



Real Property Reuse Committee Report

City of Newton In City Council

Tuesday, October 22, 2019

Present: Councilors Danberg (Chair), Albright, Cote, Gentile, Downs, and Grossman

Absent: Councilors Greenberg and Kalis.

City staff present: Assistant City Solicitor Andrew Lee, Director of Planning Barney Heath, Housing Planner Eamon Bencivengo

#295-19(2) Joint Advisory Planning Group for West Newton Armory

HER HONOR THE MAYOR submitting pursuant to §2-7(2)b) of the City of Newton Revised Ordinances, 2017 the following list of Mayoral appointees to serve on a Joint Advisory Planning Group (JAPG) to make recommendations on the future use of the West Newton National Guard Armory at 1135 Washington Street, which was declared available for sale or lease on September 17, 2019:

- (A) Ted Hess-Mahan, 871 Watertown Street, Newton
- (B) Sue Parsons, 172 Washington Street, Newton
- (C) Kelley Brown, 457 Waltham Street, Newton
- (D) David Koven, 33 Harrison Street, Newton

THE CITY COUNCIL PRESIDENT submitting pursuant to §2-7(2)b) of the City of Newton Revised Ordinances, 2017 the following list of City Council appointees to serve on a Joint Advisory Planning Group (JAPG) to make recommendations on the future use of the West Newton National Guard Armory at 1135 Washington Street, which was declared available for sale or lease on September 17, 2019:

- (E) Mitchell Fishman, 41 Brush Hill Road, Newton
- (F) Jonathan Katz, 16 Cross Street, Newton
- (G) Lawrence Bauer, 42 Eliot Memorial Road, Newton
- (H) Barry Abramson, 113 Chestnut Street, Newton
- (I) Anita Lichtblau, 68 Adela Avenue, Newton

- Actions:**
- (A) Ted Hess-Mahan – **Approved 6-0**
 - (B) Sue Parsons – **Approved 6-0**
 - (C) Kelley Brown – **Approved 6-0**
 - (D) David Koven – **Approved 6-0**
 - (E) Mitchell Fishman – **Held 6-0**
 - (F) Jonathan Katz – **Approved 6-0**

- (G) Lawrence Bauer – **Held 6-0**
- (H) Barry Abramson – **Approved 6-0**
- (I) Anita Lichtblau – **Approved 6-0**

Note: The Chair of the Real Property Reuse Committee introduced each appointee and asked them to tell a little about themselves and tell the committee why they wanted to be part of the JAPG.

Ted Hess-Mahan stated that to add to his resume which the committee has, he has some recent experience on the Newton Cultural Alliance with historic preservation at the Allen House in West Newton. He is on the construction committee, is the NCA's treasurer, and is on the Board of Directors. With the Allen House project, he has gained a good deal of experience with on geothermal wells and historic tax credits. He is interested in this project because the Armory is in his neighborhood and he passes by it every single day. It is a beautiful historic building. When he sat down with Mayor Fuller to discuss being on the JAPG, he had to admit that he was very skeptical because of all of the challenges with this building. The project will need historic approval at both the state and local level. The windows are not up to code and he is concerned that it won't get approval to change the windows. The lot is small and there is not a lot of parking. He was candid with the Mayor that there were a lot of challenges with the building. After talking with Mayor Fuller and the Planning Department, and looking at the plans for the Lynn and Natick armories, he started to see the opportunities. The Lynn Armory will provide housing for 45 veterans with a combination of micro and 1,2, and 3-bedroom units. The project will be environmentally sustainable and they opened up the roof with skylights to get light in the center of the building and then arranged the units around the central atrium which allows the architects to put windows and have a form of egress to the center of the building. He felt this was an ingenious way of doing it. Natick did it very differently, but they also paid a lot of money for it. The Newton Armory property shows a lot of promise. He also noted that he spoke with the Mayor about looking at the property for other possible municipal uses, not just housing.

