



Setti D. Warren  
Mayor

**City of Newton, Massachusetts**  
Department of Planning and Development  
1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone  
(617) 796-1120  
Telefax  
(617) 796-1142  
TDD/TTY  
(617) 796-1089  
www.newtonma.gov

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**Community Preservation Committee**

**MINUTES**  
20 March 2014

Candace Havens  
Director

The meeting was held on Thursday 20 March 2014 at 7:00 pm in Room 209 of Newton City Hall.

Community Preservation Committee (CPC below) members present: chair Joel Feinberg, vice chair Jim Robertson, Leslie Burg, Mike Clarke, Beryl Gilfix, Tom Turner, Laura Fitzmaurice, and Don Fishman (arr. 7:20 pm). Member Dan Green was absent.

Community Preservation Program Manager Alice Ingerson served as recorder.

**DISCUSSION**

**Citizen Request to Reserve Funds for Future Affordable Housing Proposals**

Kathleen Hobson (128 Dorset Road, Waban), Fran Godine (19 Crofton Road, Waban), and former CPC chair Judy Jacobson (289 Cypress Street, Thompsonville) all spoke on behalf of the Engine 6 group, which advocates for diverse and affordable housing in Newton. Having noticed that there were no housing projects on the Committee's current list of anticipated future proposals, the group had submitted a letter urging the CPC to reserve 40% of its new funds for affordable housing over the next two years – the maximum target in the CPC's current *Funding Guidelines*. They considered economic diversity important for the success of Newton's local businesses and an important part of Newton's community character. They were concerned that competition for Newton's CPA funds had increased because the Community Preservation Act now allows these funds to be used to rehabilitate existing City parks, and because Newton's new *Capital Improvement Plan* lists many CPA-eligible rehabilitation projects for historic City buildings. Finally, they felt that other, not strictly financial factors were also making it more difficult to develop affordable housing in Newton. The group strongly supported the CPC's current 25-40% target allocation for housing. They were not asking that the CPC guarantee to spend 40% of its funds on housing, but only that it retain the option of that maximum allocation if it received enough worthwhile housing proposals.

Joel Feinberg believed that the CPC as a group was sympathetic to this group's goals. He agreed that it was difficult to find developers willing both to bring housing proposals to the CPC and to work through Newton's arduous development approval process. However, the CPC could only respond to proposals as submitted. He felt that the CPC's current policy, of maintaining a general reserve for any CPA-eligible purpose equivalent to about one year's worth of new funds, addressed this group's concerns while still providing flexibility to respond to any and all urgent proposals.

Leslie Burg and Jim Robertson agreed with these points. Burg was glad to see such strong support for affordable housing in general, and she agreed that it was becoming harder to develop such housing in Newton. She and Robertson noted that the general reserve described by Feinberg allowed for a quick response to unique real estate acquisition opportunities, whether for affordable housing or for open space and recreation. Robertson noted that the CPC also considered such proposals on a rolling basis, since they could not necessarily be synchronized with any pre-set annual deadline. Robertson felt the CPC did not plan to allocate the maximum possible of its funds over the next two years to non-housing proposals.

Michael Clarke suggested that the City-owned Kennard House on Dudley Road might be adapted as affordable housing once it has been vacated by its current temporary tenants, associated with the Newton Public Schools.

## **PROPOSALS & PROJECTS**

### **Continued Working Session -Farlow Park Pond & Bridge**

(Newton Corner, historic resources), CPA request \$476,780, total cost \$582,380

Keith Jones, chair of the Friends of Farlow Park (109 Vernon Street, Newton Corner), summarized the Friends' response to the CPC's previously expressed concerns about community fundraising and maintenance. In contrast to their submission for the pre-meeting packet, Jones noted that the Friends were now prepared to become an official 501(c)3 nonprofit organization to help raise funds to restore the pond and build a new bridge, when and if the CPC recommended funding for the project. In response to Michael Clarke, Jones explained that the Newton Conservators had expressed support for this project but preferred that the Friends create their own 501(c)3 for fundraising.

