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James Freas  
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**Community Preservation Committee**

**MINUTES**

10 March 2016

The meeting was held on Thursday, 10 March 2016 at 7:00 pm in City Hall Room 204.

Community Preservation Committee (CPC below) members present: chair Jim Robertson, vice chair Jane Sender, Mike Clarke, Jonathan Yeo, Joel Feinberg, Laura Fitzmaurice, Beryl Gilfix, and Rick Kronish (dep. 9:25 pm). Member Don Fishman was absent.

Community Preservation Program Manager Alice Ingerson served as recorder.

Note: In online minutes, [blue, underlined text](#) below should link to specific pages on the Newton CPC website.

**PROPOSALS & PROJECTS**

**[Crescent Street Site Assessment](#)** (Auburndale, affordable housing & recreation) – PUBLIC HEARING on \$100,000 full proposal from City of Newton (out of a potential total \$3.3 million request for this project)

Public Buildings Commissioner Josh Morse summarized the proposal, to assess site cleanup needs and costs for repurposing the City's 70 Crescent Street property as a combination of housing and a community park. After discussing an initial \$1.5 million pre-proposal for this site at its February meeting, the CPC agreed to consider this request off-cycle in part because site assessment was a prerequisite for any future design or construction at the site, regardless of project specifics or funding sources. Morse confirmed that the quotes received from the City's on-call consultants were at or below the estimates for each service that he had included in the proposal. Some initial environmental assessment work has already been done at the site with City (non-CPA) funds. The geotechnical engineering quote was below the proposal's estimate; Morse proposed to retain any CPA funds appropriated but not needed for this work and apply them to future building foundation work.

**PUBLIC COMMENTS**

Shule Kapanci and Elaine Arruda, who both live near the site, explained that though they would have preferred that this site be used only as public open space, after many months of discussion they and their neighbors support the project as currently proposed. In response to their questions, Morse explained that the new site survey would add full topographic/elevation measurements to the "spot survey" already conducted.

On behalf of the League of Women Voters, Andrea Kelley strongly supported the proposal as necessary advance planning and because of its eligibility in two CPA categories (housing and recreation), its consistency with broader City plans, its highly qualified and interdepartmental City management team, and its community support. In response to a League question, Ingerson clarified that the City's larger proposal for the site currently includes 4 affordable housing units and 4 market-rate units, for a total of 8.

As no other members of the public had signed up to speak, Jim Robertson closed the public hearing.

**CPC DISCUSSION**

In response to Rick Kronish, Morse confirmed that at conclusion of work funded through this proposal, the CPC would have a final estimate of site cleanup required for housing and the park.

*Minutes continue on next page.*

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In response to Mike Clarke, Morse explained that Public Buildings planned to manage the process of design and construction for housing on this site.

Beryl Gilfix was concerned to ensure that no CPA funds would be spent on the market-rate housing currently included in the long-term plan for this site, including on site assessment costs for that housing.

Joel Feinberg supported the project's overall goals and applauded the neighborhood's collaboration with the City on its behalf. However, he felt the initial site assessment should be paid for with non-CPA City funds, since the City is retaining permanent ownership of the site. He also considered the plan for the City to develop and own the housing on the site not well-conceived. He would prefer to see the City issue an RFP for a private nonprofit developer, charged both to find other funding sources and manage the housing.

Kronish, Clarke, Robertson and Jane Sender all shared Feinberg's concerns. Kronish and Clarke asked that any CPC recommendation for the site assessment state clearly that the CPC was not committed to further CPA funding for the project as currently conceived. Robertson felt the CPC would need to see that any CPA funds requested for housing on this site would produce a significant number of units at an acceptable per-unit cost. Clarke was also concerned to ensure that CPA funds would be retained for potential open space acquisitions prioritized by the Recreation and Open Space Plan.

In response to these concerns, City Councilor Lenny Gentile explained that the plan for capital funding would cover construction, which would be managed by the City departments, but that the housing on this site will eventually be managed either by a contracted private company or the Newton Housing Authority.

VOTE Jonathan Yeo moved \$100,000 for the site assessment, with the recommendation stating clearly that the CPC reserves judgment on CPA funds for any further phases of the project. Gilfix seconded the motion. The motion was adopted 6-1, with Feinberg and Laura Fitzmaurice opposed.

