

CITY OF NEWTON

IN BOARD OF ALDERMEN

JOINT MEETING OF THE COMMITTEE ON COMMUNITY PRESERVATION
AND PROGRAMS AND SERVICES REPORT

TUESDAY, NOVEMBER 27, 2007

Present: Ald. Linsky (Chairman), Lennon, Hess-Mahan, Sangiolo, Yates, Parker, Vance, Coletti, Baker, Merrill, Lappin; absent: Ald. Johnson, Lipof; also present: Ald. Albright, Harney

Others Present: Mayor David Cohen, Judy Jacobson, Nancy Grissom (Community Preservation Committee), Alice Ingerson (Planning Dept.), Fran Towle (Parks and Recreation Commissioner), Carol Stapleton (Parks and Recreation Dept.), Karyn Dean (Committee Clerk)

Note: The Committee on Community Preservation and the Programs and Services Committee met jointly to discuss items #360-07 and #360-07(2). The Committee on Community Preservation then voted to refer the other two items on the agenda to the 2008-2009 Board.

**REFERRED TO PROGRAMS AND SERVICES, COMMITTEE ON
COMMUNITY PRESERVATION AND FINANCE COMMITTEE**

#360-07 COMMUNITY PRESERVATION COMMITTEE recommending that the sum of \$1,400,000 be appropriated, by issuance of ten-year bonds, from the Community Preservation Fund for purposes of acquiring title to 230 Lake Avenue by purchase, for public use as recreational land and open space. [10-26-07 @ 1:36 P.M.]

ACTION: **APPROVED PROGRAMS AND SERVICES 2-1-3 (Ald. Parker, Baker in favor; Ald. Coletti opposed; Ald. Merrill, Sangiolo, Hess-Mahan abstaining)**

APPROVED COMMITTEE ON COMM. PRESERV. 1-0-6 (Ald. Parker in favor; Ald. Lappin not voting)

**REFERRED TO PROGRAMS AND SERVICES, COMMITTEE ON
COMMUNITY PRESERVATION AND FINANCE COMMITTEE**

#360-07(2) HIS HONOR THE MAYOR requesting that the sum of \$550,000 be appropriated from bonded indebtedness for the purpose of acquiring by purchase the title to 230 Lake Avenue. [10-30-07 @ 5:17 P.M.]

ACTION: **APPROVED PROGRAMS AND SERVICES 2-1-3 (Ald. Parker, Baker in favor; Ald. Coletti opposed; Ald. Merrill, Sangiolo, Hess-Mahan abstaining)**

APPROVED COMMITTEE ON COMM. PRESERV. 1-0-6 (Ald. Parker in favor; Ald. Lappin not voting)

NOTE: This note includes both items above.

Introduction of Meeting/Explanation of Public Comment

Chairman Linsky explained to the members of the public that were present at the meeting that they would have a chance to be heard at the end of the Committee's working session. This was not a public hearing, but brief comments would be taken and he would accept any documents anyone would like to offer. He stated that there has been quite a bit of ongoing communication from the public to the committee.

CPC Presentation of Project

Nancy Grissom of the Community Preservation Committee (CCP) presented the project to the Committees. She said that this piece of land was part of a vision of the south cove park which sweeps all along Crystal Lake. The idea was to provide and protect the lake's unique mixture of passive and active recreation, public and private enjoyment, contemplation and community, and to have something for the City for centuries to come. The CCP felt this was a once in a lifetime opportunity to make a city-wide park around this lake that could provide a variety of year-round uses. The City did some work along the waterfront following purchase of the 20 Rogers Street property. With the expanded land and water area, the usage by the public was up about 59% from the year before.

Ms. Grissom noted that she went to see the land and was pleased that some committee members did as well. It helped to illustrate that with this new parcel, it would become a park with different areas instead of just one space. The Crystal Lake Committee was working in conjunction with the Newton Highlands Committee in starting to make plans for the park and maintain it into the future.

