

CITY OF NEWTON

IN BOARD OF ALDERMEN

FINANCE COMMITTEE AGENDA

MONDAY, FEBRUARY 24, 2014

7 PM
Room 222

Chairman's note: The Chairman will provide an update on the results of meetings with Moody's Investor Service.

ITEMS TO BE DISCUSSED:

Re-appointment by His Honor the Mayor

#48-14 JAMES REARDON re-appointed as the Treasurer/Collector of the City of Newton for a term to expire December 31, 2017. (90-days 05/11/14) [02/10/14@ 6:47 PM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

#52-14 HIS HONOR THE MAYOR requesting authorization to appropriate and expend six million one hundred twelve thousand two hundred ninety-six dollars (\$6,112,296) from bonded indebtedness for the replacement of Fire Station #10, a training area and a new Wires Division Building at 755 Dedham Street and a temporary facility. [08/04/09 @ 4:29 PM]
PUBLIC FACILITIES 7-0 on 02/19/14

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#50-14 HIS HONOR THE MAYOR requesting authorization to transfer the sum of one hundred thousand dollars (\$100,000) from FY2015 Budget Reserve to a Health & Human Services Mental Health Services Account for the purpose of developing and implementing a Risk Identification and Suicide Intervention Program with Riverside Community Care and other appropriate organizations. [02/10/14 @ 6:47 PM]
PROGRAMS & SERVICES 7-0-1 (Sangiolo abstaining) on 02/19/14

The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, please contact the Newton ADA Coordinator, Joel Reider, at least two days in advance of the meeting: jreider@newtonma.gov . or 617-796-1145. For Telecommunications Relay Service dial 711.

REFERRED TO LAND USE AND FINANCE COMMITTEES

- #79-12(2) COMMUNITY PRESERVATION COMMITTEE recommending the appropriation of nine hundred ten thousand one hundred seventy-nine dollars (\$910,179) from the Community Preservation Fund to the Planning & Development Department for a grant to Myrtle Village, LLC, to create 7 units of permanently affordable rental housing at 12 and 18-20 Curve Street, West Newton, as described in the proposal submitted in August – October 2013. [11/06/13 @ 4:08 PM]
LAND USE APPROVED 7-0 on 02-04-14

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #51-14 HIS HONOR THE MAYOR requesting authorization to appropriate the sum of five hundred thousand dollars (\$500,000) from Free Cash for the purpose of covering the costs of snow and ice removal in the Public Works Department's Budget. [02/10/14 @ 6:47 PM]
PUBLIC FACILITIES APPROVED 7-0 on 02/19/14

ITEMS NOT TO BE DISCUSSED:

REFERRED TO LAND USE AND FINANCE COMMITTEES

- #49-14 LAND USE COMMITTEE requesting discussion with the Chief Financial Officer and the Chief Information Officer regarding the critical need to implement technology which enables the development, management and use of shared, searchable, mobile-accessed (both read and write) database which contains parcel-based information that can be accessed by all city departments (including Planning, Inspectional Services (ISD), Assessing, Engineering, Fire, Police, Health), the Board of Aldermen and the community. This technology must support the work of ISD and other departments in both the office and the field to more effectively and efficiently monitor and enforce compliance with approved special permits and other related Board Orders. [02/10/14 @ 6:47 PM]
- #34-14 ALD. FULLER requesting a discussion with the Executive Office regarding the current status and challenges related to the City of Newton pension and retiree healthcare (OPEB) systems. [01/11/14 @ 5:22 PM]

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

- #403-13 HIS HONOR THE MAYOR submitting the FY15-FY19 Capital Improvement Plan and Long Range Projection pursuant to section 5-3 of the Newton City Charter. [10/21/13 @ 9:59 AM]

REFERRED TO FINANCE AND PROGRAMS & SERVICES COMMITTEE

- #402-13 ALD. FULLER, GENTILE, RICE and LINSKY requesting a Home Rule Petition to amend Article 9 of the Charter to clarify that Neighborhood Area Councils shall maintain and control their own financial accounts and records, independent of City finances; and to further clarify that such independent financial accounts and records shall remain subject to City audit. [10/28/13 @ 10:18 AM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #288-13 PUBLIC FACILITIES & FINANCE COMMITTEES requesting that the Administration update the Board of Aldermen when a funding source is determined for the Zervas Elementary School Feasibility Study. [07-11-13 @ 10:10 AM]

REFERRED TO PUBLIC FACILITIES AND FINANCE COMMITTEES

- #41-13 ALD. CROSSLEY, FULLER AND SALVUCCI requesting a discussion with the administration to review how the city inventories, plans for, budgets and accounts for needed smaller capital expenditures (currently set at under \$75,000), which are excluded from the Capital Improvement Plan (CIP); how to make these non-CIP capital maintenance items visible, and how to integrate them with the overall planning, CIP, and budgeting processes. [01/14/13 @ 5:02 PM]

REFERRED TO ZONING & PLANNING, LAND USE & FINANCE COMMITTEES

- #273-12 ALD. CROSSLEY & HESS-MAHAN requesting a restructuring and increase in fees for permits charged by the Inspectional Services Department and fees charged by the Planning Department and City Clerk to assure that fees are both sufficient to fund related services provided and simple to administer.

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

- #257-12 RECODIFICATION COMMITTEE recommending (1) review of the Fees, Civil Fines/Non-Criminal Disposition contained in Chapter 17 LICENSING AND PERMITS GENERALLY and Chapter 20 CIVIL FINES/NON-CRIMINAL DISPOSITION CIVIL FINES to ensure they are in accordance with what is being charged and (2) review of the acceptance of G.L. c. 40 §22F, accepted on July 9, 2001, which allows certain municipal boards and officers to fix reasonable fees for the issuance of certain licenses, permits, or certificates.

REFERRED TO PROG & SERV, PUB. FAC., ZAP, AND FINANCE COMMITTEES

- #256-12 ALD. HESS-MAHAN, SANGIOLO & SWISTON proposing and ordinance promoting economic development and the mobile food truck industry in the City of Newton. [08/06/12 @4:46 PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #254-12 (3) PROGRAMS & SERVICES COMMITTEE proposing an ordinance to require a fee, charged to consumers, for the use of paper bags at certain retail establishments in the City of Newton. [01/10/14 @ 3:36 pm]
- #248-12 RECODIFICATION COMMITTEE recommending that **ARTICLE IV. PURCHASES AND CONTRACTS, Secs. 2-182 through 2-205**, be amended to make it consistent with state law.

- #247-12 RECODIFICATION COMMITTEE recommending that Chapter 18 MEMORIAL FUNDS AND TRUSTS be reviewed relative to the consequences and practices of special legislation passed by the General Court in 2007, Chapter 75 of the Acts of 2007, in which the City sought and was granted an exemption from G.L. Chapter 44 §54, which intent was to allow the City greater flexibility in terms of investments.

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #185-12 ALD. BAKER, BLAZAR, SANGIOLO, LINSKY, ALBRIGHT & DANBERG requesting that the Board of Aldermen adopt a RESOLUTION to His Honor the Mayor asking that, when the Mayor seeks future Board approval for bonding the cost of additional capital facilities or equipment for the schools, he include in that funding request, as well as in the city-wide Capital Improvement Plan, the estimated costs needed for funding the capital technology needs of the Newton Schools, including the appropriate portions of the estimated project costs of the School Committee's three-year district-wide technology plan not anticipated to be funded by the Information Technology Department budget; the anticipated technology grants from Boston College for the elementary schools; and/or estimated revenue from the E-rate Technology Reimbursement Program.
PROGRAMS & SERVICES APPROVED 6-0 on 07/11/12

REFERRED TO ZONING AND PLANNING AND FINANCE COMMITTEES

- #102-11 ALD. HESS-MAHAN, JOHNSON, COMMISSIONER LOJEK, AND CANDACE HAVENS requesting an amendment to Chapter 17 to establish a fee for filing a notice of condo conversion. [03-29-11 @ 4:55PM]
ZONING & PLANNING APPROVED 6-0 on 6/10/13

REFERRED TO ZONING AND PLANNING AND FINANCE COMMITTEES

- #95-11 ALD. HESS-MAHAN proposing an ordinance requiring that a notice of conversion to condominium ownership be filed with the Inspectional Services Department and that the property be inspected to determine compliance with all applicable provisions of the state and local codes, ordinances and the rules and regulations of all appropriate regulatory agencies. [03-24-11 @ 9:30AM]
ZONING & PLANNING APPROVED 6-0 on 6/10/13

- #41-11(2) ALD. CICCONE requesting implementation of the fees associated with the Winter Overnight Parking Pilot Program. [09/19/13 @ 3:49 PM]

REFERRED TO LAND USE & FINANCE COMMITTEES

- #276-10 ALD. FULLER, CROSSLEY, DANBERG, LINSKY requesting a review of guidelines for mitigation fund provisions to maximize the use of such funds on behalf of the city together with mechanisms by which the city can better track such funds to ensure they are used in a timely fashion.

Respectfully submitted,

Leonard J. Gentile, Chairman



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#48-14

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swwarren@newtonma.gov

RECEIVED
Newton City Clerk
2014 FEB 10 PM 6:48
David A. Olson, CMC
Newton, MA 02459

February 10, 2014

Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

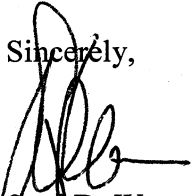
Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to confirm the appointment of Mr. James Reardon as the Treasurer/Collector for the City of Newton, effective immediately. This is done in accordance with Section 3-3 (b) of the City Charter. This letter constitutes notice of the appointment to the Clerk pursuant to Section 3-4 of the City Charter.

Jim Reardon has served as the Treasurer/Collector since December 30, 2008. Prior to that, he served as the Interim Treasurer Collector and the Deputy Treasurer/Collector since 2001. His experience also includes service as the Treasurer/Collector of the Town of Canton as well as over 25 years of experience in banking and other financial management positions. He holds a bachelor's degree from the University of Notre Dame and a Masters in Business Administration from Anna Maria College.

Jim has both the professional credentials and proven commitment of service to the City of Newton to qualify him for continued service as our Treasurer/Collector. I recommend him to the Honorable Board for your approval. I look forward to continuing to work with Jim as he serves the City in this important position.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor





SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#52-14

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

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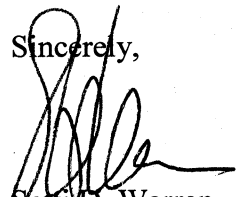
Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to authorize the appropriation of Six-Million-One-Hundred-Twelve-Thousand-Two-Hundred-Ninety-Six Dollars (\$6,112,296) and authorize a general obligation borrowing of an equal amount for the purpose of funding the construction of a new Fire Station #10, Wires Division Building and a Temporary Facility.

The proposed project includes the demolition of the existing structure and the construction of (2) new buildings; a two-story Fire Station (approximately in the same location as the existing fire station) and a Wires Division Building (located in the grassy area beyond the limits of the rear parking lot). In addition, there will be a 20 foot by 25 foot Confined Space Training Area, a Pump Truck Test Area ('drafting tank'), a diesel powered stand-by electrical generator, and associated site work. The design and construction project budget is attached.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor



DRAFT

2/7/2014

NEW FIRE STATION #10 AND WIRES DIVISION DESIGN & CONSTRUCTION PROJECT BUDGET

BUDGET CATEGORIES	Estimated Project Cost
530205 CONSTRUCTION CLERK OF WORKS	\$ -
5301 CONSULTANTS	\$ 65,000
530202 ARCHITECTURAL SERVICES	\$ 641,670
530219 BUILDING SYSTEMS COMMISSIONING	\$ 26,340
5825 GENERAL CONSTRUCTION (including escalation)	\$ 5,608,700 *
52407 NON GC CONSTRUCTION WORK	\$ 70,000
5240701 TEMPORARY HOUSING & SITE WORK FOR FIRE FIGHTERS/EQUIPMENT(part of GC)	\$ -
5274 MOVING	\$ 20,000
585FFE FURNITURE, FIXTURES & EQUIPMENT	\$ 100,000 **
5793 PROJECT CONTINGENCY	\$ 276,586 ***
PROJECT BUDGET	\$ 6,808,296
Less Previous Appropriation (includes Feasibility Study)	\$ (130,000)
Less Design Development Phase	\$ (150,000)
Less Balance of Design Phase	\$ (416,000)
Balance of Budget Required	\$ 6,112,296

* Adjusted to include Drafting Tank and Brick in lieu of Metal Panel

** Includes Watch Desk

*** approximately 4% CONTINGENCY



Setti D. Warren
Mayor

PUBLIC BUILDINGS DEPARTMENT

Joshua R. Morse, Commissioner

Telephone (617) 796-1600

FAX (617) 796-1601

TTY: (617) 796-1089

52 ELLIOT STREET

NEWTON HIGHLANDS, MA 02461-1605

December 9, 2013

Chief Proia
Newton Fire Department Headquarters
1164 Centre Street
Newton Centre, MA 02459

Project: Fire Station 10, Wires Division, and Temporary Facilities Project

Re: NFD 90% Construction Review Comments and Solutions

Dear Chief:

Following up on our meeting of 6 December 2013 regarding the open design issues and questions for Fire Station 10, Wires Building, and Temporary Facilities, the following summarizes NFD's concerns and the resulting solutions agreed to at the meeting.

- 1) The drafting tank is located on the wrong side of the wires division. It is too close to the confined space rescue prop and we had identified the north side as its location.

As reviewed the drafting tank has been located along the overflow parking spaces as this affords the best access and least interference with vehicles accessing the rear of the station and wires building. The location was reviewed through the design review process with DRC and is located per the site plan approval. Based on this discussion, NFD concurs that this location is acceptable.

- 2) If it can be moved, the hydrant has to be moved with it.

The hydrant location is associated with the drafting tank therefore the location will remain as shown.

- 3) I am concerned about trees and the impact it will have (especially roots) on the confined space rescue.

The final location of trees will be coordinated in the field to reduce potential impact on underground structure.

- 4) Temp facility- looks like 2 bathrooms? Totally not needed and the space would be much better served with an enlarged kitchen/rec room. I also want to make sure there is a report writing room.

The floor plan layout will be modified to eliminate the additional bathroom, adjust the kitchen/living area and provide a report writing space.

- 5) I thought we were including a car port on the north side of the wires division?

As previously discussed through the design process, the wires building bays were adjusted so that one vehicle (automobile) and spool trailer are located outside in order to keep the project on budget. Consideration for a carport was previously discussed with NFD, and it was agreed to defer it pending operation of the building. Should the need arise in the future there is sufficient space to add a carport adjacent to the wires building.

Based on this NFD concurs that this item will be deferred.

- 6) Are we going with the all glass apparatus bay doors?

Yes as previously discussed with NFD, DRC and provided in Site Plan Approval.

- 7) We need a deep sink in the janitor closet.

D&S will adjust the specified sink per NFD request.

- 8) I am concerned that the pole that empties out onto the apparatus floor is too close to the apparatus. We had a serious leg laceration when a fire fighter sild down the pole and hit the door of the rig that was left open and I do not want to chance a repeat of that.

Based on our discussion, a guard will be provided at the base of the pole to prevent doors / objects from interfering with the landing area at the base of the pole. NFD concurs that this is acceptable.

- 9) I want a wall mounted TV bracket with cable hookup in the workout room.

The additional wiring and accommodations for the TV will be included.

- 10) We need ceiling mounted tank feeds in each bay.

D&S confirmed that these items are included in the design.

- 11) Will we be able to park a truck under the lift in the Wires Division Building.

D&S confirmed that the bottom of overhead crane is higher than the height of the overhead doors and therefore vehicle height is restricted by the doors. Further, the crane can be kept in the spool storage space beyond the vehicle bay. NFD concurs that this is acceptable.

Based on these provisions, NFD has indicated that project meets the Department's program requirements for the Station 10, Wires Division, and Temporary Facilities project. The Public Buildings Department is proceeding to complete the bid documents on this basis.

