provided below.

*Pond (inland) means any open body of fresh water with a surface area observed or recorded within the last ten years of at least 10,000 square feet. Ponds may be either naturally occurring or man-made by impoundment, excavation, or otherwise. Ponds shall contain standing water except for periods of extended drought.*

### **Town Wetlands Protection Bylaw**

The Town of Wellesley has a Wetland Protection Bylaw, which also takes jurisdiction over the certified vernal pool on the parcel. The bylaw defines a "vernal pool habitat" as the pool itself along with the area within 100 feet of the pool. No alterations are permitted within the vernal pool itself or the vernal pool habitat without the issuance of a waiver from the commission. The Town Wetland Bylaw also regulates the vernal pool as an isolated wetland as its area is greater than 2,500 square feet. Locally regulated isolated wetlands have a 100-foot buffer zone, including an inner 25-foot No Disturbance zone and an outer 75-foot Limited Disturbance Zone. In addition, the Town bylaw regulates lands within 200 feet of an ILSF. However, the Regulations only describe performance standards for 100-foot buffer zones. Work may be permitted that does not conform to these performance standards under a Waiver process, if the area does not contribute

to the protection of the resource (for example, an existing road within 100 feet of a vernal pool) or where the applicant can demonstrate that there are no feasible alternatives, that the proposed activity is the least environmentally damaging, and that mitigation measures are provided.

### **Estimated Habitat of Rare Wildlife/Priority Habitat of Rare Species**

According to the 2008 Edition of the Massachusetts Natural Heritage Atlas,<sup>38</sup> the North 40 parcel is not located within an estimated habitat of rare wildlife or priority habitat of rare species.

### **Outstanding Resource Waters**

The certified vernal pool by definition is a Class B Outstanding Resource Water (Surface Water Quality Standards - 314 CMR 4.00). Work within Outstanding Resource Waters requires a Water Quality Certification (310 CMR 9.00) and must meet the requirements therein or will require a variance from these regulations.

### **Wellhead Protection Area**

The site falls within a Zone II wellhead protection area. Wellhead protection areas are established for the protection of the recharge area and groundwater sources of a public water supply (PWS). 310 CMR 22.00 defines a Zone II as *“that area of an aquifer that contributes water to a well under the most severe pumping and recharge conditions that can be realistically anticipated (180 days of pumping at approved yield, with no recharge from precipitation). It is bounded by the groundwater divides that result from pumping the well and by the contact of the aquifer with less permeable materials such as till or bedrock. In some cases, streams or lakes may act as recharge boundaries. In all cases, Zone II shall extend upgradient to its point of intersection with prevailing hydrogeologic boundaries (a groundwater flow divide, a contact with till or bedrock, or a recharge boundary”*. State regulations at 310 CMR 22.21 establish prohibited uses within Zone II (and require municipal zoning bylaws reflecting these prohibitions), which include landfills, junkyards, fuel depots, and hazardous waste facilities. In addition to the underlying zoning district, the site falls within the Wellesley Water Supply Protection Overlay district. Within this overlay district, the requirements of the underlying zoning district continue to apply, however, there are several additional design and operational standards within the overlay district, which include but are not limited to:

- **On-site Recharge:** All storm water runoff from impervious surfaces shall be recharged on site unless in conducting site plan review it is determined that either recharge is not feasible because of site conditions or is undesirable because of uncontrollable risks to water quality from such recharge. Such recharge shall be by surface infiltration through vegetated surfaces unless otherwise approved by the Special Permit Granting Authority (SPGA) during site plan review. If dry wells or leaching basins are approved for use, they shall be preceded by oil, grease, and sediment traps. Drainage from loading areas for toxic or hazardous materials shall be collected separately for safe disposal.
- **Grade Reduction:** Soil overburden shall not be lowered to finish exterior grades less than five feet above maximum groundwater elevation, unless technical evidence can be provided showing to the SPGA's satisfaction that groundwater quantity or quality will not be detrimentally affected. Technical evidence may include without limitation a determination of soil and geologic conditions where low permeability will mitigate leachate penetration and evaporation transpiration.

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<sup>38</sup> NHESP, 2008. Massachusetts Natural Heritage Atlas. 13th Edition.

## **Other Non-Regulatory Programs**

### **BioMap2**

BioMap2 is a project of the Executive Office of Energy and Environmental Affairs, and consists of mapping produced by the Natural Heritage and Endangered Species Program in partnership with The Nature Conservancy. BioMap2 is a tool for community land use planning and protection, and maps three types of resources: Core Habitat (habitat necessary to protect rare species, exemplary natural communities and intact ecosystems); Critical Natural Landscapes (intact landscapes that are better able to support ecological processes and a wide array of species and habitats over long time frames); and Aquatic Core Habitats. According to the community information on the EEA Website, none of these important habitat types are present on the site.

### **Habitat of Potential Regional and Statewide Importance**

A portion of the center of the site is mapped by the UMass Extension Center as Habitat of Potential Regional or Statewide Importance based on the Conservation and Prioritization System (CAPS) mapping dated November 2011. This CAPS mapping is not an area subject to regulatory jurisdiction under any state regulatory program, but is used by DEP to determine whether supplemental wildlife habitat evaluations would be required for work in wetlands.

The CAPS mapping is created using a GIS model that accounts for a number of “stressor metrics” in order to identify land that may provide a level of ecological integrity that supports a priority for conservation, a goal of the UMass CAPS program. Among the stressors that may have led to the inclusion of a portion of the North 40 site are distance from traffic, roadway sediment and impervious surfaces. We presume that the lack of these stressors in addition to the forested cover type resulted in the central part of the site being mapped by CAPS as “habitat of potential importance”. This mapping is not based on any actual field evaluations of wildlife habitat.

The only regulatory significance of this mapping is with regard to the analysis of impacts to wetland wildlife habitat. If the project resulted in the alteration of any wetland jurisdictional area that was as “habitat of potential importance” a wildlife habitat evaluation would be required. However, only wetland on the site is not within the mapped area. Work within the mapped area would not require a wildlife habitat evaluation or any regulatory review.

### **Significant Trees**

The Town of Wellesley has a Tree Bylaw (Section XVIIE Tree Preservation and Protection) which protects trees deemed significant based on their diameter at breast height (DBH). As stated in the tree bylaw, any tree with a DBH of 10 inches or greater is considered significant and therefore protected when located within a property’s Tree Yard. Based on the sites zoning as a Residential 15 property, the property’s Tree Yard is 20 feet from the parcel boundaries.

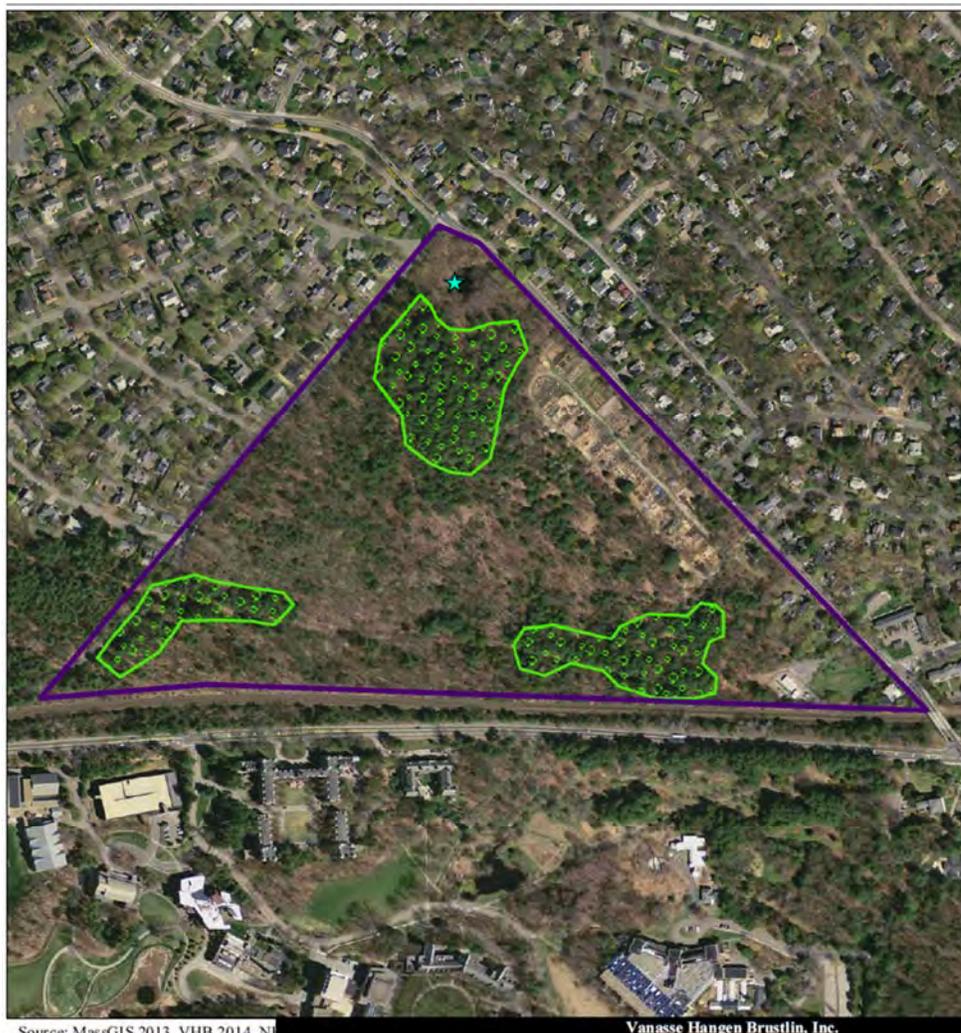
Three stands of significant trees were identified on the site (Figure 1). These trees were not all located within the parcel’s Tree Yard. The majority of the trees of significance were white pines. While there are trees with a DBH of greater than 10 inches elsewhere on the site, only stands of multiple trees of significance were identified by this effort.

### **Summary – Regulatory Constraints**

- A review of the 2008 Massachusetts Natural Heritage Atlas has shown there is a certified vernal pool in the northernmost corner of the parcel. This was confirmed during the site inspection. This vernal pool would be regulated as an Outstanding Resource Water under the state water quality standards. It is potentially regulated under the WPA and local bylaw as ILSF and under the local by-law as a Vernal Pool and an Isolated Wetland. Multiple

buffer zones extend from the limits of the VP. Alternatively the depression appears to meet the definition of a Pond in the WPA regulations. The jurisdictional determination of the depression needs to be pursued with the Wellesley Wetlands Protection Committee. The vernal pool is not believed to fall under federal jurisdiction.

- Review of FEMA mapping for Wellesley has determined that no designated mapped 100-year floodplain (Bordering Land Subject to Flooding) exists on the parcel.
- No areas of estimated habitat of wildlife habitat or priority habitats of rare species occur on the property.
- A Zone II wellhead protection area encompasses nearly the entire parcel. As such, the site falls within the Town of Wellesley Water Supply Protection Overlay district. Within this overlay district which include but are not limited to increased stormwater recharge requirements and limitations on grade reduction as it relates to groundwater elevation.
- Three stands of significant trees were identified on the site (Figure 1). These trees were not all located within the parcel's Tree Yard.



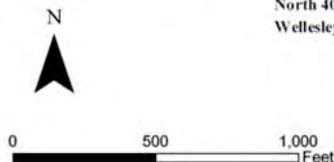
Source: MassGIS 2013, VHB 2014, N

Natural Resources Due Diligence  
North 40 Parcel  
Wellesley, Massachusetts

Vanasse Hangen Brustlin, Inc.

Figure 1  
July 2014

- Approximate Limits of North 40 Parcel
- ★ Certified Vernal Pool
- Approximate Significant Tree Locations



## APPENDIX X: PEER REVIEW OF NATURAL RESOURCE ASSESSMENT

By EcoTec, Inc. (John P. Rockwood)

Dated September 25, 2014

EcoTec was retained by the Town of Wellesley to conduct the following work relative to the above-referenced property:

*...EcoTec proposes to inspect the above-referenced 46±-acre property plus the Aqueduct inclusion ... for the presence of wetland resource areas subject to jurisdiction under the Massachusetts Wetlands Protection Act (the "Act"; M.G.L. c. 131, § 40) and regulations (the "Regulations"; 310 CMR 10.00 et seq.), Section 404 the U.S. Clean Water Act, and the Wellesley Wetlands Protection Bylaw. EcoTec will conduct this work in accordance with our Standard Operating Procedures, and wetland identifications will be conducted in accordance with the above-referenced statutes and regulations and associated policy and guidance. The approximate boundary of jurisdictional resource areas (i.e., Land Under Water, Bank, Bordering Vegetated Wetlands, Bordering and Isolated Land Subject to Flooding, and Riverfront Area under the Act; Waters of the United States under the U.S. Clean Water Act; and analogous resource areas, including Isolated Vegetated Wetlands and Vernal Pools under the Bylaw) will be sketched on the provided Topographic Map. There is one mapped wetland area in the northern corner of the site that is also identified as a certified vernal pool; based upon the provided Topographic Map, there are a number of other more shallow depressed areas mapped across the site with a concentration of smaller such areas near the Aqueduct in the southern portion of the site. Off-site resources that could affect the site (i.e., project a resource area or buffer zone onto the site) will also be identified to the extent possible based upon observations from the site and adjacent areas where observations can be made from without trespass.... EcoTec will prepare a wetland resource evaluation report with various applicable mapping and the site sketch to detail the findings of the inspections.*

*The client acknowledges that the wetland resource areas are not being delineated as part of this review and that the sketch plan provided under this review simply identifies the approximate boundary of areas that meet criteria to be considered as a wetland resource under the applicable statute or regulation. This sketch plan is intended to be used for preliminary planning purposes only; it is not intended to be used for regulatory filings. The Client acknowledges that the regulatory authority for determining wetland jurisdiction rests with local, state, and federal authorities. The Client hereby acknowledges that it has obtained physical and legal access for all requested work.*

*EcoTec was also asked to review a 'Natural Resource Assessment for the North 40, Wellesley, Massachusetts' that was prepared by Vanasse Hangen Brustlin, Inc. ("VHB"), dated August 4, 2014. Pertinent commentary will be incorporated into the EcoTec, Inc. letter.*

### Site Description

The subject site consists of 46.10± acres of land that is divided by the Town-owned former Cochituate Aqueduct in the southern portion of the subject site into approximately 40 acres to the north of the Aqueduct and approximately 6 acres to the south of the Aqueduct (see Attached Annotated Wellesley College 'North 40' Topographic Map; the "Topographic Map"). The subject site is otherwise surrounded by Weston Road to the northeast, Turner Road to the northwest, and the MBTA Commuter Rail to the south. Central Street (Route 135) is located to the south of the MBTA Commuter Rail further to the south of the subject site.

The eastern corner of the subject site near Weston Road is developed with an existing single family structure. An area of land located along Weston Road in the northeastern/north-central portions of the subject site includes multiple community garden plots, gravel access roads to the garden plots, and peripheral meadow and thicket. With the exception of an area of wetland resources near the northern corner of the subject site, the balance of the subject site consists of mixed coniferous-deciduous second growth upland forest. Based upon the Topographic Map, the subject site topography is irregular with shallow depressions common in the western and southern portions of the subject site. A series of walking trails was noted throughout the property. A number of excavator tracks related to an ongoing investigation of the subject site were also noted throughout the subject site during the inspections. Additional information, including discussions of plant communities and wetland resources observed on the subject site, is provided below.

### **Methodology**

EcoTec conducted a desk-top survey of the subject site and its surroundings by reviewing various available resources; a copy of each bulleted resource is attached to this report:

- Wellesley College 'North 40' Topographic Map, Wellesley GIS, prepared for Board of Selectmen June 11, 2014 (Annotated by EcoTec);
- USGS Topographic Map, Framingham Quadrangle, 1987;
- Aerial Photographs, Google Earth, April 17, 2008 and August 24, 2013;
- Town of Wellesley Massachusetts Wetlands Viewer from Town of Wellesley Natural Resource Commission website;
- DEP Wetlands, Certified Vernal Pools, and Potential Vernal Pool Data Layers from MassGIS OLIVER;
- United States Department of Agriculture, National Resource Conservation Service, Web Soil Survey: Soil Map and Map Unit Legend;
- Flood Insurance Rate Map, Norfolk County, Map Number 25021C0016E, Effective Date July 17, 2012;
- *Massachusetts Natural Heritage Atlas*, Priority Habitats and Estimated Habitats, Natick Quadrangle, October 1, 2008; and
- Habitat of Potential Regional or Statewide Importance, Town of Wellesley, UMass Extension, dated November 2011.

In addition, EcoTec reviewed the BioMap2 Report for Wellesley prepared by the Massachusetts Natural Heritage and Endangered Species Program ("MNHESP"). This document is for planning purposes.

Following a review of the above-referenced desk-top references, on August 26 and 28, 2014, EcoTec, Inc. inspected the above-referenced property for the presence of wetland resources as defined by: (1) the Massachusetts Wetlands Protection Act (M.G.L. Ch. 131, § 40; the "Act") and its implementing regulations (310 CMR 10.00 *et seq.*; the "Regulations"); (2) the Town of Wellesley Wetlands Protection Committee Wetlands Protection Bylaw (*i.e.*, Article 44; the "Bylaw") and Wetlands Protection Regulations ("Bylaw Regulations"); and (3) the U.S. Clean Water Act (*i.e.*, Waters of the United States). John P. Rockwood, Ph.D., PWS conducted the inspections.