The CPC voted 7 in favor and 2 opposed to the proposal to pay \$1.4 million. Most of that funding would come from the 2009 fund according to a financial planning the City had worked out with them. She said there was a concern that the community hadn't really stepped up with a plan for fundraising to manage this project into the future. Also there was a concern about whether or not this was the best use of funds. The CPC decided that this project constituted a very special opportunity and, therefore, was worth the allocation of funds

Recommendation Specifics

The CPC put conditions on their recommendation including the use of the building. Some people felt it was important to keep the building; others thought it should come down. She said they felt it was the City's responsibility to determine how the building should be handled as the CPC was concerned only with the land. She felt it would be beneficial to renovate the building for community meeting space and part of the year round activities. The house was geared towards the lake and she felt it was a wonderful house with great space outdoors. She thought it could be used for theatre, functions, weddings, etc. There was a strong feeling that the building should not be used for city office space. They also felt there should be a plan for ongoing maintenance and the programs. The land would be bound by a permanent deed restriction ensuring that it

would be used in perpetuity as public recreation land and open space. The Parks and Recreation Dept. have agreed to convey such a restriction to the Newton Conservators. Upon closing, the property will be deeded to the City of Newton under the jurisdiction of Parks and Rec. The purchase of the land is to occur no later than June 30, 2008. Any portion of the funds not used for the purposes described would be returned to the Community Preservation Fund.

Public Support

Ms. Grissom said they have had a great deal of correspondence on this issue. Much of it has been very positive. There was also a blog on the TAB site that has a voting mechanism – 173 votes were in favor, 77 votes said it was the wrong time to invest, and 3 votes said not sure.

Mayor Cohen's Presentation of Project

Mayor Cohen then presented said that in addition to the \$1.4M item, there was a companion item for \$550,000 for purchasing the building. He said they had an opportunity that was unlikely to come again while they were the stewards of the City's fortune. It was an opportunity to have a vision and implement a vision of what a park with a lakeside setting could have. He noted that a community that had a public, fresh water facility was very rare. He said he felt they had an obligation to be sure the facility reaches and maintains its full potential, and the bathhouse needed to meet the needs of people by being updated and functional. The Task Force was looking at the bathhouse to figure out ways to make that happen.

Time Limitations

Mayor Cohen said there was much discussion about what to do with the house and property. He asked the Committee not to be deterred from acquiring this property and land just because they have not figured out exactly what to do with the house yet. The land without the house was a wonderful addition of open space. The house should be looked upon as an asset and benefit and not a burden. At the very least, they'll be getting a beautiful piece of land. He felt they did not need to make the decision right now, about what would be done with the house. He understood that the Board, when making important decisions, liked to have adequate time in which to do so. Unfortunately, in this case, the time was limited and they were unable to come up with a fully developed plan. The owners of the property have set a deadline of December 31, 2007 to close on the sale. They would be within their legal rights to call off the deal if that deadline were not met. If the Board decided they needed more time, the Mayor said he could go back to the owner to ask for more time but there were no guarantees. His gut reaction was that if this was moving along and they needed a little more time, he felt that was a compelling argument and they might be able to get more time. However, if the owner felt things were not moving and it was going to be a matter of months, there would be incentive for her to put the property back on the market.

The Mayor felt this was a rare opportunity that would enrich the community for generations to come and encouraged the Board to approve this acquisition.

Parks and Recreation

Fran Towle, Commissioner of the Parks and Recreation Department, said the Parks and Rec. was in favor of this acquisition. She said it was a critical and complementary piece in completing a public park around the lake.

