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Community Preservation Committee

MINUTES

10 December 2019

The meeting was held on Tuesday, 10 December 2019 starting at 7:00 pm in City Hall Room 204.

Community Preservation Committee (CPC below) members present: chair Mark Armstrong, vice chair Dan Brody, and members Byron Dunker, Susan Lunin, Robert Maloney, Jennifer Molinsky and Peter Sargent. Member Rick Kronish was absent. The City Council recently confirmed Martin Smargiassi as the Mayor's new appointee for historic resources, but he indicated that the January 2020 CPC meeting would be his first.

Community Preservation Program Manager Alice Ingerson served as recorder.

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

Program Planning & Evaluation

Alice Ingerson offered informal updates and comments on the proposals, projects and issues that she believed would not be completed or resolved by the time of her retirement in January 2020. For some proposals and projects, the blue, underlined project titles below are linked to additional information on the program website, www.newtonma.gov/cpa.

This debriefing drew on the [Current Proposals & Projects](#) section of the program website's [Program Finances & Reports](#) page, which includes a regularly updated report on all pending proposals and another on all currently active, funded projects.

In response to Dan Brody and other members, Ingerson agreed that the CPC could vote to remove long-inactive but still-pending proposals from its current listings and reports and could require these projects to re-start the funding process by submitting a new proposal. However, she advised listing in advance on a published CPC agenda the titles of these proposals, rather than taking such votes during a discussion listed more generically as "proposal and project updates." She felt that each project's advocates and opponents should be aware of and have the opportunity to be present for these CPC decisions.

Pending Proposals

[Crescent Street](#) (West Newton, affordable housing and expanded playground) –The Working Group of City staff and neighborhood residents that had advised the Public Buildings Dept.'s prior submissions to the CPC for this project recently met again for the first time in about 18 months. Ingerson thought any revised proposal submitted to the CPC, that proposal might eliminate the project's previous affordable housing element and focus exclusively on expanding the playground. Ingerson also noted that Public Buildings had used some CPA funds appropriated under "recreation" (for the playground component) for work on the project's housing component. The CPC's new staff would need to work with Public Buildings staff to reconcile project spending to date with the requirements in the CPA statute and the project's City Council appropriation orders.

[City Hall & War Memorial Stairs](#) (historic resources)– From conversations with Public Buildings staff, Ingerson understood that stone repairs for the front stairs have been completed, and a new accessible railing would be completed, using approximately \$50,000 of regular, non-CPA City funding. She was not aware of any specific

website www.newtonma.gov/cpa

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plan to resubmit a proposal to the CPC solely for the War Memorial Auditorium stairs.

[Newton Housing Authority acceptance of CAN-DO portfolio](#) (affordable housing) – The Housing Authority intended to submit this full proposal as a draft in December, and in final form by early January, for a public hearing on 11 February 2020. As the proposal will request both local CPA funds and Newton-controlled federal funds (CDBG), this was tentatively set as a joint hearing with both the CPC and the Planning & Development Board, which advises the Mayor on allocating CDBG funding.

Newton Conservators grants for holding [conservation restrictions on CPA-funded land acquisitions at Wabasso Street \[Flowed Meadow, Auburndale\] / Rogers Street \[Crystal Lake\]](#) and [Kessler Woods \[South Newton\]](#): The City Council approved funds for the Wabasso and Rogers Street restrictions in January 2019 and was expected to do so for the Kessler Woods restriction in December 2019. The Wabasso Street restriction had been recorded at the Registry, and the Rogers Street restriction was on the verge of being recorded. The Kessler Woods restriction was being approved more slowly in part because a small sliver of the land acquired (about 400 square feet) was within the City of Boston rather than in Newton. Ingerson hoped to draft a grant agreement for all of these restrictions before her retirement. As previously agreed with the Conservators, the agreement would include generic requirements for all restrictions, plus a separate appendix specific to each restriction. The recently approved funding for a restriction on 300 Hammond Pond Parkway would be covered by a future appendix to this agreement.

[Riverside Greenway/Pigeon Hill Trail design](#) (Auburndale, recreation land) – After favorable votes by two City Council committees, the full Council was likely to approve this recommended funding in December 2019. Ingerson also hoped to draft a grant agreement for this project before her retirement.