In the conduct of this evaluation, the perimeter of the subject site was walked, each of the depressional areas shown on the Topographic Map was evaluated, and the balance of the subject site was evaluated by walking parallel transects across the subject site. No wetland resource area boundaries were delineated as part of this evaluation. The plant taxonomy used in this report is

based on the *National Wetland Plant List (Massachusetts 2012 Final State Wetland Plant List)*, ERDC/CRREL TR-12-11 (Lichvar, 2012).

## Findings

Based upon a review of the Topographic Map, USGS Map, Town of Wellesley Massachusetts Wetlands Viewer, and the DEP Wetlands data layer from MassGIS, there are no mapped lakes, rivers, or streams located on or within 100 feet of the subject site and there are no mapped rivers or streams located within 200 feet of the subject site. These maps show a small ponding area in the northern corner of the subject site. This ponding area and its status are detailed in a subsequent section of this report. The USGS map shows a solid heavy blue line on the Aqueduct parcel; the Aqueduct itself is clearly a subsurface feature that does not project resource areas onto the subject site.

According to the Web Soil Survey, the soils on the subject site are mapped primarily as Hinckley sandy loam, Hinckley loamy sand, Merrimac fine sandy loam, Merrimac-Urban land complex, and Sudbury fine sandy loam. No mapped wetland soils occur on the subject site.

Again, with the exception of the community garden plots, the vast majority of the uplands on the subject site consist of mixed coniferous-deciduous second growth upland forest and shrub thicket/meadow proximate to the community garden plots. These cover types are clearly seen in the Aerial Photographs from Google Earth dated April 17, 2008 (before leaf-out of the deciduous species) and August 24, 2013 during the height of the growing season. Plant species observed in these areas include the following.

- Mixed coniferous-deciduous second growth upland forest: Plant species observed through the upland forest on the subject site include northern red oak (*Quercus rubra*), northern white oak (*Quercus alba*), eastern white pine (*Pinus strobus*), pitch pine (*Pinus rigida*), black cherry (*Prunus serotina*), American plum (*Prunus americana*), red maple (*Acer rubrum*), Norway maple (*Acer platanoides*), shag-bark hickory (*Carya ovata*), and sweet birch (*Betula lenta*) trees, saplings, and/or shrubs; eastern poison-ivy (*Toxicodendron radicans*), Virginia-creeper (*Parthenocissus quinquefolia*), Asian bittersweet (*Celastrus orbiculata*), and grape (*Vitis sp.*) climbing woody vines and/or ground cover; highbush blueberry (*Vaccinium corymbosum*), European buckthorn (*Rhamnus cathartica*), glossy false buckthorn (*Frangula alnus*), common winterberry (*Ilex verticillata*), bush honeysuckle (*Lonicera sp.*), winged spindle-tree (*Euonymus alata*), and Japanese barberry (*Berberis thunbergii*) shrubs; and late lowbush blueberry (*Vaccinium angustifolium*), wild sarsaparilla (*Aralia nudicaulis*), princess-pine (*Dendrolycopodium obscurum*), southern ground-cedar (*Diphasoastrum digitatum*), northern bracken fern (*Pteridium aquilinum*), hay-scented fern (*Dennstaedtia punctilobula*), feathery false Solomon's seal (*Maianthemum racemosum*), false lily-of-the-valley (*Maianthemum canadense*), and spotted prince's-pine (*Chimaphila maculata*) ground cover. Significant trees (*i.e.*, trees with a DBH of 10 inches or more), predominantly eastern white pine trees (*Pinus strobus*), were noted throughout much of the subject site, although more significant concentrations of such trees were observed in the north-central, southwestern, and southeastern portions of the subject site (see attached April 17, 2008 Google Earth Aerial Photograph).
- Shrub thicket and meadow: Plant species observed in the thicket/meadow near the garden plots include Virginia-creeper (*Parthenocissus quinquefolia*) and Asian bittersweet (*Celastrus orbiculata*) climbing woody vines and ground cover; American plum (*Prunus americana*), bramble (*Rubus sp.*), European buckthorn (*Rhamnus cathartica*), glossy false buckthorn (*Frangula alnus*), rambler rose (*Rosa multiflora*), bush honeysuckle (*Lonicera sp.*), and winged spindle-tree (*Euonymus alata*) shrubs; and

grasses (Gramineae sp.), whiplash dewberry (*Rubus flagellaris*), bristly dewberry (*Rubus hispidus*), lesser periwinkle (*Vinca minor*), Japanese blackbindweed (*Fallopia japonica*), American pokeweed (*Phytolacca americana*), King's-cureall (*Oenothera biennis*), common wormwood (*Artemisia vulgaris*), Queen Anne's lace (*Daucus carota*), ox-eye daisy (*Leucanthemum vulgare*), goldenrods (*Solidago* sp.), goldentop (*Euthamia* sp.), common milkweed (*Asclepias syriaca*), lesser burdock (*Arctium minus*), garlic-mustard (*Alliaria petiolata*), bushclover (*Lespedeza* sp.), fleabane (*Erigeron* sp.), cinquefoil (*Potentilla* sp.), meadow-rue (*Thalictrum* sp.), wood-sorrel (*Oxalis* sp.), great plantain (*Plantago major*), red clover (*Trifolium pratense*), annual ragweed (*Ambrosia artemisiifolia*), garden vetch (*Vicia sativa*), violet (*Viola* sp.), and common yarrow (*Achillea millefolium*) ground cover.

The balance of this report will cover the various wetland resource areas under the Act and Regulations and the Bylaw and Bylaw Regulations as well as other pertinent areas.

**Land Under Water Bodies and Waterways, Bank, Bordering Vegetated Wetlands, Isolated Land Subject to Flooding, Isolated Vegetated Wetlands, Vernal Pool Habitat, and Buffer Zone:** There is an area in the northern portion of the subject site that is mapped as open water on several of the referenced maps. During the site inspections on August 26 and 28, 2014, a depression with a limited area and depth of standing water (approximately 900 square feet at 4 inches maximum depth on August 28, 2014) was observed in the northern portion of the subject site. It is clear, based upon the existing vegetation, that a substantially larger portion of this area (*i.e.*, approximately 10,000 square feet) ponds annually. The annually ponded area is fringed by a thin band of forested swamp. Several orange flags labeled LEC were observed near the southern boundary of the area. Two stormwater outfalls from the surrounding roadways drain to this area, one from the north, one from the southwest. Plant species observed in this area include red maple (*Acer rubrum*), silver maple (*Acer saccharinum*), and American elm (*Ulmus americana*) trees, saplings, and/or shrubs; eastern poison-ivy (*Toxicodendron radicans*) climbing woody vines and ground cover; highbush blueberry (*Vaccinium corymbosum*), silky dogwood (*Cornus amomum*), and glossy false buckthorn (*Frangula alnus*) shrubs; and spotted touch-me-not (*Impatiens capensis*), sedges (*Carex* spp.), and sphagnum moss (*Sphagnum* sp.) ground cover. Evidence of wetland hydrology included an area of shallow inundation, evidence of flooding, saturated soils, high groundwater, and stained leaf litter. EcoTec is not aware of any prior filings or determinations on this resource area under the Act or Bylaw.

In determining what resource areas this ponding area would comprise, the maximum area of the ponding area and its permanence must be determined. Based upon the ponding area shown on the Topographic Map, the area that is shaded blue is approximately 10,000 square feet in size. The source of the ponding area extent on this plan is not known. During the EcoTec inspections, an area of standing water approximately 900 square feet in size and 4 inches in depth was observed in the center of the area. Information included as part of the Vernal Pool Certification Letter, dated October 18, 1989, indicates that this area does not meet the 10,000 square foot requirement to be designated as pond; the letter also indicated that the area does not dry up annually. Under the Regulations (and Bylaw, as Pond is not otherwise defined therein), a Pond:

*...means any open body of fresh water with a surface area observed or recorded within the last ten years of at least 10,000 square feet. Ponds may be either naturally occurring or man-made by impoundment, excavation, or otherwise. Ponds shall contain standing water except for periods of extended drought. Periods of extended drought for purposes of 310 CMR 10.00 shall be those periods, in those specifically identified geographic locations, determined to be at the "Advisory" or more severe drought level by the Massachusetts Drought Management Task Force, as established by the Executive Office of Environmental Affairs and the*

*Massachusetts Emergency Management Agency in 2001, in accordance with the Massachusetts Drought Management Plan (MDMP).*

As of the date of this letter, an Advisory or more severe level of drought had not been designated pursuant to the Massachusetts Drought Management Plan.

It is EcoTec's opinion that adequate information to designate this ponding area as a Pond under the Regulations and Bylaw does not currently exist. The size of the maximum ponding area based upon field location and survey (preferably during the spring when flooded or based upon area to the base of the shrubs around the ponding area periphery) would be necessary to demonstrate that this area meets the threshold to be designated as a Pond under the Regulations and Bylaw. Anecdotal information from 1989 suggests that the area is too small. Additional historic information regarding the duration of water presence within this area would also be helpful in this determination. If the Committee were to find this area to be a Pond, the Pond would be regulated as Land Under Water Bodies and Waterways and as Bank and the fringe of forested swamp would be regulated as Bordering Vegetated Wetlands under the Regulations and Bylaw. Bordering Vegetated Wetlands and Bank have a 100-foot Buffer Zone under the Regulations and Bylaw/Bylaw Regulations. Under the Bylaw Regulations the 100-foot Buffer Zone is itself a resource area and is divided into an inner 25-foot No Disturbance Zone and an outer 75-foot Limited Disturbance Zone.

Alternatively, this area would be regulated as Isolated Land Subject to Flooding under the Regulations. Under the Regulations (and the Bylaw since Isolated Land Subject to Flooding is not otherwise defined therein), Isolated Land Subject to Flooding:

*...is an isolated depression or closed basin without an inlet or an outlet. It is an area which at least once a year confines standing water to a volume of at least ¼ acre-feet and to an average depth of at least six inches.*

At about 10,000 square feet in size, this area would only have to hold water to a depth of one foot to meet this threshold. It is clear that this depression floods to a depth in excess of one foot on an annual basis. As such, assuming this area is found not to meet the definition of a Pond above, this area would be subject to jurisdiction as Isolated Land Subject to Flooding under the Regulations and Bylaw. Isolated Land Subject to Flooding does not have a 100-foot Buffer Zone under the Regulations. However, Isolated Land Subject to Flooding does have a 100-foot Buffer Zone from the maximum observed extent of flooding with an inner 25-foot No Disturbance Zone and outer 75-foot Limited Disturbance Zone under the Bylaw Regulations. Again, the 100-foot Buffer Zone is a resource area under the Bylaw and Bylaw Regulations. EcoTec's reading of the Bylaw (as originally formatted in 2002) indicates that the Bylaw does not regulate land located within 200 feet of Isolated Land Subject to Flooding (and Bordering Land Subject to Flooding); that error, which currently persists on the website, resulted during prior reformatting of Section 2 of the Bylaw.

Furthermore, under the alternative scenario, this area would also be regulated as an Isolated Vegetated Wetland under the Bylaw as it is greater than 2,500 square feet in size and as Vernal Pool Habitat under the Bylaw. This area was designated as Certified Vernal Pool #32 on November 15, 1989 based upon the presence of facultative invertebrate species, obligate invertebrate species (*i.e.*, fairy shrimp), and obligate amphibian species (*i.e.*, recently confirmed by MNHESP to be wood frog egg masses). Isolated Vegetated Wetlands have a 100-foot Buffer Zone extending outward from the wetland boundary with an inner 25-foot No Disturbance Zone and outer 75-foot Limited Disturbance Zone under the Bylaw Regulations. The Vernal Pool Habitat under the Bylaw includes the pool itself and the land located within 100 feet of the mean annual boundary of the depression (*i.e.*, 100 feet outward from the maximum observed extent of

flooding). Vernal Pool Habitat does not need to be located within another resource area protectable under the Bylaw to be subject to protection under the Bylaw and Bylaw Regulations. Vernal Pool Habitat itself does not have a 100-foot Buffer Zone under the Bylaw and Bylaw Regulations.

Based upon a review of the *Massachusetts Natural Heritage Atlas*, 13th edition, Priority Habitats and Estimated Habitats, Natick Quadrangle, valid from October 1, 2008, there is one Certified Vernal Pool (*i.e.*, CVP #32) located in the northern portion of the subject site. Based upon MassGIS, this pool is also mapped as a Potential Vernal Pool. There are no other mapped Certified Vernal Pools or Potential Vernal Pools located on or within 100 feet of the subject site. Certified Vernal Pools are Class B Outstanding Resource Waters. It must be noted that vernal pools are not a resource area under the Regulations; they are simply a type of wildlife habitat that occurs within other resource areas or within unregulated uplands. Vernal Pool Habitat under the Regulations includes the pool itself as well as land located within 100 feet of the pool boundary that is located within a jurisdictional resource area under the Regulations; the 100-foot Buffer Zone is not a resource area under the Regulations.

With regard to jurisdiction under the U.S. Clean Water Act, while it is quite probable that this wetland lacks a significant nexus to a jurisdictional Water of the United States and would not be jurisdictional under the U.S. Clean Water Act, EcoTec offers no opinion on this matter. Federal wetland jurisdiction can only be determined by the U.S. Army Corps of Engineers (“Corps”) upon the filing of a Jurisdictional Determination or through the submittal of an Application for Permit to the Corps.

Based upon the map review and the site inspections, including observations made from the subject site and public roads, no other resource areas that would project either Riverfront Area or 100-foot Buffer Zone onto the subject site were noted. There is a wetland system located to the south of the site across the MBTA Commuter Rail and Central Street from the subject site; this wetland would be located close to 200 feet from the southern subject site boundary.

**Bordering Land Subject to Flooding:** Bordering Land Subject to Flooding is an area that floods due to a rise in floodwaters from a bordering waterway or water body. Where flood studies have been completed, the boundary of Bordering Land Subject to Flooding is based upon flood profile data prepared by the National Flood Insurance Program. Based upon a review of the Flood Insurance Rate Map, Norfolk County, Map Number 25021C0016E, Effective Date July 17, 2012, the subject site and its surroundings are mapped as Other Areas: Zone X, which are defined as areas located outside of the 0.2% annual chance flood (*i.e.*, outside of 500-year floodplain). Given the lack of a significant water body or waterway or a mapped Zone A or AE (*i.e.*, a mapped 100-year floodplain) proximate to the subject site, Bordering Land Subject to Flooding under the Regulations and the Bylaw would not occur on the subject site. Bordering Land Subject to Flooding does not have a 100-foot Buffer Zone under the Regulations or Bylaw. Again, as noted above for Isolated Land Subject to Flooding, it is EcoTec’s position that the Bylaw does not regulate land located within 200 feet of Bordering Land Subject to Flooding.

**Riverfront Area:** The Massachusetts Rivers Protection Act amended the Act to establish an additional wetland resource area: Riverfront Area. The Bylaw also establishes jurisdiction over land located within 200 feet of perennial streams. Based upon a review of the current USGS Map and observations made during the site inspection, there are no mapped or unmapped streams located on or within 200 feet of the subject site. Accordingly, Riverfront Area under the Act and Bylaw would not occur on the subject site. Riverfront Area does not have a Buffer Zone under the Act and Regulations or Bylaw.

**Estimated and Priority Habitat:** Based upon a review of the *Massachusetts Natural Heritage Atlas*, 13th edition, Priority Habitats and Estimated Habitats, Natick Quadrangle, valid from October 1, 2008 (attached), there are no Estimated Habitats [for use with the Act and Regulations (310 CMR 10.00 *et seq.*)] and no Priority Habitats [for use with Massachusetts Endangered Species Act (M.G.L. Ch. 131A; "MESA") and MESA Regulations (321 CMR 10.00 *et seq.*)] on or in the immediate vicinity of the subject site. The Vernal Pool Certification Letter, dated November 15, 1989, indicates that the MHESP was not notified of the presence of state-listed wildlife species in this vernal pool habitat.

