

05/23



TOWN OF CONCORD
COMMUNITY PRESERVATION COMMITTEE
141 KEYES ROAD, CONCORD, MA 01742
TEL. (978) 318-3290 FAX (978) 318-3291

RECEIVED

SEP - 7 2023

Application for CPC Funding

Due no later than 12:00 noon on Friday, September 8, 2023 **PLANNING & LAND MGT
TOWN OF CONCORD, MA**

Applicant*: Town of Concord
Federal Tax Id. No.*: 046-001-121
Co-Applicant (if applicable): _____

Project Name*: Assabet River Bridge and Trail 100% Design, State & Federal Permitting, Final PS&E

Project Location/Address (if applicable): Assabet River, West Concord, Behind 300-310 Baker Ave. & 68 Commonwealth Ave

Purpose*: (Select all that apply)

Open Space Community Housing Historic Preservation Recreation

Project Budget*:

Amount of CPC Funds Requested: \$ 200,000
Amount from Other Funding Sources: \$ 650,000
Total Project Budget: \$ 850,000
(If multi-year project, note current phase only)

Please check which of the following is included with this Application:

- | | |
|---|--|
| <input checked="" type="checkbox"/> One Paragraph Project Summary * | <input checked="" type="checkbox"/> Architectural plans, site plans, photographs (if appropriate) |
| <input type="checkbox"/> Map (if applicable) | <input type="checkbox"/> Copy of IRS determination letter (Non-profit Organizations only)* |
| <input checked="" type="checkbox"/> Narrative * | <input type="checkbox"/> Copy of Audit or most recent Financial Information (Non-profit Organizations only)* |
| <input checked="" type="checkbox"/> Selection Criteria and Needs Assessment | <input type="checkbox"/> Letters of Support (if any) |
| <input checked="" type="checkbox"/> Detailed Project Budget * | |
| <input type="checkbox"/> Feasibility Assessment | |
| <input type="checkbox"/> Statement of Sustainability (if applicable) | |
| <input checked="" type="checkbox"/> Timeline * | |

Project Contact Person*: Elizabeth Hughes, Town Planner
Project Contact Address*: 141 Keyes Road, Concord, MA 01742
Project Contact Phone*: (978) 318-3290 Email*: ehughes@concordma.gov

Authorized Signature of Applicant*: Elizabeth Hughes

Authorized Signature of Property Owner* (if different): Kerry A. Fugere

* Required

For Historic Preservation Projects Only – please check the box below left and acknowledge:

- I/We have read the U.S. Secretary of the Interior's Standards for the Treatment of Historic Properties and understand that planning for and execution of this project must meet these standards.

Brief Project Summary

The Assabet River Multi-Use Bridge and Trail is a long-term community goal and the linchpin that will bring together existing and planned open space and trail resources in West Concord that will benefit and enhance community life, as well as provide more people with access to this scenic river corridor.

Constructing this multi-use bridge and trail over the Assabet River will allow planned trails on the easterly side of the river to connect with existing trails on the westerly side of the river, as well as the regional Bruce Freeman Rail Trail (BFRT). The BFRT is open to multi-modal non-motorized uses such as cycling, jogging, walking and rollerblading and will eventually extend from Framingham to Lowell. The bridge over Route 2 connecting West Concord to Acton was finally completed this summer. The Towns of Acton and Concord have launched a shared bike rental program with stations set up in both communities.

This CPA application for the Assabet River Multi-use Bridge and Trail is the third funding request for the project and allows for the completion of architectural plans, full structural and construction drawings that meet the requirements of MassDOT, specification, estimates and all local, State and Federal permitting needed for construction.