Fundraising, Community Participation

Robert Fizek, representing Citizens for a Better Lake, described the site that his group was advocating. He pointed out the parcel on a photographic map and showed how it would link the two existing city owned properties that are on either side. He said acquiring this parcel would expand the land to the entire cove. The Mayor's Crystal Lake Task Force has been meeting for 2 months with Janice Bourque as the Chairman. They, along with the Citizens group, have taken the community input from the open meeting at the Library and culled and refined it into a list. The list was being developed as the criteria for a program that can be used for consultants and others to help form the plan. Parallel to that, the CPC had asked for some sign of community participation and fundraising action. He said they have come up with a community participation and fundraising plan, which was distributed to the Committee. They plan on going through the steps necessary to establish a non profit organization. Other organizations have already signed on to endorse the proposition. The Newton Conservancy and the Newton Highlands Neighborhood Area council have already expressed a desire to commit to fundraising. They hope to reach out to the community as well as more established resources for funds.

Committee Concerns and Questions

Plan for House Use/Demolition

Ald. Lennon was concerned that acquiring this house would end up costing much more than they might have anticipated. He was under the impression that it needed some work. The Mayor said that the decision was in the hands of the Board to decide what was to be done with the house. If they decided it was beyond their ability to renovate or maintain it, it could be taken down. By acquiring the land and the house, they were not being locked into any particular plan of action. Ald. Lennon also said he would be much more comfortable with this acquisition if there was a plan for its use. The Mayor replied that they all would feel better with a plan but because of the time constraint, that was not possible to accomplish. If they took time to do so, the land and house may no longer be available to purchase.

Ald. Sangiolo said it was an historic home that should not come down. She said she could not support this project if the house were going to be taken down. She also has concerns about the City maintaining the house as Parks and Recreation just does not have any money to do that. She felt she needed a plan for ongoing maintenance that did not include an override to keep the house preserved.

Ald. Lappin said that at Angino Farm they have a barn that they can't use. Because it was a city building it had to fall under ADA requirements and they have not been able to

do that. The cost difference between the house staying up and being renovated and the house being demolished would be significant. She wanted to be sure that was all taken into account and how the various options would be accomplished financially. Ald. Lappin said she would like to know from the Mayor the potential maintenance costs of the land. She also wanted to know the cost of demolishing the house and any remediation for that; the cost of updating and maintaining it as an historic home; the cost of bringing the building up to code for public use; and the cost of filling in the septic tank.

Ald. Lappin asked what the maintenance plan would be. The Mayor said he hoped that they would have some help from the community. He said the City's resources were limited, and through no fault of the departments, the Board, or the Mayor's office, some maintenance has been put off all around the City. The Mayor said he believed the City was going to need an override. He believed it should not only provide for ongoing needs, but should include some initiatives as well. He has suggested that in the area of maintenance, they put additional resources into maintenance in many, many areas of the city (parks, buildings, etc.). He has asked the Board to consider what items they felt were important priorities for additional expenditures. The maintenance, therefore, for this land as for virtually every other parcel of land, was dependent upon acquiring additional resources.

Ald. Hess-Mahan said he would like to see the house preserved as well. He thought that having someone who was willing to put money into fixing the property could be given a long term lease as one possible option. He said he needed some assurance that the building would be maintained until such time as they have a plan for it.

The Mayor said that he did not think they had to money to guarantee maintaining this house over the long term. He said they would figure out a way to properly maintain the house until a plan was prepared for its use or demolition. He also said that they could come up with a plan for maintaining the land as Ald. Lappin had requested, along with any other requests any of the Committee members may have.

Ald. Yates didn't think people would be willing to vote for an override to maintain this property. Even if the lake front were restructured and turned into something really good, more people would come and it could become an issue of over use for the neighborhood. He felt it was nice but was it worth it. He said that maintenance in the City was a problem and taking on another project would not be responsible. If the City did not purchase it and someone else did, he didn't feel anything could go there that would be so detrimental to the area.

Landmarking

Ald. Sangiolo raised the idea of landmarking the property. She had confidence that the Historic Commission would recommend saving the house. Ald. Coletti said that if the home were landmarked, the owner would not be able to sell it to another buyer. Ald. Lennon said landmarking Elmwood Road turned into a very difficult situation and he

would want to avoid another situation like that. Ald. Sangiolo said that the City would be the landowner so they wouldn't be in a situation like Elmwood Rd. Ald. Yates said that if the house is not on the historic register then it is not eligible for landmarking.

