



The Commonwealth of Massachusetts  
MASSACHUSETTS SENATE

**SENATOR WILLIAM N. BROWNSBERGER**  
*Second Suffolk and Middlesex District*

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*Senate Chair*  
JOINT COMMITTEE ON  
THE JUDICIARY

*Vice Chair*  
SENATE COMMITTEE ON  
ETHICS

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ELECTION LAWS  
MUNICIPALITIES AND  
REGIONAL GOVERNMENT  
WAYS AND MEANS

November 9, 2015

Commissioner Carol Sanchez  
Department of Conservation and Recreation  
251 Causeway Street, Suite 900  
Boston, MA 02114

Acting Highway Administrator Thomas Tinlin  
Massachusetts Department of Transportation  
10 Park Plaza, Suite 4160  
Boston, MA 02116

Dear Commissioner Sanchez and Administrator Tinlin,

I am following up on the letter I sent with my colleagues dated September 16, 2015 regarding our shared concerns for the future of the Bowker Overpass. I am grateful for the thoughtful response that I received from Administrator Tinlin. I also agree with Herb Nolan's recollections about the commitments made.

At this time it seems like the right next step is for all parties to sit down together and clarify plans. My staff will be reaching out to schedule a meeting shortly. I hope you can attend personally and bring staff with the necessary planning and budget expertise so that we can reach closure in the meeting about:

- 1) Park improvement under the overpass



- 2) Construction of the Charlesgate Greenway
- 3) Maintenance of the abutments supporting the Bowker on either side of the bridge over I-90 and the railway and the fence along the railway tracks at Ipswich Street.

I appreciate the time and attention that you have given to these matters.

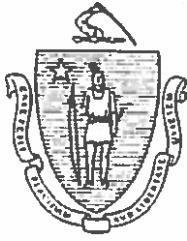
Sincerely,



William N. Brownsberger  
STATE SENATOR

Attachments: 9/16/15 Letter from legislators  
10/15/15 Letter from Administrator Tinlin  
10/27/15 Correspondence from the Solomon Foundation

Cc: Representative Livingstone  
Representative Rushing  
Councilor Zakim  
Herb Nolan, Deputy Director, Solomon Foundation



COMMONWEALTH OF MASSACHUSETTS  
**THE GENERAL COURT**  
STATE HOUSE, BOSTON 02133 1053

September 16, 2015

Commissioner Carol Sanchez  
Department of Conservation and Recreation  
251 Causeway Street, Suite 900  
Boston, MA 02114

Acting Highway Administrator Thomas Tinlin  
Massachusetts Department of Transportation  
10 Park Plaza, Suite 4160  
Boston, MA 02116

Dear Commissioner Sanchez and Administrator Tinlin,

We write to draw your attention to a public commitment that seems to have fallen into a communications gap between your two agencies -- the commitment to upgrade the park underneath the Bowker overpass.

The Bowker overpass is a critically important transportation link and one that physically dominates the Charlesgate neighborhood of Boston which we serve.

It had fallen into disrepair. After a lengthy, public and contentious process, MassDOT formed a plan to do extensive repairs to the overpass and that project is ongoing. Neighborhood advocates had argued passionately for an alternative plan involving demolishing the overpass and replacing it with at grade connections. There was considerable ill-will generated by the repair decision -- many in the neighborhood have continued to argue that other options were viable and preferable. Also neighborhood advocates have continued to be very upset about various construction issues -- noise, dust, etc.

In the context of this neighborhood unrest, in a public meeting about a year ago attended by dozens of members of the public and a number of senior MassDOT officials, the then project manager, Ammie Rogers, committed to restore the park underneath the overpass to an improved condition after construction. This is something that really does need to be done -- a well done park project in the space under the Bowker between Charlesgate East and Charlesgate West will yield big benefits -- it is a frequently traveled space. It will also provide some modest

compensation to the neighborhood which has been so disappointed with the choices the Commonwealth has made.

The land under the Bowker is all DCR property so DCR is an essential partner in the project. At the same time, it is MassDOT that has made the repair decision and has been visible before the neighborhood. Therefore, MassDOT is also an essential partner.

Concerned about an apparent lack of progress on the issue, we convened a meeting on September 15 between MassDOT and DCR and the City of Boston to review the issue. Due to an apparent scheduling glitch, DCR was not present at the meeting.

At this recent meeting, the current Bowker Project Manager, Ethan Britland represented that some discussions with DCR had occurred and an agreement in principle existed that DCR would design a project and that it would be funded in equal shares by MassDOT, DCR and the Solomon Foundation. The agreement was subject to formalization after DCR designed the project. MassDOT presented plot plans showing that the land was all DCR land.

After the meeting, we were able to reach the Solomon Foundation. Herb Nolan, the sole employee of the foundation, seemed taken aback by the representation that the foundation was committed to supporting any work in this space. He recounted the history that the foundation had done some conceptual work with DCR and MassDOT on the adjoining space northeast of the intersection of Charlesgate East and Beacon Street. This work led to a MassDOT funded formal design effort and a project commitment as part of the Bowker project to complete a pedestrian/bike path to Mass Ave in that space, but Solomon has no further funding role in that project and no active role in the space we are talking about.

We were also able to reach Tony Barletta of DCR by phone and he had no knowledge of any work or plans by DCR in the space under the Bowker.

So, in summary, it appears that confusion reigns. We'd be very grateful if you could communicate and clear things up. We'd like to allow you some time to do that but would like to have a meeting where all parties are present and demonstrate a shared understanding of the way forward. We hope we can schedule such a meeting before the end of November and will follow up to that end.

There is a related problem which is also at the intersection of your responsibilities. We are not clear about the work which will be done to repair and repoint the stone retaining walls under the roadway and who is responsible for its upkeep. The abutments supporting the Bowker on either side of the bridge over I-90 and the railway and the fence along the railway by Ipswich street under the Bowker need cosmetic maintenance. MassDOT seemed more prepared to take

ownership of these issues at the recent meeting, but had no particular plans to address them. Representative Rushing has previously identified these issues to Commissioner Sanchez. We hope that you can also clarify responsibility for addressing these issues.

Finally, we just wanted to raise a neighboring issue that was not discussed in depth in the recent meeting -- the bicycle connection from Charlesgate over to Mass Ave, which MassDOT committed to fund and complete as part of the current phase of Bowker Overpass repairs. It is a very timely project, which, if it had been completed already might have saved the life of the young Swiss doctor who recently was crushed at the corner of Mass Ave and Beacon Street. We assume that final design and construction plans for that project are moving along, but would appreciate a status report.

As always we are grateful for the work you do and conscious of the many competing priorities before you.

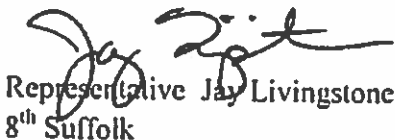
Respectfully,



Senator William N. Brownsberger  
Second Suffolk & Middlesex



Representative Byron Rushing  
9th Suffolk



Representative Jay Livingstone  
8<sup>th</sup> Suffolk



Councillor Josh Zakim  
Boston City Council – District 8



Charles D. Baker, Governor  
Karyn E. Polito, Lieutenant Governor  
Stephanie Pollack, Secretary & CEO  
Thomas J. Tinlin, Administrator



October 15, 2015

The Honorable William N. Brownsberger  
State Senator  
State House, Room 504  
Boston, MA 02133

The Honorable Byron Rushing  
State Representative  
State House, Room 234  
Boston, MA 02133

The Honorable Jay D. Livingstone  
State Representative  
State House, Room 136  
Boston, MA 02133

The Honorable Josh Zakim  
City Councilor  
1 City Hall Square, Suite 550  
Boston, MA 02201

Dear Senator Brownsberger, Leader Rushing, Representative Livingstone, and Councilor Zakim:

Thank you for your continued interest and support, not only in the area of the Bowker Overpass, but all transportation infrastructure projects. The deck replacement currently underway on the Bowker presents many challenges as it abuts a densely populated neighborhood and is a major vehicular roadway. The impact of construction to neighborhoods is something MassDOT takes very serious and we are mitigating the situation for your constituents as much as possible. These measures include the use of a portable sound barrier to limit the noise in the neighborhood and performing as much work as possible during weekday daytime hours. My staff and I are committed to making this project go as smoothly as possible and we are always available to address any concerns or complaints.

Regular maintenance is a critical part of protecting our infrastructure and I appreciate the photograph presented by Assistant Majority Leader Rushing showing the crack along the abutment of the Bowker Overpass on Ipswich Street. Our District Maintenance Department is in the process of evaluating what repair options would work best and a timeline for the repairs. Once this evaluation is complete and the repair plans mature I will be sure to update you on the schedule.

Regarding the Charlesgate Greenway Connection Project, I wish to thank you for highlighting some of the confusion surrounding the project. Based on the information you have provided, MassDOT staff has focused on old emails and communications to assist in providing some clarity. As you know, the Charlesgate Greenway Connection is a multi-use path that connects the Emerald Necklace to the Esplanade. Since this is a park project and that it is on land completely under the jurisdiction of the Department of Conservation and Recreation (DCR) it was agreed that they would be the lead agency on this project. MassDOT remains committed to helping financially and has already transferred \$200,000 to assist in the hiring of a design consultant. DCR has hired Halvorson Design Partnership, Inc. and various conceptual options are nearing the point where they can be presented to you and later to the community. We anticipate that these concepts will be completed by the end of calendar year 2015. This design options will feature a new path through Charlesgate Green, connecting it to the Harvard Bridge, and a signalized crossing to allow pedestrians and cyclists to safely cross Massachusetts Avenue and access the ramp to the Esplanade.

Until such time that a final design is presented by DCR we cannot commit any additional funds. It should be noted that this connection project was not included in the scope of work for the current deck replacement on the Bowker Overpass. I look forward to scheduling a meeting with you and DCR to further clarify the responsibilities of each agency and to assist in moving this project to completion, as we see the value and many benefits it will bring to the area.

Thank you again for your continued advocacy of transportation on behalf of your districts.

Sincerely,



Thomas J. Tinlin  
Highway Administrator

Cc: Commissioner Carol Sanchez – Department of Conservation and Recreation  
Herb Nolan – Solomon Foundation  
Michael Berry – MassDOT Legislative Director  
Jim Kersten – MassDOT Legislative Liaison



Will Brownsberger &lt;willbrownsberger@gmail.com&gt;

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**Funding commitment for the Greenough Greenway project**

1 message

Herbert Nolan &lt;herbnolan@solomonfoundation.org&gt;

Tue, Oct 27, 2015 at 6:26 PM

To: Thomas Tinlin &lt;Thomas.Tinlin@cityofboston.gov&gt;

Cc: Will Brownsberger &lt;willbrownsberger@gmail.com&gt;, Josh Zakim &lt;josh.zakim@gmail.com&gt;, BYRON RUSHING &lt;Rep.ByronRushing@hou.state.ma.us&gt;, Jay Livingston &lt;Jay.Livingstone@mahouse.gov&gt;, Michael Berry &lt;Michael.Berry@state.ma.us&gt;, "Nicholas (DCR) Connors" &lt;nicholas.connors@state.ma.us&gt;

Dear Acting Administrator Tinlin,

Thank you for your response dated 10/15/15 to Senator Brownsberger, Leader Rushing, Representative Livingston, and Councilor Zakim's request for clarification on funding for the Charlesgate Greenway. We were very surprised not to see an acknowledgment of MassDOT's earlier commitment of *full funding* for the *design and construction* of Charlesgate Greenway, Ph1. In looking over "old emails and communications" your staff was apparently unable to find reference to this commitment. Given the mountains of email that pour in every day, that may be like finding a needle in a haystack. This particular commitment, however, was clearly made in the most public of forums and a great many people now expect MassDOT to deliver on its promise.

Let me point your staff in the right direction. On December 4, 2013 at a Turnpike Ramp study meeting held at the Boston Public Library, two senior MDOT staff - Ammie Rogers and Paul Nelson - shared the very good news that the agency was fully funding the *design and the construction* of the Charlesgate Greenway project as laid out for us by the Halvorson Design Group and Alta Planning and Design. They noted their agency's commitment to all modes of transportation and the critical importance of the Charlesgate Greenway to pedestrians and cyclists.

Secretary Davey posted the commitment to the MassDOT website that same day and it was picked up in the local press (see attachment). A couple of hundred people in attendance that night heard the pledge and applauded the agency. A half dozen advocacy groups sent in letters of thanks to Secretary Davey which are, undoubtedly, on file. I would be happy to reach out to these groups to help corroborate this but would rather wait and not raise concerns unnecessarily.

While the Charlesgate parkland is under the jurisdiction of the DCR which is currently managing the design contract, the Charlesgate Greenway is much more about transportation than it is about parks. The Charlesgate Greenway is the single most important north-south greenway link in the heart of the the Boston metropolitan area as demonstrated by numerous studies. It will serve hundreds of daily bicycle commuters, many headed to the LMA, and will link two regional path systems within the Emerald Necklace and the Charles River Reservation. It will help remove cyclists from the crowded streets of Boston and make traveling by foot or bike much less dangerous and stressful. The projected cost of 1 to 1.5 million is a bargain for this critical but missing link. The commitment of MassDOT to designing and building the Charlesgate Greenway is in line with your core mission and your ambitious goals for mode shift.

We hope this information has been helpful and look forward to hearing back from you at your earliest convenience. We would appreciate a confirmation that this email has been received and will follow up with a letter.

Sincerely,

Herbert Nolan





# THE LAWRENCE & LILLIAN SOLOMON FOUNDATION

Herbert Nolan | Deputy Director

www.solomonfoundation.org

## The Boston Courant



A plan is planned for a new path to connect the Charles River Basin to the Emerald Necklace.

### Path To Connect River & Bowker

By Eddie Schmitt  
Courant News Service

A new path is in the works that would connect the Charles River Basin to the Emerald Necklace.

The trail would start at the southern end of the Bowker Urban Center Community Health Center and travel south, cross the Charles River Greenway, to the Memorial Avenue Bridge, and end in the Esplanade. Most of the work will occur in the Charles River Basin, which is about 2.5 acres of virtually unusable parkland.

March 11 is planning to attract the path as part of an overall development project.

"As we continue to make progress on building out our facilities, we are also looking for new and more innovative ways to get people from point A to point B," said March 11 Executive Richard Hines in a statement. "In that effort, funding development link, a parking lot, a network of paths and trails to provide pedestrian and cycling access to the area that previously has been vacant."

The estimated cost of the path is about \$3 million, bringing the total cost of the Bowker development to about \$15 million. Although there is no money in the budget for the path, the new path is not being included in the current construction.

March 11 expects to start work on Bowker in the spring of 2014 and finish work on them in the fall of 2015. The new path would be completed within the same construction.

March 11's executive vice president, Thomas J. O'Connell, said about the trail.

"I think it is one of the biggest missing pieces between the wonderful work that Esplanade, Emerald and the great trail that Charles River did, the trail connecting to the Esplanade, to the Emerald Necklace and the Esplanade."

Emerald Necklace Conservancy President John C. O'Connell agreed.

"To connect the Emerald Necklace with the Charles River Basin is a major goal of the trail," he said. "It is one of the key missing links in our green infrastructure."

Herbert Nolan, deputy director of the park advisory group The Boston Foundation, said his organization had been working to link the Emerald Necklace and the Esplanade for years now. He was pleased that a path from the Basin and parklands is planned that the path would open up the Charles River Basin.

"I told you there was a new path connecting the Charles River Basin that nobody was getting around," he said. "And the answer is yes."

A plan to connect the Esplanade with the Emerald Necklace was included in an announcement on March 11's May 2013 Esplanade and Bowker Community Study. The report also recommended linking the Boston Conservancy Bridge to the Esplanade and making Bowker a water park facility.

The Charles River Basin contains a grove of apple trees, which give Boston an edge for being a community park in spring.

"I think we should all be proud of the path being planned to connect the Basin to the Esplanade," he said.