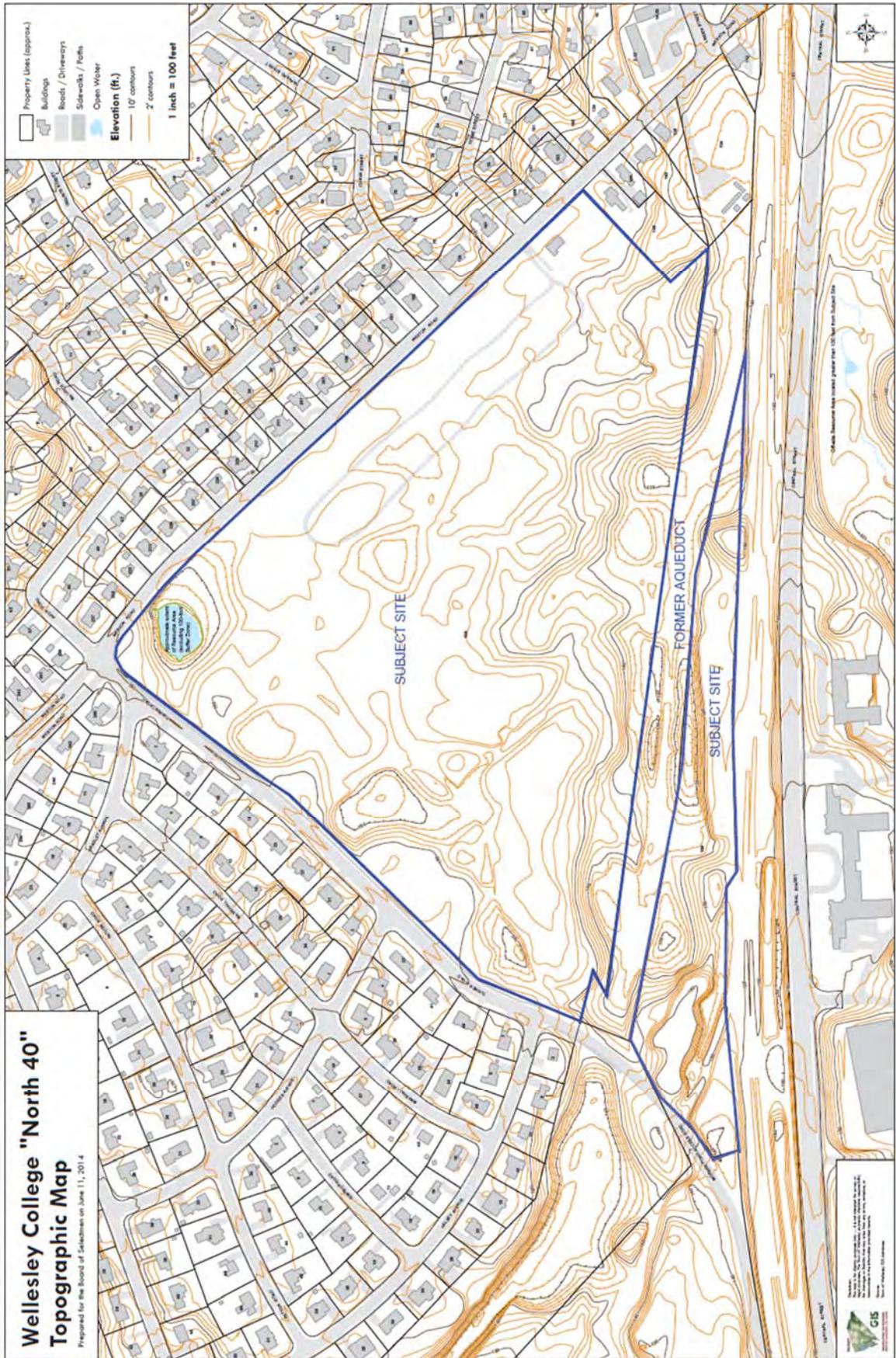
**Habitat of Potential Regional or Statewide Importance:** Based upon a review of the Habitat of Potential Regional or Statewide Importance Map for Wellesley, dated November 2011, the central portion of the subject site is mapped as Habitat of Potential Regional or Statewide Importance. MassDEP's June 2006 Massachusetts Wildlife Habitat Protection Guidance for Inland Wetlands ("Guidance") adopted an approach that utilizes maps developed at the University of Massachusetts using the Conservation and Prioritization System ("CAPS") based upon the integrated index of ecological integrity as part of the wildlife habitat evaluation process. This mapping on the subject site is of limited concern as the mapped area is not located within or proximate to a jurisdictional wetland resource area under the Regulations, and a wildlife habitat evaluation under the Regulations and Guidance would not likely be required for any project proposed on the subject site.

**Areas of Critical Environmental Concern:** Based upon a review of the State-wide Map of Areas of Critical Environmental Concern ("ACECs"), there are no ACECs located within or proximate to Wellesley, Massachusetts. This map is available at <http://www.mass.gov/eea/agencies/dcr/conservation/ecology-acec/areas-of-critical-environmental-concern-acec.html>.

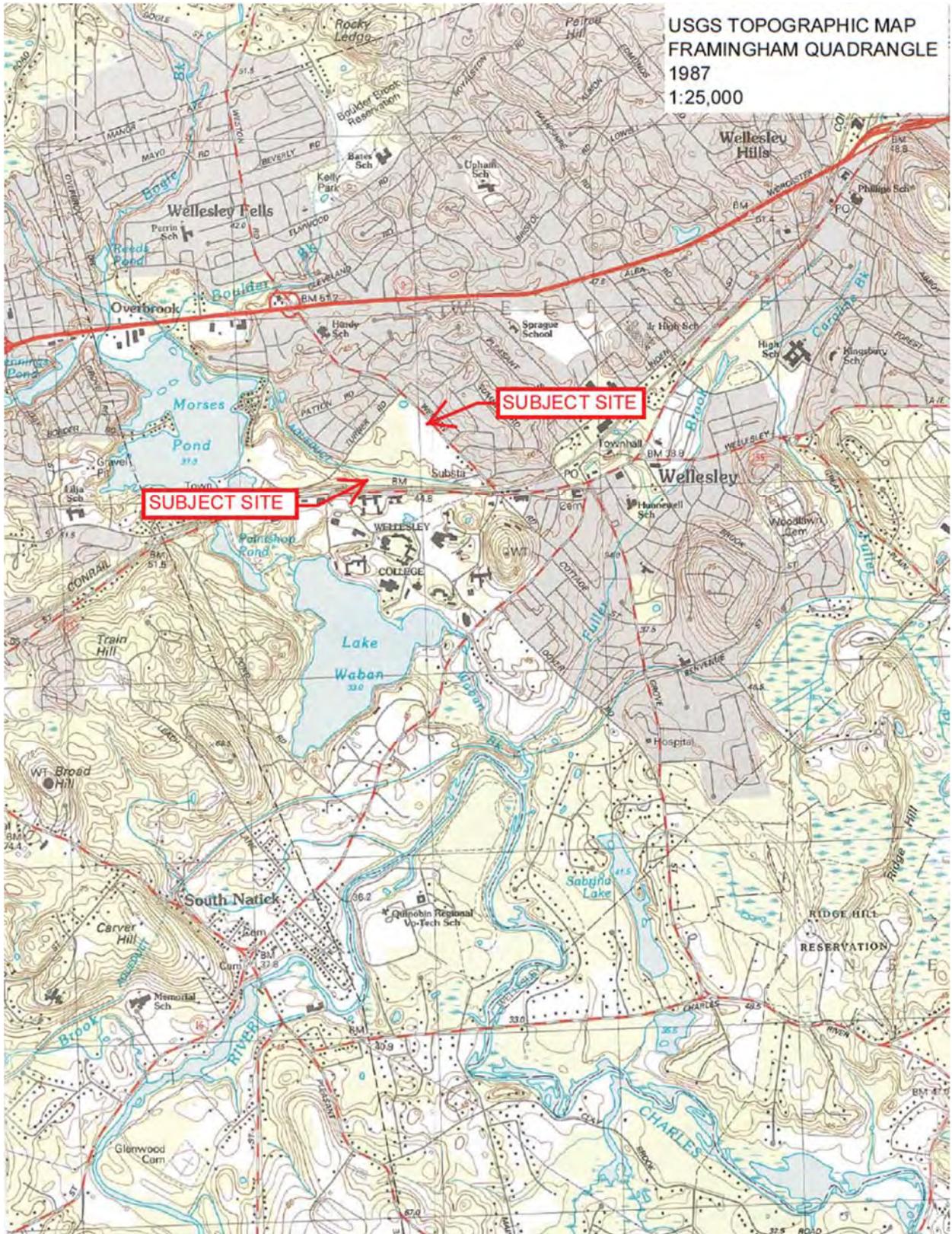
**BioMap2:** Based upon a review of the BioMap2 Report prepared for the Town of Wellesley in 2012, there are no areas identified as Core Habitats or Critical Natural Landscapes located on or near the subject site. Core Habitats and Critical Natural Landscapes are located near the northeastern municipal boundary and the extreme southwestern municipal boundary. This report is available at [http://maps.massgis.state.ma.us/dfg/biomap/pdf/town\\_core/Wellesley.pdf](http://maps.massgis.state.ma.us/dfg/biomap/pdf/town_core/Wellesley.pdf).

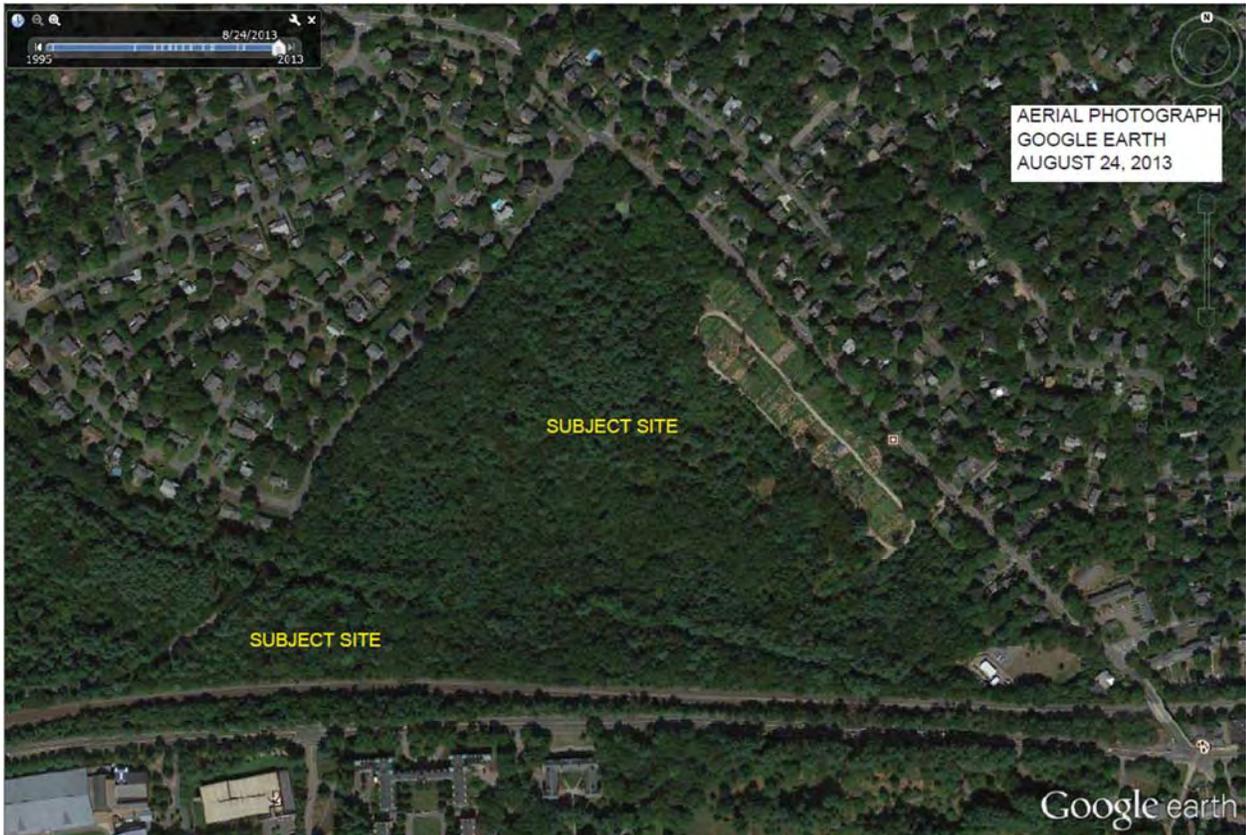
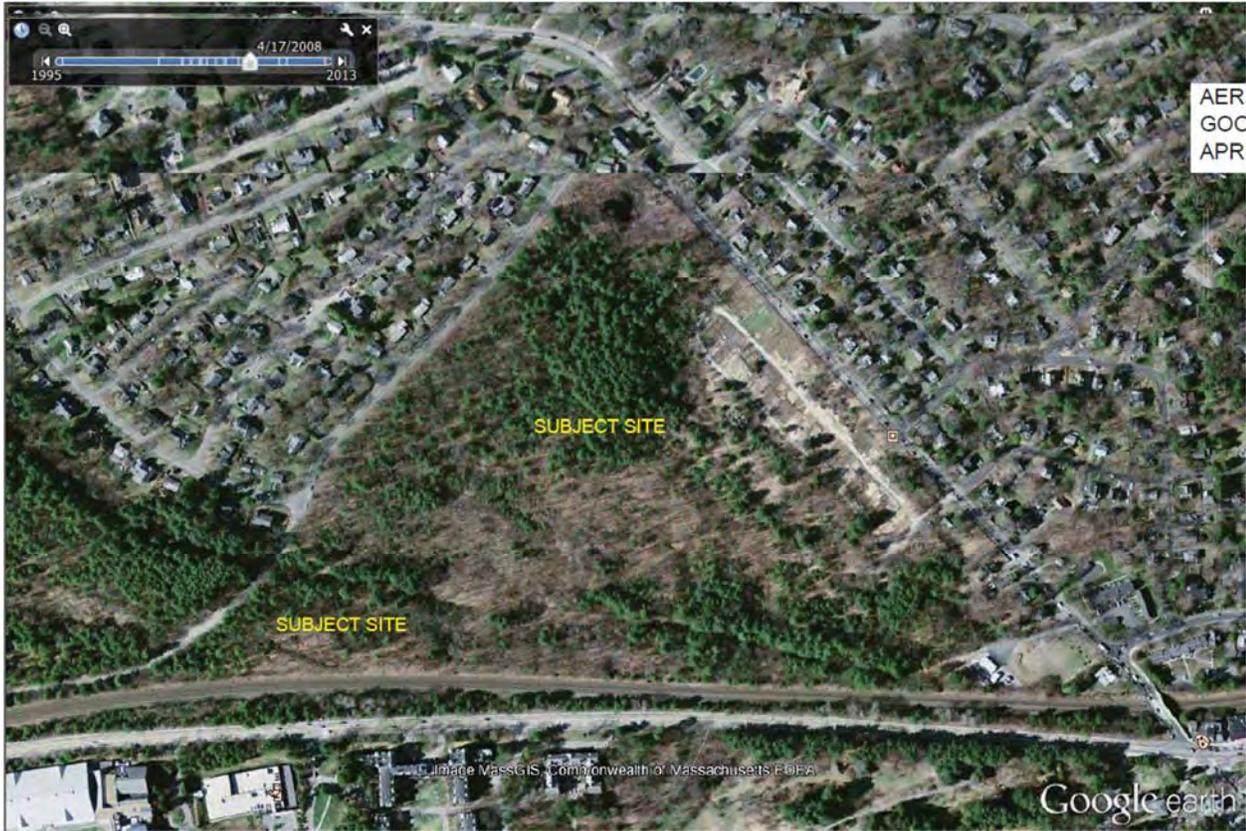
**VHB Memorandum:** EcoTec was provided with a copy of the updated 'Natural Resource Assessment, North 40, Wellesley, Massachusetts' memorandum, prepared by VHB, dated September 18, 2014. EcoTec concurs that there is a single wetland area on the subject site and that this wetland area may be characterized as Isolated Land Subject to Flooding under the Regulations and Isolated Vegetated Wetlands, Isolated Land Subject to Flooding, and Vernal Pool Habitat under the Bylaw or alternatively a Pond, which would be regulated as Land Under Water Bodies and Waterways and Bank, with a fringe of Bordering Vegetated Wetlands under the Regulations and Bylaw. Certain of these resource areas have a 100-foot Buffer Zone under the Regulations and/or the Bylaw and Bylaw Regulations. Given the ambiguity of the resource area classification, the type and extent of this resource area would need to be determined through a formal filing under the Act and Bylaw with the Wellesley Wetlands Protection Committee. The determination of Wellhead Protection Areas and Significant Trees was outside of EcoTec's scope and, except as noted above, are not otherwise considered within this report. Subject to the above comments, EcoTec is in substantive agreement with the pertinent VHB findings.

The reader should be aware that the regulatory authority for determining wetland jurisdiction rests with local, state, and federal authorities. A brief description of my experience and qualifications is attached. If you have any questions, please feel free to contact me at any time.

