



Real Property Reuse Committee Report

City of Newton In City Council

Tuesday, December 18, 2018

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

City staff present: Jim McGonagle (Commissioner of Public Works)

#208-18 **Discussion regarding non-compliance with Stanton Ave Council Order**
COUNCILOR GENTILE requesting a discussion regarding non-compliance with Council Order #360-16, the Stanton Avenue water tower site, including rescinding the Council Order and reopening the reuse process to all interested parties.

Action: **Real Property Reuse voted No Action Necessary 8-0**

Note: The Committee discussed the above item on May 22, 2018 (report attached) and held it for an update on the tower takedown and relocation of the antenna as required by Council Order #360-16. Commissioner of Public Works Jim McGonagle joined the Committee to provide the update. The water tower is demolished and the City's utility monitoring antennas that were located on the water tower have been relocated to the Golda Meir building. The City has capped the water line to the water tower site. Director of Planning & Development Barney Heath provided the attached update from the Planning & Development Department.

2Life Communities (formerly Jewish Community Housing for the Elderly) provided the attached breakdown of their costs to date for the decommissioning of the water tower and relocation of the antenna. The total cost is \$423,904.55 of which \$401,743.00 was for demolition and antenna relocation, \$17,997 for legal fees, \$4,050 for structural engineering costs, and \$114.55 for certified mailings. The minimum price for the water tower property was set at \$500,000 less the costs to the purchaser of demolishing the water tower including environmental remediation, and the relocation of the antenna. The City should receive approximately \$76,000 from Golda Meir for the property. It was noted that this transaction between the City and 2 Life Communities is a good private/public partnership.

Commissioner McGonagle informed the Committee that there may be additional costs for environmental remediation. There is some lead contamination on site. The remediation costs will depend on what 2Life Communities plans for the water tower site. If it is for parking, the remediation is minor but if a building foundation is planned, all contaminated soil will need to be removed and disposed of at an appropriate location. 2Life Communities is currently using the water tower site as a staging area for the current renovations at Golda Meir House and cannot do any remediation until that project is complete. It was pointed out that the plans for the upcoming expansion of Golda Meir specify that the parcel is to be used for parking.

Councilor Gentile suggested that the Committee Chair should follow up with the Law Department on the remaining cash payment from 2Life Communities. The expansion project at Golda Meir may not get underway for three years and that seems too long for the City to have to wait for the balance of the payment. In addition, it would be helpful to know if the City has transferred ownership of the property to 2Life Communities. The Chair agreed to follow up with the Law Department and added that she would be happy to have Councilor Gentile work with the Law Department, as well. The Chair anticipates that the Committee will meet in approximately three months for an update on the remaining funds. Councilor Gentile moved no action necessary, which carried by a vote of eight in favor and none opposed.

Respectfully submitted,

Victoria Danberg, Chair



Real Property Reuse Committee Report

City of Newton In City Council

Tuesday, May 22, 2018

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

Absent: Councilors Grossman and Kalis

Also present: Councilors Krintzman and Markiewicz

City staff present: Barney Heath (Director of Planning & Development), Ouida Young (Acting City Solicitor), and James McGonagle (Commissioner of Public Works)

#208-18 Discussion regarding non-compliance with Stanton Ave Council Order

COUNCILOR GENTILE requesting a discussion regarding non-compliance with Council Order #360-16, the Stanton Avenue water tower site, including rescinding the Council Order and reopening the reuse process to all interested parties.

Action: Real Property Reuse Held 6-0

Note: Councilor Gentile explained that he docketed the item in order to have a discussion regarding the Stanton Avenue water tower site and the City's agreement with Jewish Community Housing for the Elderly III (JCHE), the anticipated purchaser of the property, to remove the water tank. The Council voted in April 2017 to authorize the Mayor to sell the Stanton Avenue Water Tower Site on Stanton Avenue. The Real Property Committee worked to draft an order recognizing that the property should be sold to an entity that would use it to create additional affordable senior housing to address the growing senior population. The price for the property was set at \$500,000 less the cost of demolishing the existing water tower. The order also included language stating that within six month of the closing, the tower would be demolished. In addition, the purchaser would also provide a temporary and permanent place for the City's utility monitoring antennas that are currently located on the water tower.

