



Ruthanne Fuller  
Mayor

Barney S. Heath  
Director of Planning and  
Development

**COMMUNITY  
PRESERVATION  
COMMITTEE**

Eliza Datta, Chair  
Susan Lunin, Vice Chair  
Mark Armstrong  
Dan Brody  
Byron Dunker  
Robert Maloney  
Jennifer Molinsky  
Martin Smargiassi  
Judy Weber

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**COMMUNITY PRESERVATION COMMITTEE**

**AGENDA**

**JANUARY 9, 2024 at 7:00 P.M.**

The Community Preservation Committee (CPC) will hold this meeting as a virtual meeting. No in-person meeting will take place at City Hall.

To view and participate in this virtual meeting on your phone, download the “Zoom Cloud Meetings” app in any app store or at [www.zoom.us](http://www.zoom.us). At the above date and time, click on “Join a Meeting” and enter the following Meeting ID: **83408288126**

To join this meeting on your computer, go to: <https://newtonma-gov.zoom.us/j/81326751802>

**One tap mobile: +13092053325,,81326751802#**

At the start of the meeting, CPC members will designate a member to be responsible for reviewing the draft minutes for this meeting.

**ADMINISTRATIVE BUSINESS**

- 1) Review of Existing and Potential Future Projects
- 2) Review of Current Finances
- 3) Review of Community Preservation Trust distribution
- 4) Approval of Minutes
- 5) Administrative Questions from Staff
- 6) Miscellaneous

Please note that the times noted above are approximate and discussions may happen earlier or later in the meeting as needed. Pre meeting packets with additional information on each agenda item are posted on the website before each meeting.

The location of this meeting/event is wheelchair accessible and Reasonable Accommodations will be provided to persons with disabilities who require assistance. If you need a Reasonable Accommodation, please contact the city of Newton’s ADA/Section 504 Coordinator, Jini Fairley, at least two business days in advance (2 weeks for ASL or CART) of the meeting/event: [fairley@newtonma.gov](mailto:fairley@newtonma.gov) or (617) 796-1253. The city’s TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.



## Meeting Materials for January 9, 2024

This meeting is only administrative in nature, to start the new year off.

- 1) Review of Existing and Potential Future Projects – I have attached an updated copy of the potential projects and existing projects worksheets for review.
- 2) Review of Current Finances – Attached is the most recently updated version of the Finances at a Glance document.
- 3) Review of Community Preservation Trust Distribution – As expected, the state match came in lower than previous years, at 21%. Attached is the breakdown of statistics on this match from the Coalition, as well as the relevant pages for Newton from the full report.
- 4) Approval of Minutes
- 5) Administrative Questions from Staff

These are just a few questions that have come up for me so far. I wanted to get the committee's take on these, so I can best advise people who are coming in with applications.

- What questions are most important for me to ask of applicants looking to submit a pre-proposal application? What are you most looking for me to work through with them ahead of them coming to the committee?
  - In the community references section of the pre-proposal application, what kind of reference do we typically look for?
  - How does the lower state match affect the priorities of the committee? Are there any changes in the targets?
- 6) Miscellaneous

# Finances At a Glance

As of January 9, 2023

*Expenses as %  
of total current  
year revenue*

**Fiscal Year 2024**

**Revenue**

Beginning balance	4,323,992
Local CPA surcharge	4,120,278
State match	
Budget for this FY	796,154
Additional from prior FY	714,416
<b>Total Available Resources</b>	<b>9,954,841</b>

*Actual FY23 State Match 38.5%, 20% Budgeted*

**Expenses**

Bond repayment obligations	694,853	12%
New funding authorizations	1,967,119	35%
Administrative costs	182,907	3%
<b>Total Expenses</b>	<b>2,844,879</b>	<b>51%</b>

*Webster Woods  
Includes funding recommended by CPC*

**Current Fund Balance** 7,109,962

**Fiscal Year 2025**

**Revenue**

Beginning balance	7,109,962
Local CPA surcharge	4,264,488
State match	
Budget for this FY	824,056
Additional from prior FY	
<b>Total Available Resources</b>	<b>12,198,506</b>

**Expenses**

Bond repayment obligations	1,560,081	31%
New funding authorizations	-	0%
Administrative costs	182,907	4%
<b>Total Expenses</b>	<b>1,742,988</b>	<b>34%</b>

*Webster Woods, Gath Pool, and Athletic Fields\*  
Includes funding recommended by CPC*

**Projected Fund Balance** 10,455,519

\*The Gath Pool and Athletic Field Bonds will be issued in FY24 - repayment obligations are estimated at this time

## Spending Compared to Program Area Targets

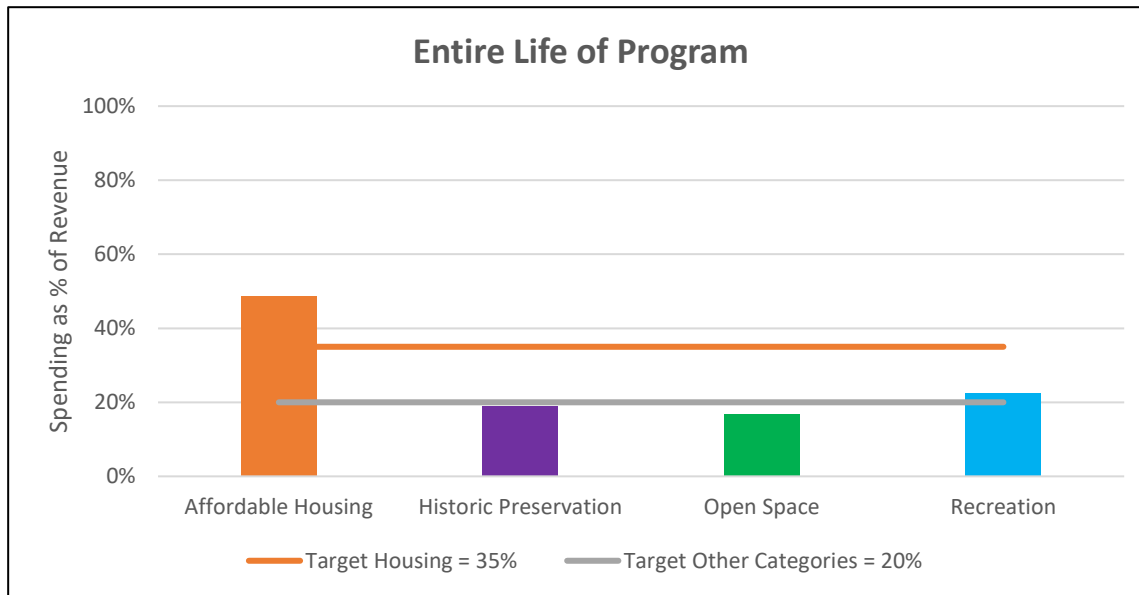
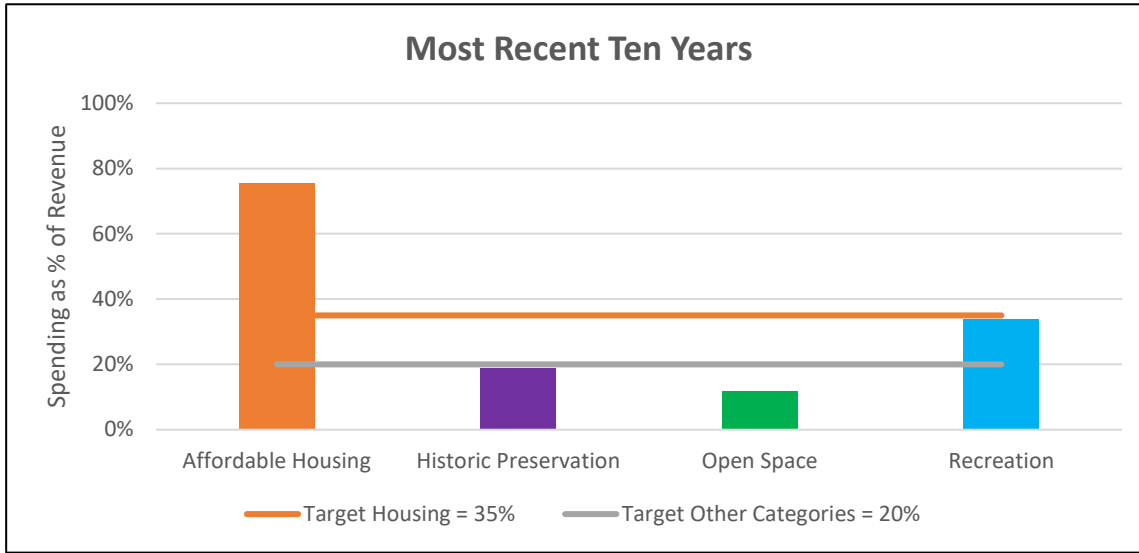
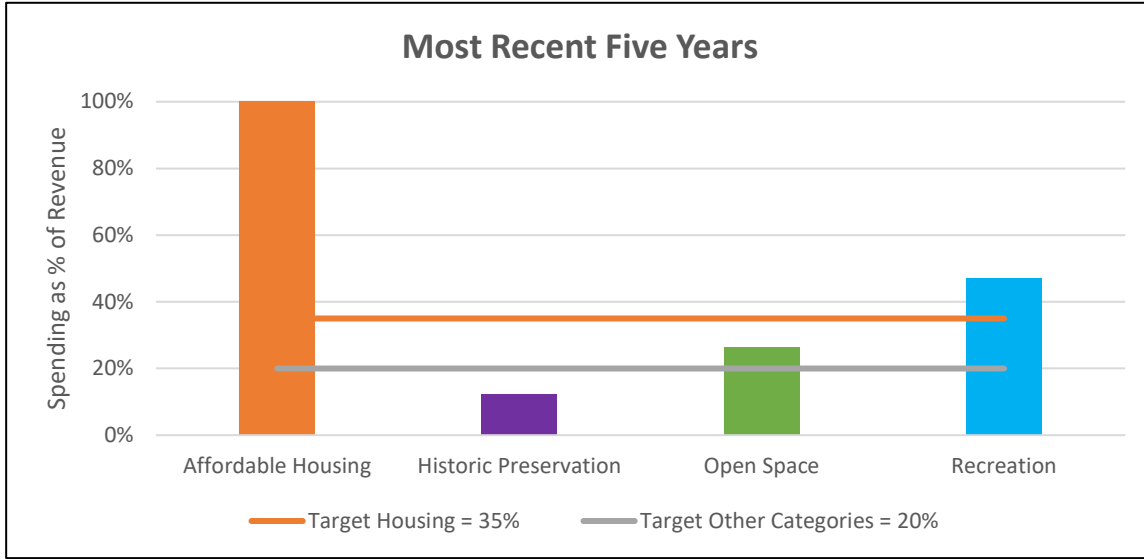
### Comparisons Based on % of Current Revenue