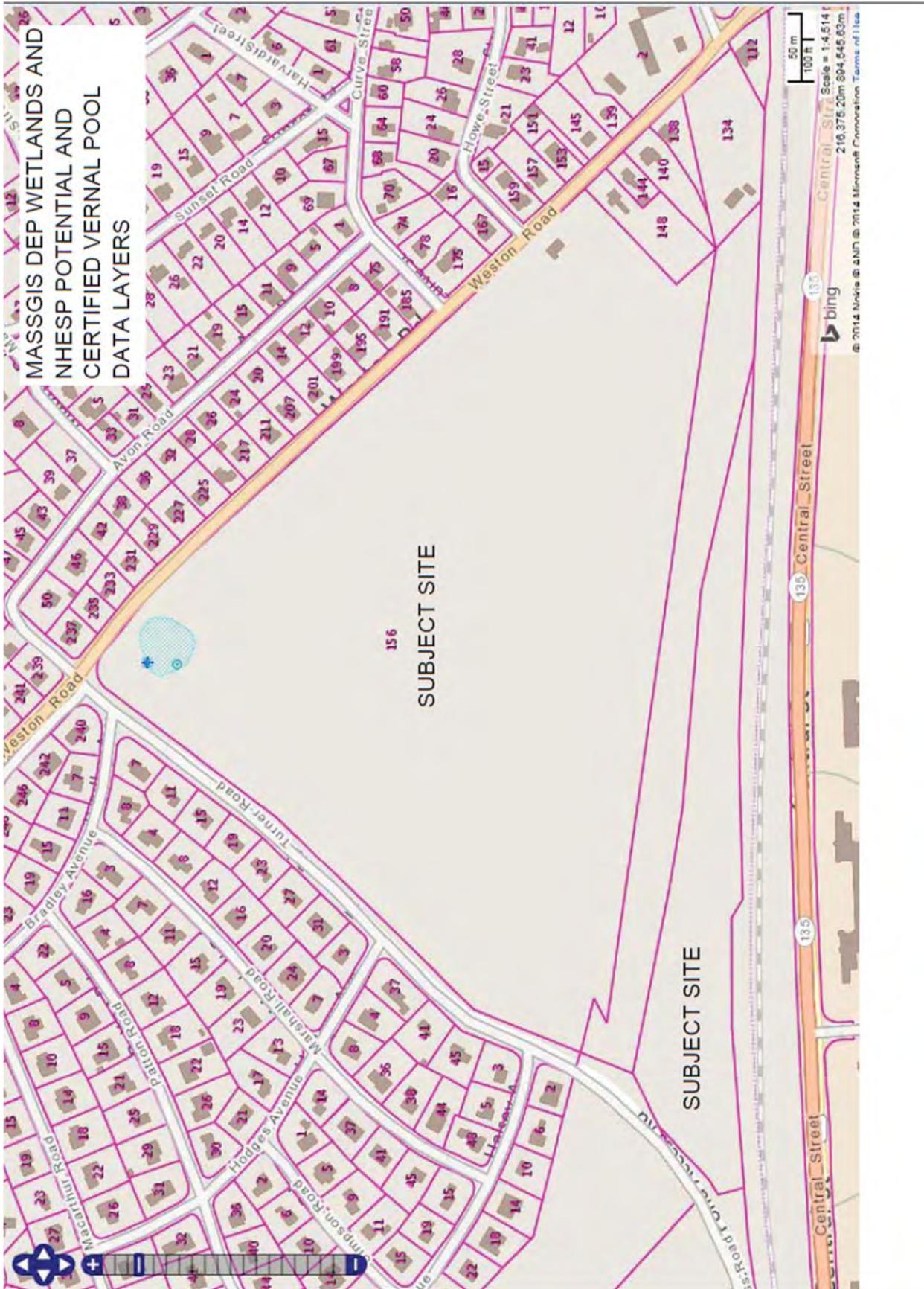


USGS TOPOGRAPHIC MAP  
FRAMINGHAM QUADRANGLE  
1987  
1:25,000









Custom Soil Resource Report  
Soil Map



### Map Unit Legend

Norfolk and Suffolk Counties, Massachusetts (MA616)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
245C	Hinckley sandy loam, 8 to 15 percent slopes	25.9	34.3%
253D	Hinckley loamy sand, 15 to 35 percent slopes	6.6	8.7%
254A	Merrimac fine sandy loam, 0 to 3 percent slopes	14.8	19.6%
254B	Merrimac fine sandy loam, 3 to 8 percent slopes	14.4	19.0%
260B	Sudbury fine sandy loam, 2 to 8 percent slopes	2.2	2.9%
602	Urban land, 0 to 15 percent slopes	1.1	1.4%
626B	Merrimac-Urban land complex, 0 to 8 percent slopes	7.7	10.2%
630C	Charlton-Hollis-Urban land complex, 3 to 15 percent slopes	2.8	3.8%
653	Udorthents, sandy	0.0	0.0%
<b>Totals for Area of Interest</b>		<b>75.4</b>	<b>100.0%</b>

## APPENDIX XI: PRELIMINARY TRAFFIC STUDY

By Beta Group, Inc.  
Dated September 30, 2014

As part of the North 40 project, BETA Group, Inc. has conducted a preliminary traffic study of the surrounding area roadways. This preliminary traffic study focused on evaluating the existing traffic operational conditions and identifying the deficiencies of the surrounding roadway systems adjacent to the North 40 site. The study area, shown in Figure 1, included:

- Weston Road Corridor between Route 9 and Central Street (Route 135)
- Central Street (Route 135) Corridor between Bacon Street and Weston Road
- Adjacent residential roads

The study also explored solutions to mitigate the deficiencies. The findings of this preliminary study were presented at a North 40 Public Meeting on Tuesday, September 9th, 2014. The preliminary study and findings are discussed as follows.

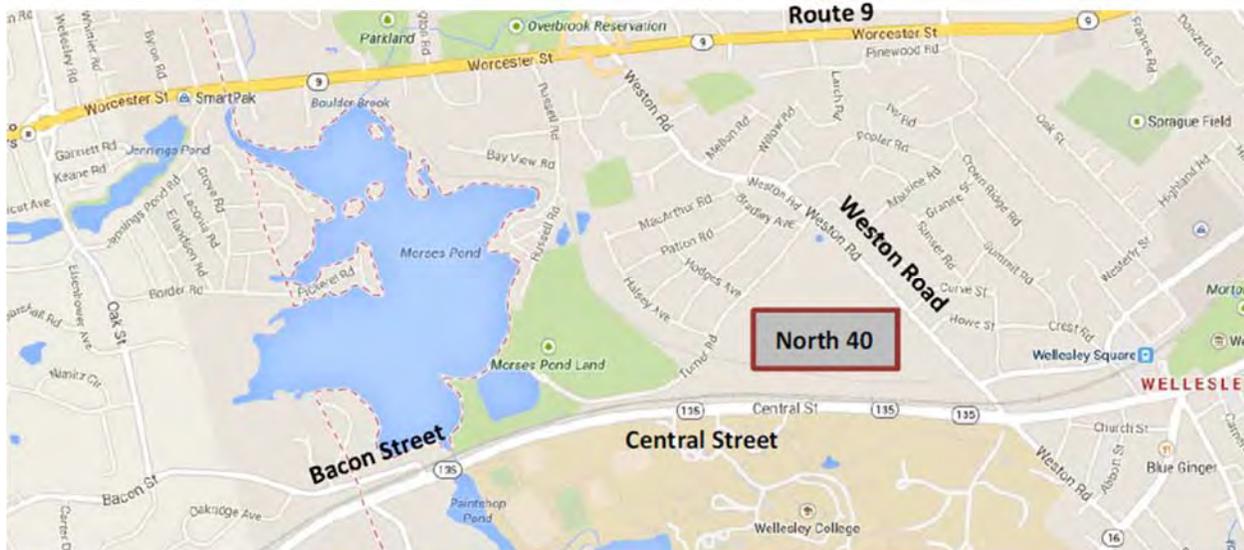


Figure 1: North 40 Study Area (Source: Google Maps)

### EXISTING CONDITIONS

To conduct the preliminary study of the North 40 area roadway traffic conditions, we utilized historical traffic data for the Weston Road and Central Street corridors from several previous traffic impact and roadway studies. In addition, new traffic data were collected from September 15, 2013 to September 20, 2014. The data revealed that the Average Daily Traffic (ADT) on Weston Road is approximately 15,500 vehicles per day. Based on these volumes, it was determined that the intersection of Weston Road and Central Street operates with Level of Service (LOS) F with long queues on Weston Road and Central Street. For example, the queue for Weston Road southbound extends beyond Curve Street. This intersection serves as a crossroads between Route 135, which serves as a regional east/west connector, and Weston Road which functions as a major north/south connector from Route 135 to Route 9. It is known that Weston Road is used as a bypass for vehicles traveling on Route 9. Vehicles exit the congested Route 9 and travel southbound on Weston Road to Route 135 and split eastbound or westbound accordingly. In addition, Weston Road is used as a connection to/from Route 30 in Weston, MA.

Given the high volumes in the peak hours and the existing number of travel lanes for each approach, the Weston Road and Central Street intersection is currently operating over capacity.

The data showed the intersection is processing 2,300 vehicles in the commuting peak hours, but can only physically handle 1,800 vehicles in the commuting peak hours. For this intersection to operate at or below capacity approximately 500 vehicles will need to be removed from the intersection.

Several alternatives were developed to improve the operational capacity at this intersection. Alternatives 1 & 2 explored methods to accommodate the 500 vehicles within the intersection by creating additional lanes and adjusting signal operations with the adjacent intersection of Linden Street at Weston Road. Alternatives 3, 4, 5, and 6 explored the option of diverting the 500 vehicles from the intersection of Central Street and Weston Road. Since Weston Road travels over the CSX/MBTA railroad tracks adjacent this intersection, all six alternatives will require coordination with the MBTA and CSX. These alternatives are discussed as follows:



Figure 2: Weston Road Southbound Right Turn Lane

### **ALTERNATIVE 1 – WESTON ROAD SOUTHBOUND RIGHT TURN LANE (FIGURE 2)**

This alternative explored options to add more lanes to the intersection of Weston Road and Central Street to alleviate the poor operating conditions. The traffic volume data revealed that each approach processes high volumes in the peak hour, approximately 400 vehicles per hour to 975 vehicles per hour. Based on this information, we evaluated the potential for lane additions by examining the right-of-way impacts caused by widening the roadway for each approach. The right-of-way information provided by the Town's GIS mapping shows that Central Street and the Weston Road northbound approaches to this intersection have very limited right-of-way to add any additional travel lanes. Given the lack of right-of-way and the potential significant impact to businesses and abutters, adding lanes is unfeasible for these three approaches. The Weston Road southbound approach consists primarily of a bridge structure with potential right-of-way to add an additional lane. Currently, this approach consists of one travel lane in the southbound direction and one travel lane in the northbound direction. Due to the heavy turn volumes on the Weston Road southbound approach, an exclusive right turn lane and a shared through/left lane is proposed under this alternative. This configuration requires widening the existing bridge over the MBTA Commuter Rail and CSX Freight Rail. Currently the bridge provides a pavement width

of approximately 30 feet from curb to curb. Given this width, it is not possible to provide for three lanes of traffic over the bridge as the truck turning radii onto the bridge encroaches on the opposing travel lane. The short bridge span, approximately 200 feet, coupled with the steep 10% vertical grade also prevents the existing bridge from being striped for three travel lanes. Therefore, to add a right turn lane the bridge will require widening by at least seven feet. The seven feet widening would allow for an exclusive right turn lane for southbound vehicles wishing to travel on Route 135 westbound.

The analysis revealed that the added right turn lane provides small relief to queues on Weston Road, but it does not provide any benefit to other approaches to the Weston Road at Central Street or Weston Road at Linden Street intersections. These intersections continue to operate with LOS F in the peak hours. This alternative will have right-of-way impacts at both the southern and northern ends of the bridge abutment areas.

### ALTERNATIVE 2 – SIGNALIZE LINDEN STREET (FIGURE 3)

A large contributor to the queuing on Weston Road is due to the signalized flashing operation of the Weston Road and Linden Street intersection. This alternative explored the option of converting the flashing operation to a conventional full signal “Stop and Go” operation coordinated with the Weston Road and Central Street intersection.

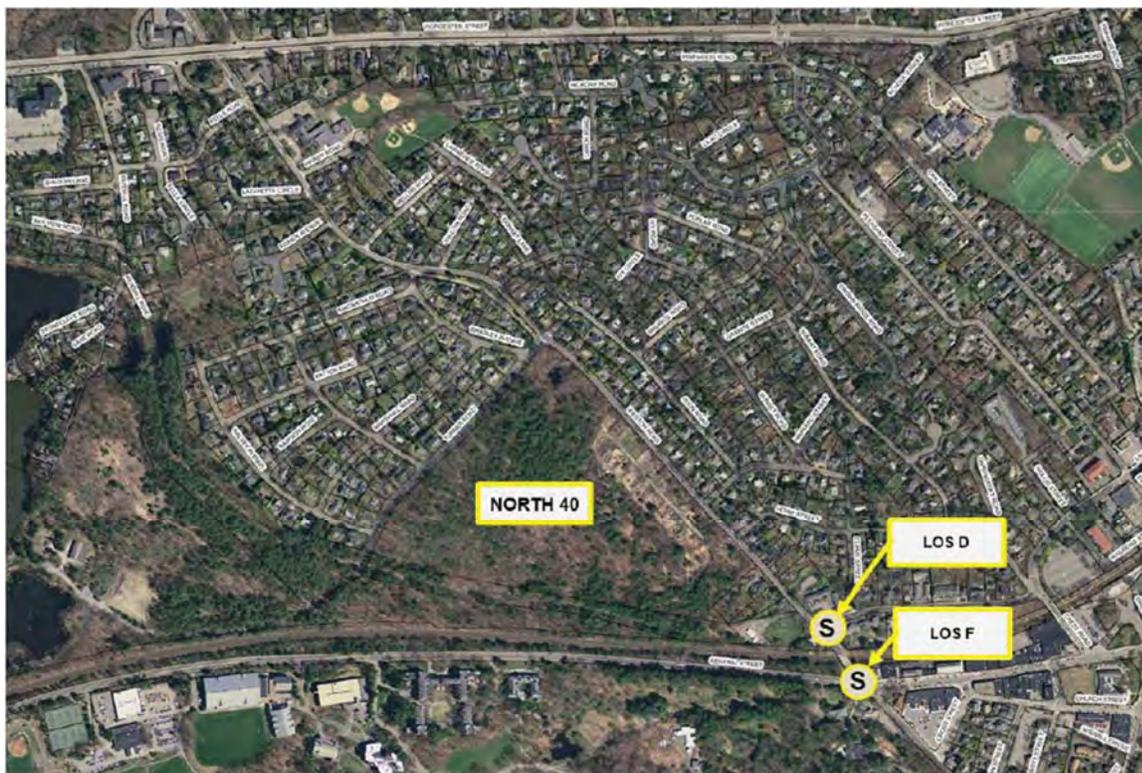


Figure 3: Signalize Linden Street

This intersection currently contains a traffic signal in flash mode, which gives Weston Road a flashing yellow light and Linden Street a flashing red light. When a pedestrian activates the pedestrian push button, all approaches receive a solid red light until the pedestrian phase clears.

Due to the high volume on Weston Road, vehicles wishing to exit Linden Street must wait for gaps in traffic to make their turn maneuver. These gaps are inadequate which creates queue and increase delays. Left turns from Linden Street are particularly difficult due to the long queues on

Weston Road. Depending on the drivers, this occasionally operates like a merge/zipper movement (e.g., one Linden Street car, one Weston Road car, one Linden Street car, etc.). Other times Linden Street vehicles will pull out into the intersection and block northbound Weston Road vehicles, decreasing the efficiency of the intersection. Similarly, vehicles attempting to turn left onto Linden Street block traffic on Weston Road. The roadway width on Weston Road is not wide enough to allow vehicles to overtake a vehicle waiting to turn left onto Linden Street unless that vehicle encroaches on the northbound lane. These instances increase queues on Weston Road such that some southbound signal phases at the Central Street and Weston Road intersection go unused.

It is important to note that as part of the Weston Road improvements project, previously completed, consideration was given to widen this section of Weston Road to allow room for through vehicles to bypass waiting left turn vehicles destined for Linden Street. Due to the right-of-way constraints the full widening was not feasible. In addition, the flashing signal was designed and installed to be easily converted for conventional signal operations should traffic conditions change.

As an effort to improve traffic operations, converting the flashing traffic signal at the intersection of Weston Road and Linden Street to conventional signal operations was examined. This signal would be coordinated with the signal at Central Street such that traffic traveling over the bridge does not negatively impact either intersection. Coordinating these two signals allows the Linden Street intersection to operate at LOS D however the Central Street intersection continues to operate at LOS F. The overall queuing problem on Weston Road southbound did not improve significantly. This alternative also increases queues on Central Street westbound which continue to spill back to Wellesley Square.

#### **ALTERNATIVE 3 – LINDEN STREET EXTENSION (FIGURE 4)**

Since Alternatives 1 & 2 do not provide significant improvements to the Weston Road and Central Street intersection, Alternative 3 examines diverting 500 vehicles from the intersection such that it would operate at or below capacity. Based on the traffic data, it was determined that the largest (and most logical) volume movements to be diverted in the peak hour are vehicles turning right onto Central Street westbound from Weston Road, and vehicles turning left onto Weston Road northbound from Central Street. To divert these volumes, a new 500 to 600 feet long roadway/bridge over the existing MBTA/CSX railroad tracks. The proposed bridge will be approximately 600 feet west of the Weston Road and Central Street. This alternative would create a direct connection from Central Street to Linden Street, which can be referred to as the Linden Street Extension. The Linden Street Extension would receive all vehicles from Central Street eastbound destined north on Weston Road or eastbound on Linden Street. Likewise, all vehicles from Weston Road southbound or Linden Street westbound destined west on Central Street would also use the Linden Street Extension. These movements would not be required at the Weston Road and Central Street intersection, thereby improving the intersection operations from LOS F to LOS E.

The Linden Street Extension would require a new signal on Central Street. This new signal would only require two phases. One phase would give westbound vehicles green time, and the second phase would stop westbound vehicles to allow eastbound vehicles to turn left onto the new Linden Street Extension. Eastbound through vehicles would always receive a green signal phase. All vehicles exiting the Linden Street Extension would be restricted to right turns onto Central Street and would be yield controlled. This new signal and the two existing signals at Linden Street and Central Street would be coordinated to maintain efficient traffic flow. Preliminary analysis shows that this alternative improves the Central Street at Weston Road intersection to LOS E, with LOS D at Linden Street and reduces queues on Weston Road.



Figure 4: Linden Street Extension

One of the benefits to this alternative is it provides vehicles on Central Street (Route 135) direct access to Linden Street and vice versa. The new Linden Street Extension will also be more attractive for vehicles destined to the Linden Square shopping area than continuing on Central Street through Wellesley Square via Crest Road. Therefore, the Linden Street Extension alternative has the potential to divert some Central Street eastbound and westbound through vehicles from the Square area as well as the two key turn movements discussed above. A disadvantage to this alternative is that it provides little benefit for the North 40 parcel as it is located south of the parcel separated by the Electrical Sub Station.