Mr. Hess-Mahan was asked if he was going to be able to keep an open mind about all the possibilities for this property given his advocacy for housing. He stated that he could. There are a lot of challenges to the site. In the other projects the housing has all gone into the drill shed. There are a number of different things you can do with it; of course it all will cost money. He stated that he would keep an open mind and that he is going into this with his eyes wide open. It may not work out for one purpose but may work for something else. The building gets hot in the summer and geothermal, or some other method that will not use fossil fuels, to cool the building might be successful as it has been at the Allen House.

Sue Parsons. Ms. Parsons noted that she's lived in Newton since 1979 and lives very close to the Armory. Her former husband was a volunteer when the Armory was temporarily used as a homeless shelter for Boston residents. The shelter didn't last long because of transportation issues. The potential for the use of the space, the uniqueness of it, the size and scope of it, and the need for more diverse and affordable housing in Newton is so great. When the Mayor asked her to serve, she was very excited. She noted that she served on a JAPG with Councilor Gentile for the

Boys and Girls Club. The JAPG process is a good, open, and a very challenging because members of the JAPG and the public have various points of view and opinions. The residents of the City of Newton are a very diverse group and there is a need for many types of housing. She noted that she would love for it to be some kind of housing, but she is open to consider other municipal uses.

The Chair noted that there is a proposal to use some of the space as a City Archives.

It was asked if the Committee could choose to put this property on the market. Attorney Lee noted that if the City chooses not to purchase the property it would go back to DCAM and they would choose what to do with the property.

A motion was made to approve Sue Parsons. The vote was unanimous.

Kelley Brown. Mr. Brown stated that he has lived around the corner from this building for 20 years. He has always found it to be an interesting and curious spot. He was delighted to see that this opportunity from the State was coming along. It can be used more creatively than its minimal use now. He started his career in the City of Boston trying to reuse tax foreclosed properties small properties renovated and back on the tax rolls. Later he worked for DCAM and was responsible for the management of the reuse process for the closed state hospitals. The way the state ran their process was that each property needed its own legislation and a reuse plan was done for each of the properties. This involved a variety of stakeholders including legislators, town officials, and residents. He continues to do this kind of work today as a campus planner at MIT. He works to take older buildings and find new uses of all kinds for them. They are currently looking at the Metropolitan Storage Warehouse and what to do with it. The building is similar to the Armory. They are working very closely with the Cambridge Historical Commission and the new users who will be going into the structure, trying to figure out how to make it a truly habitable and great place for education.

Mr. Brown was asked about his LEEDs background and if he saw a way to make this building energy efficient. He stated that every building has the opportunity. There are a lot of things about the structure that are bad, but there are a lot of things that can be done. You can alter and change the structure in a variety of ways that will make the structure certainly better than it is today. I've not personally done geothermal well, but things like passive solar might be considered. The historic issues are significant, but even the strictest historic preservationist wants to see something good happen with this building. They know that it can't remain the way it is. How can it be a habitable building? We should not prejudge what needs to be kept and what can go.

It was asked if in the past he had worked with the historic commissions as he is thinking about the project and what to do with it. Mr. Brown responded that typically at the earliest point we go to the historical commissions. In the current project we went to the Cambridge Historical group and asked them what they felt was important, even before we brought the project to our own directors.

It was asked if Mr. Brown would work with the Newton Historical Commission and the Massachusetts Historical Commission. He noted that with the hospital's he worked with the State Historical Commission and put together memorandums of understanding for the properties.

Motion to approve was made and approved unanimously.

David Koven. Mr. Koven stated that he has lived in Newton for over 20 years and has been involved in affordable housing development for over 35 years in the greater Boston area. He's worked with NCDF on the Weeks and Warren House projects and the Houghton Village here in Newton. He has been a consultant for the last 25 years working with non-profits clients on housing. A lot of that work has been with older buildings. Right now he is working on 143 apartments in Dorchester. The project involves Historic Tax Credits. He has done about 50 different properties with three thousand apartments. He believes he is pretty open minded despite his slant, work and expertise in housing. For every project that he takes he turns one down. Sometimes the best decisions are the ones you don't make. He would come into this with a sense of the historic constraints, where are they flexible, and knowing who else to bring into the project. Also the project may look like a great idea but what are the financials. Keeping an open mind - maybe housing is not the right thing.