If you have any further questions please let me know

Sincerely,



Alex M. Valcarce, AIA, LEED AP BD+C
Project Manager, Public Buildings Department

CC Joshua R. Morse, Commissioner of Public Buildings
Arthur Cohen, Design Review Committee Chair



Design Review Committee
PUBLIC BUILDINGS DEPARTMENT
Arthur Cohen, Chairman
Joshua R. Morse, Commissioner
Telephone (617) 796-1600
FAX (617) 796-1601
TTY: (617) 796-1089
52 Elliot Street
Newton Highlands, MA 02461-1605

Setti D. Warren
Mayor

Joshua R. Morse
Commissioner of Public Buildings
Public Buildings Department
52 Elliot Street
Newton Highlands, MA 02461

December 9, 2013

RE: Fire Station 10, Wires Division, & Temporary Facilities

SUBJECT: Construction Documents Program Certification

Dear Josh:

On Wednesday, 20 November 2013 the Design Review Committee met to review and discuss the Construction Documents 90% progress drawing set for the above referenced project presented by Donham & Sweeney Architects on behalf of the Public Buildings Department and Newton Fire Department. The Public Buildings Department requested DRC certification in accordance with Section 5-54(c) of the City ordinance that the drawings and specifications substantially meet the project program requirements and as such the project could be advertised for public bid.

The Committee was appreciative of the efforts made by Donham & Sweeney in working with and responding to DRC reviews and comments on the project. The Committee indicated that they were very pleased with the refinements of the building elevation design. The Committee has reviewed the project through design development and construction document phases and supports the proposed design solution. The Design Review Committee has determined that the design and plans continue to be appropriate and consistent with the concepts, space needs program, and DRC recommendations identified in the Site Plan / Schematic Design approval.

Based on the design review correspondence dated December 9, 2013 between the Public Buildings Department and the Newton Fire Department, the fire department has concurred that the outstanding design questions have been satisfactorily resolved. Therefore, the Committee certifies by unanimous vote that to the best of its understanding, the documents do substantially meet the program requirements for the project. With the qualification that the drawings and specifications require some final coordination and that the items identified below will be researched, completed and / or addressed in the final construction documents.

1. Specifications should clarify which trade is responsible for providing scaffolding for the project so as to avoid duplication of costs by various sub-contractors.

2. Specifications should clarify which filed sub-bidders are providing sealants and that coordination/consistency be maintained between trades in particular where sealant is visible.
3. Specifications should clarify Mock-Up requirements and require that all subcontractors working on mock-up be required to attend mock-up pre-construction meeting and that individuals working on mock-up are the same individuals working on the building.
4. The Committee suggested that the design team review the windows specifications (glazing, framing, thermal breaks) for the Lower Falls Community Center (LFCC) as a guide for increasing the performance and lowering the overall window U-values.
5. The Committee suggested that the LFCC specifications may also be useful as a guide for coordination of trades.
6. Complete construction documents including adding and/or correcting items recently resolved with the NFD (see memo dated December 9, 2013).

Sincerely,



Arthur Cohen, AIA
Chair Design Review Committee

CC: Design Review Committee Members
Joshua R. Morse, Commissioner of Public Buildings
Robert Rooney, Chief Operating Officer
Maureen Lemieux, Chief Financial Officer
Dr. David Fleishman, School Superintendent
Sandy Guryan, Deputy Superintendent/Chief Administrative Officer



City of Newton, Massachusetts
Office of the Mayor

Telephone
(617) 796-1100
Facsimile
(617) 796-1113
TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

SETTI D. WARREN
MAYOR

RECEIVED
Newton City Clerk
2014 FEB 10 PM 6:47
David A. Olson, CMC
Newton, MA 02459

February 10, 2014

Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to transfer the sum of \$100,000 from FY15 Budget Reserve to Acct # 0150123-530218- for the purpose of developing and implementing a Risk Identification and Suicide Intervention Program with Riverside Community Care and other appropriate organizations.

As you know, the City of Newton has experienced the tragic loss of three young lives this year. The intent of this request is to work in partnership with Riverside Community Care to help students, school staff, parents, and community members understand and recognize the potential warning signs of depression or despair and to hopefully prevent further tragedies from occurring within our community.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor





Setti D. Warren
Mayor

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Candace Havens
Director

**DOCKET
ITEM
79-12(2)**

Community Preservation Committee FUNDING RECOMMENDATION

date: 14 November 2013

to: The Honorable Board of Aldermen

for: **MYRTLE VILLAGE** (community housing)

PROJECT GOALS, ELIGIBILITY & SPONSORSHIP

This project will convert two late 19th- early 20th-century homes in West Newton into 7 rental units, with a total of 15 bedrooms. All units will be deed-restricted to remain permanently affordable to households with incomes from 50 to 85 percent of the area-wide median. One new, single-floor unit will be fully wheelchair accessible, and two units will be “visitable” – with an accessible/adaptable bedroom and bath on the first floor, and additional baths and bedrooms on the second floor.

The project is eligible for funding under the Community Preservation Act as the creation of affordable housing. It satisfies the CPA's emphasis on using previously developed sites for affordable housing and the priorities in Newton's Community Preservation Committee *Funding Guidelines, Comprehensive Plan, and Consolidated Plan for Housing & Community Development* for creating affordable housing in transit-served, mixed-use locations; serving households with a range of incomes; and not displacing current residents whose incomes fall within the allowable range for the proposed project.

The Newton Historical Commission considers the project's proposed design consistent with the character of the neighborhood, which was recently listed on the National Register of Historic Places for its significance as the heart of Newton's historic African-American community.

The developer is Myrtle Village, LLC, organized for this purpose by the 140-year-old Myrtle Baptist Church, located across the street. The church will transfer to the LLC both the smaller of the two properties, which the church purchased for this project in 2011, and the larger property, which the church has owned since 1960 and is donating to the project. The developer's qualifications and project budget are discussed further under “Special Issues” below.

RECOMMENDED FUNDING & SUMMARY BUDGET (following page)

On 4 November 2013 the Community Preservation Committee voted unanimously 6-0 to recommend that the requested **\$910,179** be appropriated to complete this project. CPC member Beryl Gilfix did not attend this meeting, and member Tom Turner did not participate in the discussion or vote because he is also a member of Myrtle Baptist Church.

All funds should be appropriated to the control of the Director of Planning and Development, for a grant to Myrtle Village, LLC, and allocated 100% as community housing. CPA funds may be used for any eligible purpose in the proposal's detailed development budget. The **summary budget on the following page** is provided solely to assist the Board in its discussion of this recommendation.

(continued on page 2)

website www.newtonma.gov/cpa

contact Alice E. Ingerson, Community Preservation Program Manager

email aingerson@newtonma.gov phone 617.796.1144

DEVELOPMENT BUDGET for MYRTLE VILLAGE, 12 & 18-20 Curve Street, West Newton				
USES			SOURCES	
Hard Costs			Permanent Loan	
Acquisition		\$1,032,000	(Bank)	\$591,746
New Construction (3500 sq ft) & Rehabilitation (4500 sq ft):			Developer Equity	
Costs: 40% New/60% Rehabilitation		\$1,310,950	(20 Curve St)	\$632,000
Contingency: 5% of New Costs + 15% of Rehab. Costs		\$137,493	CPA funds	\$910,179
Soft Costs			CDBG funds	\$604,679
Surveys & Permitting (incl. studies required for Comp. Permit)	\$30,000		HOME funds	\$339,000
Legal, Accounting, Taxes, Insurance	\$61,213		TOTAL Sources	\$3,077,604
Relocation Allowance	\$6,000			
Construction Loan Interest	\$16,000			
Marketing & Rent-up (reserve, appraisal, market study, etc.)	\$27,000			
Architecture, Engineering & Project Manager	\$208,000			
Development Consultants	\$25,000			
Soft Cost Contingency	\$72,422			
Developer Overhead & Fee (8% of costs excl. acquisition)	\$151,526			
TOTAL Uses		\$3,077,604		

SPECIAL ISSUES CONSIDERED

Developer/Sponsor Qualifications The long history and property management record of Myrtle Baptist Church indicate a strong commitment both to the neighborhood and to affordable housing. The 2013 independent appraisal for the CPC considered the property the church has owned since 1960 to be in “average to above average” condition, though the rents charged are “below” or “significantly below” market rates. The church has absorbed a combined operating deficit for both properties since 2011 but is not requesting reimbursement of this cost through the project.

Once project funding is confirmed, the church will transfer both properties to the LLC, which has engaged both an architect/construction manager (Angelo Kyriakides) and a development consultant/property manager (Newton Community Development Foundation) with extensive affordable housing experience in Newton.

Project Finances The independent underwriting analysis conducted for Newton’s HOME program considered this project “considerably less risky than most,” due in part to the “conservative assumptions” made in its development and operating budgets. The underwriting analysis considered the proposed developer fee “modest for a development of this size and complexity.” As usual, this fee is at risk to cover any costs that exceed those budgeted. After project completion, the LLC has also committed to using its fee to increase this project’s replacement reserves and to support future affordable housing development in the same neighborhood. Net of its fee, the developer is contributing equity of \$480,474 to the project.

Traffic & Parking Some neighbors have expressed concern about the project’s potential impacts on parking and traffic. The project’s plans maximize green space and landscape buffers by providing only 1 handicap parking space and 2 drop-off spaces on site. The church will transfer to the LLC a permanent easement on 12 spaces in its parking lot, for the exclusive use of project residents. This parking solution and any traffic issues will be evaluated in greater depth during the Comprehensive Permit review process. The church also plans to continue its long practice of allowing neighbors to park in its lot temporarily, upon request, and allowing neighbors whose own properties have no off-street parking to use the lot in winter, when on-street parking is not allowed.

KEY OUTCOMES

The CPC will evaluate this project based on the completion of construction on time and within budget, and on prompt initial occupancy and continued later occupancy of the units as described in the proposal:

unit sizes	allowable household income as % of area-wide median (with current residents who are income-eligible)		
	≤ 50%	≤ 70%	≤ 85%
1 bdrm, 1.5 ba, 500 sq ft	1 accessible unit		
2 bdrms, 1.5 ba, 1275 sq ft		2 visitable units (2-person household)	2 units (2-person household)
3 bdrms, 2.5 ba, 1200 sq ft	1 unit (4-person household)		1 unit

ADDITIONAL RECOMMENDATIONS

The Community Preservation Committee recommends the following:

1. **Spending authority:** All funds should be appropriated to the spending authority of the Director of Planning and Development.
2. **Contingent funding commitment:** No CPA funds may be released until the project has received its required Comprehensive Permit and confirmed all other funding required for project viability.
3. **Scope of grant agreement:** All CPA funds should be disbursed through a legally binding grant agreement that includes but is not limited to conditions and procedures for:
 - ◆ the initial release of funds, such as: City of Newton approval of procurement procedures, the LLC’s final ownership/membership structure, and the project’s property manager; confirmation that the LLC can assume the current mortgage or refinance on similar terms; receipt of all required demolition and building permits; recording of the final deed restrictions and execution of a regulatory agreement assuring permanent affordability
 - ◆ the phased release of the developer fee and construction funding; and City approval of the project’s final affirmative marketing and relocation plans
 - ◆ publicizing the project and providing regular progress reports as requested by the Community Preservation Committee or Board of Aldermen
 - ◆ releasing the final 10 percent of funds, such as verified completion of construction and a final in-person presentation and written report to the CPC on project costs and results
 - ◆ after project completion, annual monitoring to ensure compliance with the deed restrictions and regulatory agreement, and City approval of any new property manager
4. **Deadlines:** Myrtle Village LLC must begin the design and other initial work for the project within 3 months after the grant agreement is executed; and the project should be fully occupied within 36 months after the start of construction; or by any extension of either deadline granted in writing by the Director of Planning and Development
5. **Return of unspent funds:** Any CPA funds not used for the purposes stated in the attached proposal or this recommendation must be returned to the Newton Community Preservation Fund.

CITY OF NEWTON
IN BOARD OF ALDERMEN

?? January 2014

ORDERED:

That, in accordance with the recommendations of the Community Preservation Committee (CPC) through its Chairman, Joel Feinberg; the Land Use Committee through its Chairman Alderman Ted Hess-Mahan; and the Finance Committee through its Chairman Alderman Leonard J. Gentile, nine hundred ten thousand one hundred seventy-nine dollars (\$910,179) be appropriated from the Community Preservation Fund as shown below to the Planning and Development Department for a grant to create seven units of permanently affordable rental housing at 12 and 18-20 Curve Street, West Newton, as detailed in the CPC’s November 2013 funding recommendation to the Board of Aldermen and the August 2013 Myrtle Village proposal to the CPC.

From:	CPA community housing fund balance (21-3321C)	\$304,452
	CPA community housing current reserve (21-5790C)	\$236,095
	CPA general fund balance (21-3599)	\$369,632
To:	Myrtle Village Housing (21-???).....	\$910,179

Myrtle Village Affordable Housing Development

12 and 18-20 Curve Street
West Newton, MA



Development Team

- Developer:
Myrtle Village, LLC
 - Consultant:
Newton Community Development Foundation
 - Architect / Project Manager:
Angelo Kyriakides
- 

Project Overview



- 7 units of affordable, deed restricted rental housing at two existing properties located at 12 and 18 – 20 Curve Street, West Newton

Existing Properties 12 Curve Street



Existing Properties 18 -20 Curve Street



Myrtle Baptist Church Neighborhood Historic District – National Register of Historic Places in 2008



Myrtle Baptist Church Neighborhood Historic District – National Register of Historic Places in 2008



Myrtle Baptist Church Established in 1874



Project Description - Scope of Work – 12 Curve St.



- Rehabilitation and construction of 12 Curve St.
- Providing: Two 2 bedroom units and one 3 bedroom unit
- One of the 2 bedroom units will be visitable



Project Description - Scope of Work – 18/20 Curve St.



- Rehabilitation and construction of 18-20 Curve St.
- Providing: One 1 bedroom unit, two 2 bedroom units and one 3 bedroom unit
- The 1 bedroom unit 100% handicapped accessible
- One of the 2 bedroom units will be visitable

Project Budget/Funding



■ CDBG		\$604,679
■ HOME		\$339,000
■ CPA		\$910,179
■ Total City Funds	=	\$1,853,858
■ Bank Financing		\$591,746
■ Developer's Equity		\$632,000
■ Total Project Cost	=	<u>\$3,077,604</u>

Unit Composition

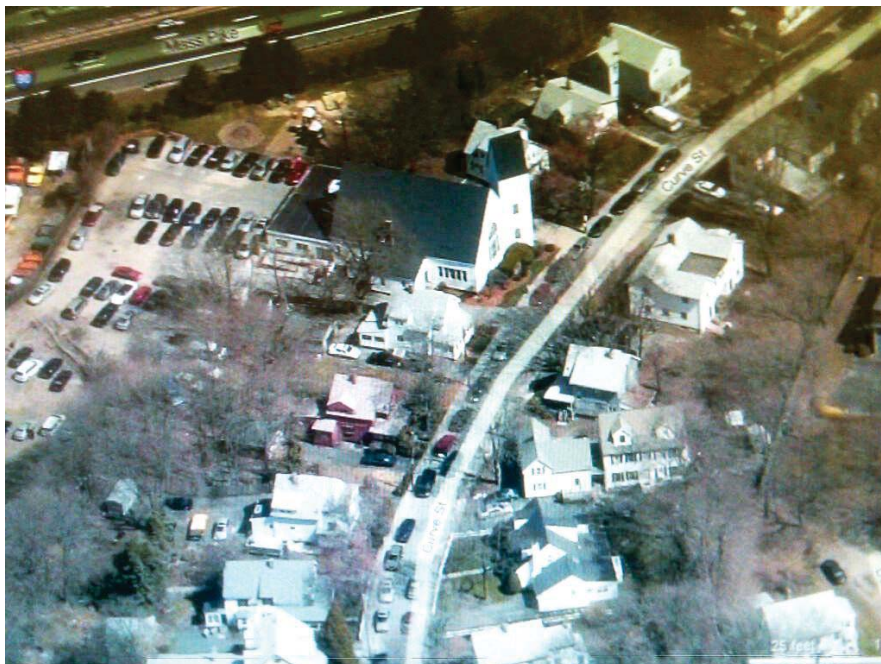


■ 1 bedroom	50% - AMI
■ 2 bedroom	70% - AMI
■ 2 bedroom	70% - AMI
■ 2 bedroom	85 %- AMI
■ 2 bedroom	85% - AMI
■ 3 bedroom	50% - AMI
■ 3 bedroom	85% - AMI
■ 7 Total Units	

- Tenant Relocation Plan

- We have allocated \$6,000 for relocation expenses
- 2 Phases of construction
- 12 Curve St. – Moving & Storage
- 18 – 20 Curve St. – Moving