As of January 9, 2023

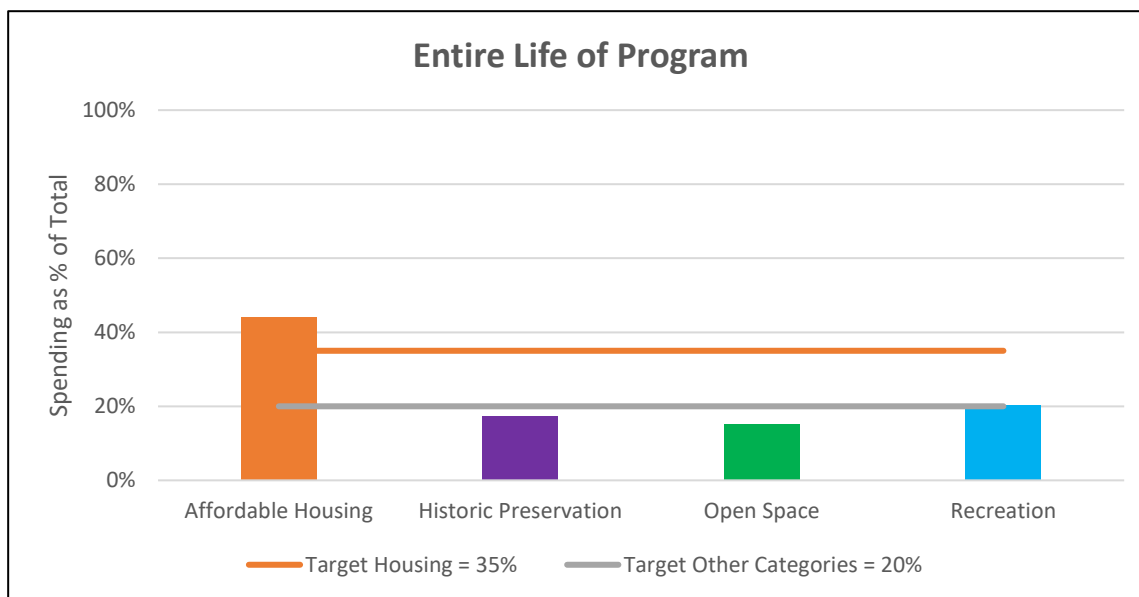
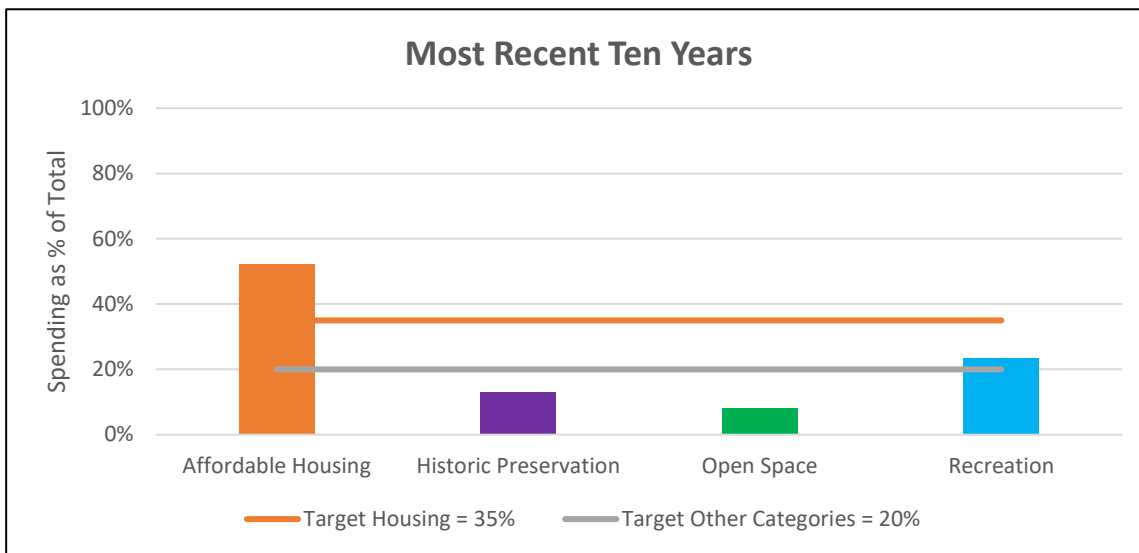
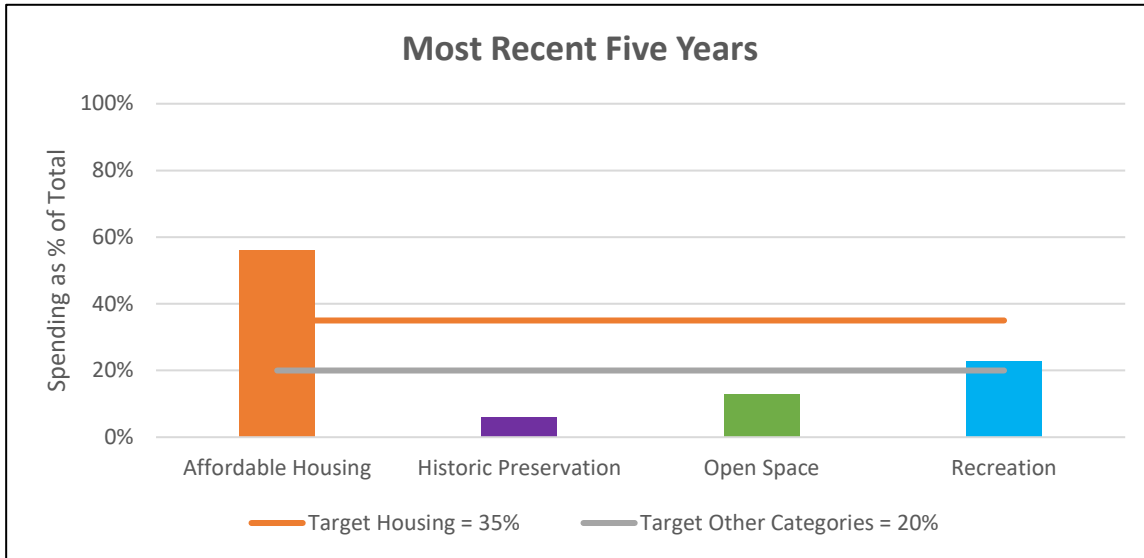
Note: spending on projects funded through bond issues is recorded as a series of annual debt service payments

	Program Area					Total Spending	Total Current Revenue
	Affordable Housing	Historic Preservation	Open Space	Recreation	Administration		
<b>Most Recent Five Years</b>							
Spending	16,802,948	1,754,528	3,823,075	6,791,564	765,085	29,937,201	14,438,093
% of Total Current Revenue	116%	12%	26%	47%	5%		207%
Target %	35%	20%	20%	20%	5%		100%
Percentage Point Difference Between Actual and Target	81%	-8%	6%	27%	0%		
<b>Most Recent Ten Years</b>							
Spending	25,191,172	6,291,367	3,930,575	11,310,311	1,386,427	48,109,853	33,380,071
% of Total Current Revenue	75%	19%	12%	34%	4%		144%
Target %	35%	20%	20%	20%	5%		100%
Percentage Point Difference Between Actual and Target	40%	-1%	-8%	14%	-1%		
<b>Entire Life of Program</b>							
Spending	37,647,002	14,760,781	13,042,453	17,477,806	2,659,425	85,587,468	77,536,558
% of Total Current Revenue	49%	19%	17%	23%	3%		110%
Target %	35%	20%	20%	20%	5%		100%
Percentage Point Difference Between Actual and Target	14%	-1%	-3%	3%	-2%		

# Spending as % of Program Revenue, Compared to Guidelines



# Spending as % of Annual Spending, Compared to Guidelines





# Community Preservation Coalition

*Preserving our past. Building our future.*

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196 CPA Communities



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## November 2023 Statewide Trust Fund Distribution Announced

POSTED ON: NOVEMBER 20, 2023 - 1:17PM

The Massachusetts Department of Revenue (DOR) released the Community Preservation Trust Fund distribution for each CPA municipality today. In total, approximately \$50 million was paid to the 189 communities eligible for a distribution. **All CPA communities received a 21% match on round one of the trust fund distribution this year.** Communities that adopted CPA with a full 3% local property tax surcharge received a higher percentage.