The Assabet River Multi-Use Bridge and Trail project is currently in the 25% design phase and the Town is working with its consultant, GPI, and their design team to navigate through the design process. The project has been approved for placement on the State Transportation Improvements Program (TIP) and is now eligible for \$8M in State and Federal transportation funding. Because of this, the design is now required to follow the detailed MassDOT design process. This process includes scoping and design submissions at the 10%, 25%, 75%, 100%, and PS&E design phases, as well as preparation of supporting reports and documentation, consistent with the requirements of the federal and state design approval processes. The state's transportation design process is complex and requires substantial costs to fund the design phase.

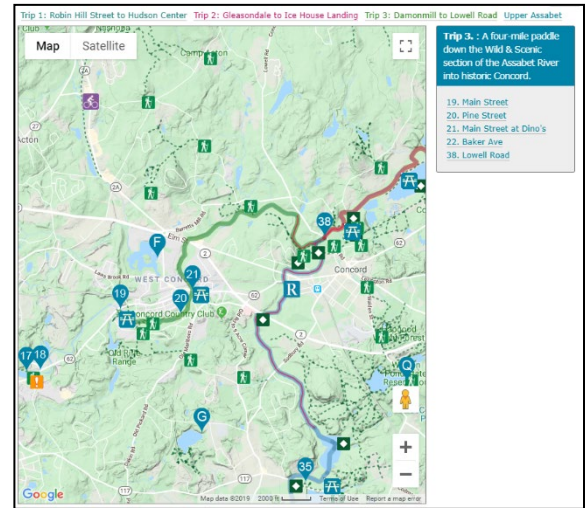
This CPA application request is for \$200,000 and is eligible in the Open Space and Recreation CPA category. The Town will again apply for a MassTrails Grant in February for \$250,000 and a Federal Reconnecting Communities and Neighborhoods Grant for \$400,000. This Federal grant does require a 50% match from the community which would be satisfied by the CPA funds and MassTrails Grant.

Brief Project History

The idea for connectivity between Baker Avenue businesses and the West Concord Village has been in the works since 2001 and first appeared as a goal in the 2005 Comprehensive Long Range Plan Transportation & Circulation Goals, then again in the 2007 Village Center Study and the 2010 West Concord Village Master Plan. In 2017, the Town utilized TDM funds for a feasibility study of a pedestrian bridge over the Assabet River and in 2018, \$35,000 in CPA funds were used for a detailed survey of the 1,000-foot section of the River. In 2019, the Town worked with the architects from La Dallman to conduct two public workshops and a presentation to the River Stewardship Council that resulted in a conceptual design and preferred location for the bridge adjacent to the existing commuter rail bridge.

The Assabet River in West Concord was designated a Wild & Scenic River in 1999. The National Wild and Scenic Rivers System was created by Congress in 1968 (Public Law 90-542; 16 U.S.C. 1271 et seq.) to preserve certain rivers with outstanding natural, cultural, and recreational values in a free-flowing condition for the enjoyment of present and future generations. The Act is notable for safeguarding the special character of these rivers, while also recognizing the potential for their appropriate use and development. It encourages river management that crosses Town boundaries and promotes public participation in developing goals for river protection.

Nathaniel Hawthorne said of the Assabet River, “A more lovely stream than this has never flowed on earth, except to lave the interior regions of the poet’s imagination”. In 1999, the last four miles of the Assabet were designated under the federal Wild and Scenic Rivers program. The non-profit “OARS for the Assabet, Sudbury and Concord Rivers” features the West Concord portion of the river in its Trip 3: Damonmill to Lowell Road segment (see right), noting that the Assabet offers easy and interesting paddles for the beginning boater. There can also be some whitewater in the spring from snow-melt and rains, and limited water depth during the summer.



In 2019, the Planning Division completed two public workshops to receive community input on location and design for the pedestrian bridge. Town staff and the consultant team met with the Sudbury, Assabet & Concord Wild & Scenic River Stewardship Council (RSC for short) to present the information gathered to date and ensure that the design was on the right track for building a bridge over the Assabet River. The RSC noted that a pedestrian bridge over the Assabet River would provide people, especially those with mobility issues, the opportunity to view this beautiful scenic resource and experience the variety of wildlife that utilize the river corridor.