Fundraising

Ald. Lappin asked if there was a specific amount of fundraising the community was hoping for and if that money would be used for maintenance. The Mayor said that fundraising efforts would be in support of maintenance. The City would also be doing what they could. The budgets show that despite the best efforts of all, they have not been able to provide the maintenance they would have liked to. Robert Fizek said that the community groups would work with the Task Force to find out what the priorities are to determine what they might want to do. Nancy Grissom said that one idea was to try to come up with ongoing funding through programs so that it became somewhat self-funded, like Angino Farms. Programming was part of what needed to be developed. Because the project was so new, that has not formally happened yet.

Ald. Parker said that the fundraising plan depended on the master plan. He said it would be difficult to get people behind a project unless they knew what it was. He felt there could be naming rights and plaques, just as there were at the library, to help in the fundraising efforts. He said they could possibly raise millions of dollars to work on present and future needs of the area. He pointed out that Angino Farm did not have all the details either and they developed a board to run that after the acquisition. He asked them not to miss the opportunity just because all the details had not been worked out. Ald. Lappin said that Angino Farm did have a very detailed plan.

Ald. Lennon said that on many applications from the CPC, the applicants have been forced to come up with money. Friends of Farlow Park, for example, were required to raise \$6,000 for a \$30,000 project. With this project, there was nothing raised so far. He understood the time line was short but he felt these things needed to be spelled out. The Mayor said the community was very committed to the project and the fundraising. The time was just so short and given a longer timeline they would have a more comprehensive plan. He said they could deal with this plan through resolutions or some other method to get these things done.

Assessment and Taxes

Ald. Coletti asked the CPC what the building was assessed for by the City. Nancy Grissom said the assessment went up dramatically in 2008. In 2006, it was \$1,104,300; in 2007, it was \$1,137,400; and in 2008, it is \$1,644,900. She said that 215 Lake Ave on 10,000 sq feet of land just closed for \$985,000, and it was not lakefront. Ald. Coletti said if the City buys it, it will not be assessed any taxes. Mayor Cohen said the tax levy would not be lowered, it would be absorbed by the other residential households and businesses, just as with 20 Rogers Street. Ald. Coletti said that between 20 Rogers St. and this property, the city would be taking \$40,000 off the tax rolls.

Ald. Sangiolo said her preference would be what they did with the Newton Corner Library which was to get a memorandum of understanding that it would never be torn

down. She said they didn't have to keep the property, they could split off the lot and return the house to the tax rolls. Ald. Coletti said that in order to sell off the house, they would have to do any clean up of hazardous conditions before they could so. Mayor Cohen said he would also like to look into selling the house back into some private entity. Ald. Linsky said he thought that could not be done and said they would check with the Law Department on this particular option.

General Concerns

Ald. Coletti said he was not pleased with this project and although he's never voted against a Community Preservation project, he will likely vote against this one. With the concerns about not doing enough maintenance in the City, he said they do have a substantial amount of money in capital stabilization that is used to do capital maintenance in a lot of city buildings and they choose to let it sit there. It's about \$15 million. That was money that could be used to take care of some of the existing buildings. He said in the last fifteen years he hasn't seen any money spent on the bathhouse. Its condition doesn't speak well for how Newton takes care of its properties. He said that 20 Rogers Street was still standing as it was before the City bought it – burned out and awaiting demolition but nothing has been done. Ald. Coletti said there were 17 acres of pristine land that abuts the Charles River on Nahanton Street. The City has owned it for 35 years and people could have miles of waterway and waterfront there but nothing has been done with it.