In response to Feinberg, Parks & Recreation Commissioner DeRubeis acknowledged that a restored pond would involve some additional maintenance, particularly clearing debris from the water and the area around the pond and occasional repairs to the pump. He could not immediately estimate those costs, but felt that they could be covered by the Parks & Recreation Dept. operating budget. Jones felt that the Friends of Farlow Park could keep up indefinitely with much of this work on a volunteer basis, continuing their 20-year history of other volunteer maintenance and cleanup in the park. DeRubeis noted that his department budget could cover the cost of replacing about one pump a year, but would need supplemental funds if it ever had to replace two pumps in one year. Jay Walter (83 Pembroke Street, Newton Corner) stated that the Friends had done everything possible to minimize maintenance costs through the project's proposed design. The Friends felt the only maintenance needed for the bridge would be repainting the railings every 10 years or so. Walter also noted that the current badly deteriorated bridge structure would probably need to be demolished within the next decade, whether or not the proposed new bridge was funded. The current project proposal includes those demolition costs.

As a potential model for Farlow Park, Janet Sterman (120 Church Street, Newton Corner) asked about maintenance of the 9/11 memorial built with private funds on the grounds of Fire Department Headquarters in Newton Centre, then gifted to the City. She understood that the City had accepted responsibility for maintenance, though the private 501(c)3 still held some funds that could be applied for that purpose. DeRubeis said the private Newton Police Association had accepted responsibility for funding the memorial's regular maintenance.

Jones indicated that Commissioner DeRubeis had provided the Friends with an informal estimate of yearly maintenance costs for the pond and bridge of about \$1,500. The Friends, including Jones, Walter, Sterman and Maureen O'Hare Mercer (173 Oakleigh Road, Newton Corner), noted that this was less than the estimated \$4,000 savings that would be realized by using well water rather than MWRA water to irrigate the Underwood School Playground. Feinberg, Gilfix and Burg were skeptical that funds currently allocated to the Public Buildings Dept. for playground irrigation would be transferred to the Parks Dept. for park maintenance. Jones and Walter said the Friends had requested a written commitment to this transfer from the City of Newton's Chief Operating Officer Bob Rooney.

Jones explained that, if regular maintenance for Farlow Park would be covered by the Parks Dept. operating budget, the Friends of Farlow Park did not see a need to become a perpetual organization, which would not have a clear mission. Feinberg, Robertson, Clarke, Turner, Burg and Gilfix all felt that the Friends should become a perpetual organization, raising and holding some funds privately as insurance against the future repetition of the City's past history of deferred or inadequate maintenance for this park. Several CPC members expressed great respect for the long-term commitment of the Friends' current members and felt that the park would be much improved by the restored pond and bridge, but noted that the challenge of maintaining those improvements would obviously outlast any particular group of volunteers.

Ingerson and Burg noted that the CPC proposal instructions ask for a 10-year operating budget to demonstrate there is a realistic plan to cover slowly increasing operating costs, which cannot be covered from CPA funds. Clarke and Robertson felt that, like other 10-year operating budgets the Committee had seen, an operating budget for Farlow Park should include building up a "replacement reserve"; for example, if the new bridge was expected to last a century, 1 percent of the cost to replace it should be put aside each year. The same should be done for replacing the pump periodically. The budget should also include any special costs associated with ice skating and removal of ice from the bridge itself. Parks & Recreation Dept. Open Space Coordinator Carol Schein said she would create and submit a true 10-year budget for Farlow Park.

Feinberg recognized that raising private funds for these costs would be more of a challenge than raising funds for initial capital improvements. Robertson felt corporate partners in the Newton Corner neighborhood might be willing to contribute toward these recurring costs.

In response to Feinberg's summary of previous discussions, all CPC members present agreed that they had heard the concerns expressed by project opponents about safety, geese, etc., but did not see these as critical reasons not to recommend funding for the proposed project. In response to Burg, DeRubeis agreed that there might be support from residents for a spray park, such as had been proposed for other City parks, including Albemarle Park in Newtonville. He said this would require recycling the water and a lifeguard to monitor chlorine levels. Ingerson noted that the spray park on Boston's Rose Kennedy Greenway undoubtedly recycled water but apparently did not use chlorine.

