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**Community Preservation Committee**

**MINUTES**  
11 June 2015

James Freas  
Acting Director

The meeting was held on Thursday 11 June 2015 at 7:00 pm in Room 204 of Newton City Hall.

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

Community Preservation Program Manager Alice Ingerson served as recorder.

**Allen House Final Report**

(West Newton, historic resources, \$300,000 appropriated out of anticipated total \$2 million request):

The report was presented by Donald Lang, project architect, and his associate Phi Hong. The project's emphasis has been preserving the building's historic fabric. The full report is online from the project's page on the CPC website, <http://www.newtonma.gov/gov/planning/cpa/projects/allen.asp>.

This first phase focused on the historic house rather than the barn. The front and side entrances from the circular driveway on Webster Street, including the primary public egress porch, were repaired and restored; one unsalvageable historic door was replicated exactly with new materials. Moisture-damaged siding in areas shaded by the side porch was replaced. On the Cherry Street side, a badly deteriorated upstairs side porch with a metal spiral staircase was removed. The entrance from Cherry Street, near the handicap parking spaces, was repaired and expanded to serve as the temporary accessible entrance; that historic door was restored and refitted. On both sides of the building, the driveways were widened to 18 feet and leveled. The sagging barn wall was stabilized with a long composite header beam, propped with angle braces, and the opening filled temporarily with cement board.

The project originally intended to remove some whole windows for repair. In the end, by re-allocating funds within the budget, for a single negotiated price all windows in the main house were removed, restored, de-leaded, and reglazed before reinstallation. The project also reversed the second-floor conversion of a window to a door, which led to the porch that was removed. The original, interlocking brass weather stripping makes the first floor's tall, triple-hung tall windows very tight, so there is no current plan to add either interior or exterior storm windows for these. Laura Fitzmaurice and Alice Ingerson asked for clarification in the next funding proposal of plans for storm windows elsewhere in the building.

The project opened up many doors, including those that had been sealed to divide the building into apartments. One solid panel door found in the house was adapted for one opening, as were matching doors from a salvage house in Dorchester. The front door molding with all lock openings was reproduced to match existing trim on another door.

Historic lighting fixtures were retained as much as possible, after Newton Electric rebuilt and converted them to use LED bulbs. Simple glass ceiling fixtures were added in egress hallways. A lantern fixture replaced the original gas fixture at the main entrance. Much of the lighting was donated.

*(Minutes continue on next page.)*

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An accessible restroom was created on the first floor by removing a tub and replacing the existing plastic pipes with cast iron. Some apartment kitchens were demolished to make second-floor spaces ready for tenant fit-up work on the second floor. Badly damaged carpet was removed. Work to make the building tenant-ready will continue with other resources once the CPA grant is fully spent.

The City is scheduled to inspect the addressable fire alarm system, which is directly connected to the Fire Dept., on June 12<sup>th</sup>. A temporary certificate of occupancy for the change of use from residential to business was issued on June 5. The project was completed by its original intended deadline.

### **Discussion of City projects listed as CPA-eligible in Newton's Capital Improvement Plan (CIP)**

Ingerson reported that Josh Morse, the Commissioner of Public Buildings, was unable to attend for personal reasons, but that he had met with her to convey his sense of which CPA-eligible Public Buildings projects in the CIP his department was likely to submit for funding over the next 5 years. The earliest projects are likely to be, in no particular order, restoration of the exterior stone stairs for the City Hall War Memorial Auditorium; restoration, rehabilitation or historically appropriate replacement of windows at City Hall; and possibly restoration and rehabilitation of the Newton Fire Department headquarters building in Newton Centre. Other projects listed as CPA-eligible for Public Buildings are likely to be submitted farther in the future, if at all.

Bob DeRubeis, Commissioner of Parks & Recreation, updated the CPC about the Newton Highlands Playground project. He confirmed that, after the CPA funds were appropriated, the private sports leagues had requested exclusive access to the field, in proportion to the amounts of their planned donations. Since this might in effect partially privatize a critical public resource, the Mayor and the Commissioner had agreed not to pursue the private funding if it came with these requirements. Although the CPC had originally cited the significant commitment of private matching funds as a major reason for supporting the project, they subsequently waived the requirement for non-CPA funds, at the Commissioner's request. So that the full design could be completed only with CPA funds, the proposed artificial turf field that private donors had originally requested and offered to pay for was eliminated; the field will now be natural turf. The Commissioner still plans to seek some private donations for the project's construction phase, hoping that this will not lead again to requests for exclusive private rights to the public fields.

