

City of Newton



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## **Community Preservation Committee**

### **APPROVED MINUTES**

**March 14, 2023**

The virtual meeting was held online on Tuesday, March 14, 2023, beginning at 7:00 P.M. Community Preservation Committee (CPC) members present included Mark Armstrong Dan Brody, Eliza Datta, Byron Dunker, Susan Lunin, Jennifer Molinsky and Judy Weber. Committee Members Robert Maloney and Martin Smargiassi and were not present for the meeting. Community Preservation Program Manager Lara Kritzer was also present and served as recorder.

Chair Jennifer Molinsky opened the Community Preservation Committee's public meeting and introduced the CPC members present at this time.

### **Public Hearing on the Phase III of the Gath Memorial Pool Renovation Project**

Commissioner Nicole Banks, Director of Parks and Open Space Luis Perez Demorizi, Project Manager Rafik Ayoub, Aquatics Director Sean Nickerson and Consultant Tom Scarlata from Bargmann Hendrie + Archtype (BH+A) were present for the public hearing on the full proposal. Mr. Demorizi gave a PowerPoint presentation on the project and reviewed its design and process to date. He noted that the City had originally started with a one pool design but after community discussions had separated it into a recreation pool and lap pool design instead. The new pool design included a spray park and larger pool deck and was being coordinated into the larger plans for the redevelopment of the surrounding park. The renovated pool house had been designed to allow better flow and easier access, with new reorganized areas for first aid and lifeguard use. Mr. Demorizi reviewed the details of the pool designs, noting the zero entry locations, walking area with stair access, and splash down area in the recreation pool and how supervision and visibility had been improved with the new design. The new design also improved and increased the shade space available. He next reviewed the spray deck design, ramp access and congregating areas surrounding the pool and explained how they had improved accessibility to the site as well as visibility for those attending swim meets. Mr. Demorizi showed the elevations of the new pool and explained the proposed grading and stormwater improvements as well as the accessibility improvements surrounding the site and in the bathhouse. Returning to the design of the individual pools, he reviewed the depths and designs of each of the swimming areas and showed images from other similar pools to explain what the automatic lift, ramps and railings would look like in the new facility. Mr. Demorizi also noted that the new shade structures would have metal frames which would be ready for future solar installations.

Mr. Demorizi explained that the spray park would be adjacent to the pool and would include a 5' grade change while still providing universally accessible features. The water would be controlled by

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actuators and recycled and the consultants and staff were working on specific features and design elements at this time. There would be no standing water and no lifeguard required for the space. The space had been designed to be separate from the pool so that it could be used when the pool was closed.

Mr. Demorizi explained the remaining elements of the new design and arrangements of the deck, storage areas, and secured covered areas before turning to the project budget. He noted that the total cost was estimated at \$7.2 million including both construction and staff time breakdowns. He reviewed their proposed CPA funding request and the funding identified from other sources before going on to show a full picture of the Department's Capital Improvement Budget of \$19 million for the pool and surrounding park area.

Discussion turned to questions from the Committee. Ms. Datta asked about the funding from the State. Commissioner Banks stated that the State had confirmed that earmarked funds were available in the current year budget but these funds still needed to be accepted by City Council. It was also noted that the currently proposed budget was the same as the one included in the pre-proposal.

Ms. Molinsky opened the discussion to the public at this time. Councilor Downs stated that she was excited by the plan and all the accessibility features as she felt that it was important for the facility to be as accessible as possible. She encouraged the applicants to continue to work on the details with the Bluefish Swim Team which had concerns about the depth of the lap lanes. Councilor Wright raised questions about the proposed ladder and gutter systems in the lap pool, noting that the current systems were somewhat of a hazard. Mr. Scarlata explained how the lap pool would be set up with 8' lanes and lap lane marks and noted that this would allow the ladders to be installed without interrupting the lanes. The new pool would have a recessed gutter system on either end that would be flush with the pool wall which created a better surface for the end of the pool as well. He noted that the new pool would be slightly wider than the existing one with better end conditions and lanes which were all identical in width and depth. He added that the deep end would also have recessed toe holds in the walls.

