



CITY OF SOMERVILLE, MASSACHUSETTS
Office of Strategic Planning and Community Development
JOSEPH A. CURTATONE, MAYOR

MEMORANDUM

Office of the Executive Director

MEMORANDUM

TO: Mayor Joseph A. Curtatone

FROM: Monica R. Lamboy, Executive Director *ML*

DATE: September 7, 2010

SUBJECT: Request to accept a Transit Oriented Development (TOD) grant in the amount of \$490,000 from the Massachusetts Department of Transportation for the MaxPak site

The Office of Strategic Planning and Community Development (OSPCD) respectfully requests you to forward to the Board of Aldermen (BOA) a request to accept a \$490,000 Transit Oriented Development (TOD) grant from the Massachusetts Department of Transportation ("MassDOT). This grant will be used to construct the ramp from Lowell Street into the MaxPak site and will provide access to the extension of the Community Path. No match is required for this grant.

BACKGROUND

The City of Somerville and KSS Realty, as co-applicants, have been awarded a grant in the amount of \$490,000 under the TOD Infrastructure and Housing Support Program for the "MaxPak Community Path Connection" project. This \$1.05 million project includes a ramped roadway (the "Ramp") from Lowell Street down into the development site and its foundation, a 28 ft high retaining wall adjacent to the railroad right-of-way, stairs, landscaping, and architectural/engineering services. The Ramp will provide access both to the development site and to the Community Path. The retaining wall is needed for the Green Line Extension and will become the property of the MBTA when completed. The TOD funding will only cover a portion of the total cost; the developer will fund the balance.

The MaxPak project, consisting of five buildings with a total of 199 residential units, has received approval for its master plan and special permit from the Somerville Planning Board. As permitted, the development has internal pedestrian, bicycle, and vehicular circulation including access to the Community Path from Lowell Street, from the Center of the site, and from Clyde Street.

In return for collaborative approach in securing TOD funding, the Developer of the MaxPak project has agreed to grant the City a permanent easement for public pedestrian and bicycle access, 24-hours a day, over roadways, sidewalks, and access points to the Community Path within the MaxPak development. This will facilitate public access to the Community Path, the rapid transit station to be constructed at

Lowell Street as part of the Green Line Extension, and the bus shelter that was recently installed on Highland Avenue in front of the Somerville Hospital. The Development Covenant between the City and the Developer presently contains the following provision regarding public access to the MaxPak Development:

E. OPEN SPACE AND COMMUNITY PATH

The Developer shall provide usable open space in conformity with the City's PUD-B zoning requirements and landscape improvements on the Property adjacent to the Community Path. In addition, the Developer has agreed to expand the public access hours beyond the minimum requirements of §16.6.1 of the Somerville Zoning Ordinance. The usable open space shall be accessible to the public from 7:00 a.m. to 6:30 p.m., except that during Daylight Savings, the usable open space shall be accessible to the public from dawn to dusk.

The Covenant will be amended to reflect the Developer's commitment to grant to the City a 24-hour per day permanent easement for pedestrian and bicycle access over the roadways, sidewalks, and access points to the Community Path.

Since KSS Realty, Inc. was a co-applicant on the grant, the City will be awarding the funds to the company as a sub-grantee which is consistent with Massachusetts procurement law. The grant award will include specific requirements for advertising the bid for a construction company and will require the sub-grantee to provide the City with evidence they held a competitive process consistent with State law to identify the construction contractor.

RECOMMENDED ACTION

It is recommended that the Board of Aldermen accept the \$490,000 TOD Infrastructure and Housing Support Program Grant for the MaxPak site.