Ingerson noted that in the coming year, the CPC might receive several other new pre-proposals from two potential non-City grantees: the Newton Highlands Women’s Club (historic resources) and the New Art Center (historic resources, Newtonville); and for three potential City projects: the Waban Library (historic resources), Levingston Cove (recreation land, Crystal Lake), and public playing fields (citywide). As the Newton Highlands Women’s Club is run entirely by volunteers, they would need funds to hire an architect or other qualified project manager.

Ingerson recalled that [community advocates for the playing fields had spoken at the CPC’s 6 November 2019 public hearing](#) for the 300 Hammond Pond Parkway proposal. She and Buzz Dunker recently attended a meeting with these advocates, along with Planning Director Barney Heath and Chief Operating Officer Jonathan Yeo. A future City CPA request for multiple playing fields might involve several million dollars over multiple years. She hoped the CPC could use any CPA funding it might recommend for these fields to leverage a more strategic, sustainable approach to long-term, preventive maintenance using non-CPA funds.

Active, Funded Projects

[Allen House](#) (West Newton, historic resources) – Exterior work on converting this historic 19th-century home into a community arts center was largely completed. Interior work was expected to finish by spring 2020. Having drawn 90 percent of its total \$2.3 million in CPA funding, grantee the Newton Cultural Alliance may only draw the remaining grant funds after presenting a final report to the CPC.

[236 Auburn Street](#) (Auburndale, affordable housing and historic resources) – Final work is also underway for this project. Tenants will move first into the 5-bedroom congregate house for adults with disabilities, which will be owned and operated by the Barry L. Price Center, then into the 2- and 3-bedroom family units owned by Citizens for Affordable Housing in Newton Development Organization (CAN-DO) in the new duplex and in the rehabilitated historic home. Ingerson noted that, like the Newton Cultural Alliance, CAN-DO had drawn 90 percent of its \$977,700 CPA funding for this project and could only draw the final grant funds after recording a permanent historic preservation restriction on the historic home and presenting a final report to the CPC. Work on the preservation restriction would not start until construction was complete. Ingerson advised against any partial waiver of these final conditions, based on her experience with two other projects (see below).

[Burying Grounds](#) – In February 2019 [the CPC approved a request to spend approximately \\$8,000](#) of the CPA funds already appropriated for these three historic City-owned cemeteries on additional work not included in the originally approved scope. Historic Newton has been working with the Comptroller to make those funds available. The Comptroller’s staff believed that any revised scope of work at these sites should be approved both by the CPC and the City Council. Ingerson thought the \$8,000 request did not need Council approval but had recommended seeking CPC and Council approval for any further additional work.

[Curve Street](#) (Myrtle Village, West Newton, affordable housing) –These 7 rental units were occupied in the fall of 2017 and received final certificates of occupancy in the summer of 2019, after corrective exterior work for the one fully accessible unit. Based on a CPC vote in January 2019, the CPC officers and staff approved releasing final CPA grant funds in June 2019, anticipating the final report very shortly. However, the project sponsor had deferred that report until it had resolved a still-ongoing dispute with its general contractor. Ingerson now felt releasing the final funds prior to the final report might have been unwise, but she still hoped the final report would be submitted early in 2020.

[Newton Cemetery, Whipple-Beal Fence](#) – This restored decorative, cast iron fence was re-dedicated in early June 2019. The fence is legally the property of the family that owns the plot it encloses, so the project’s CPA grant agreement had required executing a permanent historic preservation restriction to protect this investment of public funds in private property. To date, the restriction has not been drafted, and no final project report has been submitted. Ingerson hoped her successor could encourage completion of both requirements. She was concerned that the retained final \$6,000 of CPA grant funds would not be a strong incentive to complete the preservation restriction, which could be labor-intensive.

[Jackson Road/Haywood House](#) (Newton Corner/Nonantum) and [Stanton Avenue/Golda Meir Expansion](#) (West Newton/Auburndale)– Both of these senior housing projects were invited to submit applications for tax credits and other state funding in the state’s special fall 2019 “mini-round,” for which decisions are expected in winter 2020. If either project is not funded then, it will be well-positioned for the state’s regular 2020 funding round.

