

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS

DEPARTMENT OF CONSERVATION AND RECREATION

251 Causeway Street, Suite 600, Boston, MA 02114-2104
Phone: 617-626-1250 Fax: 617-626-1449
www.mass.gov/dor

Mitt Romney
GOVERNOR

Kerry Healy
LIEUTENANT
GOVERNOR

Ellen Roy Herzfelder
SECRETARY

Katherine F. Abbott
COMMISSIONER

December 11, 2003

Mr. David A. Shrair
Cooley, Shrair P.C.
1380 Main Street, Fifth floor
Springfield MA, 01103

RECEIVED

DEC 15 2003
CITY OF SPRINGFIELD
Law Department

RE: Heritage State Park Agreement#512-47, Springfield Library & Museum Associations Quadrangle Improvements

Dear Mr. Shrair:

I am writing to you on behalf of the Department of Conservation and Recreation (formerly the Department of Environmental Management) regarding the request of the Springfield Museum Association to close the gates to the fence surrounding the Quadrangle.

Upon internal review of your request, it is the position of the Department of Conservation and Recreation (DCR) that restricting access through the permanent closure of the gates is a violation of the Heritage State Park 512 Agreement. The DCR disagrees with the assertion in your October 31, 2003 letter that utilizing the Museum's Welcome Center, currently under construction, to provide public access to the Quadrangle is consistent with the intent of the 512 Agreement between the Department and the City. Furthermore, restricting access through the Welcome Center contravenes the language and intent of the Public Access Easement held by the City of Springfield.

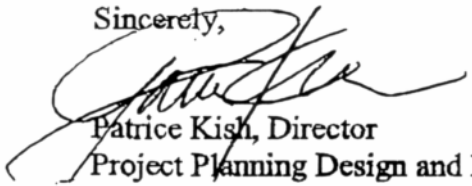
Also it has been brought to my attention while this matter has been under review that the gates have, in fact, been closed, thus restricting access to the neighborhood and visitors to Springfield. My office has fielded numerous complaints from residents who are not part of the problems identified in your letter, but who now can not readily access their neighborhood park. This action by the Springfield Museum Association is not in accordance with our letter dated December 4, 2002 authorizing the installation of the security fence and approving the hour of access. The DCR appreciates the cooperation of the Springfield Museum Association to remedy this situation immediately.

As the steward of urban parks across the Commonwealth, we appreciate and fully understand the issues surrounding public safety and property security.

National studies show that the best way to address the problems of crime, trash and illicit behavior in public open spaces is to increase access not restrict it. Bryant Park in New York City is one of the country biggest success stories of how a community dealt with the same sorts of issues referred to in your letter.

Finally, all requests for consent and approval relative to Heritage State Park Agreement#512-47 must originate through the City of Springfield. Thank you for your cooperation in this matter.

Sincerely,



Patrice Kish, Director
Project Planning Design and Development
Division of State Parks and Recreation

Cc: Nicholas Vontzalides; Counsel,
DCR Mayor Michael J. .Albano
Kathleen Breck, Assistant City Solicitor, Springfield
Joseph Carvalho,III, Springfield Museum
Association Patrick Markey, Springfield Library
Association Steve Shultis