**Jackson Road Senior Housing** (Newton Corner) – discussion of a pre-proposal for a potential \$1-\$1.5 million request from the Newton Housing Authority

Amy Sutherland, Executive Director of the Newton Housing Authority (NHA), explained that this project was proposed for land owned by the NHA, behind its existing project on Kennedy Circle. Preliminary site assessments suggested the site could accommodate 32 new one-bedroom units, bringing the total in this development to 92 out of NHA's total of over 500 units. The project house people aged 62 or over, at up to 30% of the area median income. Most residents of NHA senior housing have annual incomes of \$10,000 or below. About half of the people on NHA's waiting list for senior housing live in Newton. HUD has designated NHA a "high performer" for its efficient management. This would be NHA's first new project in many years.

PUBLIC COMMENTS (accepted at the chair's discretion, not a formal public hearing).

City Councilors Scott Lennon and Alison Leary had been surprised by the pre-proposal, since they last met with NHA about this potential project a year ago. Both asked NHS to notify them directly of future meetings or steps in the project. Lennon estimated that of every 10 calls the councilors get, about 6 are for housing, 4 of which are for seniors and 2 for people with disabilities. So there is certainly an immediate neighborhood need for such housing. Leary would like the multiple public projects planned for this neighborhood in the next few years to be coordinated. She would like to see curb cuts minimized and any new parking disassociated from the new housing, to avoid providing any incentive for driving. A planned shuttle service, using parking spaces at the Aquinas College during the construction at Austin Street in Newtonville, might be a useful model.

Sutherland said the main entrance for the new housing would still be on Kennedy Circle, so the proposed project would not involve new curb cuts. The early pro forma and mockup envisioned 1 parking space per unit, but few residents now have cars, so that might be reduced. The next step will be hiring development consultant and designer. It will be easier to get feedback once there are some preliminary designs to look at.

NHA Board members Howard Haywood and Vincent O'Donnell had come to indicate their support. NHA has been considering this project for some time, and has spoken with City Councilors Scott Lennon and Allison

Leary about it. Haywood said NHA had submitted the pre-proposal to get in the queue for possible CPA funding, but before submitting a full proposal, would hold multiple meetings with both the community at large and current NHA tenants. They had already heard helpful comments on designing for the elderly and disabled.

O'Donnell acknowledged the geotechnical issues on the site. Councilor Leary, Clarke and Sender noted that Laundry Brook runs under the site, in a culvert. Sender encouraged NHA to consult the Conservation Commission early in its planning. In response to Robertson, Sutherland said a Phase 2 environmental study had been recommended.

Anita Sheehan, 72 Thurston Road (Newton Upper Falls), feels that NHA senior housing is well kept but that a new building built to current codes would be helpful for seniors. For example, new units would have showers with grab bars rather than tubs, lower cabinets for use with wheelchairs, and features to minimize the risk of falls. She feels Jackson Road is a perfect location. Everyone has access to the development's community room.

Terry Sauro, 50 Cook Street (Newton Corner), feels NHA's current Kennedy Circle property is not well maintained. Sutherland promised to check into the fallen railing that Sauro reported at the site. Sauro agrees senior housing is needed but is concerned about safety and sidewalk maintenance, once many more children are walking along Jackson Road to the new City pre-school and elementary school planned for the Aquinas site.

Sami O'Reilly, 249 Watertown Street, lives a block from the proposed new project. She is theoretically in favor of senior housing but feels this neighborhood already has more than enough, including Nonantum Village Place, which she feels is not well maintained and does not meet current building codes and safety standards. Residents of that project and the next-door NHA project tend to wander, fall, and are sometimes disruptive. Neighbors must often step in to help, and emergency services are often called at night, waking the neighbors. She will oppose the new project unless it includes additional supportive services. In addition, the visiting nurses and daily aides who assist many residents of the existing senior housing occupy parking spaces, litter, and smoke outdoors near neighbors' properties.