By consensus, the CPC agreed to Feinberg's suggested list of submissions required to resume this working session at the CPC's April 30<sup>th</sup> meeting: a full commitment for the Friends of Farlow Park to become a 501(c)3; a more inclusive 10-year operating budget from the Parks & Recreation Dept.; based on that budget, a plan from the Friends of Farlow Park for raising funds to address the park's long-term maintenance and replacement costs, in which one source of funding might be a written expression of current intent by City government to transfer water bill savings for Underwood School Playground from Public Buildings to Parks & Recreation. Ingerson reminded attendees of the April 11<sup>th</sup> deadline to submit information for the CPC's 30 April 2014 meeting packet. She also offered to share some examples she had found online of public-private partnerships working to create endowments or operating reserves for public parks in other communities.

#### **Working Session – Newton Highlands Playground Final Design and Specifications**

revised CPA request \$200,000 (orig. \$240,000);

anticipated CPA construction request \$2,147,400 (orig. \$1,960,000)

Carol Schein summarized the revised budget, created at the CPC's request by updating costs from older estimates. The revised budget also moved the cost of construction administration from the

design to the construction phase. She also noted that the Conservation Commission does have jurisdiction over the site and will need to approve the final design.

In response to a letter from Srdjan Nedeljkovic (5 Bellingham Street, Newton Highlands) and a question from Feinberg, Schein said that permeable pavers would be considered for the small additional parking area proposed within the boundaries of the existing park. DeRubeis said that lot would be plowed by the Parks Dept., which could take the extra care required for that surface. He also stated that as one abutter, Chapman Construction was interested in helping the Dept. reorganize parking along Upland Avenue so that City spaces would no longer be used routinely by the abutting businesses.

Schein explained that CPA funds would be used to design the footprint of a play area, but neither to design nor to purchase play equipment. DeRubeis noted that he was working with the Mayor to add more funds for school playgrounds and playground equipment to the City's operating budget.

In response to several questions from Clarke, DeRubeis and Schein said that the basketball court would be paved; the existing buildings and trailer would be replaced by a small new building in a slightly different location; the private youth athletic leagues would cover maintenance costs for the artificial turf football field; and the large oak tree in the middle of the property would be preserved. Clarke noted that on March 17<sup>th</sup> the Parks & Recreation Commission had voted to reconfirm this proposal as its first CPA-eligible priority, with Farlow Park as its second priority.

Feinberg recognized Bob Burke, a member of the Newton Highlands Area Council, who had been asked to express the support of Alderman John Rice for the project, and from fellow council member Nedeljkovic, who had been unable to attend the public hearing on January 22<sup>nd</sup>. The council feels this project will reconnect the two sides of the neighborhood, which straddles Route 9.

In response to Gilfix, DeRubeis and representatives of the youth leagues were confident that the leagues could raise the nearly \$1.39 million of non-CPA matching funds anticipated in the revised project budget. The leagues are also aware of the procurement policy currently posted on the CPC website, which applies the same competitive bidding and contracting requirements to private, community funds as to CPA funds. Ralph Ranalli, president of Newton Girls Soccer, noted that the 2,400 participating players in his league and Newton Youth Soccer together had significant potential fundraising power, augmented by the Newton Little League and the new Newton Mustangs football program. These organizations' fees more than cover their program costs. DeRubeis noted that an initial commitment of CPA funds for design would also help with private fundraising. Ingerson noted that the final specifications probably could not be completed in time for a construction cost estimate to be submitted by the 1 October 2014 full proposal deadline.

**VOTE** As moved by Robertson and seconded by Donald Fishman, the Committee voted 8-0 to recommend the requested \$200,000 and, at Ingerson's suggestion, to consider a construction proposal off cycle, after the 1 October 2014 deadline.