### What Did My Community Receive In Today's Trust Fund Distribution?

Click on the links below for details on this year's distribution and to view the specific distribution amounts for each community:

**> SPREADSHEET: [Click here for the CPA Trust Fund distribution amount for each municipality](#) <**

**>> PDF VERSION: [Click here for the CPA Trust Fund distribution amount for each municipality](#) <<**

### Statistics From This Year's Distribution:

- Total municipalities qualifying for a trust fund distribution on November 15, 2021: **189**

- Match percentage received by municipalities with a CPA local property tax surcharge of less than 3%: **21%**
- Match percentage received by municipalities with the maximum CPA local property tax surcharge of 3%: **Range of 21% to 100%**
- Total payout in first round distribution: **\$43,848,690**
- Total payout in second round distribution: **\$3,763,230**
- Total payout in third round distribution: **\$2,209,496**
- Total payout for all rounds: **\$49,821,416**
- Number of municipalities receiving a full 100% match: 8
- Community with largest Trust Fund distribution: Boston (\$5,472,869)
- Community with the smallest Trust Fund distribution: Gosnold (\$2,376)

### Further Resources:

- **Month-to-month CPA Trust Fund collections at the state's Registries of Deeds**
- To determine the exact distribution each community receives, DOR follows a formula in the CPA legislation that calls for up to three rounds of trust fund distributions. **Learn more about how the statewide trust fund distribution works.**

## Community Preservation Coalition

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November 2023 CPA Trust Fund Distribution							Historical Trust Fund Distribution				
Municipality	FY 2023 Net Surcharge Raised	Round 1 Distribution	Round 2 Equity Distribution	Round 3 Surplus Distribution	Final Total Distribution	Final Percentage Reimbursement	FY20 Match	FY21 Match	FY22 Match	FY23 Match	This Year's Match
NEW BEDFORD	\$ 1,425,856	\$ 299,776	\$ -	\$ -	\$ 299,776	21.02%	\$ 257,800	\$ 331,059	\$ 526,711	\$ 497,463	\$ 299,776
NEW BRAintree	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
NEW MARLBOROUGH	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
NEW SALEM	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
NEWBURY	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
NEWBURYPORT	\$ 1,124,522	\$ 236,423	\$ -	\$ -	\$ 236,423	21.02%	\$ 222,262	\$ 279,827	\$ 441,924	\$ 410,115	\$ 236,423
<b>NEWTON</b>	\$ 3,985,780	\$ 837,983	\$ -	\$ -	\$ 837,983	21.02%	\$ 808,754	\$ 1,009,206	\$ 1,610,207	\$ 1,475,479	\$ 837,983
NORFOLK	\$ 316,238	\$ 66,487	\$ -	\$ -	\$ 66,487	21.02%	\$ 60,716	\$ 76,827	\$ 122,466	\$ 113,208	\$ 66,487
NORTH ADAMS	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
NORTH ANDOVER	\$ 2,306,645	\$ 484,956	\$ 34,801	\$ 22,854	\$ 542,611	23.52%	\$ 474,306	\$ 589,560	\$ 949,942	\$ 854,410	\$ 542,611
NORTH ATTLEBOROUGH	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
NORTH BROOKFIELD	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
NORTH READING	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
NORTHAMPTON	\$ 1,650,068	\$ 346,915	\$ 52,201	\$ 34,281	\$ 433,397	26.27%	\$ 371,121	\$ 473,565	\$ 763,106	\$ 723,870	\$ 433,397
NORTHBOROUGH	\$ 716,935	\$ 150,731	\$ -	\$ -	\$ 150,731	21.02%	\$ 142,157	\$ 180,541	\$ 284,895	\$ 258,869	\$ 150,731
NORTHBRIDGE	\$ 225,768	\$ 47,466	\$ -	\$ -	\$ 47,466	21.02%	\$ 34,479	\$ 46,841	\$ 79,008	\$ 75,758	\$ 47,466
NORTHFIELD	\$ 22,929	\$ 4,821	\$ -	\$ -	\$ 4,821	21.03%	\$ 5,037	\$ 6,188	\$ 9,427	\$ 8,052	\$ 4,821
NORTON	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -
NORWELL	\$ 1,340,813	\$ 281,897	\$ 40,601	\$ 26,663	\$ 349,161	26.04%	\$ 330,874	\$ 411,853	\$ 663,015	\$ 606,912	\$ 349,161
NORWOOD	\$ 809,305	\$ 170,151	\$ -	\$ -	\$ 170,151	21.02%	\$ 148,247	\$ 200,535	\$ 323,844	\$ 297,594	\$ 170,151



Ruthanne Fuller  
Mayor

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Barney Heath  
Director

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## **Community Preservation Committee**

### **DRAFT MINUTES**

**July 11, 2023**

The hybrid meeting was held on Tuesday, July 11, 2023, beginning at 7:00 P.M. Present in Room 205 were Community Preservation Committee (CPC) members Eliza Datta, Byron Dunker, Jennifer Molinsky and Martin Smargiassi and Newton Affordable Housing Trust (NAHT) members City Councilor Alicia Bowman, Tamirirashe Gambiza, Ann Houston, Jason Korb, and Peter Sargent. Community Preservation Committee Members Susan Lunin, Mark Armstrong, and Robert Maloney were also present virtually. CPC Members Dan Brody, Trustee Mayor Ruthanne Fuller, and CPC Member and Trustee Judy Weber were not present at the start of the meeting.

Community Preservation Program Manager Lara Kritzer and Planning Director Barney Heath were also present and Ms. Kritzer served as recorder.

Chair Jennifer Molinsky opened the Community Preservation Committee's public meeting at 7:00P.M. and introduced the CPC members present at this time. Ms. Houston then opened the Housing Trust Meeting and the Trustees introduced themselves as well. Ms. Lunin volunteered to be the first reviewer for the draft minutes of the meeting.

### **Continued Public Hearing on the Warren House Preservation and Rehabilitation Project**

Ms. Molinsky noted that this was the first joint meeting of the CPC and Housing Trust but that both groups had previously heard presentations on the project.

Jeanne Strickland, Executive Director of the Newton Community Development Foundation (NCDF) was present to explain the new materials submitted for review at this meeting. She was pleased that the majority of the members of both groups had been able to come by for a tour of the Warren House over the last month and explained that since May, Gale Engineering had completed the 85% submission drawings and gained two new bids. The project was now estimated to cost \$3.74 million, which was less than the original budget of \$4.16 million. Ms. Strickland noted that the packet included both Gale's estimated cost and the estimates that they had received from Essex Builders and Sugrue and Associates and that Chris Musorofiti from Gale Associates was present to answer any questions on the scope and bids. She noted that they had also updated their One Stop application and that they were now requesting \$2.1 million from the CPA fund and \$1.575 million from the Housing Trust fund. She pointed out that the project would preserve the integrity of the façade as well as the affordability of the units. They were now also proposing to make six additional units affordable at 50% AMI in perpetuity, one of which would be a three-bedroom unit, and to make four additional units affordable at 80% AMI.

Ms. Strickland noted that the funds were not intended to construct new units but will assist with the preservation of an historic resource and create additional affordable housing at a cost of less than \$157,000 per unit. She added that David Levy of Community Associates was present to address any questions on the funding and that Maureen Cavanaugh of PAL was present to report on the possibility of using historic funds. Ms. Strickland stated that at the request of Mayor Fuller, NCDF had docketed a request with City Council to extend the land lease for 99 years which was approved by the full City Council last night. Under the new agreement, NCDF would pay \$1 million in interest over the course of the lease and \$1.5 million up front. She stated that the cost associated with preserving the exterior envelope of the nearly 100 year old building was also significant and that they could not reduce those costs without extending them into the future. Ms. Strickland believed that they were a steward for the site on behalf of City, that the Warren House was a valuable resource to the City and stated that NCDF was committed to preserving the building for the future. She stated that they were asking the committees for this funding to continue to provide this resource.

Mr. Musorofiti stated they he had revised the project estimate based on the updated scope of work and felt comfortable with the updated numbers. He noted that there had been a question of value engineering but that there was not much that could be done in that regard since it was really just a window replacement project. He noted that they could pull out some of the masonry work but that that would just need to do in the future and that they could use wood for some elements but that that would require more maintenance.

Ms. Cavanaugh stated that her company, PAL, included preservation planners and that they had been asked to speak to the possibility of using a Massachusetts Preservation Project Fund (MPPF) grant for the project. She explained that the MPPF program was run by the Massachusetts Historical Commission (MHC) and that they typically issued small grants which were between \$10,000 and \$100,000 in her experience. Another option was Historic Tax Credits, which she had helped NCDF with in 2009 and 2015 to fund the previous two phases of the project. She noted that this was the third phase in a long term planning effort and that it was unfortunate that they had not taken on the window replacement in the past as the landscape has now changed and the National Park Service is now focused on restoration over rehabilitation programs. She explained that the Tax Credit Program had been founded to encourage developers to work on buildings which they would otherwise not want to work on. She had seen the windows at the Warren House and agreed that they are in bad shape but in her experience, it was likely that the Massachusetts reviewer for the National Park Service (NPS) would want those windows to be restored instead. Explain example working on elsewhere where getting a lot of pushback on having windows rebuilt instead of replaced. Ms. Cavanaugh expressed her concern that if this project was submitted to NPS they would say that the windows looked great and would never allow the windows to be replaced. She thought that if they did submit the project they would also need to consider the cost of rebuilding all of the windows. However, the NPS did not usually look at the costs of a project, particularly the Massachusetts reviewer.

Mr. Smargiassi stated that he had done similar projects in the past and had always replaced the windows and was very surprised by this change. Ms. Houston stated that she understood their frustration with the Park Service and asked if the MHC provided any funding for masonry and roof work or if it would be possible to go back to them for funding for the windows. Ms. Cavanaugh stated that the MHC would view the project similarly to the NPS and would not allow window replacement in a state credit project. She noted that they had recently seen this in the Dracut Center School project. Mr. Korb stated that he had not had that problem with MHC but had had issues with NPS. He agreed that Ms. Cavanaugh is the expert in this area and that what she had to say on this topic is gospel. He suggested that they put together a package to send to the MHC for an advisory

review to see if the work would meet the substantial rehabilitation test. If yes, then Mr. Korb believed that the project would qualify for both federal and state tax credits. He thought that this could mean up to \$1.8 million in funding for the project between the federal and state tax credits. Mr. Korb explained how this might work and that while he understand timing was an issue. However, he thought that to dismiss this option without going through any of the reviews concerned him as he felt that the MHC was more reasonable. Ms. Houston agreed that this was an excellent suggestion and suggested that they keep moving forward with it.

Mr. Sargent asked if there were any possible energy credits associated with the new windows. He noted that there were lots of windows and wondering if that had been considered. Mr. Levy stated that he was trying to get an answer out of the State's Department of Energy Resources (DOER). He stated that this was the only other source of funding that they had been able to find. He noted that they would need matching funds for DOER funding but that they would not need those for the LITEC or other sources. He was not sure about the exact amounts available but believed it was \$40,000 per window unit. Ms. Sargent asked if the LITEC funds would include historic funding. Mr. Levy stated that he was not sure but would keep trying to find out. He added that time was the biggest issue here and that if they kept putting off bidding and contracting, the funding amount would continue to be an issue. Ms. Houston stated that she agreed and understood the situation. Mr. Levy agreed to keep talking to the potential funding sources and trying to work with them.