Councilor Kelly thought that it was important to see the progress in this project and was looking forward to the updated facility. She noted how the project had developed over the course of its reviews with the CPC and was glad to see where it was at this time with the two pool design. She asked for more information on the viewing and spectator areas surrounding the pool. Mr. Scarlata explained that the viewing area would be from the ramp and area along the south side of the pool where a level concrete walkway and deck would be installed. They were also pushing back the east wall of the existing facility which would allow for more space for seats and access to the length of the pool. Mr. Scarlata explained how the space could be used and managed during meets for spectator viewing. It was noted that there would not be any spectator seating but that spectators could stand along the south side deck. Mr. Scarlata stated that they were trying to give as much space on the deck and sides of the pool as possible with the new design. Mr. Nickerson explained how the viewing area needs varied by the size of the meet.

Councilor Kelly asked where the gender neutral changing areas would be located. Mr. Scarlata stated that they had added two new changing room in the lobby area by taking space out of the men's side which was currently underutilized. He noted how the new bathhouse design improved flow and

storage areas. It was noted that the new men's changing area would also have new portioned showers. Councilor Kelly asked why changing the depth of the lap lanes to meet the swim teams request was so difficult and why it was not possible to do in all six lanes. Mr. Scarlata noted that the current pool had been designed with a uniform depth and a 1' in 12' slope which was required by code. The ramp access needed to end in 4' deep water to provide accessibility so at least a portion of the shallow end would need to be 4' and it would take four lane widths to make the transition to the 6' depth that was being requested as they wanted to keep the slopes as gentle as possible. Councilor Kelly stated that she understood that they wanted to keep the corner with the ramp shallow and Mr. Scarlata confirmed that the slopes were required by building code.

Councilor Kelly asked about the areas of the pool facility that would remain open. Mr. Scarlata stated that the spray deck could remain open as it would be separate with a lockable fence between it and the pool. It could then be available when lifeguards were not available for the main pool. Councilor Kelly appreciated the ability to extend the existing pool season in this way.

There were no more public comments at this time. Ms. Weber moved to close the public hearing. Ms. Lunin seconded the motion and all voted in favor.

Ms. Datta thanked the team for keeping the CPC well informed on the project and expressed her appreciation for all the stakeholder engagement and the information on the sustainable features of the project. Mr. Brody thought that it was a great project and that the only element to consider was the best funding mechanism. Commissioner Banks stated that they would work closely with Maureen Lemieux and staff to work through any question on the separate assets and their lifespan in terms of bonding. She thought that they could create a proposal together which considered how to break out any individual materials and how long to bond the project for overall. Mr. Demorizi added that the one detail still to be addressed was the length of the bond recommendation based on the lifespan of the features involved.

Mr. Brody recommended approving the funding now and working out the details of the bond itself later. Ms. Weber asked about the timeframe of the project and Mr. Demorizi stated that they wanted to be ready for construction after the summer season. Ms. Molinsky agreed that some details of the bond could be decided later and noted that not all of the bonding might be done at the same time. Commissioner Banks stated that they were really looking to receive the full project costs at this time and noted that they would be back at the next meeting with the Athletic Fields. Ms. Molinsky noted that the project could not be completely open ended. Mr. Dunker asked how the CPC had reviewed and approved the funding for the Webster Woods project. Mr. Brody stated that the Committee had recommended full bonding but that he was not sure whether they had recommended the length of the bond. Members discussed whether it was possible to approve the funding at this time and have staff work out the details of the bond and whether any of the funding should be cash following the meeting.

It was noted that the timeline for the construction bidding required them to be ready to move forward in mid to late May. The bond package would need to be done soon so that the construction funds would be available at the start of the fiscal year and all agreed that the details of this funding mechanism would need to be worked out with Ms. Lemieux. Commissioner Banks thought that they could begin that discussion next week. Mr. Dunker noted that the project did have ARPA funds as

well that could be used immediately. Mr. Demorizi stated that Mr. Yeo had suggested considering a 20 year bond for all of the Gath Pool funding. Mr. Brody stated that he was comfortable with this but was not sure that they were ready to work out those details. He added that he would be fine with bonding all of the funding for the pool as he believed there would be plenty of chances to use current funding for the Athletic Fields.

Members discussed the status of the project and agreed to consider bonding 100% of the funding for the Gath Pool project. Commissioner Banks agreed with this course of action, noting that this asset had the greatest longevity of their projects as well as the biggest comfort level for bonding. She noted that based on their prior discussions, the Athletic Fields project would have more varied lengths of longevity to work with.