Over the next five years, Parks and Recreation anticipates submitting a request to restore the landscape at City Hall, now that the ponds have been dredged and restored with non-CPA funds. Actual plant materials may need to change, in response to climate change and pest or disease threats to specific varieties, but the Olmsted firm's overall original design would be restored, following recommendations in the CPA-funded 2006 [historic landscape master plan](#).

The department's other top CPA-eligible priorities are a new bathhouse at Crystal Lake, for which private fundraising has begun, and the heavily used Jeannette Curtis West building (the "Hut") at Newton Centre Playground, which is a relocated historic church.

DeRubeis noted that his dept. had previously hoped to use CPA funds to enclose and improve Gath Pool. Ingerson explained that the state Dept. of Revenue had advised the Newton Law Dept. that such a year-round facility would not be an eligible use of CPA funds. DeRubeis felt it was better to create a year-round swimming facility with non-CPA funds than to rehabilitate a summer-only one with CPA funds.

Jim Robertson noted that the CPC would like to consider design-only funding requests for all of these projects first, and only then consider construction funding requests, based on completed designs.

### **New Art Center Planning Grant Pre-proposal (Newtonville, historic resources, \$72,652)**

Executive Director Dan Elias and Board member Diana Bailey summarized this pre-proposal. The Center would like to request CPA funds to complete the planning process begun with a Systems Replacement Plan done using Massachusetts Cultural Council funds, and a building envelope survey completed in 2014, which covered the roof, exterior walls above the foundation, and windows. The overarching Strategic Plan now underway will

inform decisions about both the building and the organization's long-range finances. That plan should be finished by November 2015, not quite in time to be attached to the proposal due to the CPC on October 1<sup>st</sup>, but in time to be reflected in public hearing presentations about that proposal.

The building's current condition reflects accumulated decades of deferred maintenance. The plan to be completed with CPA funds would identify the best way to meet current standards for accessibility, security, and energy efficiency within the preservation standards required by the CPA. This initial CPA-funded plan would also produce a schematic design to support a realistic final design and construction estimates.

The New Art Center anticipates requesting CPA funds for up to half the cost of final design and construction. They plan to combine fundraising for the building with a broader capital campaign: roughly, if the building project costs about \$4 million, they would request \$2 million in CPA funds and aim to raise \$3.5 million from other sources. In response to Joel Feinberg, Elias said the Center would look into historic tax credits.

In response to questions from Rick Kronish about the Center's future programming and finances, Elias explained that the Center is developing a "looking and making" program that combines art appreciation or interpretation with studio art, as well as programs on "art and business" and "art and society." The new Strategic Plan will explore additional programming options. The current annual operating budget is about \$1.2 million, with about \$800,000 of earned revenue, primarily from classes, and the remainder from fundraising. The Center uses two lines of credit to manage its uneven cash flow, but has no other debt.

Ingerson noted that the Center's current deed includes a right of reversion to the City of Newton, if the building's use changes. The Center once raised funds for capital improvements through a mortgage, long since retired, but the right of reversion might be an obstacle to mortgage financing in the current financial climate. As a condition of CPA funding, the Center and the CPC might explore converting this right to a historic preservation restriction, held by the City.

Jonathan Yeo wondered if the Center should consider a different location altogether. Elias confirmed that the Washington Park building has 9 different floor levels. Bailey said that the architects on the Center's Board had reviewed a range of options, including but not limited to rehabilitating this building.

In that context, Ingerson asked how potential CPA funding for the Center's building on Washington Park was related to the New Art Center's interest in the former Newton Centre Library, for which the City recently issued a Request for Expressions of Interest (RFI). Elias said the Center felt that its approach to visual arts as community-building could encompass not only other sites in Newton but also other communities. The Board had reaffirmed a long-term commitment to the Washington Park building but might also respond to the Newton Centre Library RFI, with the intention of using that building as self-sustaining satellite arts space, with program revenue covering any costs incurred for the space itself; and leasing part of their Washington Park basement to other users, since this space is least appropriate for the visual arts. The Center recognizes that both of these historic buildings have significant rehabilitation needs, and that if the Center were to request CPA funds for both sites, it might be competing with itself.

Elias said the Center's proposal to be submitted by October 1<sup>st</sup> would include an outline of the tasks and qualifications for consultants to create a full preservation and rehabilitation plan for the building. Those consultants would be hired with CPA funds, if those funds were awarded. Ingerson noted that current City policy requires consultants or contractors for any work done with CPA funds, or for which CPA funds will be commingled with private funds, to be chosen through public bidding, even when the work will be done on private property. Robertson and Ingerson suggested that it probably therefore made sense to bid the entire project publicly, unless there is a logical, clear way to separate the privately and publicly funded work into distinct contracts or phases. They urged the New Art Center to consider following the example set by the Allen House project, which hired the project architect with private funds to create detailed building plans, but used CPA funds and public bidding for the construction contract.