Hazardous Conditions

Ald. Coletti was concerned that the property had a significant amount of asbestos. The original proposal to purchase this property stated that their option to buy the property was null and void if they found more than \$5,000 worth of work to remediate hazardous waste/conditions. However, they then negotiated the purchase and sale of the property "as is", understanding that there were no warranties or implied conditions by the current owner. He said he saw asbestos surrounding the old boiler, around the pipes, and thought there must be lead paint throughout as well. Ald. Coletti said the glazing on the windows contained asbestos and that asbestos was mixed in the horsehair plaster that covered every wall. He saw some conditions that suggested to him that there was an underground septic system and fuel storage tank.

He said original document required that a certified inspector look at the property to find out what might need to be dealt with. However, it was changed to accept the property "as is". He said that the owner should have to remove any asbestos before the City buys the property. The owner would not be able to sell the property to any other buyer unless they did that as a bank wouldn't approve a mortgage without a home inspection. If another buyer had an inspection done and asbestos was found, they would certainly insist that it would be removed. He felt there was at least \$300,000 worth of contamination in that house and he felt they could not assume that liability.

He said there were other needs for maintenance that need to be met in the City such as elementary schools and fire stations. He felt the Mayor's estimate of \$37,000 to remediate hazardous problems at 230 Lake Avenue was an extreme underestimate. If they decided to put this in line for Capital Improvements, it would have to wait 5 years behind all of the other things for which they already have needs. Considering all of this, he felt the house may be left to neglect by the City and that would not be good for the community.

The Mayor stated that good people live in that house and he did not want to denigrate them or their home in any way. He felt it was not responsible to talk about a private person and their home in a public setting unless there were facts in hand. Ald. Mansfield said the house was not derelict. It was in original condition and has not been updated to a modern house. It was an antique. He felt that characterizing it as being derelict was not accurate and not fair.

Mayor Cohen asked Nick Parnell to address the specific issues of asbestos, lead paint, and underground storage tanks and septic system. The contractor who went with Mr. Parnell to investigate these concerns felt the house was safe and not derelict. He felt the asbestos could be removed from the house for approximately \$30,000.

Ald. Lennon was concerned about the asbestos removal costs. Looking at the Newton North project he has seen the costs for removal of asbestos there skyrocketing. The Mayor said there are thousands of tons of debris that need to be removed from the NNHS site because they can't pick out the tiny pieces embedded in the soil and debris. In the house, however, the asbestos was contained around pipes, the boilers, etc. It was a process that was more manageable and therefore the costs would be more manageable in the opinion of the professionals they've had look at it.

Mayor Cohen said the lead paint issue only comes into play only if small children would be frequenting or residing in the property. He felt it would not be a significant problem. If the house were to be demolished, the issue of lead paint would be dealt with by spraying the debris to keep the dust down. This was a standard practice.

With respect to the underground storage tank, the Mayor said he had discussed it with Nick Parnell and felt that it wasn't an issue. He suggested that Nick Parnell and Ald. Coletti look at the property again if it's a real concern. According to the mayor, Nick Parnell represented there was a basement fuel tank which had been removed some years before.

The Mayor said that Bob DeLuca from the Health Department was looking into when the connection was made to the City sewer system. The records should show if and where there was a septic tank. If there was a tank, they will have it filled in to eliminate any risks.

Ald. Harney agreed that Ald. Coletti brought up some very important points that should be explored further, especially considering the rising costs at Newton North for removal of asbestos. He didn't want to have the same kind of situation with this property. He said he could not support the project without having more information. He wanted a home inspection report to find out as much as they could. Ald. Coletti said he would like to have a Massachusetts licensed home inspector inspect the home and present the information to the Board.

The Mayor said that a home inspection was done and he would provide it to the Committee. It was his understanding that his office had provided all the documents that Committee has requested and he apologized. He said he'd bring the Law Department in to discuss their negotiations with the homeowners and their unwillingness to change their price. As is with many home purchases, problems are found at inspection, and the sellers do not generally want to negotiate the price. They felt that with the problems they saw, they still were willing to pay their price as they felt it was a unique asset. The reason they appraised the land and the house separately was the CPA requirements would not allow for purchase of the house. They therefore have asked \$1.4M from CPA funds for the land alone.