Parking Area

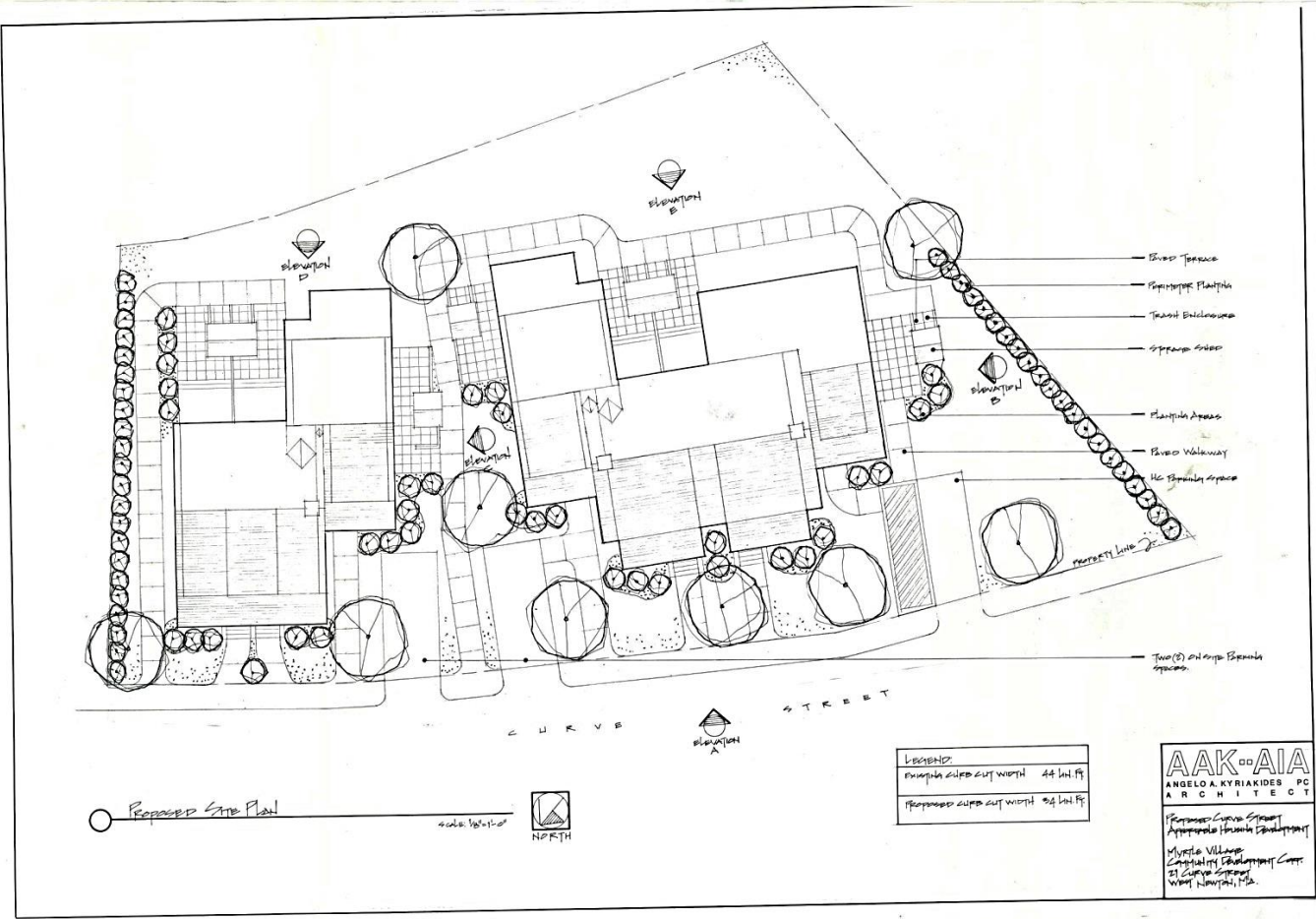


Site Plan – Drawing



#79-12(2)

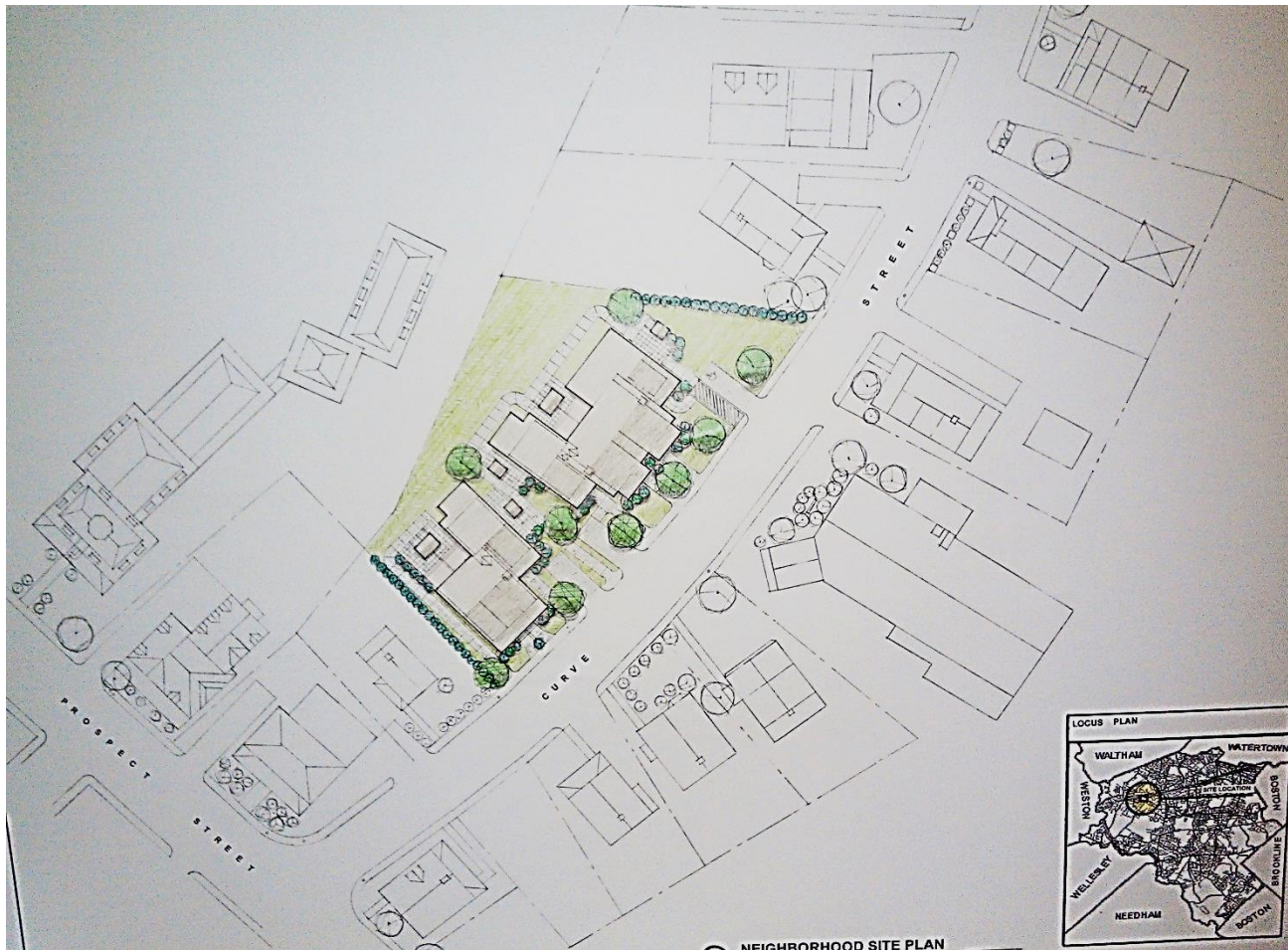
MYRTLE VILLAGE
COMMUNITY DEVELOPMENT CORPORATION



Site Plan - Locus



MYRTLE VILLAGE
COMMUNITY DEVELOPMENT CORPORATION



Elevation



#79-12(2)

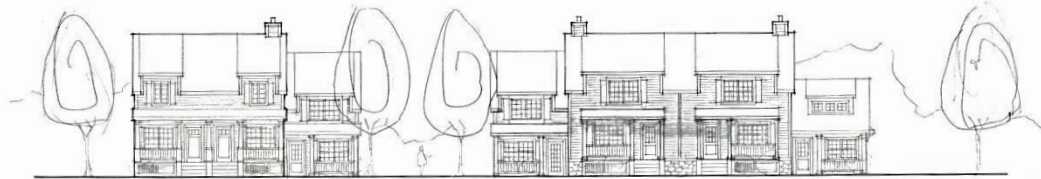
MYRTLE VILLAGE
COMMUNITY DEVELOPMENT CORPORATION



Proposed Side Elevation "C"
scale: 1/8"=1'-0"



Proposed Side Elevation "B"
scale: 1/8"=1'-0"



Proposed Curved Street Elevation "A"
scale: 1/8"=1'-0"

AAK⁰⁰AIA
ANGELO KYRIAKIDES PC
ARCHITECT
Proposed Curved Street
Approach to Units Development
Myrtle Village
Community Development Corp.
22 Curlew Street
West Hampton, N.Y.

Elevation

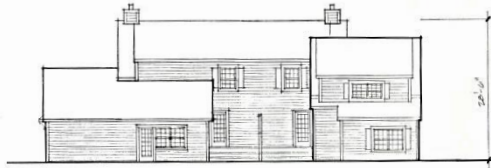


#79-12(2)

MYRTLE VILLAGE
COMMUNITY DEVELOPMENT CORPORATION



PROPOSED REAR ELEVATION "D"
scale: 1/8"=1'-0"



PROPOSED REAR ELEVATION "E"
scale: 1/8"=1'-0"

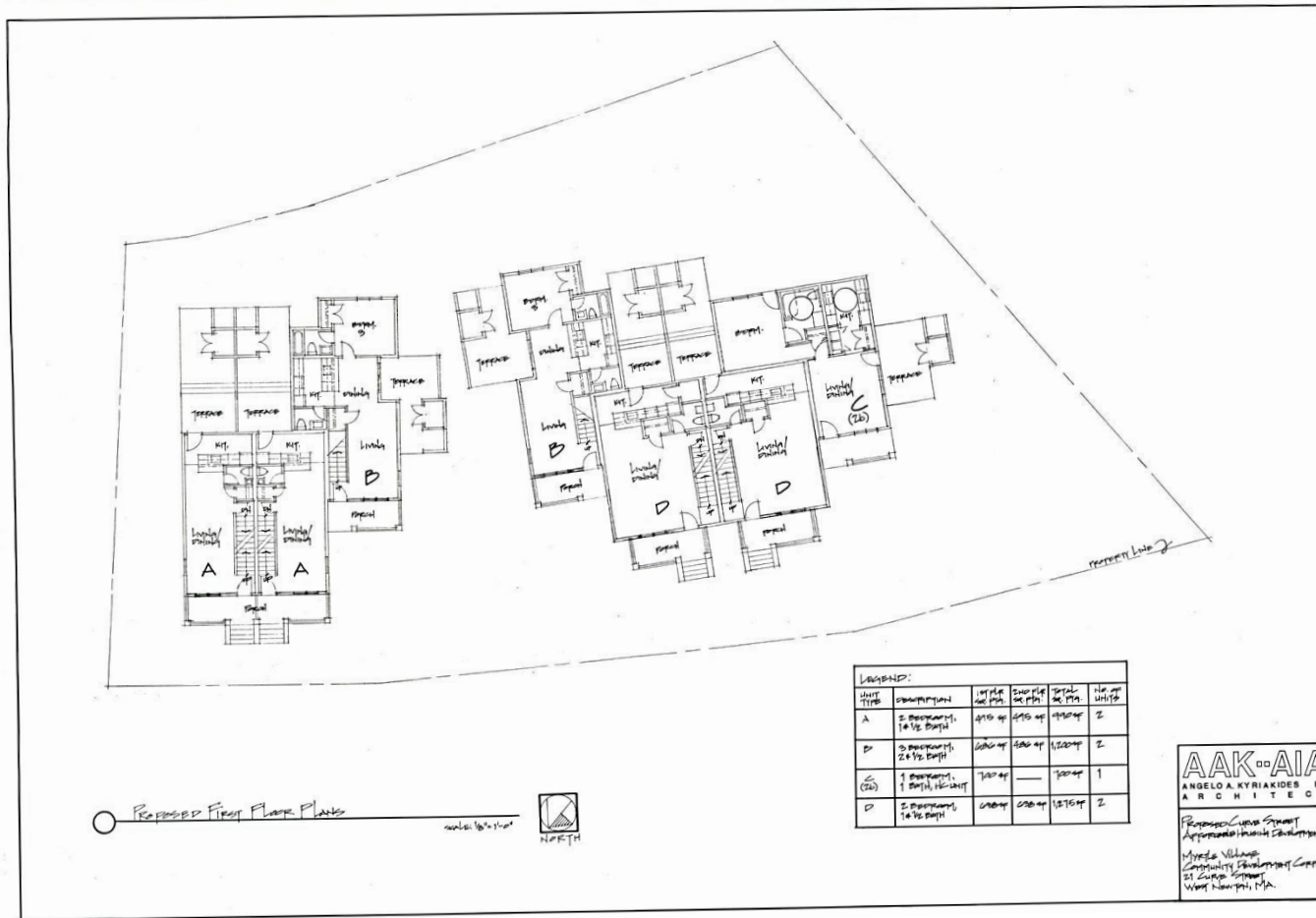
AAK-AIA
ANGELO KYRIAKIDES P.C.
ARCHITECT
PROPOSED CURB STREET
APPROPRIATE IMPROVEMENT
MYRTLE VILLAGE
COMMUNITY DEVELOPMENT CORP.
25 CUMING STREET
WANT HOUSTON, MA

Floor Plan – First Floor



#79-12(2)

MYRTLE VILLAGE
COMMUNITY DEVELOPMENT CORPORATION



Floor Plan - Second Floor



#79-12(2)

MYRTLE VILLAGE
COMMUNITY DEVELOPMENT CORPORATION





Setti D. Warren
Mayor

Newton, Massachusetts
FUNDING REQUEST for AFFORDABLE HOUSING DEVELOPMENT
FY14 or FY15

#79-12(2)
(For staff use)
date rec'd:
29 August
2013

PRE-PROPOSAL

PROPOSAL

This form is NOT self-explanatory. Please complete it in consultation with staff.

You may adjust the space for each question,
but the combined answers to all questions on this page must fit on this page.

Project TITLE	Myrtle Village		
Project LOCATION	Full street address (with zip code), or other precise location. 12 and 18 – 20 Curve Street, West Newton, MA 02465		
Project CONTACTS	Name & title of organization	Email	Phone
Manager/ Developer	Shelby Robinson, Manager Myrtle Village LLC	myrtlevillage@gmail.com	
Other Contacts	Robert Engler, President Newton Community Development Foundation	rengler@s-e-b.com	617-782-2300 x201
Project FUNDING	Newton CDBG/HOME/CPA funds requested: \$1,853,858	Total other funds to be used: \$1,223,746	Total project cost: \$3,077,604
Project SUMMARY & NEEDS	Location (amenities within walking distance, access to transit); short summary of details on page 2 (rehabilitation or new construction; target population; type of housing; unit composition; special features); and brief citations (section & page) showing how project meets needs identified in Newton's <i>Comprehensive Plan, Consolidated Plan, or CPC Funding Guidelines</i> (if relevant).		
<p>Myrtle Baptist Church in West Newton organized Myrtle Village LLC in 2011 to develop affordable housing opportunities in close proximity to the church located at 21 Curves Street. Myrtle Village LLC will be responsible for the development and construction of Myrtle Village with consulting services provided by Newton Community Development Foundation and construction management by Angelo Kyriakides, Architect.</p> <p>The church purchased a single family home at 20 Curve street in the 1950's and used it as a parsonage until 1986. Recognizing the need for affordable housing in the neighborhood, the church expanded the home to include two, 3 bedroom duplexes. The units are currently occupied by two families, one of whom receives a rental subsidy through the Section 8 Voucher program and the other with income qualifying for a rental subsidy. Following discussions with NCDF regarding the potential to expand affordable housing opportunities in the immediate neighborhood, Myrtle Baptist Church purchased a single family home at 12 Curve Street next to the duplex in 2012. The previous owners continue to live in the home and are paying rent.</p> <p>The proposed project entails expanding the two homes (currently 3 units) to create a total of 7 units of affordable rental housing in the two structures. The project will be developed using the Comprehensive Permit (40B) and the units will be affordable to families at 50 – 85% of area median income (AMI) and will remain affordable in perpetuity. The following unit mix will be offered:</p> <p>1 – 1 bedroom, 1 bath 700 square foot HP unit @50% AMI</p> <p>4 – 2 bedroom, 1.5 bath, 990 – 1275 square foot duplex units. 2 @ 70% AMI and 2 @ 85% AMI</p> <p>2 – 3 bedroom, 2.5 bath, 1200 square foot duplex units. 1 @ 50% AMI and 1 @ 85% AMI</p>			

You may adjust spaces, but the combined answers to all questions on this page must fit on this page.

