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Community Preservation Committee

MINUTES

14 May 2019

The meeting was held on Tuesday, 14 May 2019 starting at 7:00 pm in Newton City Hall Room 204.

Community Preservation Committee (CPC below) members present: chair Peter Sargent, vice chair Mark Armstrong, and members Dan Brody, Byron Dunker, Beryl Gilfix, Rick Kronish, Susan Lunin, Robert Maloney and Jennifer Molinsky.

Additional City of Newton staff attended portions of the meeting, as noted below.

Community Preservation Program Manager Alice Ingerson served as recorder.

[Blue, underlined phrases](#) below are links to additional information online.

Proposals & Projects

[Farlow Park Pond & Bridge](#) [Newton Corner, historic resources]– final report by Parks & Recreation Dept. and Friends of Farlow Park

The report was presented by Parks & Recreation Commissioner Robert DeRubeis, with additional comments from Keith Jones as president and Jay Walter as vice president of the Friends of Farlow Park. Two neighbors of the park were also introduced: Dan Shaw (116 Church Street) and Steve Carter (48 Eldredge Street).

DeRubeis acknowledged the long period between completion of the feasibility study in 2005 and project completion in 2018. He praised the perseverance of project supported throughout that time, with special praise for the Friends of Farlow Park, including Keith Jones and Jay Walter. Jones thanked the CPC for providing the initial funding. Though completing the project took several approaches to the CPC, it was now done and wonderful. DeRubeis explained that the Planning Dept.'s recommendation to allow the use of CDBG (Newton-controlled federal funds) to cover the project's significant cost overruns had basically saved the project.

The presentation included photos of the historic pond and bridge, the existing conditions in 2004, the construction process in 2017-18, and the final product, which DeRubeis considered exciting and very attractive. In response to Mark Armstrong, Walter said the original feasibility study had recommended a pre-cast concrete bridge.

Test borings to determine the condition of the pond's concrete basin had suggested the basin was in better shape than it actually was. The edge of the pond was 18 inches below the surface, with the bottom of the pond almost 30 inches below the surface. Some patching had to be done by saw cutting the worst spots and filling them with new concrete to make the basin waterproof. There was some peeling over this past winter, so the basin may need re-waterproofing. The Friends of Farlow have helped with cleaning out the pond, including the leaves. DeRubeis wanted to let the concrete

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settle for a year before trying any winter skating. In response to Steve Carter, DeRubeis hoped the pond would be refilled for the year in May 2019.

DeRubeis said part of the project was to use the water from the new well to irrigate the Underwood School Playground. That new irrigation system was actually installed, but it hasn't been hooked up yet. Parks & Recreation expects to install \$48,000 of new lights in the park, inspired by historic gas lamps, as future funds become available.

Within Parks & Recreation, the project had been passed through a series of staff project managers. The three project managers with a background mostly in recreation programming did their best, but a lesson learned was that it might be best to have a project like this managed by Dept. of Public Works staff with an engineering background.

Another lesson was to involve the neighborhood more from the beginning. The neighbors had been frustrated partly because they didn't understand why the project was taking so long, while the full park was closed off during construction. During the winter of 2017-18 the half-finished project was covered with tarps. Neighbors had been brought into the process at the end, but DeRubeis thought that was too late. Once everyone understood the project details, however, they understood why the work had taken so long.

Committee Business

VOTE Peter Sargent explained that, following the CPC's longstanding tradition, current vice chair Mark Armstrong would step up to follow Sargent as chair, and he nominated Dan Brody to serve as vice chair. Rick Kronish seconded that nomination. The slate as nominated was elected unanimously by a vote of 9-0.

Alice Ingerson explained that Sargent, Armstrong and Brody had joined her in presenting the FY20 CPA program budget to the City Council's Zoning & Planning Committee on 29 April 2019. As requested by the CPC and approved unanimously at the CPC's 12 March 2019 meeting, this budget allocated to program administration the full 5% of annual new funds allowed by the CPA statute and also maximized available funding for consultants, including for temporary, part-time assistance to both the Committee and its new staff that the CPC may request from Ingerson after her retirement in January 2020.