Ald. Mansfield said that the heating system was updated to gas about 3 years ago. He felt there were probably pipes wrapped with asbestos as there would be in many, many homes in the City. He doubted there was an underground tank as it was not a huge house. It had a 275 gallon oil tank that was taken out when the system was updated. He felt that they would not find the kinds of problems that Ald. Coletti described in terms of asbestos in the plaster, etc. He also said he very much doubted there was an underground septic system based on other homes of the era.

Ald. Maansfield felt this was a unique opportunity to acquire this property to connect the other city-owned parcels of land. The City had no intention of continuing to pick up every parcel as it became available around the entirety of the lake. The 20 Rogers Street property was critical as it was adjacent to the bath house and existing beach property. He also wanted to point out that the time table for the demolition of 20 Rogers Street was right on track. He said the Mayor told the Crystal Lake Advisory Committee in August that the demolition would be happening in December.

Explanation of Timeline Issues

Ald. Parker said he was partly responsible for the timeline being so short. He went to the CPC the night he found out the property was on the market. He said an appraisal should be done and they approved the funds to do so last spring. The house then went under agreement to another buyer. Therefore, they weren't looking at making a plan of any kind because they felt it was being sold. After being under agreement for a couple of months, the sale fell through. The Ward 6 aldermen met with the Mayor and asked him to support the acquisition. The letter went to Mrs. Sciegienny and an agreement was made based upon the appraisal they had done.

Lack of Detailed Plan

Ald. Parker understood the trepidation the Committee members might have felt because there was not a comprehensive plan completed at this time. He pointed out that many of the questions that the Committee members had were addressed in the Task Force meetings. The minutes of the meetings were attached to the agenda. He said acquisition of this property would increase the use of the beach front and unify the area. The tremendous opportunities that existed for this area could not be realized without this piece of land. He said the maintenance issues in the City were real, but were a short term problem, and this property was a long term opportunity.

Bonding Issues Due to Timeline

Judy Jacobson of the CPC said they did not want to bond the project long term. They felt they didn't want to mortgage their future that way. They needed to pay the whole price right away, so at the suggestion of David Wilkinson, what they could do was issue short term bond anticipation notes which could be used to purchase the property right away in accordance with the purchase and sale agreement. This was what they did to buy 20 Rogers Street. Instead of then converting them into long term bonds that they would pay every year with interest, they would pay them off in one of two ways: (1) the ideal way was to pay them off with funds in 2008, but that would require some Department of Revenue approvals. 20 Rogers St. was bought with short term notes and as those convert to long term notes, they have a time period in the fiscal year where they are short that amount of money. It will come back to them the following year when they convert to long term bonds; (2) the second choice would be to pay with 2009 funds.

Dispute of Timeline

Ald. Coletti said the Mayor's office was meeting with Mrs. Sciegienny long before they made the decision to take 20 Rogers St., to buy her property and swap it with Mr. Hannon. The City had Dennis Maguire go in and try to buy it. When Mrs. Sciegienny found out that the City was going to flip the property to Mr. Hannon in place of his own, she backed out. He said the City has known for at least 8 or 9 months that the Sciegienny property was up for sale, so to say it was an opportunity that has just come up was false.

The Mayor said he has never met with Mrs. Sciegienny and has met with her real estate broker on one occasion. He said he has not had any of the conversations that Ald. Coletti suggested. He said that historically, he has very seldom asked the Board to move quickly, perhaps only a few times. Only because there were no alternatives was he asking the Board to move quickly on this matter.

Committee Summary

Ald. Parker said this was an opportunity to complete this cove. He could not think of a better use of CPA funds than expanding public access and improving the public beach at Crystal Lake. He did not want this item to be filibustered so they couldn't act on it. He wanted to get it out of Committee. He asked that they send a letter of concerns to the Mayor from the Committee. He asked that the information be addressed to the

satisfaction of the Finance Committee members before this item goes to the Finance Committee.