Ms. Datta moved to recommend full funding for the Gath Memorial Pool Proposal in the amount requested of \$5,834,362 through a bonding mechanism to be determined through discussions between City staff, the applicant and Committee. Ms. Lunin seconded the motion which was unanimously approved by voice vote.

### **Review of Pre-Proposal for the Athletic Fields Improvements Plan Construction Phase**

Ms. Molinsky began the discussion by noting that this was not a public hearing. She also thanked those who had sent in letters on the possible installation of synthetic turf at Albemarle Park.

Mr. Demorizi gave a presentation on the status of the project and explained that they had submitted a pre-proposal for the construction phase of the project. This would include work at Albemarle Park, McGrath Park, and the Burr School Fields. He stated that they understood that CPA funding was explicitly prohibited from being used in any location proposed for artificial turf. He noted that all types of fields were important and that a large part of this project was to improve the City's multipurpose fields and develop creative approaches to providing more multi-purpose field offerings throughout the City. He pointed out that there had been a lot of emphasis placed on the athletic fields in recent years and that a new organization, the Newton Athletic Field Foundation, had also been established. In response, the Department had developed a five year capital plan that considered the quality, quantity, and maintenance improvements needed for the City's fields. He reviewed the elements of the goals that they had established and noted that their proposed capital projects needed to address accessibility, asset management, sustainability and no mow areas. He reviewed the list of concerns and goals that their Department had been using for the last year to complete these reviews.

Beginning with Albemarle Park, Mr. Demorizi reviewed the existing conditions and noted that there was a lot of overlap between the existing baseball diamonds. Their plan for this site had looked at the full site and considered the changes that would be made by the new pool. The work would include replacing 50 year old lights and moving and reconfiguring the existing fields. Mr. Demorizi reviewed whether the lights would be located and noted that they were working with the Newton Little League on the proposed field lights for Murphy Field. The project would request \$4,221, 304 in CPA funding for this location which did not include either the lights at Murphy Field or any of the synthetic field expenses. The total anticipated cost for this site was \$5.9 million and they were working on a breakdown of the project units and their lifespan for the next meeting.

The Burr School Fields were noted to have a large grass area but to be of low quality with uneven land and no irrigation. Mr. Demorizi stated that only a small area was usable now but that by leveling the field they could create new full size fields and showed possible configurations for the new site. He stated that the project would also include a perimeter path that would be fully accessible as well as a no mow area for pollinators. The total cost for this site would be \$1,273,512.50 from CPA funds. Mr. Demorizi stated that they were considering whether existing fill at another City site could be used here which would save on costs and believed that they had 6,000 cubic feet of the 10,000 cubic feet of dirt needed for the site.

Mr. Demorizi then reviewed the existing configuration of McGrath Park and explained how the fields lacked safety zones. They were proposing to reconfigure the site for better and safer field placement and new perimeter paths. They were also working with the Lacrosse teams on a possible practice wall at this site. The anticipated CPA funding request for this site was \$632,644.90 which included light changes, clearing of the surrounding land, and reconfiguring fencing. Mr. Demorizi noted that they would also be using CDBG funding for the perimeter path and reviewed the life cycle of the project features.

Lastly, Mr. Demorizi explained that they would also need some additional funding to complete design work on the three sites. This amounted to \$478,862.50 in additional CPA funding requested. Mr. Demorizi explained how the artificial turf field would be considered as a completely separate project from the current proposal and was not included in the requested CPA funds. It was noted that the full CPA fund request was just over \$8.3 million. Mr. Demorizi reviewed the timeline for the project and explained that they were working to confirm the schedule. He stated that they planned to be back before the Committee in April with a full application and noted the next steps involved in continuing this project at the remaining sites.

Councilor Downs asked to confirm that synthetic turf could not be funded from CPA funds. Ms. Molinsky stated yes, that the state CPA legislation prohibited that use. Councilor Downs then asked how committed the Parks and Recreation Department was to having a synthetic turf field at this site. Commissioner Banks answered that they were not looking to put any of the elements of the CPA funding request into the potential synthetic turf area and that they planned to keep that work separate from the rest of the project. She stated that they would be in front of the City Council to discuss the fields and that they had come Newton North High School's interest in expanding from one to two synthetic turf fields. She stated that she had heard concerns from residents and had held public meetings and spoken with scientists about the materials. She noted that a lot of the concerns were with crumb rubber fill which the City was moving away from in its replacement work. Instead, the City was using TPE which was a different product from the existing fields and was expected to be safer. Commissioner Banks noted that many people were worried about PFAS forever chemicals and that some artificial turf was exposed to these materials during manufacturing. She explained that the City was committed to finding a manufacturer who will limit this exposure and was also prepared to send any proposed material out for independent testing. Commissioner Banks stated that they had already been asked to look into these chemical issues and Mr. Demorizi added that the City was about a week away having lab results as required by the Order of Conditions for the Newton South High School project.