O'Donnell said future meetings would seek solutions to these various issues. Haywood and Kronish emphasized that NHA had recently created a separate, 501(c)3 nonprofit organization to raise funds for supportive services and is collaborating with the Newton Senior Center to raise awareness of the services already available. Sutherland said transportation would be one service provided for residents. Laura Fitzmaurice requested a thorough description of the project's services component in any full proposal.

#### CPC DISCUSSION

Ingerson noted that the total public subsidy per unit, as outlined in the pre-proposal, was less than \$320,000 – primarily in the form of 9% tax credits; and that the per-unit request for Newton-controlled public funds (currently only CPA) was particularly low in comparison with recent housing proposals: less than \$32,000. Kronish said NHA might also request some of Newton's CDBG or HOME funds, especially for the community center, which Ingerson did not see as CPA-eligible. Sender felt that receiving this proposal in the regular fall funding round would allow the CPC to compare its costs and benefits with other proposed uses of CPA funds.

In response to Feinberg, Sutherland said this would be NHA's first use of housing tax credits, which might take 2 years to confirm. Feinberg suggested that if the CPC were to recommend funding, it would set a clear deadline for confirming the other required funding, even if extensions are allowed up to a point. Feinberg also suggested that NHA's new nonprofit organization might serve as the developer, rather than NHA itself.

Robertson commented that the 5% construction contingency in the preliminary pro forma seemed very low, whereas the 11% of construction costs allotted to architectural engineering seemed very high. Kronish said these numbers would be refined as more work was done on the proposal.

In response to Councilor Lennon, Sutherland said NHA's development consultant would clarify whether the project would need a Comprehensive vs. Special Permit.

**VOTE**        Sender moved and Yeo seconded agreement to consider a full proposal developed from this pre-proposal in the CPC's regular fall 2016 funding round. The motion was adopted by a vote of 8-0.

[Allen House](#) (West Newton, historic rehabilitation) – PUBLIC HEARING on Newton Cultural Alliance Phase 2 request for \$2,000,000 (\$300,000 of CPA funding previously appropriated)

Adrienne Hartzell, Managing Director of the Newton Cultural Alliance, explained that NCA is an umbrella 501(c)3 organization of 25 small arts nonprofits, which works with the business community to advocate for and raise awareness of its members' work, and to develop collaborative work and event spaces. NCA acquired Allen House for that purpose in the fall of 2012, through a private donation.

A generous neighbor later donated the down payment for the adjacent property at 406 Cherry Street, which is not part of the current proposal but will be integrated into the project when financially possible and should help to address longstanding concerns about parking. The Newton Historical Commission approved only 26 parking spaces at Allen House itself, which has a historic preservation restriction and is a local landmark.

This spring, the Junior League of Boston is using Allen House for its Show House, which will bring additional attention to NCA's project and enhance its fundraising efforts. A recent notice in the Newton Tab attracted several hundred people. Many of the new interior finishes from the Show House will remain permanently.

Don Lang, the project architect, summarized the work completed with the initial \$300,000 of CPA funding, including restoring windows, installing fire alarms, an accessible restroom and a temporary handicap ramp. Phase 2 will include full restoration of the exterior; new cellulose insulation blown in from the exterior; a full sprinkler system; and a full-size passenger elevator connecting the basement and first two floors. The building will be heated geothermally, to minimize both visible ductwork and damage to the historic interiors. Accessible restrooms on the lower level will allow removal of the old apartment bathrooms on other floors. Work on the first floor will finish the high-ceilinged kitchen installed by NCA for the Show House, as well as meeting, performance and gallery spaces, and will adapt the barn to serve as a small theater. The second floor will provide office and program space; 7 of the 10 offices will be accessible. It also includes the historic candle pin bowling alley. The third floor includes a caretaker apartment. All parking areas will include accessible spaces. Both the "Great Lawn" at Webster & Cherry and the East Lawn will be usable for outdoor events.

When the Show House finishes in June, new work will start immediately, hoping to get activity and rental income started by August. Robertson noted that the building's open attic and basement will allow work to continue with some tenants in place.

To cover the project's total estimated \$5.9 million in costs, NCA envisions using \$2.3 million of total CPA funding, about \$1 million (basis) in historic tax credits, \$750,000 in bank debt, about \$600,000 from the Massachusetts Cultural Council, and about \$700,000 in foundation grants and private donations. The capital campaign is currently in the quiet phase but will launch once NCA re-occupies the property.