Mr. Korb noted that Mass Saves has an affordable housing audit program which considered the whole building as well as one programs that could help with the windows. Mr. Levy stated that they would look into it but that he had been told that they did not consider projects if they were only replacing the windows. Mr. Korb asked if they had looked into the new Climate Bank funding available from Gov. Healey. Mr. Levy did not think that fund would work for them and did not think that there is any real savings available from the energy efficiency work they were doing. He also noted that those funds were a loan and not grant funds. Ms. Strickland added that MassSaves programs did not work for Warren House as it was only 42% affordable and those programs were for sites with at least 50% affordable units. Mr. Levy stated that they had also talked with the City about the possibility of using ARPA funds for energy savings, had considered for a match but will keep working on this question.

Ms. Molinsky asked staff to review the past history of the project and ground lease. Mr. Heath stated that the original ground lease was made in 1991. The agreement was for NCDF to pay \$75,000 a year for 20 years which amounted to \$1.5 million over the life of the ground lease. Since 1991, the City has only received one negligible payment. In addition to the principle, the City was now due interest on the unpaid amount which was initially set at 8% so that the current amount due is now the original \$1.5 million plus \$2.4 million in interest. Discussions have been going on for some time on how to address this amount and structure the new land lease, which would need to go to the state legislation for approval as a home rule petition. The City had agreed to waive T1.4 million of the interest owed and to give NCDF until 2064 to pay the remaining \$1 million, at which point they would only owe regular payments until end of lease. The principle of \$1.5 million was to be paid back as part of the building's refinancing. As part of this agreement NCDF would also make four more units affordable at 80% AMI. This would mean that the building would go from a total of 21 to 25 affordable units, or 42% of the building.

Ms. Houston asked where the \$1.5 million would go and Mr. Heath answered that it would be added to the City's general fund. Ms. Kritzer then gave a brief review of the historic preservation work previously funded on the building using CPA funds.

Mr. Sargent and Mr. Korb both commented on the high level of taxes paid per unit at Warren House. Ms. Strickland stated that she had consulted with their attorney and the taxes are in line with those paid by other affordable housing units in the City. She added that they were also in line with the other units owned by NCDF. Mr. Korb stated that the Massachusetts Housing Partnership has good data on this issue and explained how he had used their help in working on other projects. Mr. Gambiza asked if the property had been recently assessed and Ms. Strickland answered that they were considered every year. Mr. Gambiza asked whether restructuring the mortgage to gain more money would impact how the building was assessed. Mr. Korb believed that it would as would the future improvements. Ms. Houston also questioned whether a lower assessment would impact their refinancing. Mr. Korb asked about the abatement process and Ms. Strickland stated that they had used that on other properties but that their attorney did not think that they would be eligible for one in this case.

Ms. Strickland asked if the Affordable Housing Trust would be more comfortable with the project if 42% of units were affordable and the rest were rented at market rate. Ms. Molinsky recapped the suggestions made during the discussion for NCDF to look into other funding opportunities including weatherization funding, historic grants, refinancing, considering tax abatements, and changes to the ground lease. Ms. Houston asked who they were going to for permanent financing. Ms. Strickland answered that they had spoken with Mass Housing, MHP and Rockport Bank. Mr. Levy stated that they could not work with Rockport without triggering Davis Bacon. Both MHP and MassHousing had very similar products but MHP was slightly better on terms and interest rates. He stated that neither had done all of their underwriting yet but that they could share the term sheets.

Mr. Sargent thought that the placeholder rate on their One Stop application was pretty high. He thought that if it was 25 base points lower, the cost could be \$300,000 to \$400,000 lower. He asked if this was an indicative rate. Mr. Levy stated that it was not the rate that they had given him and that he had added a cushion since they did not know when things would happen. Mr. Sargent noted that they had used 7% in the One Stop with a 40 year term and that MHP has some loans available for 6%. Ms. Houston stated that she appreciated the need to have some cushion in the budget. Mr. Levy stated that the financial climate has changed since they had put this application together and that the market might be slowing down. Ms. Houston thought that the rate remained an issue and also noted that while 10% was a common contingency for hard and for soft costs, in this case it was really 20%. Mr. Levy stated that the first 10% was for a design contingency as they did not yet have a hard bid. He explained the reasons for having both 10% contingencies for now and believed they could reduce the design contingency once they had a hard bid. Ms. Houston noted that a 5% contingency was usual for soft costs. Mr. Levy thought that 5% would be too small and had increased it to 10% but thought that they could reduce once things were farther along. He added that he was perfectly comfortable coming back to both committees with a refined and reduced funding request but that things needed to happen in a parallel way in order to meet their timeline.

Ms. Houston stated that she wanted to be clear that the Housing Trust thinks the Warren House is a very valuable, high quality, attractive, resource for low income housing but is concerned with utilizing an enormous amount of the City's resources here and wants to be sure as a first project that the Trustees are being really good stewards of the City's funds. Mr. Dunker asked the applicants how they determined what amount to request from the CPC and the Housing Trust. Mr. Levy thought that the amounts had come from the City and noted that they would be preserving affordable units as well as the historic building. Mr. Dunker noted that the CPC has generally treated historic resource projects differently from Affordable Housing ones and has required significant leveraging for other historic resource projects in the past. He noted that they had turned down a City Hall project in the past because it did not include any leveraging.

Ms. Houston suggested that they look at the funding from a per unit cost, in which case the affordable share was \$1.543 million so the Trust would be carrying a slightly higher percentage than the CPC. Ms. Molinsky agreed that the affordable housing was important but that they next need to consider the historic resource issues.

Mr. Korb expressed concern with the ground lease funds going into the City's general fund. He did not understand why they would require this when the City had the ability to defer the whole thing or to push it out to 2064 and reduce the current project cost. He thought that this was a great project but that they were being asked to essentially move Trust funds to the general fund and that there should be more reason for the charge than that it was included in the 1991 agreement. Mr. Heath noted that the building was 42% affordable with the rest of the units rented at below market rates. This use was separate and apart from the lease payment and he thought the project was appropriate to consider for funding. Mr. Korb reiterated his concern that the City was taking affordable funding and moving them to the general fund. Mr. Gambiza asked if there is a way to project out what the affordable units would cost if they were brought to market rates. He wondered if it that would be 1.5 million and it was noted that the market rate units were already rented at below market rates. He thought that the difference between the market and additional affordable rental costs could justify the funding.

Ms. Houston noted that the repayment of the land lease was a serious issue and thought it would be useful to sit down with the Mayor to talk this through at the Trust's next meeting if possible. She stated that one additional Housing Trust issue was that when Trust funds were used the new affordable units must have a perpetual restriction. She proposed that all 25 affordable units be perpetually restricted with this funding as it would make the per unit costs much more palatable. Ms. Strickland stated that they would agree with all 25 affordable units being restricted through either the term of the ground lease or in perpetuity. Ms. Strickland also agreed that it would be helpful to have the Trustees discuss this with the Mayor as NCDF had been negotiating on this issue since 2018 and would be grateful for any amount that could be forgiven.

Ms. Molinsky opened discussion to public comment at this time. David Koven stated that he was a member of NCDF's Board of Directors and had written a letter of support. He thanked staff for their guidance and thought it would be good to have the Mayor or her staff meet with the Trust. There were no further public comments at this time. Ms. McNeill stated that given the back and forth with this application, she hoped that the public comment period would remain open so that the public could comment as it continues.

Mr. Korb asked if the project still had investors. Mr. Levy stated that the project had multiple investors, including a few people who have been around since the beginning and did not want to get out of the project at present. He stated that they were working with the investors but that none of them had seen any funding from the project in years.

Committee members reviewed why the discussion was beginning with the Affordable Housing components. Ms. Datta noted that this is the first joint application to come to both the Housing Trust and CPC and that both groups were learning how to work together on this project. Mr. Smargiassi asked if the Committees could do a soft approval of a few of the project pieces. Mr. Sargent believed that they could and proposed that the Trust issue a soft funding commitment while the specific items are moving forward. It was suggested that the first step of meeting with the Mayor be done before the Trust approves that funding. Trustees agreed that that discussion would be helpful, noting that this was their first project and that they were under the public eye as the stewards of these local and

state funds. Trustees felt that once they had met with the Mayor that they would be ready to give a soft commitment while the applicants sought additional information.

Ms. Houston believed that there would be other project elements that will need clear decisions as quickly as possible. She noted that the Trust generally have a two week review period for funding applications and that she still wanted information on how taxes were appraised, an understanding of how restricted units were assessed, a timeline for moving forward with the advisory review with the Massachusetts Historical Commission (MHC), and information on a possible application for Dept. of Energy funding for the July 20 meeting. She also asked the applicants to provide financing term sheets. Mr. Levy and Ms. Cavanaugh agreed that the MHC does not do advisory reviews and will not provide comments during their formal review process. Applications were due by Aug 31 and they would receive comments by January 2024. Mr. Levy thought that they would begin moving forward with that review process.

Ms. Houston asked the applicants to include in a cover letter the information on the MHC review. Ms. Sargent also asked that the applicants include the Massachusetts Housing Partnership (MHP) information on their intended rate. Mr. Korb stated that the MHP was a great lender for tax credit projects but wondered why NCDF was not looking to local banks here and requested term sheets. Mr. Levy spoke to the potential use of local banks and stated that they were trying to avoid using a construction loan and wanted to have a streamlined process. Mr. Sargent moved that the Trust is very supportive of and believe in the Warren House Preservation Project and is ready to issue a soft commitment with the understanding that there will be a meeting with the Mayor and others to clarify the process address existing issues and that the applicant will submit additional information on the real estate taxes, loans, and leveraging. Mr. Korb seconded the motion and all voted in favor.