### **Update & Discussion - Allen House**

(West Newton, historic resources), CPA request \$2,000,000

Feinberg summarized the CPC's past information requests as focused on a revised, more credible full budget, both uses and sources.

Adrienne Hartzell and David Ennis summarized the current status of this proposal. A third, revised budget is under development, which does not include the federal historic tax credits listed in the

most recent draft budget. The Newton Cultural Alliance board recently agreed that the length of time required to complete the full project made it impractical to count on the Suzuki School of Newton as an anchor tenant. NCA is now proposing to phase the project, completing rehabilitation of the main house as phase 1, including the elevator; the servants' wing as phase 2; and the barn as phase 3. The house needs to begin generating income as soon as possible.

In addition to work on the main house, Robertson recommended that phase 1 include the cost of temporary supports or shoring for the most badly deteriorated exterior walls or sills in the servants' wing and barn.

In response to Robertson, Hartzell noted that the architectural plans are 75 percent completed, but cannot be 100 percent completed until the uses of the building have been finalized. Based on consultation with one contractor, NCA has increased estimated construction costs by \$300,000, but they are also seeking a second contractor estimate. They have submitted a grant request to the Massachusetts Cultural Council and a second application for state historic tax credits, and are developing a strategy for community fundraising.

NCA recently had a very successful meeting with the neighbors. Several organizations would like to have their offices or hold programs in the building, including the Boston Bluegrass Union. The Boston Ballet School, New Art Center and Scandinavian Living Center need short-term housing for visiting artists. NewTV would like to use the barn for production and other activities.

The CPC also agreed to a second site visit on April 7<sup>th</sup> at 4 pm.

## **COMMITTEE BUSINESS**

### **Fy15 Program Budget**

Ingerson walked the Committee through the proposed fy15 budget. She noted that the proposed allocations for the required 10% reserves for housing, historic resources and open space included both anticipated new revenue for fy15 and the excess of actual over budgeted revenue for fy14, which had resulted primarily from the difference between the budgeted 26% state match and the 52.2% state match actually received. She also noted that the proposed fy15 budget included a 50% state match, on the assumption that the Community Preservation Coalition would be successful in persuading the legislature to contribute the optional additional \$25 million to the state fund from the state's budget surplus. If actual state revenue falls short of the amount budgeted, Newton's allocations to the three reserves will be more than the required minimum 10% but still within the targets set by the CPC's *Funding Guidelines*; and discretionary spending on consultants and community outreach will be adjusted to keep total administrative costs below 5% of actual annual new revenue, as required by the CPA.

**VOTE** Based on a motion made by Burg and seconded by Robertson, the Committee voted 8-0 to approve the fy15 program budget as submitted.

After a motion by Burg, seconded by Laura Fitzmaurice, the minutes for 26 February 2014 were approved by a vote of 8-0 as submitted.

Ingerson then summarized the tentative agenda for the CPC's April meeting, including final reports for the Civil War Monument and a housing project on Eddy Street in Newtonville, and working sessions and possible funding votes for Farlow Park, the Historic Burying Grounds, the City Archives Strategic Plan, and the City Hall Veterans' Historic Artifacts.

Given the relatively short list of new proposals expected in fy15, Ingerson suggested this might be an appropriate year for the CPC to address the issue of project maintenance more systematically, rather than just one proposal at a time. For example, the Committee might invite the Public Buildings and Parks & Recreation departments to make presentations at a public CPC meeting, to help educate the public about the challenge of balancing the scope of their maintenance responsibilities with the resources made available for that purpose through the City's annual operating budget.

If resources were available in the fy15 program administrative budget, she also suggested that the CPC might also consider offering a small grant to the Parks & Recreation Dept. for a consultant to assess the feasibility of establishing a City-wide public-private partnership or endowment for all parks and playgrounds. Feinberg noted that this might also address inequalities created by relying strictly on neighborhood fundraising, since some neighborhoods obviously have a greater fundraising capacity than others.

The meeting was adjourned by committee consensus at 9:10 pm.