

CITY OF NEWTON

IN BOARD OF ALDERMEN

REAL PROPERTY REUSE COMMITTEE REPORT

TUESDAY, OCTOBER 27, 2015

Present: Ald. Albright (Chairman), Ald. Fuller, Crossley, Leary, Danberg, and Lipof; absent: Alderman Gentile and Hess-Mahan; also present: Ald. Cote, Harney, and Blazar  
Staff: Alexandra Ananth (Chief Planner for Current Planning), James Freas (Interim Director of Planning & Development), Carol Stapleton (Parks & Recreation Department), Ouida Young (Associate City Solicitor), Linda Finucane (Assistant Clerk of the Board)

#287-11(4) JOINT ADVISORY PLANNING GROUP and PLANNING & DEVELOPMENT DEPARTMENT filing their separate reports pursuant to Ordinance Sec. 2-7(2)b) identifying alternatives for the future use of the former Newton Centre Library/Health Department building at 1294 Centre Street, Newton Centre, which was declared surplus by the Board of Aldermen on March 5, 2012. (*Public Hearing opened and closed on January 29, 2013.*)

**ACTION:** APPROVED 5-0 (Leary not voting) DRAFT BOARD ORDER ATTACHED

**NOTE:** This evening, the committee reviewed a draft board order prepared by the Planning Department. The committee's charge is to set a minimum sale or lease price. Other goals are set out in resolutions to the Mayor. The Planning Department proposed that the minimum price for the lease of the land be nominal. In addition, the Planning Department's memorandum dated October 23 suggested the committee decide on one of two options to address the preservation of the building's historically significant features.

Option 1 recommends that the Mayor issue a Request for Proposals (RFP) for the lease of the site which would require the lessee to preserve the building's major historically significant features, as determined jointly by the Planning and Public Buildings Departments based on the building's CPA-funded 2012 historic building report, while allowing for adaptive reuse in compliance with the Secretary of the Interior's Standards for Historic Rehabilitation.

Option 2 states that if the city receives no viable response to the initial RFP, the Planning and Public Buildings Departments could jointly request CPA funds for a no-interest loan to the lessee, to be used to preserve the building's major, historically significant features as defined above, with the loan to be forgiven if the lessee occupies and maintains the building in compliance with federal rehabilitation standards for a specified minimum length of time – such as 20 years.

The memorandum notes, however, that if the Board of Aldermen were to recommend the city seek CPA funds to preserve the building's major historically significant features, a city department would need to be identified to write up the proposal and attend required meetings, and the Public Buildings Department would have to identify a staff person to manage the project. It is possible that the Community Preservation Committee (CPC) would require some matching

funds for the project. The CPC would review the proposal in light of other competing projects. Finally, the use of CPC funds would likely add two additional years to the length of the project due to the CPC funding cycle and approval time, during which the building would continue to deteriorate. The Planning Department is concerned about the timing involved with the Community Preservation cycle and getting someone to manage the project. A chart of the CPC proposal and project process was attached to the Planning memorandum.

The committee has always been in complete agreement that it wishes to retain the building. It agreed that it preferred Option 1: a nominal price reflects the benefits of retaining the building and the costs involved in rehabbing it. Alderman Fuller did not disagree, but would like to try to get towards a market price; however, it remains to be seen what the RFP brings in. The property will need to be rezoned and depending on the proposed use, parking requirements, etc., it will in all probability need a special permit. Mr. Freas suggested and the committee agreed to amend the language as follows: "...the minimum price for the lease of the property shall be a market rate that reflects the preservation and use recommendations made below and include, at a minimum, the public benefits set forth in the resolution section of this Board Order."

Alderman Danberg said the three Ward 6 Aldermen support keeping the building. Alderman Blazar, citing Austin Street, is concerned about timing. Alderman Lipof said that Austin Street was different, it was a blank slate. This site has an existing building; it will not be the same process. In response to Alderman Blazar, Ms. Young explained that there is no requirement for an evaluation team as was done in the case of Austin Street. However, the responses to the RFP and the rezoning of the property will be next term. Alderman Blazar and Danberg stressed that the RFP needs to include providing community access and focus on uses that will provide gathering space and evening and weekend hours to help enliven Newton Center. In response to a question of when the ongoing parking study in Newton Center is scheduled to be completed, Mr. Freas said the end of November.

Upon a motion by Alderman Danberg, the committee voted 5-0, Alderman Leary not voting, to approve the draft reuse board order.

#384-11(4) JOINT ADVISORY PLANNING GROUP and PLANNING & DEVELOPMENT DEPARTMENT filing their separate reports pursuant to Ordinance Sec. 2-7(2)b) identifying alternatives for the future use of the former Parks & Recreation site at 70 Crescent Street, Auburndale, which was declared surplus by the Board of Aldermen on February 6, 2012.*(Public Hearing opened and closed on February 26, 2013.)*

**ACTION:** APPROVED 6-0 - DRAFT BOARD ORDER ATTACHED

**NOTE:** The committee reviewed the draft board order prepared by the Planning Department. Alderman Gentile is out of state, but spoke with several colleagues emphasizing that he remains committed to no more than eight units, as that is the number that has been discussed, the number the pro forma is based on, and the number the neighbors have come to expect. Alderman Lipof said he has no problem with eight units, but does not understand where the number came from. Alderman Crossley commented that this is not about making or breaking a promise. Personally, if it comes to eight, four-bedroom units v. 12 smaller units, she would rather more small units. She prefers a flexible option. She and Alderman Leary suggested that the board order keep a

footprint of approximately 12,000 square feet with more small units. The committee was reminded Pro Forma numbers were based on eight units, 50% affordable. The committee was also reminded that a site plan does not exist at this point in the process.

The committee agreed the board order include the desire to enlarge the Rev. Ford Playground to the maximum extent possible. Alderman Cote wondered if the abutting Eversource property might be integrated into the site plan. He does not want to see housing pushed up against the Turnpike. Although Myrtle Village and Myrtle Baptist Church are separate, he suggested that the shared parking with the Myrtle Baptist Church be taken into consideration as well. The committee was assured that the Newton Community Development Authority, and the Parks & Recreation and Public Buildings Departments will work to collect input from community on the site plan, housing, and playground.

Alderman Gentile had expressed concern about the potential costs associated with requiring a green design, but Alderman Crossley pointed out that although the committee initially considered a zero net energy project, which means the total amount of energy used by the building on an annual basis is approximately equal to the amount of renewable energy created on the site, green design essentially is complying with the stretch code.

Ms. Young reiterated that the advantage of a 5-58 v. a special permit is that although zoning controls can be used as a guide, they are not required, which gives the city the greatest flexibility in developing a site plan. She noted that public participation is assured through the public hearing process in 5-58, which is the same procedure for special permits set forth in G.L. c. 40A.

The committee discussed whether or not the board order should specify a percentage such as 50% to 80% of the Area Median Income or stipulate only that the project have a minimum of 50% of affordable units and that such units represent range of affordability. It decided to delete the 50% to 80% reference.

In response to a question about management, Ms. Young explained that rental payments would not go into the general fund, but into a separate fund dedicated to maintenance and operating costs.

The committee discussed whether the project should be limited to eight units, with an allowance for a small increase in the number of units if such increase reduces per unit costs by virtue of greater efficiency in building layout as suggested in the draft board order. Alderman Danberg said she cannot support eight units; more small units keeping with a compact footprint would be a greater benefit to the community. Alderman Crossley also believes it would be a lost opportunity to cap the number at eight; she reiterated that flexibility in design is important. A footprint of 12,800 square feet could create eight 1600- square foot units. Why not create smaller additional units? Ms. Young explained that the committee cannot get into the *specific size* of the units in a reuse board order.

Alderman Lipof said it is hard to do affordable housing. Although he remains curious about why it became the maximum number, eight works.

Alderman Fuller motioned to cap the maximum number of units at eight, which motion failed to carry 3-3, with Aldermen Fuller, Leary, and Lipof in favor and Aldermen Albright, Crossley, and Danberg opposed.

Alderman Danberg motioned to allow no more than twelve units if the increase retains a compact footprint which would create benefits, accessibility, affordability, and efficiency in the building layout. The motion to allow eight units but no more than twelve carried 4-3, with Aldermen Albright, Crossley, Danberg, and Lipof in favor, and Aldermen Fuller and Leary opposed.

Although she prefers to cap the number of units at eight, Alderman Fuller moved approval of the draft board order as amended, which motion carried 6-0.

The meeting was adjourned at approximately 9:00 PM.

Respectfully submitted,

Susan S. Albright, Chairman

CITY OF NEWTON

IN BOARD OF ALDERMEN

November 2, 2015

That, pursuant to Section 2-7 of the Revised Ordinances of 2012, as amended, after a public hearing and upon recommendation of the Real Property Reuse Committee through its Chair Susan Albright, it is hereby

ORDERED:

That His Honor the Mayor be and is hereby authorized to lease the land commonly known as the former Health Department headquarters, located at 1294 Centre Street, containing approximately 16,160 square feet of land, identified as Section 61, Block 35, Lot 03, in Newton Centre, Ward 6, in a Public Use zoned district, and,

The property shall be leased, subject to the minimum financial terms and conditions as voted by the Honorable Board of Aldermen as set forth as follows:

TERMS OF LEASE

That the minimum price for the lease of the property shall be a market rate that reflects the preservation and use recommendations made below, and include, at a minimum, the public benefits set forth in the resolution section of this Board Order.

FURTHER BE IT RESOLVED:

1. In recognition of the existing building's listing on the National Register of Historic Places, the lease shall require the lessee to
  - (a) preserve the building's major, historically significant features, as determined jointly by the Planning Department and the Public Buildings Department based on the building's CPA-funded 2012 historic building report ([www.newtonma.gov/civicax/filebank/documents/43545](http://www.newtonma.gov/civicax/filebank/documents/43545)), while also allowing for adaptive reuse in compliance with the Secretary of the Interior's Standards for Historic Rehabilitation ([www.nps.gov/tps/standards/rehabilitation.htm](http://www.nps.gov/tps/standards/rehabilitation.htm))
  - (b) maintain the building in compliance with federal rehabilitation standards.
2. That the use of the site shall include attractive indoor/outdoor gathering spaces and a place for public interaction and community use in the spirit of the former branch library.
3. That the use of the site shall enliven the site and block with uses that may include businesses that will provide activities during evening and weekend hours, contribute to Newton Centre's growth as a walkable village, and enhance community life in Newton Centre.
4. That the lessee shall be encouraged to incorporate the entire site, including landscape design, into a comprehensive plan that opens the site to promote connectivity with nearby open

spaces.

5. That the property should be rezoned prior to the issuance of an RFP to an appropriate zone.
6. That the lessee shall prepare plans and submit applications to the appropriate Boards/Committees.
7. That the City shall provide sufficient information to the developer regarding the existing site conditions including, but not limited to, land surveying, contamination, adequacy of water and sewer services, and traffic data that may help determine the need for additional infrastructure improvements and/or development costs provided that the gathering of such information can be performed in-house and within existing departmental budgets.

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November 2, 2015

That, pursuant to Section 2-7 of the Revised Ordinances of 2012, as amended, after a public hearing and upon recommendation of the Real Property Reuse Committee through its Chair Susan Albright, it is hereby

ORDERED:

That the property located at 70 Crescent Street (hereinafter referred to as “the Site”), containing approximately 60,000 square feet of land, identified as a portion of Section 33, Block 06, Lot 061, and containing the former Parks and Recreation administrative offices as well as the current Parks and Recreation maintenance facility, be transferred to the temporary custody of the Public Buildings Department for the purpose of developing and constructing a mixed-income residential rental project (the “Housing Project”), and to enlarge the adjacent Reverend Ford Playground to the maximum extent possible; and,

Following development of the Site as recommended in this Board Order, the Housing Project shall be transferred to the custody of the Newton Community Development Authority (NCDA), and any land not needed for the Housing Project shall be transferred back to the Parks and Recreation Department to be combined with the adjacent Reverend Ford Playground.

FURTHER BE IT RESOLVED:

1. That NCDA, the Parks and Recreation Department, and the Public Buildings Department work collaboratively with input from the community on plans for the Housing Project and the Reverend Ford Playground as a whole, including the Myrtle Baptist Church.
2. That the Housing Project have a minimum of 50% affordable units and that such units represent a range of affordability.
3. That the Housing Project include a context sensitive design that has a compact footprint and modest sized units so that the adjacent Reverend Ford Playground will be expanded to the maximum extent possible with the addition of land from the Site not needed for the Housing Project.
4. That the Housing Project be limited to eight units, with an allowance for an increase up to four units, if such increase retains a compact footprint and benefits affordability, accessibility, and greater efficiency in building layout.
5. That the Housing Project demonstrates high performance energy efficiency and best building practices.
6. That the integrated site plan for the Housing Project and the Reverend Ford Playground improve public access to the Reverend Ford Playground.