The CPC continued the discussion with a review of the Historic Resource. Ms. Datta thought that a lot of the previous conversation on other potential funding sources answered the questions the CPC's questions. She noted that this was a significant request for Historic Resource funding and that the most recent similar request had been for \$1.4 million to Grace Church, which had been required to fundraise for 50% of their project costs. She liked where the Trust was landing with their follow up items and leveraging questions. Ms. Datta added that if there were savings found in their review of the project costs, that there should be a discussion between the CPC and Trust as to how the savings should be shared. Ms. Houston agreed and suggested that it be divided on a pro rata basis.

Mr. Maloney reminded members about the CPC's funding goals and that the Historic Resource category had only reached 12% of overall spending in the last five years. He also noted that there were other potential historic resource projects that were anticipated to be submitted soon. Ms. Molinsky agreed that both the project and improved funding leveraging was important and stated that she would like to develop a process for the joint review of these projects. Mr. Levy noted that NCDF would be putting \$600,000 of its own funding into the project. Ms. Molinsky asked if there was any way to break the project up into phases. Ms. Strickland stated that they were continuing to work with Gale Engineering on the designs and would focus on addressing these questions as well as the leveraging ones. Ms. Strickland stated that they would work towards completing the construction documents and the MHC review process and to get additional funding information and term sheets. She thought that this would be as far as they could go without funding approvals and added that they were currently absorbing most of the project costs through operations and would be repaid with the refinancing funds. Mr. Levy clarified that the rest of the refinancing funds would be used to pay off the second mortgage held by Mass Housing.

Mr. Smargiassi stated that he would be supportive of funding a smaller amount at this early stage and asked if a soft approval would be helpful. Mr. Levy stated that it would be as they were lining up the project for Spring 2024 and had seven months yet to complete it. Ms. Datta agreed that she would like to give the applicant's a decision that allows them to move forward and suggested that they move to make a hard commitment to approve some funding with the invitation to come back in the future when they have final numbers. Ms. Molinsky agreed but was unsure what the number would be at this time. Mr. Levy stated that it did not have to be a lot, that a commitment of a few hundred thousand would be fine for now, and that they could put a number together. He thought that getting that type of commitment would signal that the City was serious about giving some project funding and would be a great first step.

Ms. Strickland stated that she will forward the requested letters on the project's process and the term sheets to the CPC's staff. Mr. Levy noted that the Warren House was also a City resource as NCDF only holds a ground lease. Ms. Datta was comfortable with the CPC issuing a vote of support now with the idea that the applicants can come back in the future for additional funding once they have additional details. CPC members discussed the next steps for the project and agreed that a vote of confidence from the CPC could be helpful for finding additional leveraging for the project. Ms. Datta moved that the CPC vote in support of this important project and would like to see the Warren House Preservation Project move forward but that more information is needed on the requested follow up items and how any additional leveraging might reduce the historic resource funding request. Mr. Brody seconded the motion and all voted in favor.

### **Public Hearing on the Newton Affordable Housing Trust Annual Funding Proposal**

Ms. Molinsky introduced the Newton Housing Trust's proposal requesting \$1,967,119 million in CPA funding for future funding applications that meet the CPA's requirements for Community Housing. NHT Chair Ann Houston and Vice Chair Peter Sargent presented the application.

Ms. Houston stated that over the last year, the Trust has been organizing and getting its procedures and documents in order. The Trust wants to set clear priorities with other housing groups on the types of affordable housing that it wants to promote in the City and create ways to support it. In particular, Trustees have been considering ways to use the funding to support affordable housing production and looking at how the Trust can encourage more developers to propose new projects in Newton. Ms. Houston explained that what the CPC could see in this request is that the Trust needed enough money to be able to really do something. Even at 35% of the CPA funds annual allocation, more funding was needed and the Trust was looking for other options but would need this amount at a minimum to stimulate more affordable housing.

Ms. Molinsky thought that it was fortuitous that this application had come in at the same time as the first joint funding review and stated that it was enjoyable to see the Trust in action. She asked if there were any future projects that the Trust was anticipating. Mr. Sargent noted that most large scale projects were stalled at the moment but that there were whispers of potential projects that might be coming in. For example, there was a chance that a portion of the Dunston East development might move forward as an affordable housing project. Mr. Sargent also noted that the W. Newton Armory had been unexpectedly fully funded this year by the state. If there were no large projects on the horizon, then they wanted to consider ways in which they could parcel out some of the funding to broaden the developer base, develop some smaller projects, or seed some larger projects. On projects like the Dunston East development, Trust funding could be used an important means of deepening the affordability of the inclusionary zoning units. Mr. Sargent also noted a couple of other stalled projects that could be a part of this process.



Mr. Dunker noted that the CPC had also been discussing how to reach out to smaller applicants to let them know that project funding was available. Mr. Sargent stated that this it would be great to share resources on these issues. Ms. Datta explained that the CPC had held an information session targeted at potential new projects and applicants. Ms. Houston explained how the Trust had met with UCHAN, a local affordable housing group within the community, to discuss how they could work with the Trust spread the word and that she had also spoken with the interfaith council about future possibilities. Ms. Weber thought that there were opportunities for additional production and noted that the Newton Housing Authority (NHA) had just completed a strategic plan and were considering where they had places to build or other opportunities for projects like Haywood House. She thought that the Trust might hear from the NHA in the future.

Ms. Houston stated that the Trust has also worked to be an important voice in helping to add additional affordability elements to the new village zoning legislation which they hoped would pass in time to qualify for the MBTA communities requirements. She explained that the new legislation was structured to allow more by-right construction in village centers and on smaller parcels in order to open up opportunities and hopefully help to level the field. She believed that this could lead to significantly more affordable housing and was looking forward to seeing that piece done and the process moving forward.

Ms. Datta stated that she had read through the Trust's guidelines and thought that it was great to see the progress that they had made. She had interested in how the Trust would address the question of leverage and had not seen this called out in the guidelines. She asked Trustees how they were thinking about this issue and also asked about how they might also address the sustainability feature of CPA funding. Ms. Houston thought that these were both terrific questions. She explained that the Trust had approached potential future funding as primarily a gap filler but she was not seeing that spelling out any leveraging requirements would be very important. She noted that the Trust had originally planned to test out the guidelines for six months and see if any revisions were necessary. She thought that since they had received fewer applications that they might want to extend this for a year but expected that the Committee would still want to come back to this again in the future. As for sustainability, she thought that this had become such a large part of affordable housing development that they did not need to specifically call it out. Mr. Sargent agreed and saw the guidelines as a living document that will change over time. He stated that he had not wanted to see them start out with anything too large.

Ms. Datta thought that one reason that the W. Newton Armory project had been so successful in gaining State funding was that the City had made its commitment to the project clear with early funding and she wanted to see this continue. Ms. Houston agreed and stated that the Trust wanted to be clear throughout the City as to the types of housing that they were supporting. She also agreed that early money was very important to leveraging other funds. Mr. Sargent stated that he also did not want to discourage anything that they may not yet have considered and wanted to provide guidance but not suggest that these were the only examples.

Mr. Smargiassi stated that he loved what the Trust was doing and fully support it. He asked how they would go about deepening affordability or introducing more affordability into a project that did not already have it. Ms. Houston stated that the Trust would go in and negotiate to buy down some of the development costs and noted that every unit that The Trust put funding into had to be deed restricted in perpetuity. The question of affordable housing priorities was discussed and Ms. Houston noted that she had heard from the housing advocate community that the greatest need was for deeply affordable (50% AMI and below) family housing.

Mr. Sargent noted that they did not want to say specific numbers and preferred to work with developers as guides to see how deep the affordability could go and still make the project work. Ms. Houston thought that they first needed to decide on priorities, what the City's goals are for affordability, and then work on how the funding can be focused to achieve it. Mr. Sargent noted that in the Warren House project, the Trust had requested that one of the new one bedroom units be replaced with a 3 bedroom unit and thought that they needed more flexibility for those types of deals.

Mr. Smargiassi asked if the Trust had any active developments on the horizon. Ms. Houston stated that there were a number of large developments currently in the works and that there might be opportunities to work with them to increase affordability in those projects right now. She also noted that municipalities were often not best suited to actually developing new housing. Ms. Houston added that the Trust would also have Inclusionary Zoning funds in the future as well but that these were less reliable. If the Crafts Street project moved forward, they could expect a large payment in the future but this was not something they could count on yet and other smaller payments would fluctuate. It was noted that 7–9-unit projects could also provide payments and that other sources might be identified but that the CPC continued to be the Trust's main funding arm. Ms. Houston agreed with the idea of doing more development in the future and thought that they might get to that in the future but that right now it was a big ask. Ms. Weber asked when Inclusionary Zoning funds came in to the Trust. Mr. Heath answered that it was usually when the Certificate of Occupancy or Building permits were issued.

Ms. Molinsky opened the discussion not the public. Josephine McNeil spoke on behalf of UCHAN which had taken the position that Newton needed to create housing units for families that are below 50% AMI. She appreciated the fact that Ms. Houston and Mr. Sargent had spoken about not wanting to be too prescriptive but thought that given the depth of the housing crisis, it was crucial that units be created for lower income households. She stated that she would be coming to the CPC to request that they allocate more than 35% of their annual funding to the Housing Trust. She noted that the people who serve this community cannot afford to live in the community and that no housing units had been created for families below 50% AMI in the last five years. She wanted to make everyone aware of UCHAN's upcoming campaign on this issue. Ms. Molinsky closed the public hearing following this public comment.

Mr. Smargiassi moved to approve the Newton Affordable Housing Trust's request for \$1,967,119 in CPA Community Housing funds to be added to the Affordable Housing Trust Fund for future Community Housing eligible project as submitted. Ms. Weber seconded the motion which was unanimously approved. Mr. Armstrong left the meeting during this discussion and did not take part in this vote.

### **Final Report on New Art Center/Church of the Open Word Restoration Project**

Executive Director Emily O'Neil and Architect Michael Kaufman were present on behalf of the New Art Center for this discussion. Mr. Kaufman had prepared the final report which had been sent to CPC members prior to the meeting. Ms. O'Neil thanked the CPC and explained that it had taken 18 months of tremendous work on their part, including hundreds of hours from their building committee, to complete the building assessment and plans submitted with the final report. Unfortunately, the outcome of the project was that they could not come to an agreement on the price of the property with the Church. While she thought it could have been a fabulous home for the New Art Center, they were no longer pursuing the purchase.