Ald. Parker made a motion in both committees that both items be approved tonight, subject to these questions being resolved before Finance. Ald. Coletti said he was not filibustering and had sent in his requests for information prior to this meeting to the Mayor. Ald. Parker just did not want this matter decided by default. Ald. Baker said it was a very interesting house and this representing an important opportunity for the City. He said also did not want this to be decided by default. Ald. Johnson had some concerns that she conveyed via a letter to the Chairman. Her concerns will be incorporated into the requests as well. Ald. Baker and Ald. Parker consolidated the questions of the various Committee members into a letter that was sent to the Mayor on November 29. **A copy of the letter is attached to this report.**

Public Comment

Sonya Kurzweil, 203 Lake Avenue, Newton. Ms. Kurzweil stated she was a member of the Task Force. She said the acquisition of 230 Lake Ave would drain funds needed for the bath house project. She also said she felt that the City's ability to acquire and maintain this property was questionable. There were many other projects in the City that demanded attention ahead of this acquisition. She stated that there were also neighborhood concerns about traffic, parking, noise, and trash. A large facility would be totally out of character with the area and they didn't want to turn into a Walden Pond. She did not think the neighborhood would financially support a large all-season complex and didn't see how an all-season complex could be successful. Safety was a concern as well if it were turned into a large, open, public space. Having neighbors helps with the issues of safety and security. The Mayor's Task Force is offering an opportunity to restore the Crystal Lake area and she thought they should focus on restoring what is there right now for future generations.

Michael Goldman, 14 Saxon Terrace, Newton. Mr. Golden said the Mayor said the City does not have the capacity to maintain the house which implies it would be taken down. He said Ald. Baker said if the City is going to appropriate these funds, there needs to be a city wide benefit to it and that implies there needs to be additional on site parking.

Robert Beal, 73 Puritan Rd. Newton. He said Crystal Lake and Lake Street is on his walking route. One of the things that make it so beautiful are the residences. It's a beautiful area until one gets to the City property – 20 Rogers Street, and the bath house. He said the City is the slumlord of the Crystal Lake area. He didn't feel they should add to that. He was concerned that the acquisition was too costly. He felt if they skipped some of the million dollar deals frequently, it would add up. If they did it 60 or 70 times they could save \$200 million and could build the high school and fix the firehouses.

Scott Axelrod, 15 Rogers Street, Newton. He said he was a new resident and he learned a lot during this discussion. He said that as a new homeowner, the first thing you do is to

get a home inspection. He asked if the home inspection that was done through the Mayor's office would be satisfactory to the Committee, or will they need a new report. Ald. Coletti said if he felt he had any questions or needed further review, he would contact the inspector to go over those points with him. He said he was familiar with building and would be able to recognize if there was something glaringly wrong or inconsistent. He would also be looking at the date of the report to be sure it was close to the date of the purchase and sale. As long as the inspection was done by a licensed professional inspector, he would accept it.

Jean Artin, 41 Hyde St., Newton. She said she's been living in Newton and swimming at Crystal Lake for 4 years. She was supportive of the acquisition of 230 Lake Ave. She was not concerned with parking as the Task Force discussed keeping the number of spaces the same. She thought it would be great to have it expanded and that it would be somewhat self-limiting in terms of parking spaces available. This would be a control. People could park on the streets and it's only for a short season each year.

Robert Fizek, 47 Forest St., Newton. He said he appreciated the Committees' diligence. He said he felt the reason this area has been neglected was because it never really met its potential. This acquisition helps to enlarge the area just enough to make it better. The Task Force will address all the local concerns, will make a fundraising plan and build on the basics they already have, and will continue to work in a forward motion.

Return to Committee

The Mayor said he had a strong preference not to increase the parking facility. Ald. Sangiolo said that the typical problem with expanding a public recreational facility is that it increases usage and the demand for parking which annoys the neighbors with parking on the street. Banning parking on the street, however, makes the facility less attractive. The CPC said they were not looking at expanding the parking. Ald. Sangiolo said that even though there are T stations nearby, families would not want to use the T. Ald. Parker said the Task Force voted to not have a net increase in parking on the site. There was ample short term parking in that neighborhood. Ald. Baker said the success of the facility is based on the ability of people to access it and should be further explored.