#### PUBLIC COMMENTS

As he left, prior to the public hearing, Councilor Lennon stated his support for the Allen House project.

City Councilor Vicki Danberg, an NCA board member, enthusiastically supported the proposal. She pointed out that Allen House is significant nationally as the site of the first gender- and racially integrated kindergarten in the US, and one of the first gyms included in a school. The Massachusetts Historical Society was thrilled to receive the Allen papers. The house had been on the market in the 1970s when she and her husband were looking for their first home in Newton. It had deteriorated over the following 30 years, from lack of maintenance and the major overhaul now proposed. NCA receives no ongoing City support but has already leveraged significant non-CPA support in both cash and donated materials and services. The requested additional CPA funding will jump-start further NCA fundraising and programming.

State Representative Kay Khan, also an NCA board member, noted that most members of the public at the hearing were founding members of NCA. She is thrilled at the opportunity Allen House offers for NCA to achieve its original goal of creating small performance spaces. It is a huge undertaking in a key village-center

location, which connects it with the Farmers' Market and local businesses. She thanked the CPC for its past support and encouraged funding of the current proposal.

Gayle Smalley, 756 Watertown Street, supported the project with great enthusiasm and admiration for what NCA has already been accomplished. Preserving Allen House has been a community aspiration, and its status has been precarious, as long as she has lived in Newton. CDBG funds saved it temporarily in the 1980s but left much work to be done. She read aloud a 1980 *News Tribune* article calling for patience and perseverance.

Emily Prenner, of Chestnut Street, is a member of the NCA board and of Newton Family Singers, which joined NCA to help develop the small performance spaces very much needed by many groups. She feels the project will be good for economic development and the West Newton neighborhood.

On behalf of the League of Women Voters, Andrea Kelley said the proposal was complete, thorough and impressive. The business plan worked out with the volunteers of SOAR 55 was an excellent way to leverage the requested CPA funding, as are the other non-CPA funding sources listed. The large new request for \$2 million does limit other uses of CPA funds. Parking is still a concern, but the Cherry St. property might help with that eventually. Some League readers wanted see space at Allen House offered at no charge to the community, but not all the readers agreed with this, and it is not a prerequisite for the League's strong support of the proposal.

Hartzell noted that NCA had already received many requests to hold events at Allen House, which it plans to make available to organizations other than NCA members. However, NCA anticipates charging for all these uses, so it can properly maintain the building. Feinberg strongly supported that approach.

#### CPC DISCUSSION

In response to Sender, Hartzell explained that NCA will be submitting two additional applications for tax credits, in April and August 2016. They receive frequent inquiries about purchasing these credits, including an expression of interest from the Village Bank.

In response to Fitzmaurice, Lang said the interior walls are a combination of plaster and lathe and sheetrock. Existing storm windows have been retained, but the first-floor triple-sash windows are fairly tight. Interior storms could be added in the future, but the budget does not include them.

In response to Robertson, Hartzell explained that the second-floor spaces would be on annual leases, with shared office equipment. The first-floor spaces would be rented for meetings, performances, exhibits, and private events such as weddings. There will be a historical display in one room. The New Art Center, the YMCA and NewTV have all expressed interest in satellite spaces at Allen House. Theater Companies and a dance teacher have asked about space in the barn. The revenue estimates in the operating budget are consciously conservative. In response to Feinberg, Hartzell said that NCA's current staff already handles bookings, but they would like eventually to have a second person, who is not yet listed in the operating budget.

In response to Kronish, Hartzell was unsure of the interest rate on the project's bank debt, but using information in the proposal, Robertson estimated it at about 4.5%. Kronish suggested that NCA consider approaching Mass Development about funding. Particularly if the capital campaign falls short and the project's total debt needs to increase above the currently listed \$750,000. Tax-exempt debt would have a lower interest rate, so payments might be lower than those currently projected, even for a larger total debt.