Mr. Kaufman stated that they had learned a lot about the church and parish house which was now detailed in the report and had completed an extensive existing conditions survey as well. The main thing that they had taken away from this research was that the parish house would probably need to be demolished in order to use the site for anything in the future. He explained that they had done a plan for the new facility both with and without the parish house and had discovered that the one with the parish house was both inefficient and expensive. He thought that this would also be the conclusion of whoever else tries to develop that property. He stated that they had put their hearts and souls into this project and were very disappointed. The New Art Center was now back out looking for other places to go and would be back in touch if it found another historic site.

Ms. Molinsky stated that she was sorry to hear this as both a fan of the Newt Art Center and this site. She asked how far apart the two were on the property price. Mr. Kaufman answered that they did not know for sure as the church had simply not accepted their offer. He noted that the property was now nominated to be a local landmark, though, and that this could change any future plans for the site. Ms. O'Neil added that she was still holding out hope while exploring other options. The church had the property with a commercial broker now and she thought that they might have realized the value of their project once they went down that road. She noted that the New Art Center had always been very clear that they would not be the deepest pockets, but that the congregation had liked the vision and community use for the site. This rhetoric had changed once price negotiations began and they had been disappointed and surprised by the change in direction.

Mr. Maloney asked if the applicants could provide the New Art Center's proposed purchase price. The applicants answered that they were not ready to do that in case the property came back to them in the future. They had heard that their offer may have been a million dollars off what the church was looking for but Ms. O'Neil stressed that they had made a fair and competitive offer.

Ms. Molinsky thanked them for their work and stated her regret that the project had not worked out. Mr. Kaufman stated that a lot of the work that the CPC had funded would be very helpful for another project. He noted that they had learned a lot about what the New Art Center would now need, but that the specific site information would be less useful. Ms. O'Neil stated that they have gotten phone calls from other non-profits who were looking at this space as well. Ms. Datta moved to accept the New Art Center's final report on the Church of the Open Word Restoration Project and to release the final CPA funding payment. Mr. Maloney seconded the motion which passed unanimously.

### **CPC Annual Officer Elections**

Members briefly discussed the Chair and Vice Chair positions and responsibilities. Ms. Molinsky moved to nominate Ms. Datta to serve as Chair. Ms. Weber seconded the motion which passed by unanimous vote. Ms. Datta then nominated Ms. Lunin to serve as Vice Chair noting her experience working with the CPC and Conservation Commission. Ms. Lunin stated that she was also the Vice Chair for the Conservation Commission and accepted the nomination. Mr. Maloney seconded the nomination which passed by unanimous vote.

Ms. Lunin moved to adjourn the meeting. Mr. Maloney seconded the motion which passed by unanimous vote. The meeting was adjourned at 9:25P.M.



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Mayor

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Barney Heath  
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## **Community Preservation Committee**

### **DRAFT MINUTES**

**August 8, 2023**

The virtual meeting was held online on Tuesday, August 8, 2023, beginning at 7:02 P.M. Community Preservation Committee (CPC) members present included Mark Armstrong, Dan Brody, Eliza Datta, Byron Dunker, Robert Maloney, Jennifer Molinsky and Martin Smargiassi, and Judy Weber. Committee Member Susan Lunin was not present for the meeting. Community Preservation Program Manager Lara Kritzer was also present and served as recorder.

Chair Eliza Datta opened the Community Preservation Committee's public meeting at 7:00P.M. and introduced the CPC members present at this time. Mr. Maloney volunteered to be the first reviewer for the draft minutes of the meeting.

#### **Pre-Proposal Review for the Family Access Davis School Renovation Project**

Family Access Executive Director Maureen Lister introduced herself and explained the comprehensive family services which Family Access provides. She explained that Family Access was founded in 1907 as a day nursery for local laborers and is located in the former Davis School at 492 Waltham Street. She explained how the building was used as a hub for community programming and how the public uses of the facilities includes both sports and local organizations. She also noted that they had a family pantry area which provides diapers, formula and clothes. Ms. Lister stated that 70% of their clients were low-income households and that English was not the first language for 80% of program households.

Ms. Lister stated that their program provides inclusive, high-quality preschool and childcare programs. She noted that they currently have about 100 kids in their program which was growing back again after Covid. She stated that they had served two generations in some families with clients coming from 10 different cities and towns and speaking 5 languages. Ms. Lister reviewed their programs and noted that they also provided counseling and parenting services.

Ms. Lister explained that their childcare programs are licensed through the state and that Inspectional Services had recently determined that their classroom spaces needed to be upgraded to meet building code requirements. Currently 80% of their classroom spaces were not compliant for small children and would need to have either direct outdoor exits or sprinkler systems added. They had completed a Phase I evaluation of the spaces and developed 14 potential options for this work in April. Phase II, the feasibility and hazmat study, had just been completed last week. Their Board had voted to complete design work for 10 of the options and were considering sprinkler systems versus new building changes. They hoped to have this work completed by Spring 2024. In the meantime, Family Access was looking for matching funds and were planning on a capital campaign, debt

financing, and other grant sources to reach their goal. Ms. Lister stated that their CPA funding request would be used to update and preserve the building and its accessibility.

Ms. Datta opened the discussion to Committee Member questions. Mr. Maloney asked who had determined that the building was historically significant. Ms. Kritzer noted that the building was already listed on the National Register of Historic Places which automatically qualified it as an Historic Resource under the Community Preservation Act. Mr. Armstrong asked if the project was expected to cost \$800,000 and what percentage of the total costs would be covered by soft costs. Ms. Lister answered that the project would cost about \$1.25 million with \$800,000 going to construction costs including construction management and remediation. She noted that they had already spent \$70,000 to have Gale Engineering complete their consulting work on the building and would be asking for CPA funds to cover construction costs. She added that the final proposal would be more specific in that regard.

Mr. Maloney asked about the basis on which Gale had been engaged. Ms. Lister stated that they have an estimate from Gale for them to provide construction management services as well as the preliminary design work. Mr. Maloney asked if Gale would manage the remediation and design work and Ms. Lister answered yes. Mr. Maloney stated that the estimated \$375,000 budgeted for this work was a percentage fee he was not used to seeing but that it would make sense if Gale was overseeing the project from beginning to end. Ms. Lister stated that they were currently paying Gale on a proposal-by-proposal basis but would firm up the estimated costs once they had more specific details on the project.

Ms. Weber stated that she was predisposed to support this project but that the sense of costs for the work was not fully developed and might yet change. She asked how programming would be impacted while they were completing this work. Ms. Lister stated that they were working with their second feasibility estimate and were still in the \$800,000 – 900,000 range for construction but agreed that there would be no final costs until they had the designs in place. She noted that they would need to be open during construction and offering some childcare and would need to plan this systematically so that uses moved between spaces or work was done at night in order to allow them to remain open.

Mr. Smargiassi asked about the fire service requirements and whether a sprinkler system would be a major cost. Ms. Lister stated that that would depend on the options used. Mr. Smargiassi asked if they had any existing water sprinkler services. Ms. Lister stated that they would need to bring in a water shed for the sprinkler. Mr. Smargiassi suggested that they consider bringing in a design build company that could complete a hydrant flow test as that would help with determining costs. Ms. Lister stated that they had done some preliminary testing and thought that sprinklers were possible. She explained that Phase III work would bring the design to the 60% and 90% point where they would review the designs with Inspectional Services and Fire to scope out any issues. Mr. Smargiassi explained his experiences with this work and encouraged early testing with design build professionals.

Ms. Datta asked how Family Access was prioritizing these options. Ms. Lister stated that Phase II had developed four combinations of options for the work to be done. The first two options had looked solely at construction where they had six classrooms, four of which were not in compliance and one of which must be sprinklered. Another option looked at constructing two egresses in combination with one sprinklered room and the Board had asked to see drawings in order to evaluate the costs of each option. Family Access had looked at temporary spaces early on and narrowed the 14 options down to 4, they were now looking at how these options could be marketed to parents as well. Ms.

Lister expected that they would have more clarity as to the final design before submitting their full proposal.

Ms. Datta asked about the timeline for the project. Ms. Lister noted that in twelve years of inspections, this was the first time these issues had come up and they had reached out to the State on them in September. Their existing Certificate of Occupancy was in place through April, and they were working with Inspectional Services to address the issues. She had been assured that as long as they were working on the issue, they could remain certified.

Mr. Smargiassi thought that new sprinkler systems would be the least invasive solution, would offer better protection for the children and building safety, and would be more cost effective. Ms. Weber spoke to the issue of why this had come up now. She was surprised by the finding and noted that this was not something that Family Access had known about before.

Ms. Datta asked if the Committee had any concerns with the amount of funding requested. She noted that the CPC had other potential large requests coming in the next few months and that they generally preferred applications to request closer to 50% of project costs. In this case, Family Access was requesting closer to 2/3 of the project funding. Mr. Maloney agreed. Ms. Molinsky asked if there were other funding sources available. Ms. Lister answered that they had submitted a One Stop application for State funding and were reaching out to private foundations as well. They were also working with the bank, donors and Mass Housing for funding. She added that they were taking a private approach to these requests at the moment in order to get better numbers. Mr. Brody stated that he was comfortable with the amount requested as this is an important project. He thought that a 1/3 match would be fine and felt that this was a more worthy applicant than most. Ms. Weber agreed and thought that they had submitted a very compelling application.

Ms. Datta asked them to come back in the future with more details on their funding numbers and stated that any efforts to further leverage the CPA funding would be appreciated. However, she agreed that this was a significant local resource that the CPC wanted to support. She also encouraged them to look at incorporating sustainable design elements if possible. Mr. Maloney also asked for more information on the basis on which they would pay and engage Gale Engineering. Mr. Brody noted that there were a lot of Historic Resource projects coming to the CPC's docket and wondered if the Committee should consider prioritizing funding options.

Mr. Maloney moved to invite Family Access to submit a full proposal for funding for the Davis School Renovation and Rehabilitation Project with the additional information discussed during this meeting. Mr. Dunker seconded the motion which passed by unanimous voice vote.