#### **ALTERNATIVE 4 – BRIDGE CONNECTION TO CURVE STREET (FIGURE 5)**

Since Alternative 3 provides little benefits to the North 40 Parcel, Alternative 4 was developed to provide a connection to the North 40 Parcel. It provides a similar bridge connection approximately 1,500 feet west of the Central Street and Weston Road intersection. The alternative would create a road through the North 40 parcel and meet Weston Road at Curve Street forming a conventional four legged intersection. This bridge connection to Curve Street maintains the same principle of removing lefts and right turns from the Central Street at Weston Road intersection noted above. The intersection of Curve Street was chosen as a viable connecting point because it is approximately halfway (1,200 feet) between Central Street and Turner Road. The spacing of this new intersection (which could also be the future North 40 driveway) between the two Turner Road and Central Street intersections will provide the most ideal location for managing traffic along the Weston Road corridor. While a detailed traffic analysis has not been performed, the direct connection to Curve Street may require a traffic signal and could potentially encourage cut through traffic on Curve Street. Currently due to the Weston Road traffic queues from the Linden Street and Central Street intersections, Curve Street is being used as a cut through to Linden Street. The potential for increased cut-through traffic will need to be fully investigated as part of a detailed analysis.



Figure 5: Bridge Connection to Curve Street

Similar to Alternative 3, the bridge connection will cross over the existing MBTA/CSX railroad tracks. At this location Central Street is approximately five feet higher in elevation than the railroad tracks. This elevation difference is fairly consistent approximately 300' to 400' east of this location. However, the difference in elevation increases to the west of this location. For example, the Central Street is approximately 15 to 20 feet higher than the railroad tracks at the Wellesley College Entrance Driveway (signalized intersection) location. Due to the low grade difference between the railroad tracks and the Central Street roadway, a longer bridge span will be required in order to meet the required vertical clearance (20 feet) by the MBTA. While this study assumes a bridge connection over the existing MBTA/CSX Rail tracks, an at-grade crossing was also briefly explored. From a safety standpoint, the at-grade crossing scenario will be a concern for the MBTA/CSX, however, this option should not be ruled out.

The benefit to this alternative is that it provides direct access to the North 40 parcel such that any potential development may feed into this access roadway. A disadvantage is that it does not explicitly provide a direct connection to Linden Street; however, an optional connection, displayed in Figure 5 as a broken yellow line, can be accommodated. This Linden Street connection can be achieved north of the existing Electrical Sub Station.

Based on the Town's GIS mapping, the Linden Street connection can be provided with no right of-way impacts. Another disadvantage to this alternative is that it proposes the addition of two new signals (one on Central Street and one at Curve Street). Under this alternative, the existing flashing signal system at Linden Street will be converted to a conventional traffic signal particularly if the Linden Street connection is made available.

**ALTERNATIVE 5 – BRIDGE CONNECTION FROM WELLESLEY COLLEGE**

The following two alternatives (5A and 5B) examine reducing the number of new signalized intersections and connections to Turner Road. With this insight, the existing signalized

intersection of Wellesley College at Central Street was considered. In this alternative, a new bridge is proposed across from Wellesley College into the North 40 parcel, in which a new access road would run through the parcel to the connection with Curve Street. Similar to Alternative 4, an optional extension road shown as a yellow broken line could be used to connect with Linden Street. This alternative adds only one signal at Curve Street, while two existing signal systems would need to be reconfigured, (Linden Street and Wellesley College driveway). Alternative 5 (A or B) provides the most benefit to the North 40 parcel as it includes a circumference type of roadway system along the southerly site that could provide ample room for site driveways connectivity while still providing the traffic bypass from the Central Street at Weston Road intersection.

As mentioned previously, at this location Central Street is approximately 15 to 20 feet higher in elevation than the railroad tracks. The required bridge span for this location (approximately 200 feet to 300 feet) is not as long when compared to Alternative 4 due the large grade elevation, however, a grade crossing approach will be challenging due to the large elevation and short approach section (less than 100 feet) from the railroad track to Central Street.

#### Alternative 5A – Bridge Connection to Turner Road (Figure 6)

Alternative 5A proposes a connection from the site access road to Turner Road. This connection is proposed under the concept that spreading traffic out over multiple areas will reduce queues and improve traffic conditions overall. This alternative would provide three means of access from Central Street to Weston Road: at Linden Street, at Curve Street, and via Turner Road. This alternative may increase traffic impacts to the Turner Road neighborhood.



Figure 6: Bridge Connection to Turner Road

Depending on the outcome of the North 40 Project development, the connection to Turner Road could be used as a bicycle/pedestrian/emergency vehicle access pathway rather than a typical roadway for general traffic use. The pathway would ensure that the neighborhood is still

accessible but it will not increase traffic. If the Turner Road connection is used for general traffic, the existing pedestrian signal at Weston Road will need to be converted to a full traffic signal.

Alternative 5B – Bridge Connection to North 40 (Figure 7)

This alternative is identical to Alternative 5A but removes the vehicle connection to Turner Road. This would require vehicles to access and egress the North 40 parcel via the intersections of Wellesley College at Central Street and Weston Road at Curve Street. Similarly, the vehicles bypassing the Central Street and Weston Road intersection will also utilize these two new intersections. Consistent with Alternative 4, an optional connection road to Linden Street (shown in broken yellow lines in Figure 7) could be provided.

This alternative reduces the number of new traffic signals to one and has no direct traffic impact to the Turner Road neighborhood but still requires a new bridge over the MBTA railroad tracks.

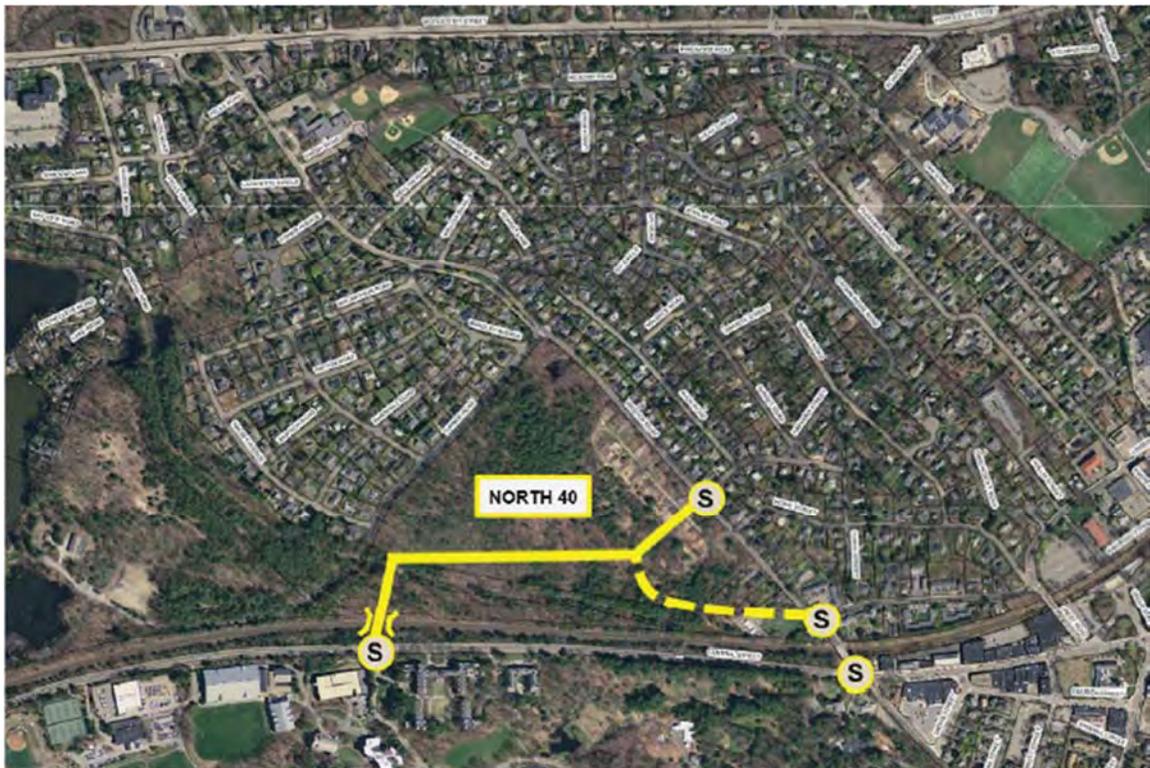


Figure 7: Bridge Connection to North 40

**ALTERNATIVE 6 – RUSSELL ROAD CONNECTION (FIGURE 8)**

This alternative examines other roadway networks within the study area to provide an alternate route for vehicles on Route 9 to access Central Street (Route 135) in an effort to relieve traffic congestion on Weston Road. The only nearby roadway that can provide a parallel connection other than Weston Road is Russell Road. This alternative explores connecting the new roads discussed in Alternative 5 with Russell Road and Route 9. The Russell Road connection would require connecting Halsey Avenue to meet up with Turner Road as shown in Figure 8. The major disadvantage to this alternative is that it requires significant right-of-way and neighborhood impacts.

Upon examining the traffic data at the Route 9 and Weston Road intersection, it was found that approximately 250 vehicles during the peak commuting hour originated from Route 9 eastbound continued to Weston Road southbound. Based on the small traffic volumes that will be diverted

via the Russell Road connection, it was determined that this alternative is not recommended due to the small benefits that would be achieved and the high design/construction cost and significant right-of-way and neighborhood impacts.



Figure 8: Russell Road Connection

### SUMMARY

This preliminary traffic study of the North 40 area traffic conditions explored ways to mitigate the traffic operational problems on Weston Road, particularly at the intersection of Weston Road at Linden Street and Central Street. Traffic data for this area have shown that the intersection is currently operating over capacity by approximately 500 vehicles. Alternatives 1 & 2 explored methods to accommodate the 500 vehicles within the intersection by creating additional lanes and adjusting signal operations, however these two alternatives provide little traffic congestion relief. To improve operations at this intersection traffic volume must be diverted. Alternatives 3 to 6 explore methods of diverting vehicle movements from this intersection, including: a new bridge connection to Linden Street, a new bridge connection to Curve Street, and a new bridge connection at the Wellesley College entrance driveway. For comparison purposes, a summary table of pros and cons for each of the six alternatives was developed as shown in Table 1. An order of magnitude construction cost associated with each of the Alternatives was developed. These costs do not include any right-of-way acquisition costs.

Alternatives	LOS	Intersection	Pros	Cons	Order of Magnitude Cost Estimate*
Existing Conditions	F F	<ul style="list-style-type: none"> <li>Central Street</li> <li>Linden Street</li> </ul>		<ul style="list-style-type: none"> <li>Exceeded intersection capacity</li> <li>Long queues (to Curve St on Weston Rd)</li> <li>Requires bridge widening the bridge</li> <li>Bridge widening costs</li> <li>Cannot accommodate future development traffic</li> <li>Overall intersection operational problem</li> <li>Queue problem</li> <li>Cannot accommodate PM conditions (LOS F)</li> <li>Cannot accommodate future development traffic</li> </ul>	<ul style="list-style-type: none"> <li>\$1.5M - \$2.0M</li> </ul>
Alternative 1 - Weston Road Southbound Right Turn Lane	F F	<ul style="list-style-type: none"> <li>Central Street</li> <li>Linden Street</li> </ul>	<ul style="list-style-type: none"> <li>Increases capacity for right turns.</li> <li>Minor queuing improvements on Weston Road southbound</li> </ul>		<ul style="list-style-type: none"> <li>\$1.5M - \$2.0M</li> </ul>
Alternative 2 - Signalize Linden Street	F D	<ul style="list-style-type: none"> <li>Central Street</li> <li>Linden Street</li> </ul>	<ul style="list-style-type: none"> <li>Improve operations for vehicles exiting Linden Street</li> <li>Allows for bridge queues to be metered between two signals</li> <li>Less cost since Linden St signal already exists</li> </ul>		<ul style="list-style-type: none"> <li>\$1.5M - \$2.0M</li> </ul>
Alternative 3 - Linden Street Extension	E D	<ul style="list-style-type: none"> <li>Central Street</li> <li>Linden Street</li> </ul>	<ul style="list-style-type: none"> <li>Removes lefts and rights from Central Street/Weston Road intersection (500 vehicles)</li> <li>Weston Road bridge widening not required</li> <li>Direct connection between Linden Street and Rte. 135</li> <li>Improve overall traffic operations</li> </ul>	<ul style="list-style-type: none"> <li>Construct a new bridge and two signals</li> <li>Requires property easements/takings</li> <li>Bridge, roadway, and signal construction costs</li> <li>Require traffic signal at Route 135</li> <li>Limited benefit to the North 40 site</li> </ul>	<ul style="list-style-type: none"> <li>\$3.0M - \$3.5M</li> </ul>
Alternative 4 - Bridge Connection to Curve Street		<ul style="list-style-type: none"> <li>Central Street</li> <li>Linden Street</li> <li>Curve Street</li> </ul>	<ul style="list-style-type: none"> <li>Removes lefts and rights from Central Street/Weston Road intersection</li> <li>Connects Curve Street to Route 135</li> <li>Provides a roadway connecting to the project site</li> <li>Weston Road bridge widening not required</li> <li>Improve overall traffic operations</li> </ul>	<ul style="list-style-type: none"> <li>Require new bridge, roadway, and signals at Curve and Route 135</li> <li>Requires easements/takings</li> <li>May require signalizing Curve St at Weston Rd</li> <li>Requires property easements/takings</li> <li>Bridge, roadway, and signals construction costs</li> </ul>	<ul style="list-style-type: none"> <li>\$4.0M - \$4.5M</li> </ul>
Alternative 5A - Bridge Connection from Wellesley College to Turner Road		<ul style="list-style-type: none"> <li>Central Street</li> <li>Linden Street</li> <li>Turner Road</li> <li>Curve Street</li> </ul>	<ul style="list-style-type: none"> <li>Removes lefts and rights from Central Street/Weston Road intersection</li> <li>Connects Turner Road to Route 135</li> <li>Connects Route 135 to Weston Road</li> <li>Provides direct connection to the North 40 site</li> <li>Weston Road bridge widening not required</li> <li>Improve overall traffic operations</li> </ul>	<ul style="list-style-type: none"> <li>Turner Road neighborhood impact</li> <li>Require new bridge, roadway, and upgrade existing signal at Wellesley College</li> <li>Require full signal/re-design at intersection of Turner and Weston</li> <li>Bridge, roadway and traffic signal Construction costs</li> <li>May require signalizing Curve St at Weston Rd</li> <li>Requires property easements/takings</li> </ul>	<ul style="list-style-type: none"> <li>\$5.0M - \$5.5M</li> </ul>
Alternative 5B - Bridge Connection from Wellesley College to North 40		<ul style="list-style-type: none"> <li>Central Street</li> <li>Linden Street</li> <li>Turner Road</li> <li>Curve Road</li> </ul>	<ul style="list-style-type: none"> <li>Removes lefts and rights from Central Street/Weston Road intersection</li> <li>No Turner Road neighborhood impacts</li> <li>Less cost (No upgrades to Turner Rd at Weston Rd)</li> <li>Connects Route 135 to Weston Road</li> <li>Provides direct connection to North 40 site</li> <li>Weston Road bridge widening not required</li> <li>Improve overall traffic operations</li> </ul>	<ul style="list-style-type: none"> <li>Require new bridge, roadway, and upgrade existing signal at Wellesley College</li> <li>May require signalizing Curve St at Weston Rd</li> <li>Bridge, roadway and traffic signal construction costs</li> <li>Requires property easements/takings</li> </ul>	<ul style="list-style-type: none"> <li>\$5.0M</li> </ul>
Alternative 6 - Bridge Connection from Wellesley College to Russell Road		<ul style="list-style-type: none"> <li>Central Street</li> <li>Linden Street</li> <li>Russell Road</li> </ul>	<ul style="list-style-type: none"> <li>Reduce approximately 250 vehicles from Weston Road</li> </ul>	<ul style="list-style-type: none"> <li>Significant neighborhood impacts</li> <li>Significant right-of-way impacts</li> <li>Construction cost of Russell Road connection</li> <li>Minimum cost benefits</li> </ul>	<ul style="list-style-type: none"> <li>N/A</li> </ul>

## APPENDIX A: TOWN MEETING ACRONYMS

40B	Section 20-23 of Chapter 40B of the Massachusetts General Laws
AC	Advisory Committee
ADA	Americans with Disabilities Act
ANR	Approval Not Required
ANRAD	Abbreviated Notice of Resource Area Delineation
ARP	Accelerated Repair Program
ASTM	American Society for Testing and Materials
ATM	Annual Town Meeting
BOH	Board of Health
BOS	Board of Selectmen
BPW	Board of Public Works
CB	Circuit Breaker
CM (@R)	Construction Manager (at-Risk)
COA	Council on Aging
CPA	Community Preservation Act
CPC	Community Preservation Committee
CR	Conservation Restriction
CREC	Controlled Recognized Environmental Condition
DBH	Diameter at Breast Height
DCAMM	Division of Capital Asset Management and Maintenance
DCS	Division of Conservation Services
DEP	Department of Environmental Protection
DESE	Department of Elementary and Secondary Education
DOR	Department of Revenue
DPW	Department of Public Works
DRB	Design Review Board
FAR	Floor Area Ratio
FBPC	Fuller Brook Park Committee
FF&E	Furniture, Fixtures and Equipment
FMD	Facilities Maintenance Department
FTE	Full-Time Equivalent
FY	Fiscal Year
GIS	Geographic Information Systems
H&A	Haley & Aldrich
HDC	Historic District Commission
HRB	Human Resources Board
HREC	Historical Recognized Environmental Condition
HVAC	Heating, Ventilation and Air Conditioning
LOS	Level of Service