SOURCES OF FUNDS *Check all that apply and identify if funds are committed or proposed.*

X CDBG funds	\$ 604,679	X Other (identify sources) Developer's equity in 18 – 20 Curve Street
X HOME funds	\$ 339,000	\$ 632,000
X CPA funds	\$ 910,179	\$
X Private bank loan	\$ 591,746	\$
<input type="checkbox"/> Sales revenue	\$	\$

USES OF FUNDS *Check all that apply.*

<input type="checkbox"/> Acquisition	X Rehabilitation	X New construction	<input type="checkbox"/> Mortgage buydown
<i>Categories below apply only to CPA funds -- please consult staff.</i>			<input type="checkbox"/> Site preparation/ remediation
X Creation	<input type="checkbox"/> Preservation	<input type="checkbox"/> Support	

TARGET POPULATION & SPECIAL FEATURES *Check all that apply.*

X Individual/Family	<input type="checkbox"/> Elderly	<input type="checkbox"/> Homeless/At Risk of Homelessness
<input type="checkbox"/> Special needs/disabilities (identify population & provider of support services, if any):		
<input type="checkbox"/> Special features (historic preservation, sustainability, etc.):		

TYPE OF HOUSING *Check all that apply.*

<input type="checkbox"/> Homeownership	X Rental	Combination or other (identify):
X Individual/single family		
<input type="checkbox"/> Group residence/congregate		
<input type="checkbox"/> Condominium	<input type="checkbox"/> Cooperative	

UNIT COMPOSITION *List the development's number of units in each category.*

	Total	≤ 30% AMI	≤ 50% AMI	≤ 80% AMI	80-100% AMI	Market-rate
SRO						
Studio						
1 BR			1			
2 BR				2	2	
3 BR			1		1	
4 BR/+						

OUTREACH *Summarize efforts to date to communicate with abutters, neighborhood residents & ward aldermen.*

There have been several informational meetings with the Myrtle Baptist congregation and the church has established an Affordable Housing Ministry Committee. In June 2011 a letter was delivered to all abutters and the church has received several letters of support. Representatives from Myrtle Baptist Church have also met with Ward 3 Alderman Ted Hess-Mahan, Alderman Anthony Salvucci and Alderman Greer Tan Swiston.

		HOUSING PROPOSAL ATTACHMENTS CHECKLIST	
Required for	Check if included	Review full instructions on following pages thoroughly with staff prior to submission. Pre-proposals need only those attachments highlighted in red.	
all	X	LETTERS or PETITIONS of SUPPORT , if available	
all	X	PHOTOS	of site conditions & surroundings (2-3 photos may be enough for pre-proposal)
	X	MAP	of site in relation to nearest major roads, schools, shopping, transit, etc.
	X	TIMELINE	including financing, permitting, construction & occupancy
SITE CONTROL & PROJECT FINANCES			
all	X	Legally binding option, purchase & sale agreement or deed	
	X	Developer commitment to pursue permanent affordability	
	X	Appraisal by an independent, certified real estate appraiser	
	X	Development pro forma (pre-proposals need only a short draft)	
	X	Scope of construction work , supported by professional cost estimates	
	X	Non-Newton funding: sources, commitment letters or application/decision schedules	
	X	Market analysis: including prevailing/trending rents or prices & target population	
as needed	X	Home inspection report by a licensed professional, for rehabilitation projects	
	X	Budget for temporary or permanent relocation , if there are existing tenants	
		Capital needs assessment for multifamily rehabilitation of ≥ 26 units using HOME funds	
rental	X	10-year operating budget (pre-proposals need only a short draft)	
	N/A	Rental subsidy, if any: sources, commitment letters or application/decision schedules	
ownership		Cost of ownership analysis: including proposed sales prices, owners' estimated total housing costs, % interest of affordable units & proposed condominium association budget	
DEVELOPER CAPACITY & QUALIFICATIONS			
all	X	Organization mission & current housing portfolio , including how this project fits both	
	X	Previous similar projects completed , with photographs	
	X	Resumes for development team , including affiliations with City boards or commissions	
	X	Most recent audited annual financial statement of parent company or organization	
	X	Fair housing training completed	
	X	Any past fair housing complaints & their resolution	
nonprofits	X	most recent annual operating budget	
	X	Board of directors: including skills, experience, tenure & affiliations	
SITE REVIEW, ZONING & PERMITTING			
all	X	Brief property history , covering at least the previous 30 years of ownership & use	
	X	Environmental mitigation plan , including lead paint, asbestos, underground tanks	
	X	Confirmation of review by Development Review Team (DRT) and zoning relief / permits required (such as parking, building, demolition, comprehensive or special permit)	
	X	Other approvals required: Newton Conservation or Historical Commission, Commission on Disability, Mass. Historical Commission, Mass. Architectural Access Board, etc.	
DESIGN & CONSTRUCTION			
all	X	Site & floor plans, elevations	
	X	Materials & finishes; highlight "green" or sustainable features or proposed certification	
as needed	X	Detailed site & floor plans, elevations for major rehabilitation and all new construction	
RELOCATION, FAIR HOUSING & ACCESSIBILITY			
all	X	Plans/notices for relocation (if applicable), affirmative marketing & resident selection	
	X	Reasonable accommodation/reasonable modification policy	
	X	Architectural access worksheet: applicable requirements & proposed features	

ARCHITECTURAL ACCESS CODE APPLICABILITY

Please answer these questions in a separate attachment:

- Describe which requirements of the following apply to the project, and why (based on sources of funding and/or project size): Section 504, Title II of the ADA, the FHA and MAAB.
- If the project is required to prepare a Section 504 Compliance Plan, describe the progress made and any deficiencies outstanding.
- Describe any anticipated required variances from MAAB's requirements and the status of the variance process
- **For existing projects/rehabilitation:** show calculations indicating the cost of the proposed work relative to the value of the building per MAAB's CMR 521 3.3 and, if Section 504 is applicable to the project, relative to the replacement cost of the facility per Section 504 8.23(a).

ARCHITECTURAL ACCESS WORKSHEET: Use the table below to summarize the most stringent applicable requirements from the list above, and how the proposed project will meet or exceed these requirements. If you cannot complete the worksheet, you must at least provide sufficient information for City staff to complete it, as applicable and as information becomes available.

REQUIRED	PROPOSED
1. Site access – accessible route	
521 CMR 20: Accessible Route; 521 CMR 21: Curb cuts; 521 CMR 22: Walkways; 521 CMR 9: Multiple dwellings	The project will comply with all requirements.
2. Accessible parking (identify proposed total # of spaces)	
Parking and passenger loading zones. City of Newton parking regulations.	1 fully compliant accessible parking space.
3. Building entrances & accessible routes within buildings	
521 CMR 25: Entrances; 521 CMR 20: Accessible Route; 521 CMR: Doors and doorways	Project will comply with all requirements.
4. Common areas & facilities (offices, laundry rooms, community rooms, etc.)	
There are no common areas.	N/A
5. Group 1 Units (MAAB) (include units covered by the FHA)	
521 CMR 42: bathrooms; 521 CMR 43 kitchens; 521 CMR 46 bedrooms; 521 CMR 9: Multiple dwellings	Project will comply with all requirements.
6. Group 2 Units (MAAB)	
521 CMR 44: bathrooms; 521 CMR 45: kitchens; 521 CMR 47: bedrooms; 521 CMR 9: Multiple dwellings.	Project will comply with all requirements.

MYRTLE VILLAGE Updated Project Budgets		Rec'd by CPC staff 29 August 2013		
CURVE ST	7 UNITS			
Newton, MA				
29-Aug-13				
DEVELOPMENT BUDGET		<i>Per Unit</i>	<i>Total</i>	<i>Development Assumptions</i>
Hard Costs				
Acquisition		147,429	1,032,000	12 Curve St:\$400K mgt balance; 20 Curve St @ \$632K value
Sitework / Utilities/landscape		8,000	56,000	estimate based on drawings
Construction - new units		72,500	507,500	3,500sf @ \$145/sf - estimate based on drawings
Rehabilitation - existing units		106,779	747,450	4,530sf @ \$165/sf - estimate based on drawings
Contingency (5%-new; 15%-rehab)		19,642	137,493	40B guidelines
Sub-Total Hard Costs		354,349	2,480,443	
Soft Costs				
Surveys & Permits/peer review		4,286	30,000	estimate
Architecture & Engineering		16,857	118,000	contract
Legal, Title & Recording		3,571	25,000	estimate
Accounting & Cost Certification		714	5,000	estimate
Civil/Environmental /Geotech Engineering		2,143	15,000	estimate
Project Manager		10,714	75,000	contract
Finance Fees		1,000	7,000	1% of construction loan + DHCD application fees
Taxes		1,602	11,213	estimate based on existing taxes
Insurance		1,857	13,000	estimate
Relocation benefits-allowance		857	6,000	estimate
Construction Loan Interest		2,286	16,000	loan @ 6% for 8 mo (after CPA/CDBG funds)
Lease-up reserve		1,429	10,000	estimate
Rent up & Marketing		1,714	12,000	estimate
Appraisal/Market Study/reports		714	5,000	estimate
Development consultants		3,571	25,000	contract
Soft Cost Contingency		10,346	72,422	5% of soft costs per 40B guidelines
Developer Overhead & Fee		21,647	151,526	8% TDC less acquisition - 40B guidelines
Cost Certification Bond		0	0	not required - small project
Sub-Total Soft Costs		85,309	597,161	
TOTAL DEVELOPMENT COSTS		439,658	3,077,604	
DEVELOPMENT SOURCES				
Permanent Loan		84,535	591,746	1.25 debt coverage ratio-5.30% - 25 yr term
Developer Equity (20 Curve St)		90,286	632,000	assessed value of house
CPA funds		130,026	910,179	
CDBG funds		86,383	604,679	
HOME funds		48,429	339,000	
TOTAL DEVELOPMENT SOURCES		439,658	3,077,604	

MYRTLE VILLAGE Updated Project Budgets

Rec'd by CPC staff 29 August 2013

MYRTLE VILLAGE Updated Project Budgets								Rec'd by CPC staff 29 August 2013	
CURVE ST									
Newton, MA									
OPERATING BUDGET									
Number of Units:		7							
RENTAL REVENUES		Units	gross rent	Utility Allowance	net rent	OPERATING PRO-FORMA		Annually	
Assumptions:						Gross Rental Income		\$106,320.00	
Affordable 1BR @ 50%AMI		1	945	171	774	(less) Vacancy and Bad Debt		-\$7,442.40	
Affordable 2 BR @ 70% AMI		2	1487	254	1,233	Effective Rental Income		\$98,877.60	
CPA 2BR @ 85% AMI		2	1806	254	1,552	Other Income-parking		\$0.00	
Affordable 3BR @ 50% AMI		1	1180	335	845	Other Income -fees		\$0.00	
CPA 3BR @ 85% AMI		1	2006	335	1,671	Total Income		\$98,877.60	
						(less) Annual Operating Expenses		-\$45,660.00	
						NET OPERATING INCOME		\$53,217.60	
TOTAL UNITS		7				Debt coverage ratio @ 1.25			
Other Income - garages/carports/storage		0	0			Available to service debt		\$42,574.08	
Other Income - Fees				0					
Vacancy & Bad Debt				7.0%		Maximum mortgage @ 5.30% - 25 yrs		\$591,746.00	
Assumed annual rates of change:									
Annual Operating Expenses		3.0%							
Real Estate Taxes		2.5%							
Income Growth		2.0%							
PROJECTED OPERATING EXPENSES			Total	Per Unit					
MANAGEMENT FEE			3,360	480					
ADMINISTRATION			14,000	2,000					
MAINTENANCE			12,000	1,714					
UTILITIES (common areas only)			3,000	429					
REPLACEMENT RESERVE			2,100	300					
TAXES			8,200	1,171					
INSURANCE			3,000	429					
MONITORING FEE			0	0					
TOTAL OPERATING EXPENSES			45,660	6,523					
NOTES:									
affordable rents @ HUD 2013 limits calculated using DHCD methodology, eg. 70% income = 50% x 1.4: 85% inc = 50% x 1.7									
vacancy/bad debt using MHP guidelines									
total operating expenses using MHP guidelines plus NCDF experience									
taxes estimated using NOI /cap rate of 6.4% x tax rate									

MYRTLE VILLAGE Updated Project Budgets

Rec'd by CPC staff 29 August 2013

MYRTLE VILLAGE Updated Project Budgets											
CURVE ST											
Newton, MA											
10-YEAR OPERATING PROJECTIONS											
ANNUAL RENTAL INCOME		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Affordable 1BR @ 50%AMI	1	9,288	9,474	9,663	9,856	10,054	10,255	10,460	10,669	10,882	11,100
Affordable 2 BR @ 70% AMI	2	29,592	30,184	30,788	31,403	32,031	32,672	33,325	33,992	34,672	35,365
CPA 2BR @ 85% AMI	2	37,248	37,993	38,753	39,528	40,318	41,125	41,947	42,786	43,642	44,515
Affordable 3BR @ 50% AMI	1	10,140	10,343	10,550	10,761	10,976	11,195	11,419	11,648	11,881	12,118
CPA 3BR @ 85% AMI	1	20,052	20,453	20,862	21,279	21,705	22,139	22,582	23,033	23,494	23,964
		-									
		-									
Tenant Rental Contribution	7	106,320	108,446	110,615	112,828	115,084	117,386	119,734	122,128	124,571	127,062
Other Income - Parking		0	0	0	0	0	0	0	0	0	0
Other Income - fees+ tower		0	0	0	0	0	0	0	0	0	0
GROSS RENTAL INCOME		106,320	108,446	110,615	112,828	115,084	117,386	119,734	122,128	124,571	127,062
(less) Vacancy and Bad Debt	7%	(7,442)	(7,591)	(7,743)	(7,898)	(8,056)	(8,217)	(8,381)	(8,549)	(8,720)	(8,894)
NET RENTAL INCOME		98,878	100,855	102,872	104,930	107,028	109,169	111,352	113,579	115,851	118,168
ANNUAL OPERATING EXPENSES		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Administrative		(14,000)	(14,420)	(14,853)	(15,298)	(15,757)	(16,230)	(16,717)	(17,218)	(17,735)	(18,267)
Management Fee		(3,360)	(3,461)	(3,565)	(3,672)	(3,782)	(3,895)	(4,012)	(4,132)	(4,256)	(4,384)
Maintenance		(12,000)	(12,360)	(12,731)	(13,113)	(13,506)	(13,911)	(14,329)	(14,758)	(15,201)	(15,657)
Utilities		(3,000)	(3,090)	(3,183)	(3,278)	(3,377)	(3,478)	(3,582)	(3,690)	(3,800)	(3,914)
Real Estate Taxes		(8,200)	(8,405)	(8,615)	(8,831)	(9,051)	(9,278)	(9,509)	(9,747)	(9,991)	(10,241)
Insurance		(3,000)	(3,090)	(3,183)	(3,278)	(3,377)	(3,478)	(3,582)	(3,690)	(3,800)	(3,914)
Monitoring Fee		0	0	0	0	0	0	0	0	0	0
Replacement Reserves		(2,100)	(2,163)	(2,228)	(2,295)	(2,364)	(2,434)	(2,508)	(2,583)	(2,660)	(2,740)
SUB-TOTAL OPERATING EXPENSES		(45,660)	(46,989)	(48,356)	(49,764)	(51,213)	(52,704)	(54,239)	(55,818)	(57,444)	(59,117)
NET OPERATING INCOME		53,218	53,866	54,516	55,166	55,815	56,465	57,114	57,761	58,407	59,050
(less) Debt Service		(42,574)	(42,574)	(42,574)	(42,574)	(42,574)	(42,574)	(42,574)	(42,574)	(42,574)	(42,574)
NET CASH FLOW		10,644	11,292	11,942	12,592	13,241	13,891	14,539	15,187	15,833	16,476

~~ATTACHMENTS CHECKLIST~~
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	○ Appraisal by P.G. Stewart & Associates dated March 25, 2011 12 Curve Street	6-25
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6.	SITE PLANS & ZONING/PERMITTING	
	▪ Site Plans	1-3
	▪ Plot Plan	4
	▪ Phase I Environmental Site Assessment dated December 9, 2011	5-10
	▪ Limited Subsurface Investigation dated January 31, 2012	11-14
7.	DESIGN & CONSTRUCTION	
	▪ Preliminary schematics	1-2
	▪ Proposed floor plans	3-4
8.	FAIR HOUSING & EQUAL OPPORTUNITY	
	▪ Sample Affirmative Fair Housing Marketing Plan	1-12
	▪ Sample Notice of Right to a Reasonable Accommodation	13-14

2. QUALIFICATIONS

RESUME:

Angelo A. Kyriakides
309 West Elm Street
Brockton, MA 02301

Education:

Boston Architectural Center School, of Architecture
Boston, Massachusetts
Bachelors of Architecture 1976

Professional Registrations:

Massachusetts, New Hampshire, Maine, Rhode Island
New York, Pennsylvania, Maryland, Washington D.C. Virginia
Tennessee, South Carolina, Florida, Louisiana

Professional Associations:

Past Member American Institute of Architects (AIA)
National Council of Architectural Registration Boards (NCARB)
International Building Code Council (IBC)

Career Experience:

Thirty-five years of experience in the general practice of architecture with an emphasis in public and private affordable family and elderly housing programs.