### **Final Report on the Newton Community Farm Farmhouse Rehabilitation and Restoration Project**

Newton Community Farm representatives Paul Holt and Dede Vittori presented the final report for the Farmhouse Rehabilitation and Restoration project. They noted that the newly installed French drains in the basement had saved them from having 6-8 inches of water in the basement today. The project has also included the installation of a new energy efficient heat pump heating and hot water system. The newly completed electrical work brought the building up to code and had included new outlets and exterior lighting. The one thing that had not been completed during the project was the replacement of the kitchen ceiling, which they had decided to skip after learning that it was structurally fine but might contain asbestos. Without the kitchen ceiling, the project was able to be completed slightly under budget.

Committee members stated that they were happy to see the project successfully completed and appreciated the results of the work. Mr. Holt noted that they were now turning to work needed on the barn, where the rear deck had rotted. He explained that they had originally intended to build a cover over the deck but had never constructed it and that the wrong type of wood had been used to build the deck. He stated that the Farm might come back to the CPC in the future for funding for that project.

Ms. Datta moved that the CPC vote to accept the final report from the Newton Community Farm on the Farmhouse Rehabilitation and Restoration Project and take action to close the project and funding accounts. Ms. Weber seconded the motion which passed unanimously by voice vote.

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

Ms. Kritzer reviewed the list of existing project accounts and noted that there were several projects that were complete or on hold with funds remaining in their accounts. Ms. Kritzer noted that the Gath Pool's Phase I project had been completed but that there was still \$1,000 left in the account that needed to be transferred out to be used for other purposes. Ms. Molinsky moved that the Gath Pool Phase I project account be closed and the funds returned to the CPA general fund for use in other projects. Ms. Datta seconded the motion which passed by unanimous voice vote.

Ms. Kritzer next reviewed the past history of the Crescent Street project, noting that it was placed on hold in 2018. Mr. Brody noted that this had been a very controversial project and that almost all of the affordable housing advocates had been against it. He thought that the CPC should take the rest of the unused funding back for the CPA general fund. He suggested that they put the item on the agenda for discussion at next month's meeting. In the meantime, Ms. Kritzer was asked to check with the Law Department, Planning Director and Jonathan Yeo about the project and any next steps.

Mr. Dunker asked if there were any updates on the status of the Boston College appeal of the Webster Woods Purchase. Ms. Kritzer stated that the appeal was still in process in the courts and that the case had been slowed down due to Covid.

Ms. Datta updated members on the Warren House project. She noted that there had been a joint meeting of the CPC and Housing trust, followed by a separate Housing Trust discussion of the project. She shared the Trust's conclusion to offer a reduced amount of funding to NCDF for the work. The Trust was asking NCDF to leverage additional funding for the project by making at least 51% of the units affordable. This would allow them to access \$1.5 million in CDBG funding and could be achieved by making just 5 more units affordable. The Trust had also asked them to consider energy and historic tax credits as well and had suggested a reduced amount that lowered both the Trust and CPC's share of the project funding. Ms. Weber stated that this might not be something that NCDF moves forward with as there were a lot of elements to consider with these suggestions. She stated that NCDF needed to decide if the request would work for their program and project or not. She added that this project was a fascinating experiment with a lot of moving parts.

2Life Communities' Coleman house was also reviewed at this time. Ms. Datta noted that the project had received \$4.2 million when originally funded. The work was now well underway and had hit some unanticipated problems which had raised the construction cost. Members were asked whether they would be open to seeing a new application for additional funding of this project since it had been previously funded by the CPC, or whether it should be shifted to the Trust as an affordable housing project. Mr. Brody thought that it should go to the Trust for funding as this would be a new funding request. He added that the CPC had already given the Trust all of the affordable housing funds which

it might otherwise have used for this project. Ms. Molinsky noted that the Trust was also a faster process, and that funding from that source would require fewer votes overall. Ms. Datta also felt that this was a housing project and should go to the Trust for funding. Members took a straw vote on the question with 7 members voting that the project should be reviewed by the Trust and Mr. Maloney stating that he was on the fence as to whether the Trust or CPC should take on the review.

Members discussed the question of how much funding should be used for affordable housing resources. Ms. Weber noted the history of affordable housing spending in recent years. Mr. Brody noted that when the CPC gave its first funding allocation to the Trust, it could have looked back and decided that they had already spent more than their program target amount on housing. He noted that they had not done this but was reluctant to spend more on that category now. Ms. Datta noted that the CPC had spent an historically large amount first on affordable housing and then on recreation. She thought that the CPC needed to make room for funding other categories at this time.

### **Approval of April, May and July Minutes**

Ms. Weber moved to approve the draft April and May minutes at this time. Mr. Armstrong seconded the motion which passed by unanimous voice vote. Review of the July minutes was continued to a future meeting.

### **Other**

Ms. Kritzer noted that the Finance at a Glance spreadsheet had been updated with the anticipated bond funding amounts.

Members thanked Ms. Molinsky for her work over the last year as the CPC chair.

Ms. Molinsky moved to adjourn the meeting. Ms. Datta seconded the motion which passed by unanimous voice vote. The meeting was adjourned at 8:44 P.M.





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## **Community Preservation Committee**

### **DRAFT MINUTES**

**September 12, 2023**

The virtual meeting was held online on Tuesday, September 12, 2023, beginning at 7:00 P.M. Community Preservation Committee (CPC) members present included Mark Armstrong, Dan Brody, Eliza Datta, Byron Dunker, Susan Lunin, Jennifer Molinsky, and Judy Weber. Committee Members Robert Maloney and Martin Smargiassi were not present for the meeting. Community Preservation Program Manager Lara Kritzer was also present and served as recorder.

Chair Eliza Datta introduced the CPC members present at this time. Ms. Weber volunteered to be the first reviewer for the draft minutes of the meeting.

Ms. Datta noted that she had looked into the CPA budget against the requests coming in. She pointed out that the CPC had less funds coming in now in comparison to the projects requesting funds, noted that several of the new projects coming in were large funding requests, and that the recently bonded projects would begin their repayment periods in the next year.

#### **Update on Webster Woods Project**

Assistant City Solicitor Andrew Lee was present to update the CPC on the status of Webster Woods. He explained that the law department was Law Department had docketed a Request for a Confirmatory Order of Taking with the City Council last week to correct the boundary lines. Mr. Lee stated that when the City took the parcel, they had based that action on the boundaries shown on a previous plan for the site which had now been determined to be incorrect. This new Order would correct the meets and bounds on the plans, which currently had the City taking some of the land which belongs to the adjacent State conservation land. Mr. Lee stated that this action would not impact the legitimacy of the City's 2019 taking of the site.

Ms. Lunin asked if the City could rely on the fact that the new plan is correct. Mr. Lee noted that a prior City employee, Pat Higgins, had found the problem and had corrected markers which were incorrectly located in the field. He added that the discrepancy impacts about 2 acres or less of the site. Mr. Armstrong asked if the change impacted the value of the parcel. Mr. Lee stated that that would be determined by the ongoing litigation. Mr. Brody noted that there had been a few other transactions previously on this site and asked if those had been recorded properly. Mr. Lee stated that he could not speak to those actions but that the erroneous plan appeared to date back to Boston College's ownership of the site and that the consultants working on the litigation did not have any

other issues. Ms. Weber asked about the size of the existing site. Mr. Lee stated that he could report back to the Commission on that tomorrow. He believed the change in the lot lines made about a 2 acre difference in the size of the purchased lot but would confirm this and let the Committee know. Chief Financial Officer Jonathan Yeo noted that the discrepancy was adjacent to the State conservation area so there would be no change in the use of the area.

### **Public Hearing on the Gath Memorial Pool Funding Amendment**

Parks and Recreation Commissioner Nicole Banks, Public Building Commissioner Josh Morse, Project Manager Rafik Ayoub, and Mr. Yeo were all present on behalf of this project. Ms. Banks expressed her excitement to see this project moving forward. She explained that the City had received one bid for the project from a contractor who had good references and reputation and has experience working on similar projects. However, the bid received is \$1.5 million over their previous estimates. Mr. Morse explained the current construction climate and that it was not unusual to receive a single bid or no bids at all for a project.

Mr. Morse explained that they were back before the CPC at this time to request additional funding for the project in order to stay on schedule for an opening in late June 2024. He explained that they had been looking for more matching funds but that it was hard to meet the 20% match requested by the CPC. While they would also be looking for possible savings in the project as it moved forward, he also wanted to note the hard work that they had done with neighborhood groups to develop the project's scope. Mr. Armstrong asked what the percentage over the estimated cost was. Mr. Morse stated that they were requesting \$1.5 million as the project bid was \$1 million over their original estimate and they wanted to make sure they had an appropriate contingency in place. He stated that the total bid was for \$8,188,000 and that the requested funds included the \$1 million in additional funds and the contingency.

Ms. Molinsky noted that the original estimate for the project had been \$13 million last winter and that they had worked to bring down the project costs and focus on community needs. Mr. Morse noted that there were about three contractors who do this type of work and that there were a lot of pool projects underway at present. He pointed out that the current total was less than their previous estimate and that this is a schedule driven project which has contractor challenges.

Ms. Datta asked if the additional \$345,399 in the budget was to cover furniture, furnishing and equipment (FFE). Ms. Molinsky noted that there were a lot of costs backed into the estimate and wanted to make sure that everything that was needed for the project was funded. Mr. Morse stated that they had added more contingency to the project due to cover any potential issues with the demolition of the pool shell due to the leaks. He stated that they might be able to give some of these funds back later in the project but were not sure at this time. Ms. Weber asked if they expected the furnishings and equipment to be covered in the current bid. Mr. Morse stated that the funds for those elements were always in the budget but were now divided out as part of their work to cover the additional contractor costs. Ms. Molinsky asked if the higher bid could be attributed to a lack of competition in the market. Mr. Morse stated that while some material costs had stabilized, others had not and that staffing and a lack of general contractors was an issue as well as the available labor force and the specific type of project to be built.