Councilor Gentile is not interested in rescinding the Council Order but is interested in hearing that the removal of the water tank is moving forward and that the City and JCHE concur regarding the timeline for removal.

There has been progress with the removal of the Stanton Avenue Water Tower and the sale of the property. Director of Planning & Development Barney Heath summarized the attached memo. The City and the JCHE have entered into a Memorandum of Intent (attached) that outlines all the terms including removal of the tower and sets an option to purchase date. The City and JCHE are working together to coordinate the removal of the water tower. The demolition of the tower is scheduled for the end of October and the antenna relocation will take place prior to that date.

Acting City Solicitor Ouida Young explained that the issue of taking down the decommissioned water tower is more complicated than she realized in terms of the timeline and financing for the proposed housing project. The City and JCHE's timeline for the closing is different. In order for JCHE to qualify for state and federal funding JCHE must meet their requirements, which include specific phasing of the project. In addition, the JCHE cannot make any capital improvements on their property before getting federal funding. It is critical that JCHE qualify for the funding to move the housing project forward. The JCHE has worked with the City to figure out how to get the water tower down and not jeopardize the funding for the housing project. Ms. Young feels that the Memorandum of Intent accomplishes the goal of a fall demolition.

Commissioner of Public Works Jim McGonagle has met with JCHE and their contractor on the demolition of the tower. Commissioner McGonagle is concerned with the structure stability of the tower. While it is highly unlikely, there is a chance that if there was a severe storm, the tower could come down. It is in the City's best interest to get the tower down as quickly as possible, as it would be liable for any damage.

JCHE Chief of Real Estate and Innovation Lisbeth Heyer stated that the original intent of the JCHE was to take the tower down when it received title for the property but that is two or three years down the road. The JCHE will borrow money from a lender to take the tower down before applying for any federal funding. JCHE will also be asking for approximately \$3 million in CPA funding for the project.

The project includes additional 60-80 units of housing at the Golda Meir House including 9-12 units for individuals that are chronically homeless. The project will need a 40B Comprehensive Permit from the Zoning Board of Appeals before it receives the housing project is moving forward and that there have been two neighborhood meetings to get neighbor input and concerns. The general contractor is working to try to be respectful of the neighbors during the entire project.

There was a request that the Administration update the Committee on the tower takedown and relocation of the antenna as work progresses. Councilor Albright moved hold, which carried by a vote of six in favor and none opposed.

Respectfully submitted,

Victoria Danberg, Chair



Ruthanne Fuller
Mayor

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Barney Heath
Director

MEMORANDUM

DATE: December 17, 2018

TO: Councilor Danberg, Chairman, Real Property Reuse Committee
Members of the Real Property Reuse Committee

FROM: Barney Heath, Director, Department of Planning and Development

RE: #360-16, Stanton Avenue Water Tower Resolution

CC: Jim McGonagle, DPW Commissioner
Ted Jerdee, Director of Utilities

On behalf of the Planning Dept and the Department of Public Works, I am providing the update with respect to the Stanton Avenue Water Tower. As planned and provided for in the Board Order, Jewish Community Housing for the Elderly (JCHE), now 2 Life Communities, did complete both the demolition of the water tower and the successful relocation of the City communications antenna to the top of the Golda Meir Roof.

The Golda Meir project for a 68-unit expansion was approved by the Zoning Board of Appeals last week. 2 Life Communities is seeking Low Income Housing Tax Credits from the State of Massachusetts to complete the financing picture for the new additions. A decision on the tax credits will be made by the state in early 2019.

**Stanton Ave Water Tower Decommissioning/Antennae Relocation
Expenses To Date
14-Dec-18**

Decommissioning and Antennae Relocation Contract	\$401,743.00
Legal Fees	\$17,997.00
Structural Engineering Fees	\$4,050.00
USPS Certified Mailing	\$114.55
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