MBTA	Massachusetts Bay Transportation Authority
MGL	Massachusetts General Laws
MLB	Municipal Light Board
MLP	Municipal Light Plant
MSBA	Massachusetts School Building Authority
MWRA	Massachusetts Water Resources Authority
MWRTA	MetroWest Regional Transit Authority
N40SC	North 40 Steering Committee
NCD	Neighborhood Conservation District
NRC	Natural Resources Commission
NRP(Z)	Natural Resource Protection (Zoning)
OPEB	Other Post-Employment Benefits
OSRD	Open Space Residential Development
P&S	Purchase & Sale
PAWS	Preschool at Wellesley Schools
PB	Planning Board
PBC	Permanent Building Committee
PCB	Polychlorinated Biphenyl
PILOT	Payment in Lieu of Taxes
PFA	Project Funding Agreement
PFTF	Playing Fields Task Force
PSI	Project of Significant Impact
RDF	Recycling and Disposal Facility
REC	Recognized Environmental Condition
RFP	Request for Proposals
SC	School Committee
SEC	Sustainable Energy Committee
SFC	School Facilities Committee
SFMP	School Facilities Master Plan
SMMA	Symmes, Maini, McKee & Associates
SOI	Statement of Interest
SPGA	Special Permit Granting Authority
SRD	Single Residence District
STM	Special Town Meeting
TDRT	Town Development Review Team
TGSC	Town Government Study Committee
TM	Town Meeting
TMM	Town Meeting Member
TPC	Tolles-Parsons Center
TWFP	Town-Wide Financial Plan
VHB	Vanasse Hangen Brustlin, Inc

WCC	Wellesley Community Center
WCRS	Wellesley Contributory Retirement System
WFL	Wellesley Free Library
WHA	Wellesley Housing Authority
WHC	Wellesley Historical Commission
WHDC	Wellesley Housing Development Corporation
WHS	Wellesley High School, Wellesley Historical Society
WMS	Wellesley Middle School
WPC	Wetlands Protection Committee
WPS	Wellesley Public Schools
WSCD	Wellesley Square Commercial District
WSHG	West Suburban Health Group
WSVD	West Suburban Veterans District
ZBA	Zoning Board of Appeals

## APPENDIX B: GLOSSARY OF LAND USE TERMS

**Active Recreational Use:** Facilities for structured or unstructured outdoor and indoor recreation activities such as sports fields, play areas, golf courses, marinas, waterfront, swimming pools, skating rinks, outdoor theaters, gyms, meeting space, or game rooms.

**Affordable Housing:** Under US Department of Housing & Urban Development guidelines, a household's housing costs are considered to be affordable when they are equal to or less than 30% of gross household income.

**Affordability Gap:** The difference between prevailing home prices and what households in a given income range can afford to pay for housing costs. A comparison is made between median single-family home sale prices to the home-buying power of a town's median family income.

**Amenity:** A positive element or elements that contribute to the overall character or enjoyment of an area. For example, open land, trees, recreational facilities, historic buildings or less tangible factors such as tranquility could all be considered amenities.

**Americans with Disabilities Act (ADA):** The Americans with Disabilities Act gives civil rights protections to individuals with disabilities and guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, State and local government services, and telecommunications. Title III of the Act covers public accommodations, which include facilities such as restaurants, hotels, grocery stores, retail stores, etc., as well as privately owned transportation systems. The ADA requires that all new public facilities construction and modifications must be accessible to individuals with disabilities. For existing municipal facilities, barriers to services must be removed if readily achievable.

**Aquifer:** A water-bearing geologic formation, sometimes confined between clay layers and sometimes on the surface. The source of ground water for drinking and irrigation.

**Bicycle Lane:** a dedicated lane for cycling within a moderate-speed vehicular thoroughfare, demarcated by striping.

**Bicycle Route:** a thoroughfare suitable for the shared use of bicycles and automobiles moving at low speeds.

**Bicycle Trail:** a bicycle way running independently of a vehicular thoroughfare.

**Bioretention System:** A bioretention system (also referred to as a "rain garden" or a "biofilter") is a stormwater management practice to manage and treat stormwater runoff using a conditioned planting soil bed and planting materials to filter runoff stored within a shallow depression. The method combines physical filtering and adsorption with bio-geochemical processes to remove pollutants.

**Brownfield:** An abandoned, idled, or underused property where expansion or redevelopment is complicated by real or perceived contamination. Brownfield sites include abandoned factories and other industrial facilities, gasoline stations, oil storage facilities, dry cleaning stores, and other businesses that formerly dealt with polluting substances.

**Buffer Zone:** A strip of land created to separate and protect one type of land use from another; for example, as a screen of planting or fencing to insulate the surroundings from the noise, smoke, or visual aspects of an industrial zone or junkyard.

**Carrying Capacity:** The level of land use or human activity that can be permanently accommodated without an irreversible change in the quality of air, water, land, or plant and animal habitats. In human settlements, this term also refers to the upper limits beyond which the quality of life, community character, or human health, welfare, and safety, will be impaired, such as the estimated maximum number of persons that can be served by existing and planned infrastructure systems, or the maximum number of vehicles that can be accommodated on a roadway.

**Chapter 40B Housing:** “Chapter 40B” refers to Sections 20-23 of Chapter 40B of the Massachusetts General Laws, which is also referred to as the Comprehensive Permit Law. The law allows a developer to qualify for waivers of local zoning and permitting rules if the developer’s proposed project constitutes “low or moderate income housing”, which means housing subsidized under any state or federal government program. This flexible definition means that low or moderate income housing can include rental housing financed with tax exempt bonds where 20% of the units are affordable to households earning no more than 50% of the area median income, a low income housing tax credit project in which 40% or more of the units are affordable to households earning no more than 60% of the area median income or a local-initiative homeownership project in which 25% of the dwellings are sold to households earning no more than 80% of the area median income. Under Chapter 40B, a Town’s zoning board of appeals can issue a so-called comprehensive permit for low or moderate income housing. The comprehensive permit covers all local permitting requirements, including any necessary zoning relief. If a Town’s zoning board of appeals denies a comprehensive permit and the Town’s housing stock is less than 10% affordable (Wellesley’s current inventory of qualified affordable units is 6.1%), the developer may appeal the denial to the Commonwealth’s Housing Appeals Committee, which will generally reverse such denial absent compelling health and safety reasons for the denial unless the project is a “large project” in which case a denial is likely to be upheld. The Chapter 40B regulations (760 CMR 56.00) define a “large project” as a project containing more than 300 units in a town the size of Wellesley. See additional description of the Chapter 40B regulations in separate memorandum as part of the North 40 Visioning Report.

**Cluster Development:** A pattern of development in which industrial and commercial facilities, and homes are grouped together on parcels of land in order to leave parts of the land undeveloped. Cluster development is often used in areas that require large lot sizes, and typically involves density transfer. Zoning ordinances permit cluster development by allowing smaller lot sizes when part of the land is left as open space.

**Cluster Subdivision:** A form of development for single-family residential subdivisions that permits a reduction in lot areas and built requirements, provided there is no increase in the number of lots permitted under conventional subdivision and resultant land area is devoted to open space.

**Community Preservation Act Funds and Acquisition of Land:** Municipal land acquired with Community Preservation Act funds must be permanently protected as open space through the placement of a conservation restriction on the land that is granted to a non-profit conservation organization, land trust or a Town Conservation Commission.

**Compact Development:** A development model achieved by locating buildings more closely together and building multi-story structures so that square footage needed is accommodated vertically rather than spread out on the land in single-story buildings. This model includes mixed uses on smaller lot sizes with reduced distance between buildings. The limited distance between buildings encourages utilization of a range of transportation options including public transit, walking, and biking, as alternatives to private automobiles.

**Conservation Areas:** Environmentally sensitive and valuable lands protected from any activity that would significantly alter their ecological integrity, balance, or character, except in cases of overriding public interest.

**Conservation Easements:** Similar to conservation restrictions and sometimes used interchangeably. Conservation easements are voluntary, legally binding agreements for landowners that limit parcels of land or pieces of property to certain uses and provide an express right allowing certain stated activities or uses. Easements generally, but not always, allow public access. Land under conservation easements remains privately owned, and most easements are permanent (note that some easements only run for a period of 30 years and those lands are, therefore, not permanently-protected open space).

**Conservation Land:** Environmentally sensitive and valuable lands protected from any activity that would significantly alter their ecological integrity, balance, or character, except in cases of overriding public interest. These areas are maintained in their natural state and are intended to protect water quality and recharge, plant life and wildlife. These areas, also known as “Reservations” in Wellesley, support “passive recreation” that has minimal impact on the environment and include activities such as walking, fishing, swimming and environmental education. To be protected as conservation land, the deed acquiring such land must specify that it is to be held for conservation purposes only.

**Conservation Restrictions (CRs):** Conservation restrictions are voluntary, legally binding agreements for landowners that limit parcels of land or pieces of property to certain uses and are designed to protect the natural or environmental characteristics of the land by limiting development. In Massachusetts, the majority of CRs meet the requirements and claim the benefits provided by the *Conservation Restriction Act* (MGL Ch. 184). CRs can be placed on public or private land and may allow limited development of the land and must provide some public benefit, but are not required to permit public access. The CR must name a land trust or conservation organization/department as the “holder” of the restriction who is responsible for enforcing the terms of the restriction. CRs often result in a reduction of real estate taxes and may provide additional tax benefits. CRs are generally considered permanent, but may be released under specific circumstances.

**Deed Restriction:** A provision in a deed that imposes limits on the use of the property such as a conservation restriction or easement. Private lands are generally permanently protected lands if the deed is restricted by a Conservation Restriction, Agricultural Preservation Restriction, Historic Restriction, or Wetlands Restriction. Those restrictions running in perpetuity are protected under Article 97 of the Articles of Amendment to the State Constitution. Deed restrictions are generally considered permanent, but a landowner can appeal the restriction under specific circumstances (e.g., Wellesley College with respect to the North 40 parcel).

**Density:** The average number of people, families, or housing units on one unit of land. Density is also expressed as dwelling units per acre.

**Environmental Impact Statement (EIS):** A comprehensive study of likely environmental impacts resulting from major federally-assisted projects; statements are required by the National Environmental Policy Act (NEPA).

**Eutrophication:** The natural aging process of water bodies, by siltation and organic decomposition, which reduces both water volume and oxygen levels. Surface run-off or airborne deposition of nitrogen and phosphorus accelerate this process.

**Fair Market Value:** The price an owner willing, but not under compulsion, to sell, ought to receive from a buyer willing but not under compulsion to buy.

**Fiscal Impact Analysis:** The analysis of the estimated taxes that a development project would generate in comparison to the cost of providing municipal services demanded by that project.

**GIS (Graphic Information Systems):** GIS technology is used to develop maps that depict resources or features such as soil types, population densities, land uses, transportation corridors, waterways, etc. GIS computer programs link features commonly seen on maps (such as roads, town boundaries, water bodies) with related information not usually presented on maps, such as type of road surface, population, type of agriculture, type of vegetation, or water quality information. A GIS is a unique information system in which individual observations can be spatially referenced to each other.

**Green Building:** A green building is a building that has been constructed or renovated to incorporate design techniques, technologies, and materials that minimize its overall environmental impacts. Among these reduced impacts are reduced fossil fuel use for electricity and heat, minimal site disruption, lower water consumption, and fewer pollutants used and released during construction and occupation. The term “high-performance building” is often used when referring specifically to the energy efficiency and productivity benefits of a building.

**Greenfield:** A site in a rural or urban area that has not experienced previous development. The term includes forest and agricultural land and buildings, as well as previously-developed sites which have now blended back into the natural landscape over time.

**Greenway:** A linear open space; a corridor composed of natural vegetation. Greenways can be used to create connected networks of open space that include traditional parks and natural areas.

**Groundwater:** All water below the surface of the land. It is water found in the pore spaces of bedrock or soil, and it reaches the land surface through springs or it can be pumped using wells.

**Growth Management** - A central tenet of sustainable development that espouses the idea that uncontrolled growth cannot be sustained over time and that communities should intentionally plan the ways they want to develop.

**Impervious Surface:** Surface that prevents or significantly reduces the entry of water into the underlying soil, resulting in runoff from the surface in greater quantities and/or at an increased rate when compared to natural conditions prior to development; parking lots, driveways, roadways, storage areas, and rooftops are common examples. The imperviousness of these areas commonly results from paving, compacted gravel, compacted earth, and oiled earth.

**Inclusionary Zoning:** A system that requires a minimum percentage of lower and moderate income housing to be provided in new developments. Inclusionary programs are based on mandatory requirements or development incentives, such as density bonuses. The Town of Wellesley adopted an inclusionary housing bylaw in 2005 and requires a minimum ratio of Assisted Units on the project site in accordance with the following formula: 0.02 Assisted Units per each 1,000 square feet of floor area in the project devoted to any allowed use other than dwelling units; and 0.20 Assisted Units per each dwelling unit in the project. The Town does not provide for density bonuses but will allow flexibility in the provision of on-site Assisted Units by special permit such as alternate sites, payment-in-lieu of, sequence of construction, and land contributions.

**Infill Development:** Infill projects use vacant or underutilized land in previously developed areas for buildings, parking, and other uses.

**Infrastructure:** Water and sewer lines, roads, urban transit lines, schools and other public facilities needed to support developed areas.

**Land Trusts:** Nonprofit organizations interested in the protection of natural resources and historic areas. Activities include public education, purchase and coordination of conservation easements, and planning services.

**Lands under Special State Taxation Programs, Chapter 61, 61A, or 61B:** Land that is actively managed by the property owners for forestry, agricultural, horticultural, or recreational use. The community has the right of first refusal should the landowner decide to sell and change the use of the land (see Chapter 61 guide at [www.mountgrace.org](http://www.mountgrace.org)). In Wellesley, the Country Club and some of the Hunnewell Family Estate land is managed under Chapter 61 programs.

**Land Use:** The manner in which a parcel of land is used or occupied.

**LEED:** Leadership in Energy and Environmental Design Green Building Rating System is a nationally accepted benchmark for the design, construction, and operation of high performance green buildings. Administered by the US Green Building Council, LEED promotes a whole-building approach to sustainability by recognizing performance in five key areas of human and environmental health: sustainable site development, water savings, energy efficiency, materials selection, and indoor environmental quality.

**Level of Service (LOS):** A qualitative measure describing operational conditions within a traffic stream in terms of speed and travel time, freedom to maneuver, traffic interruptions, comfort and convenience, and safety. Level A denotes the best traffic conditions while Level F indicates gridlock. An Environmental Impact Report (EIR) for a development proposal evaluates the impact the development will have on the LOS standards for police, fire, utilities, parks, schools and traffic in the affected area.

**Lot Area:** area is the total square footage of horizontal area included within the property lines. Zoning ordinances typically set a minimum required lot area for building in a particular zoning district.

**Low Impact Development (LID):** An approach to environmentally-friendly land use planning. It includes a suite of landscaping and design techniques that attempt to maintain the natural, pre-developed ability of a site to manage rainfall. LID techniques capture water on site, filter it through vegetation, and let it soak into the ground where it can recharge the local water table rather than being lost as surface runoff. An important LID principle includes the idea that stormwater is not merely a waste product to be disposed of, but rather that rainwater is a resource.

**MA Constitutional Protection of Conservation Land and Parkland under Article 97:** Public park, recreation and conservation lands may be permanently protected open space ("Article 97 land"), provided that they have been dedicated to conservation or recreational use by deed. In Wellesley, municipal properties may be protected by a vote of the NRC, Community Preservation Committee (if CPA funds are used) and Town Meeting.

**MA Department of Environmental Protection (MADEP):** Administers state laws and regulations aimed at preventing pollution, protecting natural resources including wetlands, promoting safe disposal and recycling of wastes, and ensuring timely cleanup of contamination. DEP policy and guidance documents are available online (see [www.mass.gov/dep](http://www.mass.gov/dep))

**MA Division of Conservation Services (DCS)**

Administers Self-Help, Urban Self-Help, federal Land and Water Conservation Fund grants programs, approves conservation restrictions and Open Space and Recreation Plans and sponsors conservation education programs (see [www.mass.gov/envir/des](http://www.mass.gov/envir/des))

**MA Executive Office of Energy Environmental Affairs (EOEEA):** Directs and coordinates all state policy aimed at preserving and protecting the natural resources and the environmental integrity of the Commonwealth. Administers an online database of financial and technical resources, which provide assistance with land acquisition, water resources, coastal issues, and infrastructure costs (see [www.mass.gov/envir](http://www.mass.gov/envir))

**MA Office of Land and Forest Conservation Services:** A consolidation of the Division of Conservation Services and the Office of Land and Forest Policy that implements land protection efforts on the most important habitat, farms, forests, water supply lands, and outdoor recreation sites.

**MA Natural Heritage and Endangered Species Program (NHESP):** Responsible for the conservation and protection of hundreds of species that are not hunted, fished, trapped, or commercially harvested in the state. A primary responsibility is the regulatory protection of rare species and their habitats under MESA and the Wetlands Protection Act (see [www.nhesp.org](http://www.nhesp.org)).