The Committee on Community Preservation voted to approve this item by a vote of 1-0-6 with Ald. Parker in favor; Ald. Lennon, Linsky, Hess-Mahan, Sangiolo, Yates, Vance abstaining. Ald. Lappin not voting.

The Programs and Services Committee voted to approve this item by a vote of 2-1-3 with Ald. Parker and Baker in favor; Ald. Coletti opposed; Ald. Merrill, Sangiolo, Hess-Mahan abstaining.

**REFERRED TO THE COMMITTEE ON COMMUNITY PRESERVATION
AND FINANCE COMMITTEE**

#383-07 THE COMMUNITY PRESERVATION COMMITTEE recommending that the sum of \$498,500 be appropriated from the FY08 Community Preservation Fund's community housing and general reserves for development and associated legal costs of a community housing project proposed at 29 Coyne Road, Waban, by CAN-DO (Citizens for Affordable Housing in Newton Development Organization). [11-13-07 @ 5:09 PM]

ACTION: **HELD 7-0 (Ald. Lappin not voting)**

NOTE: The Committee voted to hold this item as the hour was very late. The CPC stated that this was not a time sensitive item. Because there will be no further regularly scheduled meetings of this Committee this year, the Chairman will poll the members to have this item referred to the 2008-2009 Board.

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

#358-07 HIS HONOR THE MAYOR submitting the FY09-FY13 Capital Improvement Program pursuant to section 5-3 of the Newton City Charter which requires Board of Aldermen approval of a plan to finance \$194,907,647 of new local projects over the next several years:

SUMMARY

PUBLIC WORKS (CITY AND GRANT/FEE FUNDED)	\$ 67,632,500
PUBLIC SAFETY	\$ 6,230,535
PUBLIC BUILDINGS	\$ 16,772,295
SCHOOL DEPARTMENT	\$ 94,259,767
PARKS AND RECREATION	\$ 7,366,000
OTHER	\$ 2,646,546
TOTAL	\$194,907,647

ACTION: **REFERRED TO 2008-2009 BOARD 7-0 (Ald. Lappin not voting)**

Respectfully Submitted,

Stephen M. Linsky, Chair, Committee on Community Preservation
Ted Hess-Mahan, Acting Chair, Programs and Services Committee



November 29, 2007

Mayor David Cohen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

Mayor Cohen:

The members of the Committee on Community Preservation and the Programs and Services Committee, at their November 27, 2007 joint meeting, requested that you provide further information in regard to the acquisition of 230 Lake Avenue. You agreed to accommodate the Committee's request, and I am writing to ask that you kindly provide the following information:

1. Home Inspection Report.
2. Clarify if property has been surveyed for historic value.
3. Outline the costs of restoring/remediating any possible liabilities, e.g., asbestos removal, underground tanks (septic, if applicable), necessary deleading, if preserved and/or leased or sold.
4. Consider ways to preserve the house and landscape without bearing long term costs, e.g., ground lease, net lease, covenants and easements.
5. Maintenance plan for the long and short term costs of maintenance of the house and/or land.
6. How will the property fit into the recreational use of the existing site as public space for swimming or otherwise?
7. How will parking, bicycle accommodation, pedestrian access (for disabled, etc.) be provided on site so that city-wide investment will be justified?
8. If house requires demolition, how much will it cost?
9. What is the fundraising goal of the Community group?

The Finance Committee will be meeting on December 10, 2007 and would need to have this information in advance of that date (December 7) in order to adequately take up this item. Please direct any materials to Karyn Dean in the Board of Aldermen's Office.

Please contact me if you have any questions or concerns. Thank you.

Sincerely,

Alderman Steve Linsky
Chairman, Committee on Community Preservation