[Homebuyer Assistance Program](#) – In October 2018 the [CPC approved using some CPA funds already appropriated for this program](#) to review this program and make recommendations for a possible conversion of its basic purpose from creating new affordable units to preserving the affordability of units already subsidized through the program. This change would require approval by both the CPC and the City Council. The City procurement process for hiring the consultant had taken longer than expected, but the consultant began meeting monthly with staff in October 2019. Final data, including current homeowner association/ condo fees and assessments, are still being collected for some units, but the consultant had suggested that permanent affordability could be assured for most of the already subsidized units without additional CPA funding. If the CPC does not receive an update by late spring 2020, it should request one from the Housing staff.

[Waban Hill Reservoir](#) – CPA funds were used to acquire this site from the state in 2015 and to complete a master plan in 2016-17. The Parks & Recreation Dept. then determined the scope of work for initial safety and public access improvements in collaboration with the neighborhood “friends” group. Over several rounds of construction bidding in 2017-19, each lowest bid exceeded the remaining CPA funds available. Some of those CPA funds were then spent to revise the scope of work further, leaving ever-less CPA funding available for construction. The construction contract finally awarded in November 2019 included some work that could only be completed with donations from the “friends” group, but all basic work should be completed in 2020. Ingerson hoped the CPC would require the Parks & Recreation Dept.’s final project report to include a clear explanation of this project’s delays, to help avoid repeating this experience with future projects.

Continuing Program Issues

Ingerson then reviewed the latest version of her memo to the CPC on the program’s “continuing issues” (attached to these minutes), first written in 2008. She noted that, though the Committee had experimented with multiple strategies for addressing these issues over the years, few of the issues had been truly resolved. Going forward, she encouraged the Committee to consider:

- cosponsoring with relevant City Council committees an annual hearing on the list of potential future CPA proposals included in the [Community Preservation Plan](#), primarily to make both the Councilors and the public aware of this list, but perhaps also to solicit other potential project ideas not yet listed
- undertaking more proactive community outreach; she particularly hoped that an insert about the CPA program could be included in occasional City real estate tax bills, although the CPC had received no response to the insert it had proposed in 2019
- finally, rethinking and possibly retiring the [Community Preservation Plan's](#) “target allocations” (funding percentages) for major categories of CPA-eligible projects

Ingerson had strongly advocated for adding these targets to the *Plan* for the first time in 2012, as a tool for managing expectations about future funding. However, upon reflection she felt the targets had often done more harm than good because they were often misinterpreted as rigid, permanent “entitlements” for the various project categories. She was also concerned that the CPC might be pressured to convert the targets into actual entitlements through its budget. For example, Cambridge had long allocated 80% of its annual CPA funds, and Somerville had recently allocated 35-40% of its annual CPA funds, to a municipal affordable housing trust, which then determined which projects to fund. In contrast, Newton’s CPA budget had always followed the basic statutory requirements, allocating 10% each to housing, historic resources, and open space/recreation and leaving approximately 65% of each year’s funds available for any CPA-eligible use. Ingerson believed Newton as a community valued the flexibility this approach allowed for addressing “unanticipated opportunities” in all CPA categories.

Peter Sargent agreed that the target allocations had often been misunderstood, but he felt they were still useful. He supported retaining and continuing to explain them as needed, rather than eliminating them.

After a brief discussion, the Committee also agreed that Newton as a community and the City Council in particular seemed unlikely to support delegating entirely to a municipal housing trust both control of a predetermined amount of annual CPA funding and final authority to approve housing projects.

Committee Business

The Committee briefly discussed the search for Ingerson’s successor. Only a few applications had been received to date. With approval from Mark Armstrong and Brody as the CPC officers, Ingerson had recently authorized using CPC administrative funds to post the position through the Massachusetts Municipal Association. Armstrong and Brody had also contacted Planning Director Barney Heath about encouraging more applications by clarifying that the posted salary was a minimum rather than maximum.

Ingerson had also forwarded to the Law Dept. for review a draft contract allowing for her consulting assistance on an hourly basis after retirement. However, she emphasized that she would not be available full-time after her final day in the position, on 24 January 2020.

Jennifer Molinsky moved, and Sargent seconded, approval of the minutes as submitted for both 6 and 12 November 2019. The minutes were approved by a vote of 7-0.

At approximately 7:45 pm, Sargent’s motion to adjourn was then approved unanimously.