Ms. Molinsky noted again that the CPA funding legislation prohibited the use of any CPA funding for the purchase of synthetic turf and explained how this has been interpreted in the past. Mr. Brody asked if the synthetic turf field could be separated out from the rest of the Albemarle Park project and done at a later time. Mr. Demorizi noted that this element would likely be done at a later date as they would need space for material storage for the Gath Pool project, which also required site work and groundwater permitting with the Conservation Commission. However, they did want to keep these projects moving forward and needed to have the money in place as soon as possible to move forward with construction. If the City decided against synthetic turf, then he anticipated that they would be coming back to the CPC for funding for the grass field.

Commissioner Banks stated that they were working on these projects in parallel and also needed to go to the City Council for the synthetic turf field funding. Mr. Brody noted that Councilor Albright had requested a study on the merits of artificial vs. grass fields. Commissioner Banks stated that they would be having a parallel discussion with the City Council on the turf. She went on to note that they could not schedule using the existing lights at Albemarle Park because they were so out of date and that the elements of this project were intertwined and that they did not want to stop moving the elements forward if possible. Mr. Brody stated that he would be more comfortable if all of the elements of the Albemarle Park project that were not scheduled for immediate construction were removed from the proposal materials. He asked that the applicants separate out these elements to make the project easier to approve. Commissioner Banks appreciated this recommendation and thought that they could focus on what they wanted to do now and their confidence with the new design.

Mr. Armstrong asked where their cost estimates for the project were coming from. Mr. Demorizi stated that they were finalizing the design and working with the engineer's cost estimates. It was noted that these estimates had come from the project consultants, not the Department. Mr. Armstrong asked if the applicants had high confidence in the proposed maintenance budget for the City. Mr. Demorizi stated that all three sites were considered to be premier field sites and how they had been working for the last three years to develop a framework for their continued maintenance including field fees. He also noted that they had worked on their maintenance budget and fee structure before developing the renovation plans. Ms. Datta asked the applicants to address any sustainable design elements in the project in the same manner that they had for Gath pool.

Councilor Wright noted that Councilor Albright had docketed the study on the fields and that the funding for the synthetic turf still needed to complete the City Council review process. She also asked about a potential state bill to ban synthetic turf fields. Councilor Malakie cautioned against installing more synthetic turf fields as she felt it committed the City to the budget and potential liability of dealing with their future recycling. She was concerned with chemicals leaching into the ground and thought that the City should instead use CPA funds to acquire more grass fields.

Ms. Molinsky reiterated that no CPA funding would be used for the design, preparation, or construction of synthetic fields. She also stated that she would be more comfortable with a full proposal that did not include the synthetic field elements. Ms. Lunin noted that there was already a synthetic field across the street at Fessenden School. She stated that the Conservation Commission had required testing when that field was installed and that none of the fill was found in the water

supply. She did think these changes warranted consideration for both the environment and the athletes, however, and noted that there were more infections and heat incidents with synthetic fields. She thought that grass fields were preferred but noted that synthetic turf fields were less weather dependent. As a Conservation Commission member, she had never seen a definitive study against synthetic turf but agreed that there were many indications of concern. Commissioner Banks stated that she loved grass fields and noted that the City had many of these too. She noted that the type of synthetic field under consideration had better temperature control allowed for less water migration.

Ms. Weber commented that there has clearly been a lot of thought put into these issues. She thought that the Committee's job was now to consider how to support this project and asked if there were comments on the distribution of funds. Ms. Molinsky agreed and stated that she would be more comfortable with the project if they had a better sense from the CFO on what elements of the project could and could not be bonded. Mr. Brody stated that he had thought of two options for the project. He would like to see the proposal broken into four components – McGrath, Burr, Albemarle work for this fiscal year, and Albemarle work in the future. Commissioner Banks stated that her concern with breaking down the project like this is that they would want to manage the work all together. She noted that Phase I of the construction work included everything in the current funding request. Ms. Molinsky clarified that the City needed to have the funding committed before going out to bid. Mr. Demorizi answered yes and noted that doing all the work at once would save on overhead. Ms. Weber and Ms. Datta agreed that the details in the presentation were very helpful. Mr. Brody agreed and asked for a further breakdown of the project costs. Ms. Weber moved to invite the applicants to submit a full proposal for the Athletic Fields Construction Project at their earliest convenience. Ms. Datta seconded the motion and all voted in favor by voice vote.