Over the past number of years I have successfully completed several HOPE VI (Housing Opportunities for People Everywhere) affordable housing programs for various Developers and Public Housing Authority's through out the United States.

In addition to my housing experience, I have over the past twenty-two years developed a special interest and expertise regarding architectural accessibility to older public, private and historical structures that do not comply with today's stringent architectural accessibility code requirements for public and private facilities as mandated by the Americans with Disabilities Act of 1990.

As a professional architect I offer my clients a diverse program of architectural services including cost estimating, specification writing, bidding and negotiating of construction contracts, construction monitoring and project management services from project inception through construction completion as well as post construction services.

Awards and Acknowledgements:

RESIDENTIAL AWARDS:

2011 National Association of Housing and Redevelopment Officials (NAHRO)

Award for Merit

The project known as "The Riverview HOPE VI Development" in Kingsport, Tennessee consisted of 116 affordable and accessible for sale and public housing rental units.

The construction program was completed in two phases over a two year period at a cost of \$9,000,000.00 including road work and infrastructure.

2007 Carolina Home Builders Association

Design Award for affordable houses costing under \$125,000.00

The project known as "Arcadia Hills HOPE VI Development" in Greenville, South Carolina consisted of 210 two, three and four bedroom residential housing units.

The construction program was completed in three phases over a four year period using a number of general contractors. The construction was completed on time and within the \$20,000,000.00 construction budget including demolition, roadwork and infrastructure.

2003 National Association of Housing and Redevelopment Officials (NAHRO)

Award for Excellence

The project known as Cadman Towers is located in the Massachusetts coastal community of Weymouth. The development consisted of a seventy-two unit of elderly housing within a seven story mid rise building that suffered from years of neglect and exterior deterioration by the coastal elements of the northeast.

Because of limited available funds offered by HUD, it was impossible to renovate the existing structure and maintain the seventy-two existing dwelling units.

The existing seven story structure was surgically demolished to a three story thirty-five unit low rise structure keeping it in harmony with it's surrounding one and two story residential neighbors.

The construction program was completed in eighteen (18) months at a cost of \$5,380,000.00.

1996 National Association of Housing and Redevelopment Officials (NAHRO)
Award of Merit

This dense one hundred (100) unit family and elderly housing development located on an underused fifteen (15) acre site known as Hillside Village was built in 1948 as temporary housing for soldiers and family's returning from the War. The development is located in Brockton, Massachusetts, an industrial ethnically diverse blue collar community located approximately twenty miles south of Boston. Because of the development's age, The United States Department of Housing and Urban Development (HUD) classified the development as "Obsolete Housing", and earmarked it for demolition.

Working closely with the Brockton Housing Authority and the City of Brockton Redevelopment Authority, a community revitalization plan was developed which included the complete interior and exterior renovation of the 100 unit development, new roadways and infrastructure, a community center, an on site central maintenance facility a new baseball field and new basketball courts.

The project was publicly bid and constructed over a two year period at a cost of \$5,800,000.00

NON-RESIDENTIAL AWARDS:

1990 American Institute of Architects Citation for Excellence in Urban Design

Renovation of an old two story masonry mill building into a Visitors Center for the City of Lawrence, Massachusetts Heritage State Parks Program.

1987 Preservation Award by the Massachusetts Historical Commission

For demonstrating an outstanding commitment to historical preservation in the restoration and adaptive re-use of a historical railroad station listed on the National Register of Historical Places. The railroad structure was originally designed by the renowned architect H.H. Richardson in 1885 and

is located in South Framingham, Massachusetts.

1986 Governors Design Award

In recognition of our contribution to design excellence in architecture.
H.H. Richardson, 1885 South Framingham Railroad Station
South Framingham, Massachusetts

4. COMMUNITY OUTREACH & SUPPORT



Myrtle Baptist Church

"Where Love Abides"

June 24, 2011

Pastor

Rev. Brandon T. Crowley

Pastor Emeritus

Rev. Howard M. Haywood

Diaconate Board Chair

Leahmara Hill

Trustee Board Chair

Jeffrey Turner

Treasurer

Thomas Turner

Financial

Secretary

Pemmy Williams

Clerk and

Collector

Evette Layne

Superintendent

Sunday School

Elaine Thomas

~~Josephine Eps
12-20 Curve Road
Newton, MA 02465~~

~~Dear Josephine,~~

This letter is to inform you of a community development plan that Myrtle Baptist Church intends to propose to the City of Newton. Myrtle Baptist Church owns 12-20 Curve St, and would like to develop these properties to provide reasonably priced rental units for families and senior citizens. To this end the church has created a development corporation, "Myrtle Village Development Corporation", to oversee the endeavor.

As you know Myrtle Baptist Church has been a thriving house of worship for over 137 years, and that the area surrounding the Church, Curve St., Prospect St., Simms Court and Prospect Place have been designated as The Myrtle Baptist Church National Historic District. With this in mind we would like to be clear that the units would be designed to maximize green spaces and would remain consistent with the character of the neighborhood. At this time we are still investigating the possibility of keeping the existing structures and renovating, adding on to them or building a duplex. Our goal is to create six to eight rental units, one of which we intend to make fully handicap accessible.

We are in the very early planning stages and wanted to communicate our vision to you at this time. We want you to have full knowledge of our intentions and to let you know that we will be keeping you abreast during all of the phases of the development including: designing, permitting and construction.

As soon as we have the preliminary design perspectives completed we will invite you to a meeting and give you an overview of the project, take questions, describe the process and schedule. We will seek city approval through the "Comprehensive Permitting" (40B) regulations which will require public hearings and Aldermanic approval. Your support will be critical to the success of the project and we promise to conduct an open and transparent development program that will value your input and concerns. We will create a website that you can use to access up to date information and contact information for questions.

We look forward to working cooperatively with you so we can complete this project that will be a benefit to our entire community.

Sincerely,

Thomas Turner
Project Director
Myrtle Baptist Church Affordable Housing Ministry

September 4, 2011

To Whom It May Concern:

My name is Barbara Revaleon I reside and own a home at 11 Curve Street West Newton which is directly across the street from the proposed Myrtle Village affordable housing project. I am writing to express my full support for the project and encourage your approval of this wonderful effort to provide affordable housing to our city.

This neighborhood has a wonderful history of being a loving and nurturing village that provides an environment that welcomes and embraces families and individuals that reside here. The proposed Myrtle Village LLC has given abutters early notification of their intentions, me and other abutters look forward to working with them to see this exciting opportunity come to fruition. Thank you again for your thoughtful consideration.

Sincerely,



Ms. Barbara Revaleon

11 Curve Street

West Newton, Ma

September 1, 2011

Dear Community Preservation Committee,

The Carter family has resided at 28 Curve Street for over 50 years and as a direct abutter of the proposed affordable housing project that is being planned by the Myrtle Village LLC. I am writing as a representative of my entire family because I still reside at our family home to give our 100% support for this project that will provide safe and affordable housing to deserving families. My sister Rosalie Carter-Dixon is the owner of our house but as the person who resides here she has asked me to speak on behalf of our family supporting the project.

As a lifelong resident of the city of Newton and being raised by very hard working parents of eight children I know personally the value of being raised in a loving and supportive community like our beloved "village" with the continued rising cost of housing in Newton families like ours would never have the opportunity to share in this nurturing neighborhood sensitive community.

Yours truly,

Leslie Carter-Lewis

A handwritten signature in cursive script, appearing to read "Leslie Carter-Lewis".



Corpus Christi - St. Bernard Parish of Newton, MA

June 28, 2011

Thomas Turner
Project Director
Myrtle Baptist Church Affordable Housing Ministry
21 Curve Street
West Newton, MA 02465

Dear Mr. Turner,

I wish to thank you for the information you provided in your letter dated June 24, 2011 concerning the newest project being undertaken by the congregation of Myrtle Baptist Church.

The need for affordable housing in Newton is a growing concern for many people, especially for families and senior citizens. The efforts being explored to address this situation by the Myrtle Village Development Corporation is to be commended.

I look forward to hearing from you about the development of this housing project and assure you that my prayers are with you and your efforts.

Sincerely,

A handwritten signature in dark ink, appearing to read 'F. Silva', is written over a light grey background.

Rev. Frank J. Silva
Pastor

To whom it may concern
From: Hubert Williams
Resident, 11 Prospect Street, Newton MA

Dear Sir/Madam

I am writing this letter to express my enthusiastic support for the Myrtle Village complex proposed for Curve Street by Myrtle Community Development, LLC.

I live at 11 Prospect street, one of the abutters of the project. I have been a 14 year resident of Newton, and love the city for its walk-able and friendly neighborhoods, green space and parks, safety, lack of congestion and historical character.

Myrtle Community Development has reached out to the abutting residents, explaining their mission and vision for the project, and inviting our participation in the planning for the project. In particular, they have explained how they will manage the property and screen residents through contracting with NCDF - the manager of the successful Warren House apartments.

I believe Myrtle Village will enhance the community in and around Curve Street by adding to the diversity (in ages) of residents there. By supporting working families seeking to use public transportation, Myrtle Village will contribute pedestrians to our neighborhood. I welcome that.

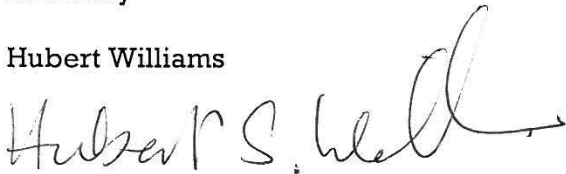
In addition, since those already resident in the property will not be displaced, we won't be missing anyone!

The design of the complex will enhance the appearance of Curve street greatly, with an attractive Victorian architecture and well maintained landscaping.

I plan to attend the neighborhood meetings for the project, and look forward to the successful addition of Myrtle Village into our community.

Sincerely

Hubert Williams



617-388-4532

hubert.williams@gmail.com



"you were a stranger and you took me in"

January 11, 2012

18 Curve Street
West Newton, MA 02465

RE: Notice of Non-Displacement: 12 and 18 – 20 Curve Street

Dear

On October 26, 2011, Myrtle Village LLC submitted an application to the City of Newton for federal financial assistance to rehabilitate the home which you occupy at 18 – 20 Curve Street as well as the home at 12 Curve Street, West Newton, MA.

This notice is to inform you that **you will not be displaced** if federal assistance is provided to Myrtle Village LLC and the homes at 12 and 18 – 20 Curve Street are rehabilitated. Therefore, the City of Newton urges you **not to move** anywhere at this time. *(If you do elect to move for reasons of your choice, you will not be provided relocation assistance.)*

If Myrtle Village LLC's application is approved and federal financial assistance is provided for the rehabilitation, you will continue to be able to lease and occupy your unit or another suitable, decent, safe and sanitary unit at the property. Of course, you will still be required to comply with your lease terms and conditions.

Depending on your household income, which the City would need to verify, your rent, including the estimated monthly utility costs, will not exceed 30 percent of your average monthly gross household income if you are determined to be low or moderate-income. If you must move temporarily so that the rehabilitation can be completed, suitable housing will be made available to you for the temporary period, and you will be reimbursed for all reasonable extra expenses, including all temporary moving costs and any increase in housing costs.

Again, we urge you not to move. If the project is approved, you can be assured that we will make every effort to accommodate your needs. Because federal assistance may be involved (if the project is approved), you are protected by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

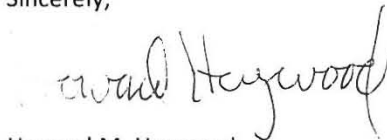
[Redacted]

January 11, 2012

Page 2

This letter to you is important and should be retained. You will be contacted once Myrtle Village LLC is notified of a commitment of federal funds. In the meantime, if you have any questions about the proposed project or this notice, please do not hesitate to contact me at 617-833-1849 or email hhaywood@kleinfelder.com.

Sincerely,



Howard M. Haywood
Project Manager

Cc: *Trisha Kenyon Guditz, City of Newton*
Jeanne Strickland, Newton Community Development Foundation, Inc.



"you were a stranger and you took me in"

January 11, 2012

20 Curve Street
West Newton, MA 02465

RE: Notice of Non-Displacement: 12 and 18 – 20 Curve Street

Dear

On October 26, 2011, Myrtle Village LLC submitted an application to the City of Newton for federal financial assistance to rehabilitate the home which you occupy at 18 – 20 Curve Street as well as the home at 12 Curve Street, West Newton, MA.

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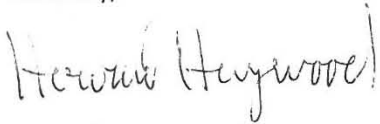
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January 11, 2012

Page 2

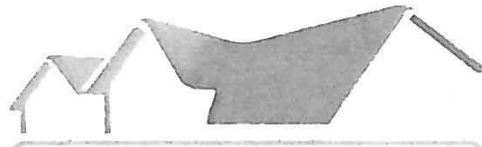
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Sincerely,



Howard M. Haywood
Project Manager

Cc: *Trisha Kenyon Guditz, City of Newton*
Jeanne Strickland, Newton Community Development Foundation, Inc.



MYRTLE VILLAGE
COMMUNITY DEVELOPMENT CORPORATION

"you were a stranger and you took me in"

January 11, 2012

12 Curve Street
West Newton, MA 02465

RE: Notice of Non-Displacement: 12 and 18 – 20 Curve Street

Dear

On October 26, 2011, Myrtle Village LLC submitted an application to the City of Newton for federal financial assistance to rehabilitate the home which you occupy at 12 Curve Street as well as the dwelling at 18 – 20 Curve Street, West Newton, MA.

This notice is to inform you that **you will not be displaced** if federal assistance is provided to Myrtle Village LLC and the homes at 12 and 18 – 20 Curve Street are rehabilitated. Therefore, the City of Newton urges you **not to move** anywhere at this time. *(If you do elect to move for reasons of your choice, you will not be provided relocation assistance.)*

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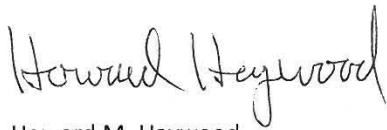
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[Redacted]
January 11, 2012

Page 2

This letter to you is important and should be retained. You will be contacted once Myrtle Village LLC is notified of a commitment of federal funds. In the meantime, if you have any questions about the proposed project or this notice, please do not hesitate to contact me at 617-833-1849 or email hhaywood@kleinfelder.com.

Sincerely,



Howard M. Haywood
Project Manager

Cc: *Trisha Kenyon Guditz, City of Newton*
Jeanne Strickland, Newton Community Development Foundation, Inc.