Following this public engagement process, in 2020 the Planning Division began the process of advancing the detailed design for the bridge and the trail, which similar to the Bruce Freeman Rail Trail, is a complicated and multi-year process.

CPC's Selection Criteria

This application meets the following Selection Criteria as found in the 2023 Community Preservation Plan:

a. The project’s eligibility for CPA funding under the CPA legislation.

The application meets the criteria for Open Space and Recreation under the CPA legislation as it will provide funding for the support of recreational use and access to open space.

b. The project’s consistency with Town-wide planning efforts and reports that have received broad-based scrutiny and input.

As noted in the 2010 West Concord Master Plan, the Assabet River pedestrian bridge has been identified as an important link between the Baker Ave. businesses and the services available in West Concord Village that will provide an alternative means of transportation and recreation for residents and visitors, as well as connecting to the Bruce Freeman Rail Trail. Additionally, the 2014 Recreation Facilities Strategic Plan identifies the importance of providing connectivity between parks and facilities and waterway access, which this bridge would address. The 2018 Envision Concord Comprehensive Plan Open Space Core Action Item highlights the need to ensure that village centers are well connected and potential improvements including a pedestrian bridge over the Assabet River in West Concord.

c. The project’s support by relevant Town boards and committees and community groups and its consistency with recent Town Meeting actions.

There has been extensive Town-wide support for this project by almost every board and committee, businesses and property owners in West Concord and Town Meeting through votes to grant CPA funds. Additionally, the Planning Division has met with the River Stewardship Council and the National Park Service because this portion of the Assabet River is a designated Wild and Scenic River, and they have indicated their support for the development of the bridge in this location.

d. The extent to which the project preserves, protects or enhances existing Town-owned open space, recreation, historic and/or housing assets, and has the necessary Town support and approval.

This project directly relates to the preservation, protection and support of Concord's open space and recreation opportunities by providing access for all and all abilities to the Assabet River.

e. The extent to which the project serves multiple or underserved populations and/or is open to the public.

This project has the potential to serve multiple and underserved populations by providing a more direct link from the West Concord Commuter Rail station to various business locations along Baker Avenue that include high tech, manufacturing, hospitality, medical and a flight school. Additionally, the project will address a significant safety issue of people walking along the MBTA Commuter Rail bridge in this location. Due to the State and Federal funding that has been secured for the design of the project and the future construction, the bridge and trail is required to be accessible and open to the public from a public way. For this project, the public will be able to access the trail and the bridge from Baker Avenue and the West Concord Commuter parking lot.

f. Whether or not the project fulfills more than one purpose of the legislation: housing, historic preservation, open space or recreation.

This project fulfills two purposes of the legislation – recreation and open space.

g. Administrative and financial management capabilities of the applicant.

The project will be administered through the Town of Concord's Planning Division. The Planning Division has extensive experience in administering CPA funded grants and projects. The Planning Division has completed all of the requirements of the program and grant funds to date.

h. The extent to which the applicant has successfully implemented projects of a similar type and scale or otherwise demonstrated the ability and competency to implement such a project.

As noted above, the Planning Division has overseen numerous grant funded projects and has the expertise to implement a project of this scale. The Town Planner has overseen the advancement of this project since 2015 and the management of funding since 2020 for a total of \$542,000 in MassTrails Grants funds and \$585,000 in CPA funds.

i. Whether or not the applicant has site control or written consent by the property owner to submit an application.

The Town holds an existing Conservation Restriction on both sides of the Assabet River in this location. The CR specifically speaks to the Town's ability to construct a bridge. Additionally, the abutting property owners for 68 Commonwealth Avenue and 300-310 Baker Avenue have been actively involved in the development of the design and plans to date.

j. Demonstrated financial need.

Due to the fact that this project is now eligible for State Transportation Improvement Program construction funding for \$8M, the Town has been working with the consultant on ensuring that the development of the plans meets all of the State processes and specifications. While this has added complexity to the development of the required plans, in the long run, it will save the Town from making costly mistakes that can set the project back significantly. The development of the final engineering and architectural plans, specifications, estimates and State and Federal permitting that is now needed for construction of a bridge is beyond the scope of the Town's Capital Improvement Program. For this reason, the Planning Division has been actively seeking CPA funds to act as a match for other grant programs. For this last phase of the design, the Planning Division will be seeking \$400,000 from the Federal Reconnecting Communities and Neighborhoods Grant Program. This program requires a 50% match. The \$200,000 requested in CPA funds is imperative since it will be used as the required match for an application for \$250,000 in the next round of MassTrails Grant and the total \$450,000 will be used as the match for the Federal grant application.

k. Whether or not there will be multiple sources of funding for the project, including leveraging of other public and/or private funding.

The Planning Division has been successful in receiving a total of \$542,000 in MassTrails Grant funds and \$585,000 in CPA funds. As noted above, the Planning Division has actively received MassTrails grant funds and will be applying this year for \$250,000 in MassTrails funds and \$400,000 in Federal funds.

The east side of the bridge is located on 300-310 Baker Avenue property. The owners of 300-310 Baker Avenue are in full support of this project and have voluntarily incorporated an accessible path from the Bridge terminus out to Baker Avenue into a planned 201-unit residential development project that is currently before the Zoning Board of Appeals. The developer has committed to constructing this path as part of the residential project. Without this public/private partnership, this project would not be eligible for the \$8M in construction funding on the Transportation Improvement Program.

- l. *The feasibility of the project plan and whether or not the most reasonable approach for implementing the project has been selected.*

The construction of the Assabet River Bridge and Trail has been found to be feasible. The public input and the environmental and engineering design considerations done so far have identified the preferred location for the bridge adjacent to the MBTA Commuter Rail bridge.

- m. *The urgency of the project, the flexibility of the schedule and the impact of any delay in initiating the project.*

There is not an urgent need for the Town to approve this funding, although the idea, feasibility, concept and now the completion of the Pre-25% Preliminary Design Drawings has been two decades in the making and there is more support and momentum in the community for this Bridge, as well as the cost of construction is likely to continue to rise.

- n. *The provision for maintenance of the project.*

As the final design of the project nears completion, the Town will have a better understanding of the required maintenance and will be able to develop a plan to ensure that the yearly and long-term maintenance needs are met. The yearly needs will likely include electricity to supplement the planned solar lighting and the plowing of snow in the winter. The Town will also explore the creation of a public/private partnership with adjacent property owners and businesses.

- o. *The inclusion of an appropriate permanent deed restriction, preservation restriction, or conservation restriction.*

A permanent conservation restriction is already in place for both sides of the river. Other required public access easements, if needed, will be secured once the final design is completed. However, as noted above, the owners of 300-310 Baker Ave. have already designed the required connection between the terminus of the Bridge and Baker Ave. into their residential development project and will construct the connection.

- p. *The CPC will generally not recommend that Town Meeting appropriate CPA funds for expenses incurred by a project prior to the CPC receiving an application for the project.*

This application does not request any funding for previously incurred expenses.

- q. *The project incorporates design features that reduce the impact on the environment including but not limited to reduced energy consumption, enhanced energy and water conservation and the use of recyclable materials.*

The location, engineering and architectural design of this project has from the beginning focused on reducing the impact to the Assabet River and the adjacent sensitive environment. By creating this connection between the Baker Avenue commercial area and now the proposed residential project, to the West Concord Village business district, it can only enhance the walkability and vibrancy of the area. It is not known at this time whether it will be possible to use recyclable materials in the construction of the project.

- r. *The project addresses the following four sustainability principles (based on the American Planning Association's Four Sustainability Objectives) adopted by the Select Board on July 25, 2011:*

- 1) *Reduce dependence upon fossil fuels, underground metals, and minerals;*
- 2) *Reduce dependence upon synthetic chemicals and other manufactured substances;*

3) *Reduce encroachment upon nature; and*

4) *Meet human needs fairly and efficiently.*

It is clear that the Assabet River Bridge and Trail project meets all four of these sustainability principles by providing a much needed pedestrian and bicycle connection to reduce dependency on vehicles (Item #1 & #2), by being located and designed in a manner that first and foremost takes into consideration the impact on the environment in the sensitive location (Item #3), and by being designed to meet all ADA requirements so that it can be enjoyed by all ages and abilities (Item #4).

s. *The use of qualified vendors which are located in Concord is encouraged when applicable.*

There is not a qualified vendor in Concord that has the required staff and expertise to handle the design and process for the development of this project.

t. *Land acquisition projects for which CPA funds are sought must also adhere to the requirements of Article 35 of the 2008 Annual Town Meeting.*

This project does not include any land acquisition requests.

Budget Narrative

The Assabet River Multi-Use Trail and Bridge project is currently in the 25% design phase and the Town is working with its consultant, GPI, and their design team to navigate through the design process. The project has been approved for placement on the State Transportation Improvements Program (TIP), and because of this, the design is now required to follow the detailed MassDOT design process. This process includes scoping and design submissions at the 10%, 25%, 75%, 100%, and PS&E design phases, as well as preparation of supporting reports and documentation, consistent with the requirements of the federal and state design approval processes. The state's transportation design process is complex and requires substantial costs to fund the design phase. However, following this process in the design phase will save the Town millions of dollars in construction funding. Placement on the TIP allows for construction of the project to be funded by state and federal dollars. The project is currently estimated to cost approximately \$8 million to construct. The Town and its consultant have completed the initial planning, background investigation, and concept phases of the project. The design team is now working through the 25% design submission process. The cost of preliminary design services under contract to date total approximately \$968,000. An additional estimated \$850,000 will be required to complete the final design phases through the MassDOT design and approval process. The town has funded the preliminary design costs through two (2) MassTrails Grant awards and CPA funds. Final design phases, including 75%, 100%, and PS&E submissions, as well as the public hearing and Right of Way processes will require additional funding. The following is a summary of the design phases which have been completed under this contract and those that are in process.

Initial Contract Value: \$381,200 Dates of Service: March 2021 - May 2022

Preliminary Investigations / Concept Development - The Town of Concord engaged GPI to perform necessary background engineering investigations and develop concepts for the Assabet River Multi-Use Trail and Bridge project. The contract for this scope of work included wetland delineations, survey and base plan development, geotechnical borings, hydraulic analysis, initial environmental permitting efforts, concept development, and preparation of the Bridge Type Selection Worksheet (BTSW), which compares various concept alternatives for the proposed bridge structure to determine the most favorable alternative. As part of this initial contract between the Town and GPI, GPI assisted the Town in preparing and submitting Project Need and Project Initiation Forms to MassDOT, which ultimately resulted in the project's approval for placement on the State Transportation Improvements Program (TIP), receiving approval in September of 2022. Placement on the TIP would allow for the construction of the project to be funded by federal and state funding sources, which will save the Town millions of dollars required for construction of the project. The project is estimated at approximately \$8 million.

Contract Amendment No. 1 \$70,000 Dates of Service: May 2022 – June 2023

Design Development, Graphic Renderings, and Public Information Meeting - To continue progressing the project toward engineering design phases, the Town engaged GPI to perform additional survey (needed to be extended to public rights-of-way), refine the design concept, and prepare visual graphics and renderings of the project for the purpose of holding a public information meeting. The meeting, held in June of 2022, provided an update to the public on the status of the project and the refined design concept developed by the team of GPI and its architecture subconsultant, La Dallman.

During this time, in September of 2022, the project was approved for placement on the TIP. From that point forward, the project would be required to follow Federal and State procedures for design of the multi-use trail and bridge. Additionally, the project would be required to follow Federal and State requirements related to public access/right-of-way, accessibility, environmental permitting, and regulatory design requirements.

Contract Amendment No. 2 \$517,160 Dates of Service: June 2023 - current

25% Design Submission / Bridge Sketch Plans / Preliminary Right of Way plans - The scope of work included in Amendment No. 2 will include scoping sessions with MassDOT, draft environmental permit documents, additional borings and geotechnical investigation (as requested by MassDOT), final hydraulics report, a 10% design submission, and development and submission of the 25% design submission to MassDOT, including design plans, bridge sketch plans, and supporting reports and documentation required by MassDOT. Upon approval of the 25% design phase, the project will move to final design.

FY 25 Amendment Estimated \$850,000

Final Design Phases - The scope of work for the final design phases will include the Design Public Hearing, 75%, 100%, and PS&E design submissions and supporting documentation, as well as final ROW plans and environmental permitting.

Detailed Project Budget

See attached detailed project budget sheet.

**Assabet River Multi-Use Bridge and Trail Project
Concord, MA**
*Design Cost Estimates for Grant Preparation
Final Design Stages*

Prepared By: GPI (LD/KA)
Date Prepared: 8/29/2023

Design Public Hearing \$ 42,000.00

Coordinate with MassDOT DPH team, Develop slide deck, prepare visuals, graphics and renderings, perform dry run, attend and make presentation, respond to comments

75% Design Submission (Hwy/Bridge/Arch) \$ 305,000.00

Respond to 25% Design review comments, Meetings, Utility Coordination, Final Design, Cross Sections, Easements, Construction Plans, Grading, Tie, Drainage Plans, Signs, Markings, Lighting, Landscape Design, Erosion and Sedimentation Controls, Estimate, Special Provisions, QC Review, Submission Checklists, 1st Structural (Bridge)

Environmental Permitting \$ 100,000.00

Perform research and prepare permit applications and coordination; Haz. Materials Research/Review, NEPA CE, MEPA ENF, USACE Section 404, 4(f), WPA NOI, Chapter 91 License, Water Quality Cert., WQDF; Attend hearings and site walks

100% Design Submission (Hwy/Bridge/Arch) \$ 200,000.00

Respond to 75% Design review comments, Revisions, Finalize Plans, Final Bridge Design (2nd Structural), Special Provisions, Quantity and Cost Estimate, QC Review

Right of Way \$ 23,000.00

Prelim. ROW Revisions, Layout Plans, Order of Taking, Written Instrument, QC Review

PS&E Submission (Hwy/Bridge/Arch) \$ 75,000.00

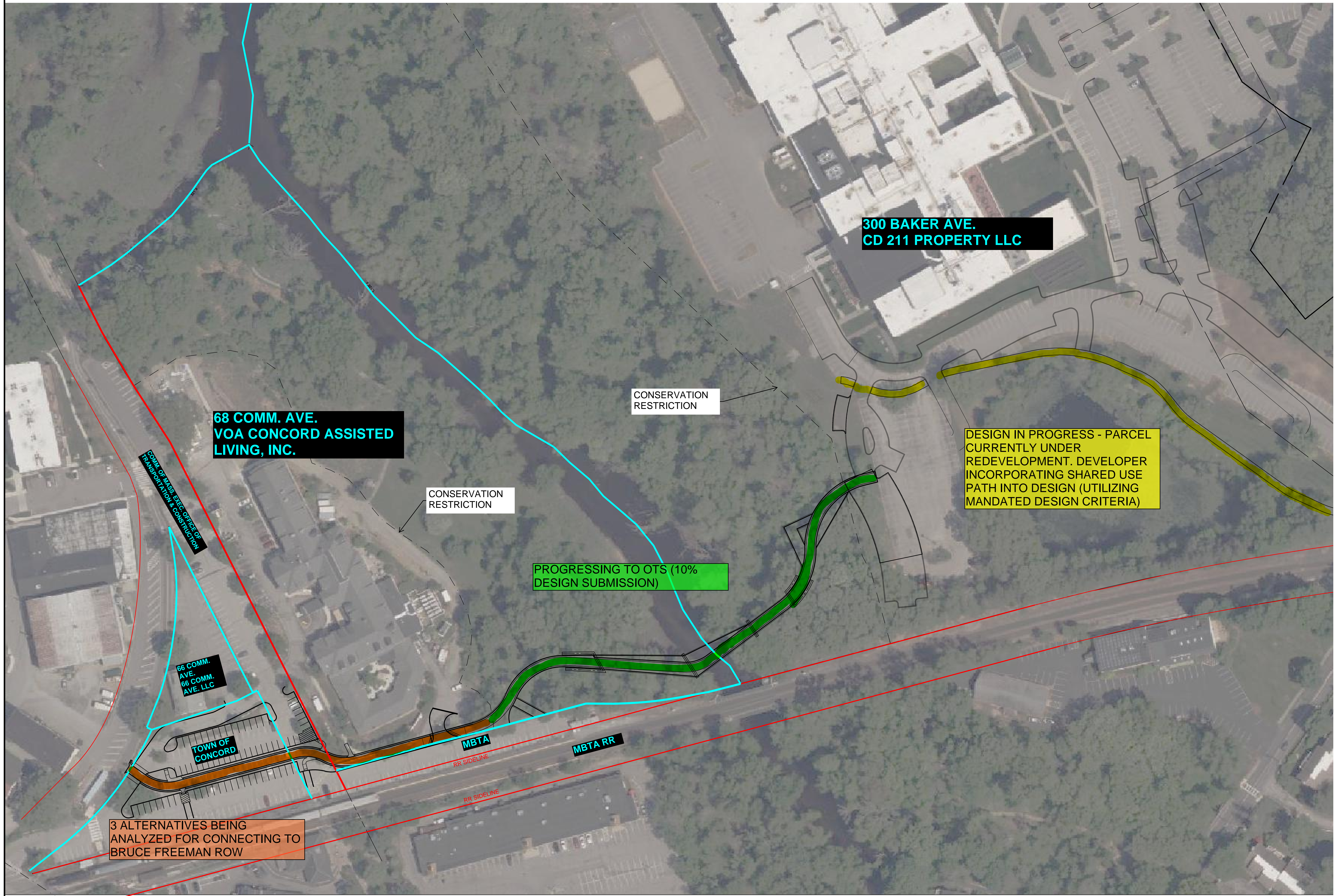
Respond to 100% Design Comments, Finalize Plan/Specs/Estimate, Detail Sheets, QC Review

\$ 745,000.00

Subject to MassDOT Standard Procedures, Engineering Directives, Changes resulting from Design Review, etc.

Design Fee Contingency = 12% \$105,000

Estimated Total **\$850,000**



**300 BAKER AVE.
CD 211 PROPERTY LLC**

**68 COMM. AVE.
VOA CONCORD ASSISTED
LIVING, INC.**

CONSERVATION
RESTRICTION

DESIGN IN PROGRESS - PARCEL
CURRENTLY UNDER
REDEVELOPMENT. DEVELOPER
INCORPORATING SHARED USE
PATH INTO DESIGN (UTILIZING
MANDATED DESIGN CRITERIA)

CONSERVATION
RESTRICTION

PROGRESSING TO OTS (10%
DESIGN SUBMISSION)

COMM. OF MASS. REC. OFFICE OF
TRANSPORTATION & CONSTRUCTION

66 COMM.
AVE.
66 COMM.
AVE. LLC

TOWN OF
CONCORD

MBTA

MBTA RR

RR SIDELINE

RR SIDELINE

3 ALTERNATIVES BEING
ANALYZED FOR CONNECTING TO
BRUCE FREEMAN ROW