A motion to approve was approved unanimously.

Jonathan Katz introduced himself and noted that he lives really close to the property on Cross Street and has for the last 41 years. He's been involved in the neighborhood and with developments that have gone on in the area including Trader Joe's, Sleepy's, and the new proposed marijuana store. He has been in the forefront of issues related to traffic, landscaping, planning and use. He has been in the real estate field for over three decades working in development and non-profit institutions with businesses such as Partners Healthcare, Emerson College, Brandeis, and Harvard on a variety of different projects. He has been involved with DCAM and some projects that involve housing and affordable housing. He worked on the redevelopment of the Mass Mental Health site, which included a model housing project with 33 affordable units and 33 market rate units all in the same building. He is working on a project with Harvard for a New Enterprise Research facility. He has a very open mind and this project is a puzzle that has a fiscal and physical aspect to it and matching that with the uses of it. What's going to work best. It will be interesting to hear from the City what the other options are on the table. How much money is going to be spent and is this the best site for that. This building has a lot of challenges.

It was noted to that he is a very close neighbor of the site and was asked if he could be objective. Mr. Katz noted that his neighborhood is very fair and only looks at things that impact the neighborhood like lighting, landscaping and access to the site. When negotiating with Ascend we are asking about customer behavior, lighting, parking and landscaping, and the issues that will impact our neighborhood on-going, not questioning what has already been approved. He believes his neighborhood is respectful of what people want to do but are interested in the impacts and how to mitigate those impacts to the neighborhood.

A motion to approve approved unanimously

Barry Abramson introduced himself and noted that he and his wife have lived in West Newton near West Newton Square for over 20 years. He goes by the site on a regular basis. His experience is in real estate development consulting and related fields. He is not an affordable housing specialist, but it looks like you have that expertise on the team. He works with interdisciplinary teams looking at area redevelopment and specific building redevelopment both as a consultant and as a member of the Urban Land Institute where he co-chaired and assisted with many of their technical assistance panels. There is an abundance of expertise that has been accumulated for this team. He feels that he can contribute to that and is very willing to participate.

A motion to approve was made and approved unanimously.

Anita Lichtblau has lived in West Newton, three blocks from the Armory, for 30 years. Her husband grew up on the south side of Newton. She is a lawyer at a law firm in Boston where she represents non-profit institutions. She has also worked at a large anti-poverty nonprofit in Boston for 15 years. She is not a real estate expert but she has spent a great deal of time looking at the armory because she takes the bus up Washington Street and stares at it each day. She's interested to see how it will fit into West Newton as a whole. It's important to look at what the use of that particular building is in conjunction with all of the other changes that are going on. What is the context of how this building is going to fit in with the new and improved Washington Street area. She is open-minded about its use, and feels it would be great if it could be used for affordable housing. I liked the idea of affordable housing in the way that the City wants to do it to have more control over it. I understand there are constraints on that particular property so that it may not be the way to go. I hope to see the inside of it one day.

The Chair of the Committee noted that they would arrange a tour.

A motion to approve was approved unanimously.

It was commented that the variety of experience in this group is phenomenal and that it's an All-Star Committee. The Chair thanked all of the candidates for being willing to serve.

A motion to hold the appointments of Larry Bauer and Mitchell Fischman, who will be interviewed at the next meeting, was approved unanimously.

It was asked if the Committee could hold the public hearing before the end of the year, prior to the start of the JAPG's work. It was asked if the November 19th date would work.

The Director of Planning requested to hold an orientation meeting with the JAPG members in early December at which point the Committee could zero in on a public hearing date. It might be difficult to squeeze in a public hearing date before the end of the year.