In response to Kronish and Robertson, Hartzell confirmed that the developer fee was budgeted at \$200,000. NCA will use it in part for an external project manager and for staff support of the capital campaign. NCA anticipates taking the fee gradually over time, from any CPA funds granted. Robertson and Feinberg both considered this fee minimal, at less than 5% of hard costs. Kronish hoped the fee would be taken last, so it could be used for capital costs if necessary. Feinberg agreed that a developer fee is typically at risk for overruns or unexpected costs, but he hoped part of the fee in this case could be retained to capitalize the replacement reserve, which he felt would be badly needed.

Ingerson asked the CPC to set clear conditions for the release of any CPA funding it might recommend. She noted that the CPC had authorized the release of CPA funds for the Durant-Kenrick Homestead in two phases,

based on confirmation of successive thresholds of non-CPA funding. However, Historic Newton had chosen not to request the release of any CPA funds until it had raised all non-CPA funding needed to complete the project. Any alternative approach for Allen House might set an important precedent for future private historic projects.

Hartzell said that NCA would like access to at least some CPA funds before all non-CPA funds have been committed. She believes the Village Bank would advance construction funds if CPA funding were secured but could not yet be released. for example, based on the June 2016 allocation of tax credits.

Kronish asked what NCA would do if it raised either more or less non-CPA funding than anticipated by the proposal budget. Hartzell said they would continue to work on fundraising until they could complete the project. The Mass Cultural Council might offer a larger facilities grant than shown in the budget. If fundraising falls short, specific portions of the scope could be deferred. In response to Gilfix, Hartzell said NCA's development consultant had suggested that the Junior League Show House project will help to make the capital campaign's \$700,000 goal achievable. Lang was confident that this goal could be reached, but that NCA could receive a Certificate of Occupancy by investing a minimum further \$350,000 in the building.

Robertson was impressed by the leverage for CPA funding in the proposal's budget: \$3.6 million of non-CPA funding for a total \$2.3 million in CPA funds. However, he noted that the CPC had strongly supported several recent proposals based on their original plans for leveraging non-CPA funding, but that leverage had been reduced or even eliminated after the CPA funds were appropriated. He felt that phasing the release of CPA funds would provide a key incentive for leverage.

After a brief discussion, the CPC declined Ingerson's suggestion for a subgroup to draft written funding conditions for discussion and a vote at their April meeting. Robertson suggested an initial \$1 million CPA release, followed by two releases of \$0.5 million each. As an alternative, Feinberg suggested an initial 30% CPA release, not contingent on additional non-CPA funding; a second 30% CPA release contingent on state allocation of all tax credits listed in the budget, plus confirming an additional \$600,000 of non-CPA funding (which the proposal budget anticipates coming mostly from the Mass Cultural Council); a third 30% release when the capital campaign raises an additional \$700,000 (which the proposal budget anticipates coming mostly from private foundations and individuals); and a final 10% release when the final project report is submitted. Robertson supported this approach but also supported Hartzell's request to allow the capital campaign total to come from any non-CPA, non-tax-credit, non-Newton-taxpayer source.

**VOTE** Based on Ingerson's summary, Feinberg moved recommending the full \$2 million requested for Allen House, with a phased release as follows: 30% initially; 30% contingent on the full tax credit allocation listed in the proposal budget, plus an additional \$600,000 in non-CPA funds; 30% contingent on reaching the capital campaign target listed in the proposal budget; and 10% on receipt of the final report; with the additional understanding that the non-CPA funds will not include other Newton-controlled public funds. Clarke seconded the motion, which was adopted by a vote of 8-0.

Hartzell thanked the CPC and invited them to NCA's May 24<sup>th</sup> Strawberry Festival at the Allen House.

## **POLICIES & PLANNING / COMMITTEE BUSINESS**

Since the state Dept. of Revenue has not yet provided the estimate of fy17 state funds it will require Newton to budget, Ingerson asked that the CPC approve the draft Fy17 program budget in concept, but delegate to its officers approval of any adjustments required by the final Dept. of Revenue information. Sender moved and Gilfix seconded a motion to that effect, which was approved 7-0 (after Kronish left the meeting).

The Committee tabled two other discussions on the agenda: evaluation criteria and consulting services for the evaluation of affordable housing proposals, and the future meeting schedule.

The minutes of the 11 February 2016 meeting were approved as submitted, by sense of the meeting.

The Committee adjourned by consensus at 9:35 pm.