January 30, 2012

Myrtle Village LLC
21 Curve Street
West Newton, MA 02465
Attention: Howard M. Haywood

RE: Notice of Displacement

Thank you for your letter dated January 11, 2012, which explained the details of what will happen should Myrtle Village LLC's application for federal financial assistance be approved to rehabilitate your property that I occupy.

The purpose of this letter is to inform you that it is my plan to remain in the property until such time that I receive notification from you that the renovations will begin and I must relocate during the renovation period. I am confident that I will find temporary housing for the period of time necessary to complete the project.

Lastly, I look forward to receiving further communication from you regarding the status of the project, and ultimately returning to the Myrtle Village Community once the project is complete.

Sincerely,



Elaine N. Thomas
12 Curve Street
West Newton, MA 02465



Setti D. Warren
Mayor

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Candace Havens
Director

November 22, 2011

Rieko Hayashi
Housing Planner
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

RE: Myrtle Village 40B Housing Project

Dear Ms. Hayashi,

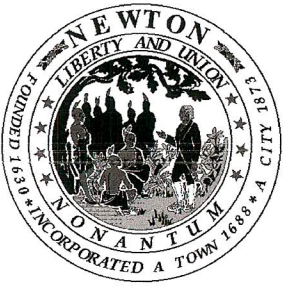
At its November 22nd meeting, the Newton Historical Commission voted to support the proposed Myrtle Village 40B housing project. The Commission recognized that the subject properties 12 and 18-20 Curve Street are located within the Myrtle Baptist Church Neighborhood National Register Historic District. The project proposed to be undertaken by a church-affiliated non-profit will provide affordable housing and reuse of the existing buildings.

The Commission noted that the subject buildings have been substantially altered with additions, replacement siding, and replacement windows and that their significance is historically tied to the African American community. The Commission encouraged the applicants to use designs and materials consistent with the character of the historic neighborhood. Should you have any questions please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Brian Lever".

Brian Lever
Senior Preservation Planner
(617) 796-1129
blever@newtonma.gov



CITY OF NEWTON, MASSACHUSETTS

Newton Housing Partnership

October 22, 2013

Newton Planning and Development Board
Newton Community Preservation Committee
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Setti D. Warren
Mayor

Candace Havens
Director
Planning & Development

Robert Muollo
Housing Planner

Members

Dan Violi, Chair
Matt Yarmolinsky,
Vice-Chair
Andrew Franklin
Judy Jacobson
Phil Herr
Peter Macero
Hallie Pinta
Jeanne Strickland
Lynne Sweet
John Wilson

Re: Support for "Myrtle Village" Project

Dear CPC and Planning and Development Board Members:

At the Newton Housing Partnership meeting on October 9, 2013, the five eligible members present unanimously agreed to support the request by Myrtle Village, LLC. for Community Preservation Act, Community Development Block Grant and HOME funds for the rehabilitation, construction and rental of seven units of affordable housing, including one fully accessible unit, at 12 and 18-20 Curve Street in Newton.

The Partnership's Project Review Committee and then the full Partnership have reviewed and discussed the proposal with Myrtle Village LLC. prior to this action. Our analysis found the proposal to be substantially equivalent in its merits and overall program from our first review in January, 2012. We have concluded that the proposal addresses a number of City priorities and exhibits many of the goals the Partnership seeks projects to achieve, including:

Affordability:

- The critical need for additional affordable rental housing which is identified as a priority in the City's *Consolidated Plan*.
- At rents affordable to households earning 50%, 70%, and 85% of Area Median Income, the rent structure is targeted for maximum affordability and marketability.

Livability:

- Providing an accessible, affordable unit where providing such accessibility is not required under the law.
- Consisting of one, two, and three bedroom units, the proposal provides housing opportunities to a variety of household sizes.

Suitability:

- Utilizing existing housing stock to address the City's housing needs with a design and scale appropriate to the neighborhood with what appears will have minimal negative impact.
- Proximity to the commuter rail, bus lines, public services and amenities.

Feasibility:

- The proposed project appears financially feasible on the basis of estimated development costs and operating budget.
- The proposed financing is reasonable and total profit and fees appear to be below the established requirements for Comprehensive Permit rental projects.



CITY OF NEWTON, MASSACHUSETTS
Newton Housing Partnership

Sustainability:

- The proposed site plan maximizes open space and landscaping with minimal negative impact on the surrounding environment.
- The proposed construction program proposes to feature energy efficient systems and sustainable materials.

Development Team:

The Partnership evaluated the experience of the development team, including: architect, development consultant and property management company, and found them all to have relevant experience and a strong track record.

Conditions:

The Partnership recommends the City review and approve the following prior to a financial closing:

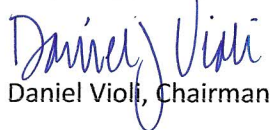
- Plan for property management
- Tenant selection and affirmative fair marketing plans

The Partnership acknowledged the need for public funding, and supports the use of CDBG, HOME and other City resources such as Community Preservation Act funds as needed to support this worthwhile project. The Partnership also particularly commended the project for drawing on the distinctly different, but equally important strengths of two long-standing Newton-based entities: Myrtle Baptist Church and Newton Community Development Foundation. The Partnership also noted that the per-unit public subsidy costs of the development compares quite favorably to many other rental proposals that have been advanced to the Partnership for review and comment.

Further, our recommendation reflects our understanding that one unit will be designed and constructed as meeting the Group 2A accessibility standards of the Massachusetts Architectural Access Board regulations, although not required by law. Furthermore, the first floor of the newly constructed units at grade will be designed and constructed to incorporate accessibility features, although not required by law. We recommend that the developer fee be released to the developer on a pro-rata basis upon the issuance of each unit's certificate of occupancy.

In sum, the Partnership recommends the approval of CDBG, HOME and CPA funds for this development. If there are further questions for the Partnership please let me know.

Very truly yours,


Daniel Violi, Chairman

Cc Shelby Robinson, Manager, Myrtle Village, LLC.
 Robert Muollo, Interim Housing Programs Manager
 Alice Ingerson, Community Preservation Program Manager
 Candace Havens, Director



DRAFT**Risk Assessment and Underwriting Review
Myrtle Village, Newton, MA
October 29, 2013**

Performed by: Daniel Gaulin, subcontractor to FinePoint Associates

In order to complete this assessment, I reviewed the Development and Operating Proformas submitted by the developer, Myrtle Village LLC, and its consultant, the Newton Community Development Foundation. I also reviewed the appraisals and other information located on the City of Newton's website.

Project Summary:

The project consists of the converting two existing occupied houses (a single-family at 12 Curve Street and a duplex at 18-20 Curve Street) into seven units. The construction work will be a mix of renovation to the existing structures and construction of additional space onto the existing structures. The final unit configuration will be 1 1BR, 4 2 BRs and 2 3-BRs.

The HOME request is \$339,000. The developer is proposing 2 low HOME units: a 1-BR and a 3-BR. The maximum amount of HOME funding that could be put into the project with this unit configuration is \$417,871 – the requested HOME is less than the maximum allowable.

Market Risk Analyses:

The maximum low HOME rents are \$917/month for the 1-BR and \$1,271 for the 3-BR. The developer's proposal indicates rents of \$945 and \$1,180. The 1-BR will need to be reduced by \$28/month; however, there is plenty of room to make up for this loss of income by increasing the proposed 3-BR rent.

The five non-HOME units in the complex are projected at the following rents:

- 2 2-BRs @ \$1,487
- 2 2-BRs @ \$1,806
- 1 3-BR @ \$2,006.

Curve Street is located in the village of West Newton. There is an active rental market in Newton including apartments in condominiums, single-families and duplex houses. The 2013 appraisal of the duplex at 18-20 Curve Street indicated that the market rent for the current unrenovated 3-BR unit is \$1,700/month. A review of the rentals offered on the Multiple Listing Service indicates that 1-BRs range from \$1,650 to \$2,200 and 2BRs range from \$1,700 to \$3,000. Newton is a desirable community for rentals due to its reputation for safety and good schools and its proximity to jobs in Boston and along Route 128. The proposed units will be offered at rents at or lower than market units and will be of much better quality due to the proposed renovation; therefore, there is little to no market risk.

Developer Risk Analyses:

This developer is the Myrtle Village Limited Liability Company (MVLLC) formed by members of the Myrtle Baptist Church as an outgrowth of their Affordable Housing Committee. Its purpose is the conversion of the former church parsonage and a recently purchased adjacent building into affordable rental housing. The sole member of the LLC is Shelby Robinson. Ms. Robinson is a registered nurse who has been an active member of the Affordable Housing Committee since its inception in 2011. MVLLC has chosen to hire a local community development corporation, the Newton Community Development Foundation (NCDF) as a development consultant and upon completion, as the property manager. NCDF

has a strong track record in affordable housing development and management. It has developed 5 rental projects containing 231 units and one 10-unit ownership project. In addition, it manages two other affordable developments on behalf of other non-profits.

While there is always a risk with the first project undertaken by a new entity, there are factors that mitigate that risk in this case. The Affordable Housing Committee/MVLLC has chosen to start with a relatively small project involving two structures and seven units. Most importantly, it has demonstrated skill and sound judgment in its actions to date: the acquisition of 12 Curve Street, the hiring of an architect with affordable housing experience, and the hiring of NCDF as consultant and property manager. Although its track record is short, it is positive and it is not unreasonable to expect that the MVLLC will continue to exercise sound judgment in the future.

The renovation work will be under the supervision of the project architect, Angelo Kyriakides. Mr. Kyriakides has over 35 years of architectural experience including many award-winning HOPE VI projects which are among the largest and most complicated of affordable housing developments.

Project Risk Analyses:

Permitting

There is a degree of permitting risk as the MVLLC will be applying for a Comprehensive Permit under Chapter 40B. This risk is considered to be low since MVLLC is applying under the Local Initiative Program which requires a formal endorsement of the municipality's chief elected official and the financing includes \$1,853,858 of municipality-controlled funds. In the unlikely event that the Newton Zoning Board of Appeals either denies the permit or approves it with uneconomic conditions, the MVLLC would have the ability to appeal the decision to the state Housing Appeals Committee which more often than not rules in favor of developers.

Sources and Uses

The total development cost for the project is projected to be \$3,077,604. This project costs include the acquisition value of the properties, the construction work to renovate and expand the structures and the related soft costs. The sources are developer equity, a loan from the Village Bank, a grant from Newton's Community Preservation Program, and deferred payment/forgiveable loans from Newton's Community Development Block Grant and HOME program. The sources and uses are in balance and the proforma provides sufficient detail of all financing and all project costs.

The acquisition cost is carried at \$1,032,000 which is \$113,000 lower than the appraised values determined by William Lanciloti on 9/26/13.

The construction is estimated at \$1,310,950 with a 10.5% construction contingency. This is a reasonable estimate at this stage of the design development and the 10.5% contingency is appropriate given the project's mix of renovation with large new additions.

The soft costs total \$445,635, which is 14.5% of the total development costs including architectural and project management costs, legal, title, temporary relocation, NCDF development consulting fee and a soft cost contingency.

The developer fee and overhead is carried at \$151,526 or 5.2% of all other development costs. This is a modest figure for a development of this size and complexity. Since the MVLCC is bringing \$632,000 of equity to the project, the net equity is \$480,474 (\$632,000 less the fee and overhead of \$151,526).

Income and Operating Expenses

The operating proforma projects all income and expenses over a 10 year period. The proforma assumes rents will increase at 2% per year while expenses will increase at 3% and taxes at 2.5%. These are reasonable assumptions and result in slowly increasing positive cash flow over the 10 year period. Projecting these figures over years 11 through 20 also shows a slowly increasing positive cash flow.

The operating budget of this project is \$6,523/unit/year which includes a \$300/unit/year replacement reserve. This is a reasonable overall budget. The City may wish to increase the replacement reserve to \$350/unit/year to bring it in line with most state-financed projects. The project was underwritten with a 7% vacancy allowance which is appropriate in a smaller development that lacks the ability to spread the collection/vacancy risk over more units. There will be three rent tiers targeting renters at below 50% of median; below 80% of median and below 100% of median. The rents have been calculated to be affordable to households at a range of incomes below those maximum limits. The projected HOME rents for the below 50% units will need to be tweaked as described above in the market risk analysis.

Cash Flow - Return on Equity

The proposed loan has a debt coverage ratio of 1.25 and a year one cash flow of \$10,644. The cash-on-cash return on the net equity of \$480,474 is 2.2% which is within HUD and Consortium HOME standards. The projected cash flow increases slowly, the cash-on-cash return in year 10 is projected at 3.4% and in year 20 at 4.8%.

Recommendation

This project has been well-conceived as a first project for a newly formed LLC, and the LLC has made good choices in putting together its development team. While there are some risks identified; there are measures that can be taken to mitigate the risks. In the key area of financial feasibility, the project is considerably less risky than most, due to the strong rental market in Newton and the conservative development and operating assumptions.

The permitting risk of the project can be mitigated by not expending any HOME funds until a comprehensive permit is issued.

The developer risk of the project can be mitigated by the City of Newton retaining the right to approve any changes to the development team. If there are no changes, it is reasonable to expect that the proposed team will deliver a good project and will operate it well over time. Should a change become necessary for any reason, the City would want to ensure that the new team members be at least as experienced as the existing members are.



Community Preservation Program

Myrtle Village

Community Housing

Phases: Click on these links to go to each major phase of proposal review for this project, below:

2011 [pre-proposal](#) Only 2013 proposal materials are included in January 2104 packet for Board of Aldermen.

2012 [original full proposal](#)

2013 [resubmitted/revised full proposal](#)

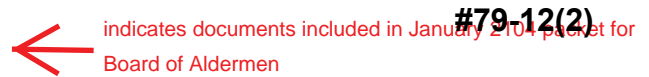
Location: 12 and 18-20 Curve Street
West Newton, MA 02465

Goals: Redevelop two existing homes, built in ca. 1880 and 1900, into 7 permanently affordable rental units with a total of 15 bedrooms: 2 units for households at 50% of area median income, 2 for households at 70% of area median income, and 3 for households at 85% of area median income.