**Mixed Income Housing Development:** Development that includes housing for various income levels. In urban neighborhoods, it is a tool to de-concentrate poverty. In suburban neighborhoods, it is a design principle that designates a percentage of housing to different price ranges and may include persons with very low-income.

**Mixed Use Development:** Development that is created in response to patterns of separate uses that are typical in suburban areas necessitating reliance on cars. Mixed use developments include residential, commercial, and business accommodations in one area.

**National Environmental Policy Act (NEPA):** A comprehensive federal law requiring analysis of the environmental impacts of federal actions such as the approval of grants; also requiring preparation of an Environmental Impact Statement (EIS) for every major federal action significantly affecting the quality of the human environment.

**Natural Resources Commission (NRC):** Elected five member board of volunteers charged with the statutory responsibilities of Park Commissions, Conservation Commissions, Tree Wardens, Shade Tree and Pest Control Officers, and Town Forest Committees under Massachusetts General Laws Chapters 40, 45, 87, 131 and 132.

**Natural Resource Protection (NRP) Zoning:** The NRP Zoning bylaw was approved at the 2013 Annual Town Meeting and applies to any subdivision generating 5 or more lots. This bylaw requires a minimum of 50% of the property be preserved as open space in exchange for reduced lot sizes (to a minimum of 7,500 square feet in the SRD15 district, in which the North 40 property is located) without increasing density. Subdivisions that have a development potential of 5 or more lots are also required to comply with the Town's Inclusionary Zoning bylaw, which requires the

creation of 0.20 affordable units for each dwelling unit created, *i.e.*, 20% of the units must be deemed affordable (also see Inclusionary Zoning).

**Non-Point Source Pollution (NPS):** Pollution that cannot be identified as coming from a specific source and thus cannot be controlled through the issuing of permits. Storm water runoff and some deposits from the air fall into this category.

**Open Space** includes areas supporting biodiversity and natural functions; water resources; farms, orchards, and other 'working landscapes'; recreational areas and trails; the scenic and visual resource of undeveloped and agricultural lands; and historic resources, including historic views and landscapes. Open Space is defined as: "Conservation land, forested land, recreation land, agricultural land, corridor parks, and amenities such as small parks, green buffers along roadways or any open area that is owned by an agency or organization dedicated to conservation. The term can also refer to undeveloped land with particular conservation or recreation interest. This includes vacant lots and brownfields that can be redeveloped into recreation areas."<sup>39</sup>

**Open Space Residential Development (OSRD):** A form of residential subdivision that maximizes resource protection and conservation of natural areas through the use of design strategies that result in permanent open space preservation.

**Overlay Districts:** Zoning districts in which additional regulatory standards are superimposed on existing zoning. Overlay districts provide a method of placing special restrictions in addition to those required by basic zoning ordinances.

**Parkland:** Land that is designated, managed, or developed specifically for active recreational purposes and often includes structured recreational facilities such as playgrounds, playing fields and athletic courts. Such land tends to be open lawn areas that are "manicured" and mowed to allow for active sports and group activities. To be protected parkland, the deed acquiring such land must specify that it is to be held for parkland purposes only.

**Passive Recreational Use:** Public or private conservation lands with selected amenities set aside for low-impact non-intrusive public use, e.g., trails and picnic areas.

**Path:** a pedestrian way traversing a park or rural area, with landscape matching the contiguous open space, ideally connecting directly with the sidewalk network.

**Payment in Lieu of Taxes (PILOT):** Generally refers to arrangements under which governments exempt certain properties (e.g., public housing) or entities from real property or other taxes, but entity agrees to make some type of annual payment to the taxing entity, usually at a lower level than would be due under full taxation.

**Pervious Surface:** A surface that allows water to soak into it.

**Planned Unit Development (PUD):** PUDs are areas that are planned and developed as one entity, by a single group. Planned unit developments usually include a variety of uses, including different housing types of varying densities, open space, and commercial uses. Project planning and density is calculated for the entire development rather than individual lots.

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<sup>39</sup> From the MA Executive Office of Energy and Environmental Affairs (EOEEA) and the Division of Conservation Services (DCS) in the Open Space and Recreation Planner's Workbook (2008).

**Preservation:** A term largely used by the Federal Department of the Interior to differentiate the fragility of the land and its historic assets in order to ascertain the required protections and the consequent usages allowed.

**Project of Significant Impact (PSI):** Project of Significant Impact means any construction project having an aggregate total of: newly-constructed floor area of 10,000 or more square feet; or renovated, altered and/or replacement floor area of 15,000 or more square feet in a building having 15,000 or more square feet of ground coverage to provide for a use which is different from the existing use as determined by the Commonwealth of Massachusetts Property Type Classification Codes (April 1991 edition). In addition to Design Review and Site Plan Review, a PSI requires a Special Permit issued by the Planning Board and the submission of Municipal Systems Impact Analysis (MSIA).

**Purchase of Development Rights:** Programs through which local governments may purchase development rights and dedicate the land for conservation easements, protecting it as open space or agricultural areas.

**Recharge:** Water that infiltrates into the ground, usually from above, that replenishes groundwater reserves, provides soil moisture, and affords evapotranspiration.

**Release or Exchange of Conservation/Parkland Under Article 97:** If the NRC is asked to release or exchange constitutionally-protected public open space for other purposes, municipal or private, such disposal or exchange requires the following under the Constitution and laws of Massachusetts:

- 1) a majority vote of the Natural Resources Commission;
- 2) a two-thirds vote of Town Meeting;
- 3) a two-thirds roll-call vote of the Massachusetts Legislature.

Because open space in Wellesley of equivalent value and usefulness to the Town's present holdings is virtually unobtainable, proposals to release or exchange constitutionally-protected town-owned open space, it is the policy of the NRC to consider such proposals only on the basis of a 2:1 exchange ratio favoring open space.

**Renewable Energy:** Generation of power from naturally replenished resources such as sunlight, wind, and tides. Renewable energy technologies include solar power, wind power, hydroelectric power, geothermal, and biomass.

**Runoff:** The water that flows off the surface of the land, ultimately into our streams and water bodies, without being absorbed into the soil.

**Smart Growth:** A land use planning technique in response to the problems associated with unplanned, unlimited suburban development. Smart growth principles call for more efficient land use, compact development patterns, less dependence on the automobile, a range of diverse housing opportunities and choices, equitable allocation of costs and benefits of development, and an improved job/housing balance. Examples of smart growth development and planning include: (1) Providing for mixed-use development in an near town and village centers; (2) Locating housing in close proximity of public transit; (3) Allowing higher density mixed use development near transit stops, along commercial corridors, or in town and village centers; (4) Redeveloping environmentally impacted or brownfield sites; (5) Restoring vacant, underutilized or abandoned building for productive use; (6) Encouraging the development of housing and preservation of open space so that the goals of each will be mutually satisfied using techniques such as cluster zoning, transfer of development rights, or other innovative zoning or regulatory devices; (7) Promoting the

redevelopment of vacant infill parcels; and (8) Participating in regional responses to addressing housing, natural resource, transportation, public service, and employment needs

**Street Classifications:** In a neighborhood context, residential streets are classified according to their design, use (actual or intended), their relationship to other streets in the hierarchy and their residential character in the following categories: Arterial Street; Collector Streets; Minor (Access) Streets.

**Streetscape:** The space between the buildings on either side of a street that defines its character. The elements of a streetscape include: building frontage/façade; landscaping (trees, yards, bushes, plantings, etc.); sidewalks; street paving; street furniture (benches, kiosks, trash receptacles, fountains, etc.); signs; awnings; and street lighting.

**Special Permit:** A use that would not be appropriate generally, or without restriction through the zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permitted in such zoning districts as special permits, where specific provision for such special permits is made in a Town zoning bylaw.

**Subdivision:** Division of a parcel of land into lots for sale or development.

**Subdivision Rules and Regulations:** Procedures, requirements, and provisions governing the subdivision of land that is specified in formal Rules and Regulations promulgated by a city or town under the authority vested in the Planning Board by Section 81Q of Chapter 41 of the Massachusetts General Laws.

**Traditional Neighborhood Development:** Traditional neighborhood development emphasizes two broad goals: to reduce the destruction of habitat and natural resources, and to reduce dependency on automobiles and their associated impacts; and to reduce polluting emissions, excessive use of energy and fragmentation of the landscape. Traditional neighborhood design is a development approach that reflects historic settlement patterns and town planning concepts such as gridded, narrow streets, reduced front and side setbacks, and an orientation of streets and neighborhoods around a pedestrian oriented "town center." Such an approach usually requires modifications to zoning and subdivision regulations.

**Trails Committee:** A volunteer board appointed by the NRC charged with developing, enhancing and maintaining the Town's trails system and exploring ideas for interconnecting Wellesley's open spaces.

**Traffic Calming:** Measures to reduce the negative effects of vehicles, and improve conditions for walking or bicycling. A familiar example is the orange barrels with the warning to stop for pedestrians.

**Transfer of Development Rights (TDR):** A system that assigns development rights to parcels of land and gives landowners the option of using those rights to develop or to sell their land. TDRs are used to promote conservation and protection of land by giving landowners the right to transfer the development rights of one parcel to another parcel. By selling development rights, a landowner gives up the right to develop his/her property, but the buyer could use the rights to develop another piece of land at a greater intensity than would otherwise be permitted.

**Universal Design:** Products and buildings that are accessible and usable by everyone, including people with disabilities.

**Variance:** The relaxation of requirements of a zoning district for a specific parcel or tract of land. Variances are often issued to avoid unnecessary hardships to a landowner.

**Vernal Pools:** Also called vernal ponds are unique wildlife habitats best known for the amphibians and invertebrate animals that use them to breed. Vernal pools, also known as ephemeral pools, autumnal pools, and temporary woodland ponds, typically fill with water in the autumn or winter due to rainfall and rising groundwater and remain ponded through the spring and into summer. Vernal pools dry completely by the middle or end of summer each year, or at least every few years. Occasional drying prevents fish from establishing permanent populations, which is critical to the reproductive success of many amphibian and invertebrate species that rely on breeding habitats free of fish predators. Some vernal pools are protected in Massachusetts under the Wetlands Protection Act regulations, as well as several other federal and state regulations, and local bylaws.

**Walkability:** The following factors are commonly used when judging “walkability”: proximity to destinations, aesthetics of the environment, availability of sidewalks, sidewalk width, separation from traffic, the presence of other pedestrians, the condition and availability of crosswalks, street lighting, presence of street trees, and compliance with the Americans with Disabilities Act.

**Walkable Neighborhood:** A place where people live within walking distance to most places they visit on a regular basis, including schools, workplaces, grocery stores, banks, retail stores, and churches. The environment is pedestrian-friendly, including the presence of continuous sidewalks, well-marked street crossings, street lamps, and physical buffers from vehicle traffic such as street trees and tree planters. A commonly accepted measure of scale for walkability is 1/4 to 1/2 mile radius from the center of the neighborhood to most amenities.

**Water Supply Protection Zoning District:** The North 40 property is within the Water Supply Protection Zoning District defined in the Town’s Zoning Bylaws, which requires a special permit for projects that result in impervious surfaces over 10,000 square feet in area. The zoning prohibits specific uses that could generate hazardous wastes including petroleum products, chemicals, car repair/servicing. The intent of the zoning provision is to mandate new projects have clean fill, recharge all on-site storm water runoff, and prohibit the re-grading of soil less than 5 feet above groundwater unless it can be proven that groundwater quality will not be affected.

**Watershed:** The geographic area which drains into a specific body of water. A watershed may contain several sub-watersheds.

**Wellesley Conservation Council:** A private, non-profit land trust incorporated in 1958 to acquire and protect open space in Wellesley.

**Wetlands:** Area having specific hydric soil and water table characteristics supporting or capable of supporting wetlands vegetation.

**Wetlands Protection Committee (WPC):** Five member board of volunteers, appointed by the NRC, charged with the administration and enforcement of the State Wetlands Protection Act and the Wellesley Wetlands Protection Bylaw.

**Zoning:** Classification of land in a community into different areas and districts. Zoning is a legislative process that regulates building dimensions, density, design, placement and use within each district.

## APPENDIX C: GLOSSARY OF MUNICIPAL FINANCE TERMS

**ABATEMENT.** A complete or partial cancellation of a tax or assessment levied (imposed) by the Town. Abatements usually apply to tax levies and special assessments.

**APPROPRIATION.** An authorization granted by Town Meeting to make expenditures and to incur obligations for specific purposes. An appropriation is usually limited in amount and as to time when it may be expended.

**ASSESSED VALUATION.** A valuation set upon real estate or other property by the Town as a basis for levying taxes. Equally assessed valuation refers to the Town's assessed valuation as determined by the Assessors, adjusted by the State Department of Revenue on a biennial basis to reflect full market value ("equalized valuation").

**BUDGET.** A plan of financial operations embodying an estimate of proposed expenditures for a given period and the proposed means of financing them. A budget may be "preliminary" – the financial plan presented to Town Meeting, or "final" – the plan approved by Town Meeting.

**CAPITAL PROJECT.** A major nonrecurring physical acquisition expenditure often including planning, acquisition, and construction phases.

**CHERRY SHEET.** An annual statement received by the Assessors from the State Department of Revenue detailing estimated receipts for the next fiscal year from various state aid accounts and the Local Aid Fund (Lottery) and estimated charges payable by the Assessors in setting the tax rate. Supplemental Cherry Sheets may be issued during the year and there is no guarantee that the estimated receipts and charges shown thereon will not vary from actual receipts and charges.

**COLLECTIVE BARGAINING.** Negotiations between an employer and union representative regarding wages, hours, and working conditions.

**DEBT AUTHORIZATION.** The formal approval required under the procedures set forth in Chapter 44 of the Massachusetts General Laws before the Town may lawfully incur debt.

**DEBT SERVICE REQUIREMENT.** The amount of money required to pay interest on outstanding debt, and serial maturities of principal for serial bonds.

**ENTERPRISE FUND.** A fund established to account for operations (a) that are financed and operated in a manner similar to private business enterprises – where the intent of the governing body is that the costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges; or (b) where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability, or other purposes. Examples of Enterprise Funds are those established for the Town's water, sewer, and electric utilities.

**EQUALIZED VALUATION.** The value of all property as determined by the State Tax Commission biennially, using a standard of "full and fair value." This is also referred to as "100% valuation." The equalization figures are reported in December and affect State aid distributions for the two-year period beginning the following July.

**EXCESS LEVY CAPACITY.** The difference between the Town's maximum tax levy limit as established by Proposition 2 ½ and its actual tax levy in the most recent year for which the Town

has set a tax rate. This is the additional tax levy that the Town could raise without going to the voters for an override or debt exclusion.

**EXCLUSIONS.** A provision in the Proposition 2 ½ Law (Chapter 580 of the Acts of 1980) that provides, through referendum, to add funds to the total tax levy on a temporary basis. Exclusions and Debt Exclusions are specifically for capital or special onetime items. Exclusion type questions, if approved by voters, are used to fund onetime items, usually large capital projects. These funds do not become part of the permanent tax levy base. An exclusion for debt service on a loan to pay for a major capital project expires when the loan is paid. The amount added to the tax levy for a particular year is the debt service needed for that year only. Exclusions are only effective until the funding for the project to which they apply is complete.

**FISCAL YEAR.** A 12 month period to which the annual operating budget applies and at the end of which the Town determines its financial position and the results of its operations. The Commonwealth and the Town operate on a fiscal year that begins on July 1 and ends on June 30. The number of the fiscal year is that of the calendar year in which the fiscal year ends; e.g., the fiscal year 2014 begins July 1, 2013, and ends June 30, 2014, usually written as FY 14.

**FIXED ASSETS.** Assets of a long-term character which are intended to continue to be held or used, such as land, buildings, improvements other than buildings, machinery and equipment.

**FREE CASH.** Sum of funds appropriated and raised by the Town, but not expended in the years for which they were appropriated, minus uncollected taxes of prior years. This amount must be certified by Massachusetts Bureau of Accounts before it can be used.

**FULL-TIME EQUIVALENT.** A term that expresses the amount of time a position has been budgeted for in terms of the amount of time a regular, full-time employee normally works in a year. For most positions in Town, one FTE has been set to equal the number of hours a typical full-time employee works during a calendar year after deducting holiday, vacation, sick and personal time from a 52.2 week year consisting of 2,088 total hours. A position that has been budgeted to work full-time for only six months is 0.5 FTE.

**FUND.** A fiscal and accounting entity with a self-balancing set of accounts recording cash and other financial resources, together with all related liabilities and residual equities or balances, and changes therein, which are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions, or limitations.

**FUND TYPE.** In governmental accounting, all funds are classified into seven generic fund types: General, Special Revenue, Capital Projects and Debt Service (Governmental Funds), Enterprise and Internal Service (Proprietary Funds), and Trust and Agency (Fiduciary Funds).

**GAAP.** Generally Accepted Accounting Principles. There are twelve basic principles of accounting and reporting applicable to state and local governments. These include the use of the modified accrual basis of accounting, as appropriate, for measuring financial position and operating results. These principles must be observed in order to provide a basis of comparison of data among different cities and Towns.

**GENERAL FUND.** The fund used to account for all financial resources of the Town except those required to be accounted for in another fund.

**GENERAL REVENUE.** The revenues of the Town other than those derived from and retained in an enterprise. If a portion of the net income in an Enterprise Fund is contributed to another non-enterprise fund, such as the General Fund, the amounts constitute general revenue of the Town.