Elias asked whether the New Art Center could be reimbursed from CPA funds for work done prior to the awarding of the CPA grant. Ingerson said normally the answer was no, because the CPC needs to confirm that

project plans comply with the historic preservation standards required by the Community Preservation Act before any actual work is done; it would be inappropriate to fund a project planned as ordinary renovation that simply claimed, retroactively, to be historic preservation. Once project plans have been certified as complying with the historic standards, however, any work to implement those plans can be CPA-eligible. Feinberg noted that another reason the CPC normally does not recommend reimbursement for work already completed with non-CPA funds is because this suggests the CPA funds were not really needed.

### Discussion of CPC expectations for matching non-CPA funds

Ingerson noted that both Kronish and absent member Beryl Gilfix had requested this discussion, including the possibility of setting clearer, quantitative targets for non-CPA funding in proposals to the CPC. Ingerson noted that a public hearing should be held on any changes in the current *Community Preservation Plan* before those changes are adopted, and that proposal sponsors should be notified of such changes far enough in advance of upcoming submission deadlines so they have a reasonable chance of complying with the new requirements.

Ingerson projected on screen the qualitative language about this issue from the current *Plan*:

Expected Share of Non-CPA Funding	
projects on public property, with broad or City-wide public benefits	less
projects on public property, with narrower or mostly single-neighborhood benefits	more
projects on private property, with broad public benefits (including affordable housing)	
projects on private property, with narrower but still significant public benefits	most

As a starting point for discussion, an email Gilfix sent to Ingerson proposed requiring at least 10 percent non-CPA funding for any project. Yeo felt it was hard to set a minimum, though he supported leveraging as much non-CPA funding as possible for each project. Robertson noted that it was difficult to set standards across projects; for example, restoring the steeple of a historic church may provide a very different public benefit than rehabilitating a historic building housing an arts center that serves the whole City. Feinberg commented that it was hard to determine the relative public benefit of some projects, such as certain parks.

In several recent cases, some or most of the non-CPA funding promised or implied in City proposals had simply not materialized once CPA funds were appropriated. Ingerson also explained that this was an issue only for public projects, because grants to private groups are governed by grant agreements that can make the release of CPA funds contingent on certain milestones, including confirmation of funds from other sources.

Ingerson reported that in response to the difficulty of confirming non-CPA funds for public projects, Gilfix had suggested the CPC docket its funding recommendations with the Board of Aldermen only after all expected non-CPA funds are actually in hand for a project. Ingerson also noted that the Committee had previously recognized both pros and cons with this approach. Robertson suggested that as an alternative, the Committee simply recommend less than the full amount of CPA funding requested. This would give the project sponsor a clear choice between scaling the project back, so it could proceed with only CPA funding, or raising the difference between CPA funding and total needs from other sources.

After further brief discussion, the members present agreed unanimously to leave the *Community Preservation Plan's* language about non-CPA funding as it stands, for the time being.

Kronish also asked about the Committee's priorities for affordable housing, including not only non-CPA matching funds but the type of developer (nonprofit, for-profit, etc.), income levels served, developer fees, and cleaning up larger sites to support developments with economies of scale. He thought the [overview of affordable housing issues](#) that Ingerson had presented at the CPC's May 2015 meeting had been helpful (now on the CPC website under [Reports & Presentations – Special Presentations](#)).

Feinberg felt that the CPC evaluated each housing proposal on its own merits. He recalled the CPC feeling uncomfortable when the CPA request from one private, for-profit developer was approximately equal to the developer fee listed in the project budget. Ingerson noted that in that case, the CPC had made its funding

recommendation contingent on a recapture provision, which it had used successfully once before: the grant agreement required that a portion of the CPA grant be repaid if total sales revenue, including from market-rate units, reached a certain minimum.

Robertson noted that in recent years, the CPC had generally received no more than one housing proposal each year. He was concerned that tighter criteria might discourage the submission of proposals. Kronish thought that clearer priorities might actually encourage the submission of some proposals that otherwise might not be submitted at all.

### **Committee Business**

Ingerson asked members to email her any standing conflicts missing from the pre-meeting packet, so she could take these into account when proposing a meeting schedule for 2016.

Based on a motion by Jonathan Yeo, seconded by Rick Kronish, the Committee voted 5-0 to approve the minutes of its 14 May 2015 meeting as submitted by staff.

The meeting was adjourned by Committee consensus at 9: 00 pm.