Total funding:	\$910,179	CP funds requested (community housing)
	\$604,679	CDBG - Community Development Block Grant (City of Newton federal funds)
	\$339,000	HOME (City of Newton federal funds)
	\$591,746	Village Bank permanent loan
	\$632,000	Developer equity
	<hr/>	
	\$3,077,604	TOTAL PROJECT COST


Contacts: **Project Managers** (responsible for budgets, deadlines & reports):
Shelby Robinson & Robert Engler
Myrtle Village, LLC
21 Curve Street
West Newton, MA 02465
phone: 617.782.2300 ext. 201 email: myrtlevillage@gmail.com
website: under construction

Project Architect
Angelo A. Kyriakides
309 West Elm Street
Brockton, MA 02301
phone: 508.584.3248



email: aakarchitectinc@yahoo.com


Proposal Review & Appropriations

- 27 July 2011 **pre-proposal:**
- [cover letter, summary & budgets](#)
 - [preliminary site plans](#)
 - [project architect's qualifications](#)
- 1 February 2012 **full proposal:**
[project summary](#) & [project budgets](#)
- attachments to the proposal:
- [community need & outreach](#)
 - [property deeds](#)
 - [current mortgage](#)
 - appraisals: for [12 Curve Street](#) and for [18-20 Curve Street](#)
 - [site, zoning & permitting, design & construction](#) (including proposed site plans, elevations & floor plans)
 - [architect's qualifications](#)
 - [fair housing & affirmative marketing](#)
 - [site & project images](#) (repeated from proposal documents above), including: photos & floor plans of existing buildings, site plans, elevations & floor plans of proposed buildings
- 2011 **appraisals** attached to the proposal:
- [12 Curve Street](#) (2011)
 - [18-20 Curve Street](#) (2011)
- 3 February - March 2012 **supporting reviews** of the proposal:
- [Newton Housing Partnership letter of support](#)
 - [City of Newton Housing staff analysis/memo](#)
- 28 February 2012 The CPC voted 7-0 to recommend full funding requested. June 2012 potential conflict of interest eliminated by restructuring LLC's governing board and accepting required 1-year waiting period. Proposal will be updated as necessary and submitted for a revised CPC vote and recommendation before forwarding to Board of Aldermen, summer-fall 2013.
- 13 June 2012 Housing staff update on steps for requesting an exception to [U.S. Dept. of Housing and Urban Development conflict of interest rules](#).
- The City of Newton preferred not to request an exception. The potential conflict of interest was eliminated by restructuring the governing board of Myrtle Village, LLC, but there is a 1-year waiting period before the proposal can be reconsidered.
- 29 June 2012 [Myrtle Village LLC corporate purposes & organization](#) (original filing September 2011, subsequently updated)
- August- November 2013 **resubmitted full proposal:** proposal summary and budgets updated; all other information from February 2012 submission is still valid. 

 indicates documents included in January 2104 packet for Board of Aldermen

updated [project summary](#) & updated [project budgets](#) 

attachments (with exceptions noted, these are unchanged from February 2012 submission above):

- [community need & outreach](#) 
- [property deeds](#)
- [current mortgage](#)
- appraisals: for [12 Curve Street](#) and for [18-20 Curve Street](#)
- [site, zoning & permitting, design & construction](#) (2012 site plans, elevations, floor plans) and ["green"/energy-efficient features](#) (from October 2013 application to state Local Initiative Program)
- [architect's qualifications](#) 
- [fair housing & affirmative marketing](#)
- [site & project images](#) (repeated from other proposal documents, including images from October 2013 appraisals): photos & floor plans of existing buildings; proposed site plans, elevations & floor plans
- [commitment of reimbursable pre-development financial support](#), from Myrtle Baptist Church (submitted 27 November 2013)




2 October 2013 **updated, independent appraisals** commissioned by the Community Preservation Committee

- [12 Curve Street](#) (2013)
- [18-20 Curve Street](#) (2013)

12 October 2013 [project slide presentation](#)  This presentation includes site plans, elevations & floor plans.


21 October 2013 [notes from community meeting](#)

October-November 2013 **supporting reviews** of the proposal:

- [Newton Housing Partnership letter of support](#) (updated from 2012 version above) 
- [City of Newton Housing staff analysis/memo](#) (updated from 2012 version above)
- [risk assessment/underwriting analysis](#), required for federal HOME funds (draft - no 2012 version because HOME funds were not requested at that time) 
- [Newton Fair Housing Committee letter](#) 

8 November 2013 [CPC funding recommendation](#) 

The Board of Aldermen will take this recommendation up in January 2014. Contact the Board's staff directly for scheduling information, from ["Committees & Meetings - Board of Aldermen"](#) at the top left of any Newton CPC webpage.

29 November 2013 [Planning & Development staff memo addressing community concerns](#)  expressed at public hearings (28 February 2012, 4 November 2013, 2 December 2013) or in writing

This memo refers to the following studies:

- Effects of Mixed-Income, Multi-Family Rental Housing Developments

on Single-Family Housing Values (MIT Center for Real Estate, 2004):

<http://community-wealth.org/sites/clone.community-wealth.org/files/downloads/paper-pollatowski-et-al.pdf>

- Chapter 40B: Is there an Adverse Impact on Home Values and Family Income? (Northeastern University Dukakis Center for Urban and Regional Policy, 2010):
<http://www.northeastern.edu/dukakiscenter/wp-content/uploads/40B-HousingPricesStudy-Oct2010.pdf>
- How Does Affordable Housing Affect Surrounding Property Values? (Arizona State University Stardust Center for Affordable Homes and the Family, 2008):
<http://stardust.asu.edu/docs/stardust/housing-research-synthesis/research-brief.pdf>

Project News

- November 2006 [Neighborhood history slide show](#), focusing on the impact of properties taken for construction of the Massachusetts Turnpike extension (long file, may load slowly)
- 2008 [Myrtle Baptist neighborhood on the National Register of Historic Places](#)

PROPOSAL

Myrtle Village



Community feedback, including City staff summary/response

- ◆ community meeting notes (taken by proposal sponsor) – 21 October 2013
- ◆ community emails & letters in support or opposition (in addition to letters of support above, submitted with proposal)
- ◆ Planning & Development staff summary & response to concerns expressed at public hearings (28 February 2012, 4 November 2013, 2 December 2013) or in writing

**Myrtle Village Neighborhood Meeting
Monday, October 21, 2013
7:00 PM
Myrtle Baptist Church**

**Presentation: Myrtle Village PowerPoint
Poster Board with Myrtle Village Site Drawings
Q&A Session**

Attendance List: . omitted to protect attendees' privacy

Question: What is AMI?

Shelby [Robinson] responded that AMI is Area Median Income. Bob explained that each year the state sets the area median income for 1 – 8 family member households and that Newton uses the Boston Standard Metropolitan Statistical Area in determining the AMI. Bob [Engler] further explained that at least 25% of the units must be set aside for occupants that are 80% or below the AMI and that all of the occupants at Myrtle Village will have incomes at 50 – 85% of AMI. As a non-profit, Myrtle Village LLC seeks to create as much affordability as possible.

Question: How many parking spaces will there be?

Shelby responded that there will be 1 HP space and 2 short term drop-off/pick up spaces on site and an additional 10 parking spaces in the church parking lot. It was later amended that there will be an additional 12 spaces in the lot rather than the 10 previously reported.

Question: What are CPA funds?

Bob responded that it is the Community Preservation Act funds and briefly explained the history of the CPA in Newton and the funding approval process.

Question: Who will live at Myrtle Village and will there be a Newton preference?

Bob explained that there will be a lottery and that Newton Community Development Foundation (NCDF) will administer the lottery. While 70% of the units can be set aside for local preference, it is expected that the three current households will relocate to the new units and therefore only one of the four remaining units will have local preference. During the lottery, the remaining applicants in the local preference pool will be added to the all other pool. It was questioned what the application process would entail and both Bob and Shelby responded that references would be checked and CORI backgrounds obtained and that NCDF would manage the process.

Question: Who is the LLC?

Shelby reported that at this time she is the sole manager of the LLC.

Question: Will these new units have an impact on the plans for the site on Crescent Street?

Shelby responded that as of now there are no definitive plans for Crescent Street and that Crescent Street is not part of Myrtle Village.

Question: Where is Myrtle Village in the process?

Shelby responded that the Planning and Development Board will hold a joint public hearing with the Community Preservation Committee on Monday, November 4th at 7:30 PM at the Newton Senior Center, 345 Walnut Street in Newtonville and encouraged everybody to attend. Bob explained that it is expected these two committees will recommend funding and that the next step in the process will be a hearing before the Zoning Board of Appeals and another with the Aldermen. This process might take up to 10 months and therefore it is expected that the project may not go out to bid for a year to a year and a half. Howard [Haywood] spoke about the prior process Myrtle Village went through during the original proposal submission.

Question: How will the development be maintained?

Bob explained that NCDF will be the property managers and briefly reviewed the income and expenses and explained that there will be routine repairs and additional funds for reserves. Shelby reported that the full Myrtle Village proposal application, including budgets is on the City of Newton website.

Question: What benefits is the Church getting?

Shelby responded that the Church will receive nothing other than the ability to provide much needed affordable housing. If any income is generated it is expected to go back into the property.

Question: Who is managing the current units?

Shelby stated: Myrtle Baptist Church.

Question: Is there affordable housing that is for sale rather than rental?

Shelby explained that affordable housing encompasses both home ownership and rental units but Myrtle Village will be rental units only.

Question: Why not make this property affordable for sale rather than rental units?

Shelby responded that the church felt it was best to develop this property as rental units given the needs of the community.

Question: Will the property be just like Warren House only on a smaller scale?

The gentleman posing this question reported that he lives in the neighborhood and has been pleased with Warren House as a neighbor. He reported that it is well maintained and that he and his children use the fields. Bob responded that the only difference would be that there will be many less units and all of the units at Myrtle Village will be affordable whereas some of the units at Warren House are market rental.

Question: What about the other developers that come along and want to build?

There were concerns that while this project is only an additional 4 units, other developers will come and propose 7 units here, 20 units there which will ultimately impact density. Bob stated that the impact on traffic and schools is typically minimal with smaller developments and also stated that Newton has to grow and that there needs to be more affordable housing available. Rev. Howard Haywood reminded those in attendance about the number of additional houses that were in that area originally before they were lost through eminent domain when the Mass Pike was constructed.

Bob commented that 4 additional units would have little impact but acknowledged that in the future there could be developments that will impact the density and traffic, but those needed to be addressed to the City when future developments are being proposed.

Comments: There was concern expressed about Prospect Street being a one way during the morning hours and how it should have never been changed to a one way because now the traffic is worse. Parents drop off at the Little Peoples School and park on Prospect Street necessitating her employees to park on Curve Street and now with Myrtle Village there will be additional traffic in the morning.

Shelby responded that since the expectation is that the 3 tenants who live in 12 and 18-20 Curve Street will remain as tenants at Myrtle Village, it is really only the impact of 4 additional units.



LEAGUE OF WOMEN VOTERS NEWTON

#79-12(2)

PO Box 610207 NEWTON, MA 02461 · 617-383-4598
EMAIL: INFO@LWVNEWTON.ORG · WEBSITE: WWW.LWVNEWTON.ORG

Rec'd 28 February 2012, 5:25 pm

Project Name: Myrtle Village

Submitted by: Myrtle Village LLC

CPA Category: Community Housing

Location: 12 and 18-20 Curve Street, West Newton 02465 (Ward 3 or 4)

Cost: \$2,982,814 Total
\$938,063 Requested from CPA (*reduced from \$1,400,264 in pre-proposal*)
\$795,584 From City of Newton federal funds - CDBG
\$617,167 Village Bank permanent loan
\$632,000 Developer equity

Description: Redevelop two existing homes, built in ca. 1880 and 1900, into 7 affordable rental units (for a minimum of 30 years) with a total of 15 bedrooms, with a mix of incomes from 50-85% of area median income.

- ⤴ 1 with one BR, fully accessible
- ⤴ 4 with 2 BR
- ⤴ 2 with 3 BR

The new construction will be a third unit attached to 18/20 Curve Street and two units, one on each side of 12 Curve Street. All will have full first-floor accessibility under MAAB and ADA guidelines.

Will apply for 40B Comprehensive permit and special permit for density and parking. NCDF will serve as consultant.

Because the current operation of 12 Curve Street runs at a deficit, the hope is to be able to begin construction in 4 to 6 months.

Compatibility with CPC Plan and Comprehensive Plan:

- provides well designed affordable housing without displacing existing residents
- increases the overall supply of affordable housing
- uses CDBG funds and CPA funds
- Is smart growth, given its proximity to commuter trains & buses, supermarkets and other amenities.

*Comment on MYRTLE VILLAGE proposal, 8 October 2013, from
T. Arcuri, 31 Auburn Street, Auburndale, MA 02466
(also 38 White Oak Rd, Waban, MA 02468)*

#79-12(2)
page 1 of 1

From: Tammy <tammy0068@yahoo.com>
Date: Tue, Oct 8, 2013 at 3:24 PM
Subject: Myrtle Village
To: "myrtlevillage@gmail.com" <myrtlevillage@gmail.com>

Hello Shelby,

I just wanted to let you know I don't oppose your development and I'm sure you will do a great job to create a successful community while maintaining the Newton way of life. I own the house at the Corner of Auburn and Curve, the white one with blue trim and a side porch.

Please make a great development and be wary of the neighbors and the traffic congestion and community and you will do fine.

Best, Tammy

The Law Office of Tammy L. Arcuri
132 Charles Street, Suite 202
Newton, Massachusetts 02466
617-964-0068 (Telephone)
617-964-1377 (Facsimile)

This e-mail communication, including all attachments to it, contains information from The Law Office of Tammy L. Arcuri that may be confidential and privileged. This information is intended only for the use of the listed recipient(s). If you are not an intended recipient, you may not review, copy, or distribute this message or any attachment thereto. If you have received this communication in error, please notify the sender immediately by e-mail and delete the original message.

The following email was sent to the Chair of the Community Preservation Committee with less than the minimum 48 hours' notice required by Massachusetts law for the public distribution of public meeting materials. It was forwarded to the full CPC and added to the online packet on the day of the meeting.

From: "bin wang" <bin.wang.us@gmail.com>
To: jjf@bostonbusinesslaw.com
Sent: Sunday, November 3, 2013 11:51:13 PM
Subject: letter about Myrtle Village proposal of west newton

Dear Joel :

I am living at Curve St at west newton. I have found that you are the chair of Newton Community Preservation Committee which have a meeting/public hearing to discuss a Myrtle Village proposal on Monday evening.

As you may know, a Myrtle Village proposal is being considered to use \$1,853,858 public funds to build high density 7 rental units at 12 and 18-20 Curve St. My neighbors and I would appreciate your support in stopping this irresponsible and questionable proposal and keep the \$1,853,858 public funds for the project which can really benefit our neighborhood such as open space project at 70 Crescent St. Once the money was given out to commercial real estate company (Myrtle Village LLC), the city can never get it back. The neighborhood has reservations over this proposal for following reasons.

1) Traffic

As we all know, current traffic back-ups on Auburn St, Washington St, Curve St and Prospect St during morning and afternoon rush hours are nearly unbearable. The traffic resulting from the proposed additional 4 units would add to those gridlocks currently taking place on Auburn St & Washington St and Curve St & prospect St.

The main reason for existing very heavily traffic on Auburn st-Commonwealth Ave during rush hours is due to many drivers treat Auburn st-Commonwealth Ave as a shortcut to access I-90 West or I-95 from route 16 and to access free I-90 East from route 30. As the economy is getting better and more drivers are on the road for their jobs, there definitely will be significant increase of traffic backing up on those already very congested street. Adding multi-units houses can make it even worse. The neighborhood cannot absorb the any multi-units housing development.

In additions, unlike the proposal of 70 Crescent St housing developments, this Myrtle Village proposal never considers potential traffic impact on this already congested neighborhood. Therefore, it is not a responsible proposal for city to consider approving.

2) Parking

Based on information provided by developer, Myrtle Village LLC, there are only 1 parking and 2 loading zone spots on its lot. The other 12 parking are provided by Myrtle Baptist Church at church's parking lot which is far away from the rental units. As a result, many unnecessary street parking will be expected at already very congested Curve St and Prospect St. During winter snow time, it will be a nightmare for local residents to drive through this narrow Curve St and Prospect St. For the tenants who live in the units, parking will become an inconvenience of daily life. This is not a desirable situation for an affordable housing project as many eligible people are seniors with less mobility.

Currently, Myrtle Baptist Church did not have enough parking capacity for its weekend/holiday service. During the service time, all street parking and even public unpaved playground behind the church was fully loaded with cars. This proposed parking scenario of Myrtle village could significantly reduce the parking capacity of Myrtle Baptist Church. As results, there will be a significant increase of parking at already fully loaded and congested Curve St/Prospect st /Auburn st and public playground for the church service. It is unfair and unacceptable for local residents of this neighborhood.

3) Property Tax

The parking arrangement of the Myrtle Village proposal is very questionable from property tax point of view. Myrtle Baptist Church is exempt from the property tax. However, the proposed 7 rental units, owned by Myrtle Village LLC, are commercial rental property and not exempt from the property tax. By allowing the 7 rental units to use significant land of the church as its parking lot, this 7 units rental property in fact avoid paying property tax they otherwise have to pay. City of Newton will lose property tax it is entitled to. It definitely creates unfairness for all property tax payers.

4) Conflict of Interest

In April 2012, Newton city housing staff had identified a conflict of interest which involved current tenants at 18-20 Curve St and a church leader who is co-manager of Myrtle village LLC. The following resignation from manager position of LLC seems to have reduced the possibility toward a conflict of interest. However, in reality, the potential conflict of interest has not been completely eliminated since Myrtle village LLC is owned by Myrtle Baptist Church, therefore, its management is strongly influenced by the church leader. For details see Public Memo at <http://www.newtonma.gov/civicax/filebank/documents/44689>.

5) Public Interest

There is a concern about substantial taxpayer money (\$1,853,858) being requested by Myrtle Village LLC for what seems to be a permanent commercial rental development for Myrtle Baptist Church. The developer, Myrtle Village LLC is owned by Myrtle Baptist Church, which is not transparent to the public.