On April 29, all Councilors on the Zoning & Planning Committee (ZAP) had emphasized the importance of the CPC's independence in evaluating funding requests. Several Councilors, particularly Councilor Cheryl Lappin, had questioned the Planning Department's decision in 2015 to revise the CPC staff position's location on the organization chart. From when Ingerson was hired in 2007 through 2014, she had reported to the Director of Planning & Development. In 2015, however, her position was moved to report to the Director of Housing & Community Development, who reports to the Deputy Director of Planning & Development. Several Councilors were concerned that this move could suggest to the public an intention to privilege housing over other potential uses of CPA funds. The Councilors considered the position's original reporting relationship more appropriate, as the Planning Director oversees staff working with all CPA-eligible resources, including historic preservation and open space/conservation as well as housing.

Ingerson noted that at the ZAP meeting, Planning & Development Director Barney Heath and City COO Jonathan Yeo defended the CPC staff position's new lower grade and reporting relationship on the grounds that Ingerson's successor would need closer supervision than she had. Heath also explained that he had already downgraded the CPC staff position and that moving it back to its original position on the organizational chart would be unfair to other staff at the CPC staff position's new, lower level. Yeo also felt that as Planning Director, Heath already had as many direct reports as was practical.

At tonight's meeting (May 14), Kronish believed that reporting within City government to someone

attached to a particular CPA-eligible resource would make it more difficult for a new CPC staff person to support the CPC's independence and impartiality, even if the CPC itself strongly supported the new staff person. Sargent, Armstrong and Ingerson suggested restoring on the current organizational chart the note that appeared on earlier versions explaining that the CPC staff position was supported entirely with CPA funds and using dotted lines to represent the CPC staff position's reporting relationship to the CPC itself, as well as its collaborative relationships with other Planning Dept. staff working on all resources eligible for CPA funding.

Armstrong thought the CPC staff job description was more important than the organization chart, since the job description determines the salary level. Molinsky was concerned that downgrading the position would make it difficult to attract highly qualified candidates. The higher the position can be graded, the better able the position will be to support the CPA program. Sargent encouraged all CPC members to send him comments on the current CPC staff job description, which he had distributed by email.

Ingerson reported that yet again this year, all or nearly all the CPA funding proposals submitted would be requesting "off-cycle consideration" because they could not meet the CPC's announced annual funding deadlines. She noted that in the past, when she had suggested switching to rolling submissions for all proposals, the Committee had generally preferred to retain the annual round.

At tonight's meeting, however, Sargent and several other members supported a change to rolling submissions. Ingerson thought this was effectively what the Committee had already been doing for most proposals, and that the funding guidelines in the current [Community Preservation Plan](#), including the criteria for "CPA appropriateness," now allowed the Committee to evaluate proposals critically one at a time, without having to compare them directly to other proposals. However, she also advised the Committee to put on a future agenda for a formal vote the proposed change from an annual round to rolling submissions, to give the public and prospective applicants adequate notice of this change.

VOTE Based on a motion by Beryl Gilfix, seconded by Armstrong, the Committee approved the minutes for 12 March 2019 with one correction noted by Sargent, by a vote of 9-0.

Proposals & Projects – Executive Session

[300 Hammond Pond Parkway](#) ("Webster Woods")

Following instructions from the City of Newton Law Dept., Sargent requested a roll call vote of the CPC to enter into an Executive Session in accordance with the provisions of Massachusetts Chapter 30A, sec. 21(a)(6) for the purpose of considering the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the City's negotiating position regarding the potential acquisition of real property rights for the protection of open space at 300 Hammond Pond Parkway/Webster Woods. Executive sessions are closed to the public.

At 7:40 pm, the following roll call vote was held to begin an executive session as the final agenda item for tonight's meeting:

ROLL CALL VOTE to begin executive session	Yes	No
Armstrong	✓	
Brody	✓	
Dunker	✓	
Gilfix	✓	
Kronish	✓	
Lunin	✓	
Maloney	✓	
Molinsky	✓	
Sargent	✓	
TOTALS	9	0

At approximately 9 pm, the following roll call vote was held to adjourn the executive session without resuming the public session:

ROLL CALL VOTE to adjourn both executive session and public meeting	Yes	No
Armstrong	✓	
Brody	✓	
Dunker	✓	
Gilfix	✓	
Kronish	✓	
Lunin	✓	
Maloney	✓	
Molinsky	✓	
Sargent	✓	
TOTALS	9	0