**GROWTH REVENUE.** The amount of property tax revenue that the Town can add to its allowable tax levy (above the 2 ½%) from new construction, alterations, subdivision, change of use or anything being taxed for the first time. It is computed by applying the prior year's tax rate to the increase in valuation.

**MODIFIED ACCRUAL BASIS.** The accrual basis of accounting adapted to the government fund type, wherein only current assets and current liabilities are generally reported on fund balance sheets, and fund operating statements present "financial flow" information (revenues and expenditures). Revenues are recognized when they become both "measurable" and "available to finance expenditures of the current period." Expenditures are recognized when the related fund liability is incurred except for a few specific exceptions. All governmental funds and Expendable Trust Funds are accounted for using the modified accrual basis of accounting.

**OFFSET RECEIPTS.** Includes certain education programs, aid to public libraries and environmental programs which are designated on the Cherry Sheet as offset items. These amounts can be spent without appropriation but must be spent only for these specific municipal programs.

**OPERATING BUDGET.** Plans of current expenditures and the proposed means of financing them. The annual operating budget is the primary means by which most of the financing, acquisition, spending and service delivery activities of the Town are controlled.

**OVERLAY.** The amount raised by the Assessors in excess of appropriations and other charges for the purpose of creating a fund to cover abatements on real and personal property taxes and to avoid fractions in the tax rates.

**OVERRIDE.** A provision in the Proposition 2 ½ Law (Chapter 580 of the Acts of 1980) that provides, through the referendum process, to add funds to the total tax levy on a permanent basis. If approved by a Town Wide vote, the override amounts become a part of the tax levy base and therefore the amount approved in a given vote does grow with the rest of the base by 2 ½% per year. An override question can only provide for additional funding for either the operating budget or the ongoing capital budget.

**PRIMARY LEVY LIMIT.** 2 ½% of certified full and fair cash value of taxable property.

**PROPOSITION 2 ½.** A statewide tax limitation initiative petition limiting the property tax levy in cities and Towns in the Commonwealth to 2 ½% of the full and fair cash valuation of the taxable real estate and personal property in that city or Town. The statute also places an annual growth cap of 2 ½% on the increase in the property tax levy.

**REIMBURSEMENTS.** (1) Repayments of amounts remitted on behalf of another party. (2) Inter-fund transactions which constitute reimbursements of a fund for expenditures or expenses initially made from it which are properly applicable to another fund – e.g., an expenditure properly chargeable to a Special Revenue Fund was initially made from the General Fund, which is subsequently reimbursed. They are recorded as expenditures or expenses (as appropriate) in the reimbursing fund and as reductions of the expenditure or expense in the fund that is reimbursed.

**RESERVE FUND.** A fund established by the Annual Town Meeting which is under the control of the Town's Advisory Committee and from which transfer may be made for extraordinary and unforeseen expenditures. It may be composed of an appropriation of not more than 5% of the prior year's tax levy.

**REVOLVING FUNDS.** Those funds which may be used without appropriation and which are established for particular uses such as school athletics, continuing education programs, school lunch programs, self-supporting recreation and park services, conservation, etc.

**SECONDARY LEVY LIMIT.** Prior year levy limit plus 2 ½% (Base) plus “growth revenue.”

**SPECIAL APPROPRIATION.** An authorization to expend funds for a specific project not encompassed by normal operating categories.

**STABILIZATION FUND.** A special reserve account created to provide for capital improvements which is invested until used. The Town may appropriate into this fund in any year an amount no more than 10% of the prior year's tax levy. The outstanding balance in the account cannot exceed 10% of the Town's equalized valuation. Generally, it requires a 2/3 vote of Town Meeting to appropriate money from the Stabilization Fund.

**STATE DISTRIBUTION.** All revenue flowing from the Commonwealth. Major categories include reimbursement for loss of taxes, educational distributions and reimbursements, funds for direct education expenditures, general government reimbursements and distributions.

**SURPLUS REVENUE.** This is the amount by which cash, accounts receivable and other floating assets exceed the liabilities and reserves.

**SUPPLEMENTARY APPROPRIATION.** An appropriation submitted after the main budget has been approved, which must specify a revenue source.

**TAX LEVY.** The net amount to be raised by the Town each fiscal year by assessing ad valorem taxes on real estate and personal property located within the Town.

**TAX RATES.** The amount of tax stated in terms of a unit of the tax base; for example, \$8.91 per \$1,000 of assessed valuation of taxable property.

**UNFUNDED PENSION LIABILITY.** Unfunded pension liability is the difference between the value assigned to the retirement benefits already earned by the Town's employees and the assets the Town's retirement system will have on hand to meet these obligations. The dollar value of the unfunded pension liability is driven by assumptions about interest rates at which a retirement system's assets will grow and the rate of future costs of living increases to pensioners.

**UNENCUMBERED APPROPRIATION.** The portion of an appropriation not yet expended or encumbered.

**UNIFORM MUNICIPAL ACCOUNTING SYSTEM.** A comprehensive and practical municipal accounting system that conforms to GAAP for local governments. UMAS is regarded by the Department of Revenue as the professional standard for modern municipal accounting in Massachusetts. Among the benefits of conversion to UMAS are increased consistency in reporting and record keeping and enhanced comparability of data among cities and Towns.

## **APPENDIX D: GUIDELINES FOR CONDUCT OF WELLESLEY REPRESENTATIVE TOWN MEETING**

### **I. INTRODUCTION**

The purpose of Wellesley Town Meeting (the "Meeting") is to reach decisions with respect to the matters brought before the Meeting by a democratic process. The process should not be partisan or adversarial. Rather it should demonstrate an effort by the elected representatives of the Town in open discussion, free from technicalities of parliamentary procedure, to establish constructive policies for the government of the Town. The Meeting depends for its effectiveness on familiarity of the Town Meeting Members with the matters before the Meeting and upon their ability to rely one upon the other and upon their elected or appointed boards and committees.

All who speak to the Meeting or prepare reports to it should seek to be worthy of this trust. Proponents of action should make full and fair disclosure of all facts and considerations bearing on a problem, not merely those favoring their proposal. On the other hand, those opposed to a proposal should make their opposition known to the sponsors as soon as possible, rather than seeking to succeed by surprise at the Meeting. Negotiations prior to Town Meeting are more likely than debate at Town Meeting to clarify the issues and to produce solutions that will receive the support of the Meeting as a whole.

The great diversity among the residents of the Town often will lead to differences with respect to the matter before the Meeting. The good faith of no one should be questioned; rather, there should be a cooperative effort to find solutions that are reasonably responsive to the needs of all.

The Meeting shall abide by the laws of the Commonwealth including the prohibitions of smoking and carrying firearms on school property.

The following guidelines are intended to inform and guide those who participate in the Meeting and, thus, to assist in its orderly conduct. These guidelines, except to the extent that they embody statutes and Town Bylaws, are not intended as rules having legal effect.

### **II. PARTICIPANTS IN THE MEETING**

**A. *Public Meeting*** - The Town Meeting is a public meeting and may be attended by all. Since only the Members may make motions and vote thereon, they are seated separately from non-members.

**B. *Quorum*** - A majority of the Town Meeting Members shall constitute a quorum for doing business; but a lesser number may adjourn the Meeting to another time.

**C. *Moderator*** - The Moderator shall preside at the Meeting and shall regulate the proceedings and decide all questions of order.

No one shall distribute any material at Town Meeting except with permission of the Moderator.

The Moderator may appoint persons to assist in the conduct of the Meeting, including determination of the vote of the Meeting.

If the Moderator is absent or cannot act, a Moderator Pro Tempore may be elected by the Meeting, the Town Clerk to preside at such election.

The Moderator shall not be an elected Town Meeting Member and shall not vote with respect to any matters before the Meeting. A Town Meeting Member may be a Moderator Pro Tempore, but shall not vote while presiding at the Meeting.

- D. Clerk** - The Town Clerk shall determine the presence of a quorum and shall maintain the records of the Meeting, including the results of all votes and other action taken at the Meeting. If there is no Town Clerk, or if the Town Clerk is absent from the Meeting, the Meeting shall elect another person (usually the Assistant Town Clerk) to act as temporary Clerk of the Meeting.

The Town Clerk shall not be an elected Town Meeting Member and shall not vote with respect to any matters before the Meeting. A Town Meeting Member may be Temporary Clerk, but shall not vote while acting as Clerk of the Meeting.

- E. Town Counsel** - Town Counsel shall be present at all Meetings and, upon request, shall advise the Moderator and any Member or other person present with respect to any pertinent question of law on which his or her opinion is requested. Such opinion is advisory only and not binding upon the Town, any person or the Meeting. If Town Counsel is unable to attend, the Selectmen shall designate another attorney as Acting Town Counsel to perform those duties at the Meeting.

Town Counsel shall not be an elected Town Meeting Member and shall not vote with respect to any matter before the Meeting. A Town Meeting Member may be Acting Counsel, but shall not vote while so acting.

- F. Tellers** - The Moderator shall appoint Town Meeting Members as Tellers for the purpose of counting the votes of the Meeting. Such appointments may, in the Moderator's discretion, be effective for more than one session of any Meeting. The Tellers shall report the results of their count of the section of the Meeting assigned to them, indicating the number in favor of the motion, the number opposed, and, if so instructed by the Moderator, the number abstaining and such shall be announced to the Meeting and maintained with the records of the Meeting. Tellers may vote on any question on which they act as Tellers, but any Teller who decides to participate in the debate of a question should request the Moderator to appoint another Teller to count the vote on that question.

### III. MOTIONS

- A. Need for Motion** - Action by the Meeting is taken solely by a vote of the Meeting on a motion duly made at the Meeting.
- B. Subject of Motions** - Except for such matters as resolutions recognizing individual achievements and the like, no motion shall be entertained by Town Meeting unless the subject thereof is contained within the Warrant. The Moderator shall determine whether a motion is "within the scope of the warrant," that is, whether the warrant gave adequate notice that the action proposed by the motion might be taken at the Meeting. Motions may propose action at variance with that desired by the sponsor of the article. Such motions may, for example, propose the establishment of a guideline, referral to an existing board or committee or one to be established; but all such motions are proper only if "within the scope of the warrant" as determined by the Moderator.
- C. Order of Consideration** - All articles shall be considered in the order in which they appear in the warrant, unless the Moderator in his/her discretion or the Meeting by majority vote changes the order. Where there are a number of motions relating to a project calling for the expenditure

of funds, the motion calling for the expenditure of the largest sum shall be the first put to vote, unless the Moderator in his/her discretion decides to change the order.

- D. Formal Requirements** - Motions can be made only by a Member of the Meeting. All motions other than procedural motions must be in writing signed by the sponsoring Member. No seconds are needed for any motion.

Sponsors of motions are required to submit their motions to the Selectmen by a date specified by the Selectmen. The motions must also be submitted to the Moderator and the Chair of the Advisory Committee. The exact form of any motion or amendment must either be distributed to Town Meeting Members or projected on a screen at Town Meeting before a vote thereon can be taken.

After the initial call to order of any Annual or Special Town Meeting, if a proponent informs the Moderator of an intention to present an amendment or substitute motion or resolution, notice of the action and the text must be made available to Town Meeting Members before action is taken on the article to which it relates.

- E. Notice to Moderator** - Every person who prior to the Meeting has decided to make a motion with respect to an article should inform the Moderator and the Chair of the Advisory Committee prior to the Meeting or, if the decision to make a motion is reached only during the Meeting, as early as convenient thereafter.

- F. Reconsideration** - Motions to reconsider any action shall be entertained only if in the view of the Moderator there is reason to suppose that Members may have changed their minds. The Moderator may rule that any motion is a motion for reconsideration if it is not substantially different from a motion previously voted upon.

No action taken at any session of a Town Meeting shall be reconsidered at any subsequent session, unless notice of intention to move for reconsideration shall have been given at the session at which such action was taken. If action taken at the final session is to be reconsidered, debate and a vote on a motion for reconsideration may occur at the same session only after all articles have been acted upon unless, in the Moderators discretion, debate and a vote on the motion at an earlier point in the session would expedite the conduct of the session. Any vote that requires more than a simple majority for passage shall require a 3/5ths vote in order to be reconsidered by Town Meeting.

#### **IV. DEBATE**

- A. Persons Authorized** - All residents of Wellesley, whether or not Town Meeting Members or registered voters, may address the Meeting. Non-residents may address the Meeting with the approval of the Moderator or a majority of the Meeting.

- B. Permission of the Moderator** - Persons wishing to address the Meeting shall raise their hands or stand and wait until they are recognized by the Moderator and no one shall address the Meeting without first requesting and receiving the permission of the Moderator.

- C. Identification of Speaker** - Each person addressing the Meeting shall begin by stating his or her name and precinct if a resident of Wellesley or place of residence if a non-resident.

- D. Conduct** - All remarks should be limited to the subject then under discussion. It is improper to indulge in references to personalities and all expressions of approval or disapproval, such as applause or booing, are out of order.

The Moderator may request any person to keep silent. If, after a warning from the Moderator, a person refuses to be silent or persists in other disorderly behavior, the Moderator may order such person to withdraw and, if he or she fails to withdraw, may order a police officer to remove such person from the Meeting.

**E. *Personal or Financial Interest*** - Individuals who have a personal or financial interest with respect to a matter may speak or vote thereon but should frankly disclose their interest before speaking. However, no Town Meeting Member should accept compensation for speaking to or voting at the Meeting.

**F. *Time*** - There is no time limit to the debate of any question. Accordingly, motions to limit time for debate or to call the question are not in order. However, each individual who speaks to the Meeting should make an effort to be as brief as possible, out of consideration for the others attending the Meeting and the need to give adequate time to all matters coming before it. The Moderator may request that all persons who intend to speak for more than five minutes give him/her notice before the start of the session.

**G. *Repeated Speaking*** - In order to give all a fair opportunity to speak, no one who has addressed the Meeting on any particular motion shall speak again, except to answer questions, until all others wishing to speak to the motion have done so.

**H. *Maps*** - The Planning Board has slides of Town maps available for use at all Meetings and may be requested on reasonable notice to make available a slide of any map appropriate to the subject under discussion.

## **V. VOTING METHOD**

Except as specifically otherwise provided by law or these rules, voting shall be by voice votes or show of hands as the Moderator may determine and the Moderator shall declare the results of such vote. If a vote so declared is immediately questioned by seven or more Members, the result shall be determined by counting the votes of the Meeting by means of a standing vote.

## **VI. DEFINITIONS**

**A. *Roll Call*** - Upon motion supported by not less than sixty members and made prior to the taking of a standing vote, the vote shall be by a roll call of all Members, the Clerk to indicate on the record with respect to each Member, "Aye," "Nay," "Abstain," or "Not Present" as the case may be.

**B. *Secret Votes*** - There shall be no secret ballots or other secret votes at Town Meeting.

**C. *Majorities*** - Except as otherwise provided by law or the Town's Bylaw, all actions of the Meeting shall be taken upon vote of a simple majority of those present and voting.

**D. *Ballot Vote***

(a) Upon a motion supported by not less than 20 Members made prior to a vote on any question (whether required by law to be a counted vote or not), the vote shall be taken by ballot in such form as will in the opinion of the Moderator indicate how individual Town Meeting Members have voted on a question. The results of such vote shall be announced in terms of the numbers of aye, nay, or abstain votes cast. The Town Clerk shall, within a

reasonable time after the session has been adjourned, compile a list of Members voting on the question, which list shall disclose how each Member voted. Said list, together with the original ballots, shall be open to public inspection so that the public shall be able to determine the way in which each Town Meeting Member voted on the question and shall be preserved for at least 3 years.

- (b) If a law or a bylaw requires a two-thirds vote for action by the Meeting, the Moderator is authorized to declare the vote without taking a count, subject to the roll call and ballot vote provisions noted above. If more than a two-thirds vote is required, the Moderator may first determine whether the vote is unanimous and, if it is not, the vote shall be counted either by means of a standing vote, by roll call or by ballot as provided in the Town's Bylaw.

## **VII. ADJOURNMENT AND DISSOLUTION**

**A. *Adjournment*** - Sessions of the Town Meeting shall normally adjourn about 11 o'clock in the evening but may adjourn at such earlier or later time as the Town Meeting upon vote of a majority of its Members may determine.

**B. *Dissolution*** - The Meeting shall not dissolve until all articles in the warrant with respect to which any Member wishes to make a motion have been considered.

## **VIII. RECORD OF MEETING**

The Town Clerk in consultation with the Moderator shall prepare and maintain a complete record of the Meeting at the office of the Town Clerk where, upon request, it may be inspected by any interested person and also shall deposit a copy of such record at the Main Library. Such record may, but need not be, verbatim. However, it shall as a minimum contain the text of all articles and motions, whether main motions or subsidiary motions, the name of the moving party, the action of the Meeting with respect thereto and such summary of statements made at the Meeting as will in the opinion of the Town Clerk contribute to a better understanding of the action of the Meeting.

## **IX. REFERENCE TO TOWN MEETING RULES**

Wellesley Representative Town Meeting was established by Chapter 202 of the Acts of 1932 which has been amended several times since then. Certain customs have developed in the conduct of the Town Meeting. Wellesley custom does not differ substantially from the custom of other representative town meetings, as generally described in *Town Meeting Time* (Little, Brown, and Company 1962), a book that also contains references to applicable court decisions and statutes. All custom may be changed by law, or the Bylaws of Wellesley, as from time to time amended.

It is the combination of the foregoing which produces the "rules" of Wellesley Town Meeting in conformity with which the Moderator regulates the conduct of the meeting.