What is the real reason behind not conducting a lottery for tenants' selection of all proposed 7 units even though the Fair Housing regulations require/suggest doing so? Why Myrtle Village LLC wants to prevent the current tenants from relocation? What is the real relationship between current tenants of 12, 18 and 20 Curve St and leadership circle of Myrtle Baptist Church? Why Myrtle villages LLC want to prevent the current tenants from relocation which is actually denying the affordable housing opportunity to other eligible people? All those questions indicate that the purpose of Myrtle Village project is not completely serving the public need of fair and affordable housing. It seems to us that Myrtle Village proposal intends to uses the taxpayer money to serve the interest of Myrtle Baptist Church and its related persons instead of the public. It is even more ironic that Myrtle Baptist Church doesn't pay taxes and yet wants to use our tax money for its own benefit.

Our property tax rate has already been substantially raised to improve schools, infrastructure and safety for the city. Are we looking at even more tax hikes to fund commercial interests?

6) Eligibility for Public Funds

The developer of Myrtle Village projector is Myrtle Village LLC which is owned by Myrtle Baptist Church. Is Myrtle Baptist Church a responsible organization which Tax payers can trust for this huge public funding (\$1,853,858)? Many this neighborhood residents do not think so. The appealing evidence is that Myrtle Baptist Church has intentionally paved/occupied some land of our neighborhood playground behind church as part of church owned parking lot without any legal approval and permission. The neighborhood resident has not heard any explanation and apology from Myrtle Baptist Church on this matter. Myrtle Baptist Church has not expressed any intention to change this situation and return this piece of land to our neighborhood public playground.

7) Density

The proposal acclaimed that Myrtle Village development is in character with the existing neighborhood and do not adversely affect the quality of life of the current neighbors. Our neighborhood mostly consists of single family homes and two-families. it also has existing 5 units property (4600 sf living area on 18500 sf land, FAR=0.28) at 31 Auburn St and 8 units property (10000sf living area on 35020 sf land, FAR=0.28) at 15-29 Prospect St, However, those two properties both have their own parking spots on their lots and the FAR of them is far below than the proposed Myrtle Village development (7600 sf living area on 16000 sf land, FAR=0.47) which obviously violates the newton zoning code. If this proposal gets approved, it will be a residential property with the highest density ever in our neighborhood which undermines Newton zoning regulation.

8) School

The already crowded schools (Williams or Pierce) will undoubtedly feel the effects of an additional influx of kids. Many people have paid a high price to move to a town like Newton for its quality of life and schools. This Myrtle Village project will undermine that.

9) Rental vs. Owning

The neighborhood residents have not got convincing reasons from Myrtle Village LLC to explain why proposed affordable housing units are for rental instead of Owning. It would be more acceptable to most of surrounding neighbors if the proposed affordable housing is for eligible people to buy. We all believe that home owners are much more integrated into the community. We just don't feel that permanent rental units owned by commercial interests fit in this neighborhood.

Based on above reasons, we implore you to consider the negative effects and potential risk that the Myrtle Village housing development may have on our neighborhood and our city. Please deny the funding for this irresponsible housing development and use the saved money for open space project at 70 Crescent St instead. And if that is not feasible, please only allow the building of a reasonable number of housing units - no more than 4 (based on Newton zoning codes) as affordable housing units for eligible people to buy instead of rental.

Thank you for your time, consideration, and understanding. Please feel free to share my letter to other member of Newton Community Preservation Committee.

Sincerely,
Bin Wang

#79-12(2)

From: naturegoddess@verizon.net
To: thesmahan@newtonma.gov, tmccartney@jche.org, swolf@sabusinesslaw.com,
chavens@newtonma.gov, "michael clarke 1" <michael.clarke.1@bc.edu>,
gtanswiston@newtonma.gov, jjf@bostonbusinesslaw.com, dolson@newtonma.gov,
agoldman@newtonma.gov
Sent: Monday, November 4, 2013 5:15:40 PM
Subject: Curve Street, 70 Crescent Street

To Whom It May Concern,

Please note our concern and outrage at the low income rental units proposed by Myrtle Baptist Church on Curve and Crescent St. And asking for Newton funds to do it!!! We can not tolerate more housing in our already congested neighborhoods. Our schools are already overcrowded. Our kids have to get bussed to South. Traffic is a huge issue. AND the church doesn't pay taxes but is asking for our tax money to line their own pockets! Meanwhile, renting low income apartments to relatives! ENOUGH! NO MORE RENTALS in our neighborhoods. Plus, the church claimed at a Crescent street meeting that they didn't have enough parking but yet they are planning to use the church parking lot for tennant use. Stop the building! Give us some open space!

Kathy Mazzola
Rick Mazzola
Valerie Mazzola

79 Crescent Street
Auburndale

Memorandum

To: Alice Walkup for distribution as appropriate to:
Newton Planning & Development Board
Newton Community Preservation Committee
Relevant Newton P & D staff

From: Philip Herr, 20 Marlboro St., Newton MA 02458

Date: November 5, 2013

Re: Myrtle Village Public Hearing

My failure to sign in as one seeking to speak at last night's hearing resulted in an apparently complete absence of positive comments except from those directly connected with the organizations involved. Let me make clear that there are many in the City (including the Housing Partnership) who are aware of and highly supportive of the Myrtle Village proposal. It is an exemplary project, compatible with its context, and asking relatively little from resources other than its own. After a regrettable year-long procedural delay, it deserves prompt approval.

It was regrettable to hear concern expressed regarding Church and thereby project parking on City property, which is the result of a long-ago error by someone regarding a property line. Two years ago I sent a memo to the Real Property Reuse Committee in relation to its consideration of potential reuse of City property on Crescent Street. I noted that such an error apparently exists, and that it would serve all interests to promptly resolve it. I further suggested that following an accurate survey to determine just what the extent of the error might be, there might be a cash-less agreement involving resolution of the parking lot boundary error and the Church conveying a right-of-way to provide public access to a recreation area that otherwise has no such access. I hope that can now occur, without delaying the numerous approvals the project requires.

A public hearing by ZAP is scheduled for November 13th to hear among other items docket #64-12(2) that addresses the preference-handling of affordable units for households displaced by development of such housing. Upon its adoption that should resolve any concerns some expressed at the hearing regarding preference being given to eligible displaced households for occupancy and their impact on the SHI and fairness for all parties, which is a long-overdue.

The Myrtle Church's history gives this development no right to special treatment, but that history does demonstrate the Church's community service and sensitivity, of which this proposal is a concrete example.



#79-12(2)

Memorandum

[via email]

Setti D. Warren
Mayor

From: Kathy Laufer, Chair

Candace Havens
Director
Planning & Development

To: Planning and Development Board
Community Preservation Committee
Candace Havens, Director

Robert Muollo, Jr.
Housing Planner

Date: November 21, 2013

Re: Fair Housing-related testimony at the Community Preservation Committee/Planning and Development Board public hearing held on November 4, 2013.

Members
Kathy Laufer, Chair
Susan Paley, Vice-Chair
Karen Allschwang
Philip Herr
Ald. Ted Hess-Mahan
Josephine McNeil
Sheila Mondschein
Esther Schlorholtz
Keisha Willis

At its meeting on November 6, 2013 the members of the Newton Fair Housing Committee discussed two fair housing related concerns about the Myrtle Village proposal that were raised by attendees at that public hearing. We concluded that in neither case were the applicant's actions inconsistent with Fair Housing practices.

1. IS IT UNFAIR TO GIVE PRIORITY FOR NEWLY BUILT OR REHABBED HOUSING UNITS TO HOUSEHOLDS BEING DISPLACED BY A PROJECT?

Displacement of households in order to carry out development has a regrettable but sometimes unavoidable impact on those persons who are displaced, regardless of the efforts by developers to mitigate and offset the financial costs of that displacement. Federal policy calls for efforts to minimize such impacts. In fact, HUD requires developers to pay relocation fees including the difference between the current rent and the rent at a new location for up to 4 years as well as moving expenses.

In this instance, there are three households resident on the affected premises. All three have been notified of the property owner's intention to conduct development on those premises, and of the developer's offer to enable them to be temporarily relocated until such time as the premises in which they formerly resided are complete and ready for occupancy, as long as those households continue to be eligible in terms of income and household size.

In discussion, the Fair Housing Committee members found no reason to object to that arrangement, but rather applauded it as a commendable effort to minimize the otherwise disruptive impacts of development upon those households.

Newton's Zoning Ordinance at §30-24(f)(8) specifies how eligible applicants for affordable units are to be selected, but it does not specifically enable preference for displaced households. As proposed more than a year ago by this Committee, an amendment to that Ordinance was drafted, clarifying the City's intention to allow such arrangements, and detailing the process through which it is to be implemented. Earlier this week that amendment was adopted by the Board of Aldermen.

Even more importantly for this instance, this development is being proposed under the provisions of Chapter 40B, MGL which enables affordable developments to be approved by the Board of Appeals despite any Zoning provisions with which it does not comply. Should the adoption of the amendment proposed by this Committee not be timely, the Board of Appeals still could properly allow the priority for displaced households. In short, we find nothing inconsistent with fair housing practices in allowing preference to be given to those who will be displaced by the development.

2. DOES PROVIDING PUBLIC FUNDS FOR DEVELOPMENT BY A CHURCH-CREATED ORGANIZATION RESULT IN DISCRIMINATION?

The Myrtle Church is investing a great deal of effort, time, and valuable real estate in support of this development's creation. However, the church is not the developer. The developer is Myrtle Village LLC, which operates independently of the Church. Each step in the development process as proposed will be guided by City, State and federal regulations, including the selection of those households to which the units will be rented, with strict rules regarding qualification of applicants and their selection through a lottery. In any event, there is no prohibition to religious institutions receiving public funds as long as they are used for a public purpose.

The Committee observed that the carefully designed and administered process assures that there will be no religion-based discrimination in the selection process or other arrangements. It is hardly a singular case for a religious body in Newton to provide efforts and resources for the creation and operation of affordable housing: a number of the City's largest providers of such housing were created by religious organizations. In short, we find nothing problematic in use of public funds for this proposed development; rather, we are gratified by the efforts made by such organizations to serve public needs and to promote diversity through housing efforts.

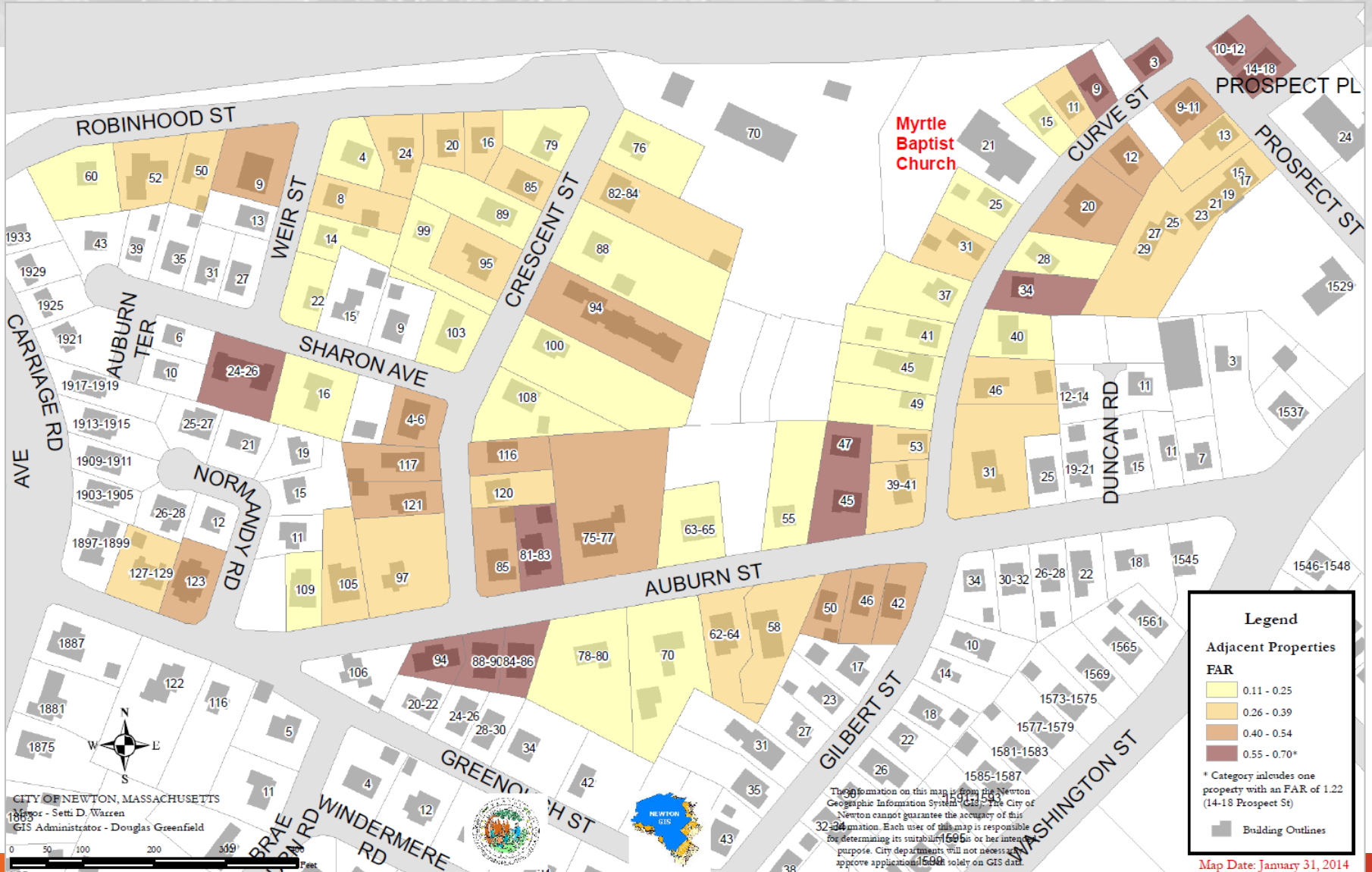
Full presentation was in previous Board packets, but this new slide was added for 4 Feb 2014 presentation to Land Use Committee



#79-12(2)

FAR

MYRTLE VILLAGE COMMUNITY DEVELOPMENT CORPORATION



CITY OF NEWTON, MASSACHUSETTS
GIS Administrator - Douglas Greenfield

The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for their intended purpose. City departments will not necessarily approve applications solely on GIS data.

Legend

Adjacent Properties

FAR

- 0.11 - 0.25
- 0.26 - 0.39
- 0.40 - 0.54
- 0.55 - 0.70*

* Category includes one property with an FAR of 1.22 (14-18 Prospect St)

Building Outlines

Map Date: January 31, 2014

last updated 19 February 2014, A. Ingerson

COMMUNITY HOUSING in NEWTON, Massachusetts								
Public Funding of Recent Projects in Reverse Chronological Order								
Project	Year First Funded	Development Costs			Newton-Controlled Public Funding of Affordable Units			
		Full Project	All Units (incl. Market-Rate)		Full-Project Funding	Per-Unit Funding	Per-Bedroom Funding	
			No.	Per-Unit Cost			All Newton-Controlled Public Funds	All Newton-Controlled Public Funds
unmarked = rehab only ▼ = some new construction ▲ = all-new construction ►► = group/congregate residence								
▼ Myrtle Village	2013 proposal	\$2,982,814	7	\$426,116	\$1,853,858	\$264,837	15	\$17,656
Eddy Street	2012	\$1,115,250	2	\$557,625	\$945,250	\$472,625	5	\$94,525
Pearl Street	2011	\$1,370,000	3	\$456,667	\$1,145,000	\$381,667	6	\$63,611
Veteran House	2010	\$950,000	2	\$475,000	\$675,000	\$337,500	5	\$67,500
▲ Lexington Street (Parkview Homes)	2009	\$5,322,027	10	\$532,203	\$3,086,727	\$308,673	29	\$10,644
▼ Linden Green	2004	\$2,261,394	3	\$753,798	\$912,940	\$304,313	6	\$50,719

Please see staff footnotes on critical information needed to interpret this table that cannot be included in the table itself. Staff will bring footnotes as handouts for 24 February 2014 Finance Committee.



SETTI D. WARREN
MAYOR

City of Newton, Massachusetts
Office of the Mayor

#51-14

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

DAVID A. OLSON, CMC
Newton, MA 02459

2014 FEB 10 PM 6:48

RECEIVED
Newton City Clerk

February 10, 2014

Honorable Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Board docket for consideration a request to transfer the sum of \$500,000 from June 30, 2013 Certified Free Cash to cover the costs of Snow and Ice Removal in the DPW Budget.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE