

On the morning of October 6, 2017, crews from Northern Tree (“Northern”), under subcontract to Newport Construction (“Newport”), removed at least 37 trees from Beacon Street in Somerville. This work was done under contract to the Massachusetts Department of Transportation (“MassDOT”) as part of the “full depth reconstruction,” project that has been underway on Beacon Street since 2016.

Outrageous Conduct

When the crews arrived early on a Friday morning, there was no traffic control or consideration for pedestrians in place. No police details were onsite. There had been no notice to the community, and the trees were not marked in any way to indicate that they were to be removed. Neither MassDOT nor city staff were onsite to provide supervision. Cars were parked in front of several trees, blocking access by the crews. Residents immediately began to express concern and to ask questions of the crews.

Faced with this obvious confusion and lack of coordination, rather than pausing to check in with MassDOT and the city, Northern and Newport clear-cut the street. Only seven trees were spared. Frustratingly, a dead tree that was clearly in need of removal remains standing five months later.

This is outrageous conduct. The situation on the ground was clearly not right. For the contractors to destroy dozens of trees under these conditions shows poor judgement and a lack of respect for both the city and its residents.

Pleasing Words

The Board of Aldermen took up the issue at their meeting on the 12th of October, just 6 days later. They passed orders seeking additional information, demanding reports, insisting on additional staffing, and suggesting clarifications to local ordinances around tree removal. The issue was discussed in both the Legislative Matters and in the Public Utilities and Public Works committees. Representatives from MassDOT and from the city appeared at that latter committee meeting. Neither Newport nor Northern are mentioned in the minutes as having attended. These representatives described the situation as a mix-up in communication and scheduling around long-planned work.

Around the same time, the Somerville Patch quoted Richard DeFelice, the President of Newport: “This was a contracted item and has been outlined by the engineering designs on file since they were approved.” The city’s website echoed this sentiment, describing the “early” removal of the trees as a regrettable scheduling mistake.

MassDOT later issued a pair of negative performance evaluations against Newport. To date, this is the only concrete penalty assessed in this situation.

No Plan To Be Found

If clear-cutting Beacon Street was the plan – it represents a departure from any plans that I have been able to find during five months of inquiry. The contract award documents and drawings (obtained from MassDOT under a public information request) show at least 71 pre-existing trees. These documents specify 30 particular trees to be removed. Of the original 71 trees, seven remain standing, substantially fewer than the 41 that we might expect, based on the plans.

Clear-cutting Beacon Street also marks a departure from what the community was told to expect. At the last public hearings and notices provided about this project, held in mid-2014, attendees were told that we would “retain many of the existing trees,” removing, “a total of twenty-two.” However, in the final project plans issued in 2015, only one tree is called out to be “preserved and protected,” the large tree at the Northeast corner of Park and Beacon Streets.

Unfortunately, even that one large tree is gone. It seems to have been removed sometime during in the summer of 2017, perhaps because it fell into ill health during the multi-year construction project. Despite repeated inquiries with the city, no details have been made available as to when or why it was removed.

In January of 2018, I submitted a petition to the Board of Aldermen and to the Mayor asking for a reconciliation of the trees that had been removed against construction documents and plans. My intention was to cause the city to look into the situation and verify whether the correct trees had been removed, and also whether an appropriate process had been followed in making changes to the published plans. This request echoed Alderman Heuston’s instruction to city staff from the October 2017 committee meeting. As of early March, no accounting has been forthcoming. Based on meetings and conversations with city staff, it seems unlikely that the city will answer even this straightforward, factual question.

More succinctly, we have repeatedly been told by both the city and by the contractor that this work was done according to a plan, but the city cannot produce either a plan or evidence that one ever existed.

The plans that *are* publicly available are specific that Beacon is not to be clear-cut.

[A Measure of Quality](#)

Since October, I have heard many times that nearly 200 new trees will be planted at the end of this project. These new trees are certainly shown in the plans from 2015. Based on spot checks of a single part of the project, I have little confidence that this has not *also* changed.

Trees are visible from the street and are easy for an amateur to measure and to count. The interested public can use the trees as a quick measurement of overall compliance and performance on a project. I have done that measurement, and I have found both these contractors and the city’s oversight and awareness of the project to be sorely lacking. I have no doubt that other, less visible details of the project have also wandered from the stated intentions.

[More of the Same](#)

The weather is warming up, and construction work is resuming throughout Somerville. In the weeks to come, crews from Newport and Northern will return to my neighborhood. Despite outcry from the community and despite substantial talk and writing, it seems that things will continue as we have all come to expect – contractors running roughshod without oversight or accountability from the city.

Somerville deserves better.

Sincerely,
Chris Dwan
Ward 2, Somerville