Ms. Weber asked how the project had previously gone from \$13 million to \$7 million in cost. Mr. Armstrong noted that this might be a difference between the original plan to renovate the existing

pool and the current plan to replace it. Ms. Banks added that they had originally based their estimates on pools constructed in other communities and that the cost had changed as they refined the scope and scale of the project. Mr. Morse stated that the money currently requested was for the developed scope which was based on community input over the last year. He stated that there were no increases in the budget due to changes in scope but that they were increasing the contingency to ensure that the project had enough funds to continue to move forward. Ms. Datta asked if there was anything that they could do to reduce the scope with value engineering. Mr. Morse believed that this would be done throughout the project, noting that this was not about taking anything away from the project but about finding creative design solutions in order to do what the community wanted for less. He added that he was not sure what else could be done to lower the cost aside from requesting a variance for the pool house accessibility. He was not sure that the City would get one, though, or that the community would want to have a less accessible building. Ms. Weber appreciated that this request was coming in without impacting other projects but also wondered if postponing any other planned projects could help to address this issue. Ms. Banks noted that the supporters of those other projects were just as eager to see them move forward. She thought that finding a 20% match for the CPA funding would be hard to do and was open to finding a balance but noted that the less stretched they were, the more they could accomplish. Ms. Banks stated that she did not want this issue to push back this or any other project's timeline.

Ms. Datta opened the discussion to public comment and there was none at this time.

Ms. Molinsky stated that this is an important project which had previously received unanimous support and which they all wanted to see succeed. Mr. Yeo stated that if the Committee agreed to provide the additional funding in a bond, it would be done in January or February. It was also noted that there have been no substantial changes from the assumptions made in the previous bonding decision. Ms. Datta agreed that the CPC has shown support for this project in a big way but also thought that a match was a big part of the funding. She noted that the CPC usually required a 30% match for City projects. She suggested that if the goal was to figure out a way to keep the project moving forward that they should fund the construction overrun but hold off on funding the FFE elements since these would not be needed until the end of the project and might be able to be funded later through other City funds.

Mr. Armstrong asked if there was an issue with the cost of the project and at what point it would make more sense to construct an indoor pool. Mr. Morse stated that it would cost more than \$20 million to construct an indoor pool. He added that the City was putting \$700,000 towards a second pedestrian bridge over the adjacent brook as well as parking improvements, both of which were needed to improve access to Gath pool in the future, which could be considered an indirect funding match. Mr. Morse expressed concern that if the CPC only awarded an additional \$1 million in funding that they could be in trouble with the first project change order. Ms. Banks stated that they had wrestled with the question of indoor vs. outdoor pool facility during the design process and explained that the new pool would be designed to allow a bubble over it in the future. She noted that the project was well supported by the community and felt that it was a great project to move forward. Ms. Banks also noted the other work underway around the City on recreation projects and the great support that they had received from the Committee and public.

Ms. Molinsky asked about the cost of the bonds with the additional funding request. Ms. Datta explained the updated spreadsheet provided and members reviewed it at this time. Ms. Weber noted that 31% of funding in the future would go towards bonds and 35% was anticipated to go towards the

affordable housing trust. She thought that it could be increasingly challenging to fund the requests coming in in the future. Ms. Lunin noted that the CPC could also change the amount going to the housing trust in the future. Ms. Datta moved to recommend approval of an additional \$1.2 million in bond funding for the Gath Pool Construction Project with the condition that they were looking to the City to fund the remaining 20% of the requested funds and with the bond to be issued in coordination with the previously approved bond funding. Ms. Lunin seconded the motion which passed by unanimous vote. The public hearing was closed at this time.

### **Pre-Proposal Review for the Second Church in Newton Preservation and Accessibility Project**

Project representative Laura Foote gave a PowerPoint presentation on the project and noted Second Church's location approximately one block from West Newton Square. She explained that they wanted to be part of the neighborhood and provided a list of the organizations that used the building. She reviewed the accessibility of the building and their ideas to reconfigure the South entrance with a ramp and raised entry and to add accessible parking which was closer to the performance space. On the North side of the building, they planned to create a second accessible entrance. Ms. Foote reviewed those initial designs as well as their plans for the overall preservation of the structure. She noted that this was anticipated to cost \$1.2 million overall and that they were requesting half of that amount from the CPA fund.

Mr. Armstrong had questions about the proposed preservation work and whether they had more details on its budget. He noted that the work included new flashing, roof repairs and repointing. The copper roof over the front entrance was also noted to have holes in it. Mr. Armstrong asked for more information on how these elements would be restored and preserved. Ms. Foote stated that the project would be going out to bid in October and that the Mass. Historical Commission was reviewing their plans as part of their matching grant for the work. She explained that they needed to do the preservation work first to take advantage of that grant.

Ms. Molinsky stated that she understood the importance of the community gathering space and the need for that space to be accessible. Ms. Foote noted that they also had a surplus of office space due to the difficulty in having for-profit businesses located on their site. She explained that they had had a pediatric occupational therapist interested in using their space but that it would have requested a Special Permit from the City to be located there due to the zoning.

Ms. Molinsky stated that they did need to address the religious use of the building and noted that they provided the community space for a fee. She thought that the Committee needed to consider whether there was any free use of the building space and how that use happened. Ms. Foote noted that they now had a small congregation and that their building committee was looking for options for using the space which seats about 300 people.

Mr. Armstrong raised a concern that the roof work could be considered maintenance which was not allowed under CPA regulations. Ms. Kritzer asked members to consider the question of where the work was proposed on the building and whether there were any concerns with working on the exterior elements of the main sanctuary. Ms. Datta stated that she appreciated the historic significance of the building and its community space components and did not think that there were enough of these spaces available. She asked if the different aspects of the project could be done separately. Ms. Foote answered yes, that the capital improvement work was urgent and needed to be completed within the next six months to use the MHC grant funds. She stated that they would like

the CPC's support for this work, and that the accessibility plans were ready and could go forward in the future.

Ms. Lunin noted the historical significance of the building and its architectural integrity and thought that these were key elements in considering future accessibility projects. Ms. Weber asked about the age of the building's annex and Ms. Foote explained that they were constructed in 1916 and extended in the 1930s to provide 50,000 sf. A question was raised about the accessibility of the annex space and Ms. Foote explained how the two proposed entrance changes would improve access to the whole structure. She also spoke about the financial viability of maintaining these historic structures and that there was also interior work to be done.

Ms. Datta asked if there were any concerns with the amount of funding requested. Members appreciated the 50% match and the ability to break the project down into smaller elements. Ms. Foote reviewed the project timeline and noted that the accessibility work would extend into 2025. She anticipated that the whole project would take about 36 months and agreed that they could apply for broken down elements of the project as needed. Ms. Lunin moved to invite the applicant to submit a full proposal for the project when it was ready to move forward. Ms. Molinsky seconded the motion which passed by unanimous vote.

#### **Pre-Proposal Review for the First Baptist Church Bell Tower Preservation Project (\$1,750,000 in Historic Resource Funds)**

Project representatives Dick Ransom and Jana Yeaton and Project Architect David Bliss were present for the discussion. Mr. Ransom began by noting that the congregation had been unable to use the sanctuary due to the danger of the tower's collapse but that prior to that situation, it was open regularly for public events. Mr. Bliss gave a virtual tour of "America's Tower" beginning with the events of May 2021 when a stone fell out. He showed photos of the tower's condition and described the deterioration of the interior space which was suffering from significant water infiltration and deteriorating metal components. The wood frame holding the bells in the tower had also deteriorated, causing the bells to fall down into the structure. They had worked with Structures North engineering and Consigli builders to investigate the masonry's condition and determine the reasons for the stone's collapse. The sanctuary was closed for safety during this time and the bells were removed. In May 2022, braces were installed to protect the tower from collapse. Steeplejacks were called in to help with that work as well as the removal of the damaged wood interior structure.

Mr. Ransom explained that they had now developed a nine-step process for the tower's restoration. The first two steps of that process had been completed and they were hoping to move forward with the necessary work in two phases which would include installing a new steel structure to allow the sanctuary to reopen followed by the restoration of the masonry below. Mr. Armstrong asked if they considered this work to be restoration or reconstruction. Mr. Bliss stated that he believed the work would be restoration and preservation and detailed the work to be completed.

Mr. Ransom reviewed the costs of the project and the submitted funding spreadsheet. He explained that stage 3 of the project had \$1.1 million in hard costs plus contingency. Stages 4-9 would cost \$2.5 million to complete. He explained their project concerns and how they had cost out the project several different ways to make sure that their numbers were good. He also reviewed how all of the work was shown on the spreadsheet and noted that they did not agree yet on whether stage 3 or stages 4-8 would cost more. It was noted that the project was moving into the detailed design

development phase of the project and that they expect to have more information by the next meeting. Mr. Ransom added that they were also unsure about the cost of reinstalling and refurbishing the bells.

Mr. Ransom noted the declining membership of the parish and that 50% of the project cost would be over \$2 million. He noted that they had been recommended to ask for less than \$1.5 million but could only go as far as \$1.75 million in their request. They were working to identify other funding sources and grant programs to make up the remaining costs. Ms. Weber asked if there was any emergency funding available or if they could request more funding from the MHC. Mr. Ransom stated that they could request another \$50,000 but that it was not cost effective to do that because of the procurement requirements of the process.

Ms. Molinsky appreciated the information and photos of the project and asked that the full proposal note any maintenance needs that were anticipated for the building in the future. She also suggested that they focus the application on the site and its historic significance. Other members agreed that having maintenance numbers for the tower would be important for the full proposal. Ms. Weber asked if the funds could be broken up over time. Mr. Ransom answered yes, that they could do Phase 3 in 2024 and do the rest in later years. Ms. Datta agreed that it would be good to break the project down into smaller components if possible. It was anticipated that Phase 3 represented about \$767,000 of the current proposal and that the applicants would finalize the proposal once they had verified these numbers. It was also noted that they hoped to start Phase 3 in May 2024 if possible. Ms. Datta noted that even this reduced amount was still a very significant funding request. Ms. Lunin moved to invite the applicants to submit a full proposal with the information discussed for review at a future meeting. Ms. Molinsky seconded the motion which passed by unanimous vote.

Ms. Weber moved to adjourn the meeting. Ms. Lunin seconded the motion which passed by unanimous voice vote. The meeting was adjourned at 9:12 P.M.