### **Review of Pre-Proposal for the Warren House Preservation and Rehabilitation Project**

Ms. Weber left the meeting at this time as she is a member of the funding applicant organization.

Newton Community Development Foundation (NCDF) Executive Director Jeanne Strickland was present along with one of their development consultant, David Levy, who specializes in affordable housing and real estate. Ms. Strickland explained that they were considering a future full proposal for funding to complete cast stone, masonry, and window repair and replacement work at the Warren House, a former junior high school building. In the 1990s, NCDF had been approached by the City to purchase the vacant building and convert it into housing which resulted in a 59 unit project that includes 21 affordable units available at 50% AMI. The affordability of six of these units is now set to expire and they had been working with Gale Associates to address the building envelope needs. Ms. Strickland noted that CPA funding had been awarded to Phase I of their project in the early 2000s to complete masonry and roof repairs and that they were now seeking to do Phase II of the necessary work through refinancing the building. She noted that the building was surrounded by the City's McGrath playing fields and was well maintained with relatively new systems, new elevators installed in 2021, and new kitchens in many of the units. She saw the Warren House as a valuable resource and appreciated the CPC's willingness to discuss future funding options.

Ms. Molinsky noted that the request for CPA funding was for \$2.1 million. It was also noted that the project was requesting funding from the Newton Housing Trust and HOME funds. Director of Housing and Community Development Amanda Berman stated that Ms. Strickland had been working with the City

for the last few months to work out the details of the project's refinancing. She noted that NCDF was a critical partner to the City and provided lower than market value housing as well as supportive services. Ms. Berman stated that the City had a vested interest in seeing this property well maintained and restored. Ms. Molinsky asked what the units which were not restricted to 50% AMI were rented for. Ms. Strickland answered that they were market rate units but were rented at rates that were considerably lower than the newer units at Trio and other buildings in Newton. Ms. Datta asked if all 21 of the affordable units were at 50% AMI. Ms. Strickland answered yes, that this rate also extended to the 6 units which were expiring.

Ms. Molinsky noted that this was an application for historic resource funding and that the CPC liked to see projects that furthered sustainability. She asked the applicants to highlight the sustainable elements in their proposed work. It was noted that similar work was done in 2018 at the NCDF's Weeks House. Ms. Datta agreed that it would be good to know more about sustainability, project management, and how they were leveraging their funding. She noted that there was typically more leveraging in affordable housing projects and asked why they were not reaching out to additional funding sources. Mr. Levy stated that they were avoiding tax credits as they wanted to minimize the costs in straight recapitalizing. Their plan was to pay off the second mortgage and get a new first mortgage and complete the necessary work using cash from sponsors and the CPC. Ms. Datta wondered if there might not be other funding available from using historic tax credits or sustainability elements. Mr. Levy did not believe those were available and thought that that the performative objective of the project was sufficient. He also noted that Phase II of this project had used \$300,000 in state tax credits. Ms. Strickland stated that they were working with Gale Associates to develop the scope and details of the project and stated that each project that they had done with this group had been under budget and on time. Ms. Lunin moved to invite NCDF to submit a full proposal for funding of restoration work at the Warren House complex at the applicant's convenience. Mr. Brody seconded the motion which passed by unanimous vote.

### **Status Report and Review of CPA Program Information Session**

Ms. Kritzer stated that due to an unforeseen absence, she was behind in outreach and would like to reschedule the information session to later in the spring. Members agreed to look for a new date later in April or May.

### **Review of Existing and Potential Future Projects**

Members had a brief review of current and potential future projects at this time.

### **Review of Current Finances**

Members reviewed the most recent Finances At A Glance update at this time.

### **Approval of February 14 Minutes**

No minutes were available at this time. This item was postponed to the following meeting.

Ms. Datta moved to adjourn. Ms. Lunin seconded the motion which passed by unanimous voice vote. The meeting was adjourned at 9:35 P.M.