It was asked if the time to file their report could be extended. Attorney Lee responded that yes the committee by vote could extend the JAPG's time. It was asked that the chair get together with the Director of Planning to figure out a date for the public hearing. It was noted that the schedule is pretty full for the Council between now and the end of the year. Consensus was to wait until early January to hold the hearing.

The Director of Planning asked that they have time to allow for the orientation session and that the JAPG members are available for the hearing date. The Chair asked that the Director of Planning and the Clerk meet to come up with a hearing date to bring to the Committee on November 19. It was asked what will happen with the end of the term and if there are carry-over issues. The Clerk responded that the Council would have to suspend the rules to carry this one item over into the new term.

A motion to hold was approved unanimously.

#349-19 Reuse of parcel of land on Brackett Road

DIRECTOR OF PLANNING & DEVELOPMENT submitting on September 13, 2019 a letter recommending that a 1200 sq. ft. parcel of land on Brackett Road, Ward 7, Newton Centre, known as Property ID: 73005 0002A be made available for sale or lease pursuant to Ordinance Section 2-7.

Actions: **Motion to make the Property available for Sale or Lease Approved 6-0**
Motion to waive the creation of a JAPG Approved 6-0
Motion to request additional information from the Director of Planning Approved 6-0
Motion to Waive the Requirement that the Public Hearing be put off until after the Planning Director's report is received Approved 5-1 (Gentile)
Motion to Hold Public Hearing on November 19, 2019 Approved 5-1 (Gentile)
Motion to Hold 6-0

Note: The Chair of the Real Property Reuse Committee introduced the Planning and Law Departments to present the item. The Director of Planning noted that this small parcel had been kicking around for a bit. The Planning Department reviewed the parcel and the Director presented a map of the parcel. It is near the Mount Alvernia High School, and is a 1200 square foot plot. It is in the midst of people's backyards. The DPW believes that the City acquired this property between 1894 and 1926 for possible facilities for the property that is now Mount Alvernia. In the tax assessment on the property that was done by Mr. Shaughnessy, he indicated that there is a range of \$5 to \$11 dollars a square foot for unbuildable land depending on the location. The assessment for this property is \$10,900.

It was noted that there are two potential buyers for this property. It was asked what the process would be once the Council approves the sale or lease. Will the City put it out for bid? Assistant Solicitor Lee responded that since the value of this property is so low, the RFP process may not

need to be used. The City has the option of using the RFP process if it wants to especially in this situation where there's more than one party interested in the property.

It was asked if the FAR would change the status of any of the abutting properties if it was added to those properties. The Director of Planning did not have the exact figure but it could potentially increase the value of the adjoining properties. The Director can look at this for each of the abutting properties to see what the owners could do if they acquired it.

It was asked if both abutters were interested in purchasing it. The Chair asked if there was anyone at the meeting interested in purchasing the property. Maureen Pollard, the owner of 25 Bruce Lane, stated that she was interested in the property.

It was asked how many properties abutted the property. The Chair noted that there are four abutters to the property: 113 Brackett Road, 117 Brackett Road, 25 Bruce Lane and 790 Centre Street which is the Mount Alvernia High School. It was asked if they were all notified and the Chair responded that yes they were all notified.

Attorney Lee explained the Reuse process for this property. He noted that the Committee needs to determine if you want an optional public hearing before making an initial determination. What is different about this property from the Armory is that there is no building on it. This will allow you to waive the requirement of the JAPG. If you waive the JAPG you have the choice of either relying on the Director of Planning's Report tonight, or if you would like an additional report, you'll need to ask for that. At the end of the process you will be required to hold a public hearing, and then the Committee makes its recommendation to the Council.

It was asked at what point the price for the parcel gets set. Attorney Lee responded that it is a decision for the Committee and the City Council.

Will the Mayor be able to choose who to sell the parcel to, or does it have to be the highest bidder? Will this process create a bidding war between the neighbors? In this case we have Mount Alvernia as an abutter as well as private residences. Would we be putting a private resident up against Mount Alvernia? Will there be a level playing field? Attorney Lee commented that the RFP can take into account other factors besides price, but that he was not prepared to comment on what those factors could be.

The Chair asked if the Committee wants more information from the Planning Department. It was asked if the Planning Director could calculate what would happen to each property's FAR calculation if the parcel was added to their lot and what they might be able to do with the lot with the additional land. It was also asked that criteria to level the playing field could be looked at.

The assessed value that was presented tonight was based on the parcel being non-buildable. It was asked if the value would change if the parcel is attached to another property. The Director of Planning will look into the value if the parcel becomes buildable by adding it to one of the parcels.

A motion was made to make the property available for sale or lease. The motion as approved by a unanimous vote.

A motion was made to waive the creation of the JAPG. The vote was unanimous.

The Chair noted that the committee has asked for some additional information. A motion was made to request the additional information from the Director of Planning. The vote was unanimous.

It was asked if the committee could set the public hearing date for the same night that the information from the planning director came in. Attorney Lee noted that the Committee could do that, however, the Committee would need to waive the requirement that the Committee wait 30 days for the public hearing from the Planning Director's Report.

A motion was made to waive the 30-days which was approved five in favor with one opposed (Gentile).

A motion was made to hold a public hearing on November 19.

It was stated that the Council's biggest role is to set a minimum price for this property. The price will depend on what the committee finds from the Director of Planning. If the Committee finds that adding x amount of square feet to a parcel enables additional units as a matter of right, that is a significant amount of value. The Committee should not move things too quickly and make sure we have the information.

The motion to hold a public hearing on November 19 was approved five in favor, one opposed (Gentile).

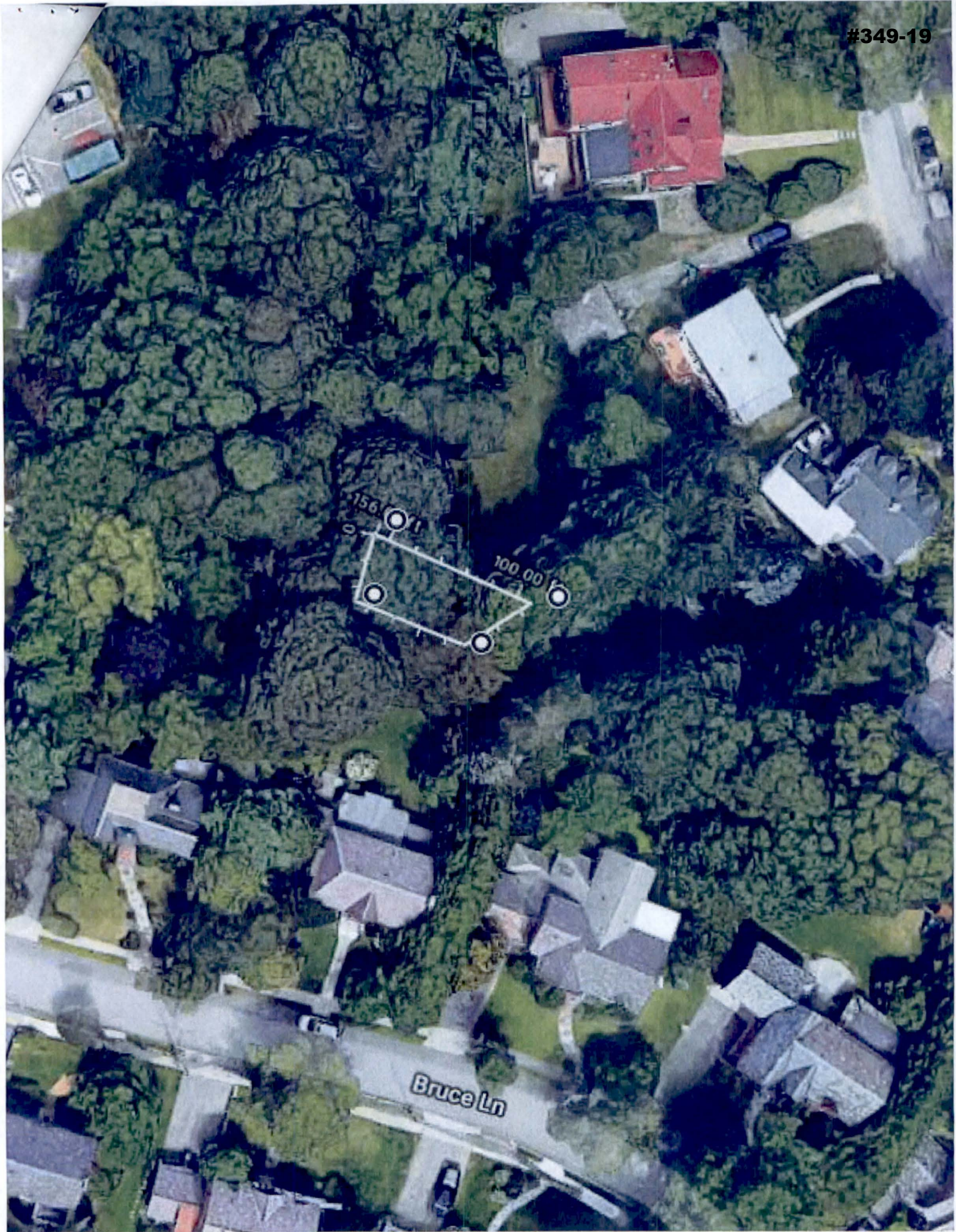
A motion to hold the item was approved unanimously.

Respectfully submitted,

Victoria Danberg, Chair



#349-19



Bruce Ln

Property Location BRACKETT RD Account # 73005 0002A Map ID 73/ 005/ 0002/ A/ Bldg # 1 Bldg Name LANDLOCKED PARCEL State Use 930V
 Vision ID 21690 Card # 1 of 1 Card # 1 of 1 Print Date 9/3/2019 2:11:50 PM

CURRENT OWNER		TOPO	UTILITIES	STRT / ROAD	LOCATION	CURRENT ASSESSMENT	
CITY OF NEWTON						Description CITY LAND	Assessed 10,900
1000 COMM AVE		SUPPLEMENTAL DATA					Assessed 10,900
NEWTON MA 02459		Alt Prcl ID 73005 0002A	Res_RC Multi_SBL				Assessed 10,900
		Prop Type EX	NOTE:				
		Num Apts	NOTE:				
		Bill Numbe	NOTE:				
		Traffic					
		Map ID 060NW	Assoc Pld#				
		GIS ID F_740651_2950252					

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	W/I	SALE PRICE	VC
CITY OF NEWTON		00000	0000	01-01-1900	Q	1	00

EXEMPTIONS		Amount	Description	Number	Amount	Comm Int
Year	Code					
Total		0.00				

ASSESSING NEIGHBORHOOD		Nbhd Name	B	Tracing	Batch
Nbhd	4				

OTHER ASSESSMENTS		Year	Code	Assessed	Year	Code	Assessed	Year	Code	Assessed
Total		2019	930V		2018	930V		2017	930V	
Total		10900		9900		9900		Total		9900

APPRAISED VALUE SUMMARY

This signature acknowledges a visit by a Data Collector or Assessor

BUILDING PERMIT RECORD		Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments
Total Appraised Parcel Value		10,900								
VISIT / CHANGE HISTORY		Date	Id	Type	Is	Cd	Purpose/Result			
		09-28-2012	532	04	6	54	Cyclical Reinspection			
		06-29-2011	532	03	6	43	Change Reinspection			

LAND LINE VALUATION SECTION		Parcel	Total Land Area	Parcel	Total Land Area	Parcel	Total Land Area
B Use Code	Description	Zone	Frontage	Land Units	ST Idx.	Notes	Land Value
1 930V	CITY VACANT LAN	SR2		1,200 SF	4	LANDLOCKED PARCEL	10,900
Total Card Land Units		1,200 SF		Parcel Total Land Area		0.0275	Total Land Value
							10,900