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**Community Preservation Committee**

**MINUTES**  
19 June 2013

The meeting was held on Wednesday 19 June 2013 at 7:05 pm at the Auburndale Community Library, 375 Auburn Street.

Community Preservation Committee (CPC) members present: Leslie Burg, Jim Robertson, Nancy Grissom, Joel Feinberg, Thomas Turner, Don Fishman, Michael Clarke (arr. 7:10 pm), Dan Green (arr:7:12 pm).

Also attending: Newton Parks & Recreation Commissioner Bob DeRubeis, Parks & Recreation Dept. Open Space Coordinator Carol Schein, Senior Planner Katy Hax Holmes, and Alderman Lisle Baker (from 7:00 to 7:10 pm).

Program manager Alice Ingerson served as recorder.

**COMMITTEE BUSINESS**

**CPC Officers: Selection Process & Expectations**

Jim Robertson thought the Committee's previous system of rotating all members into one year as vice-chair followed by one year as chair was good because it involved all members and ensured that one officer always had at least one year's experience. Other members, including Don Fishman, preferred members to volunteer, or be nominated, as officers if they had both time and interest.

In response to Dan Green's question about the time required to serve as an officer, former chair Nancy Grissom and current chair Leslie Burg felt the chair needed to invest 1-2 days a month in addition to the monthly meeting, including meetings or phone calls with the vice chair and staff, and attending meetings of Aldermanic committees where CPC recommendations were discussed. Ingerson suggested asking for a meeting between the current officers, herself, and Board committee chairs to review her fall 2012 memo requesting any suggested changes to the CPC's past procedures for Aldermanic committees, as she had received no response to that request.

**CPC Expectations for Staff**

Ingerson understood that Mayor Warren planned to introduce formal staff evaluations, so she was waiting for further instructions before drafting a new staff job description. She asked the Committee to clarify what input they would like from her as staff prior to discussing either pre-proposals or full proposals. Joel Feinberg preferred no staff input, to avoid skewing the Committee's discussions, which he believed should be "ideally naïve," in the sense of insulated from staff knowledge of sponsors' past performance or political pressures for or against current proposals. Burg and Grissom felt that as chairs they had benefited by requesting briefings from staff, by phone or in person, prior to each Committee meeting. They urged future officers to continue this practice.

Ingerson noted that she currently makes a list of questions she feels should be asked about each pre- or full proposal, primarily to ensure the project's success if funded, but requests that the chair call on her last, so she can ask only the (usually very small) number of these questions not already asked by

others. She suggested that she might, as her predecessors had done, provide a draft in advance of any special funding conditions, so the Committee could modify, delete or expand these but would not have to compose them from scratch during funding votes. The sense of the meeting was to continue the first practice above and begin the second, but the Committee agreed to formalize its expectations prior to its first funding votes after the November 2013 full proposal deadline.

### **Preparation for Discussion of Pre-proposals**

Ingerson noted that for the fall regular funding round she would recommend postponing any funding vote until public hearings had been held for all proposals.

Mike Clarke reminded the Committee that all proposals related to City of Newton parks or playgrounds must be endorsed by the Parks and Recreation Commission.

Ingerson noted that some sponsors, particularly City depts., might not be able to meet the requirement to identify a qualified and available project manager until they received CPA funds to hire such a manager. She thought there might be some options for meeting this requirement after rather than before funds were appropriated, by adopting provisions currently used in grant agreements with private nonprofits, such cross-approval of payment requests by CPC staff, or specific conditions for the initial or final release of funds. Clarke emphasized that City depts. should find the funds in their General Fund budgets for proposal preparation and project management, if they truly wanted CPA grants. Clarke and other members asked Ingerson to determine through the Law Dept. what kinds of conditions could be imposed on funding to City departments.

**Minutes for 9 May 2013:** After Robertson's motion was seconded by Grissom, these minutes were approved as submitted by a vote of 8-0.

## **PRE-PROPOSALS**

### **Waban Hill Reservoir**

Alderman Baker was recognized during the Committee business section of the meeting to express his support for this project, because he had to leave at 7:10 pm.

Commissioner DeRubeis started the discussion. He noted that this 5-acre parcel, if acquired, would be in the custody of the Parks & Recreation Commission and Department. The Waban Hill Reservoir Advisory Group (WHRAG) had recommended keeping the water and using the site mostly for passive recreation, with a walking path around the top, playground equipment, public art, etc.

Katy Hax Holmes from the Planning Dept. explained that the MWRA had given public notice in November 2012 that it intended to decommission this reservoir. The WHRAG, which first met in January 2013, was asked to envision appropriate future uses for the site, without considering feasibility or technical requirements. As co-chair of the WHRAG, Gail Silberstein explained that the group, while composed mostly of abutters, envisioned the site as a destination for the whole City, with apple orchards, a tot lot, and new water features. They believed the site improvements they had suggested would be durable and require little maintenance.

As the other co-chair of the WHRAG, Peter Clote noted that the site is listed as a potential acquisition in the current draft *Recreation & Open Space Plan*. Local neighbors feel strongly attached to the site as a green space for walking, both for the old and the very young. The WHRAG considers the Fisher

Hill Reservoir acquired by the Town of Brookline a comparable project. Adjusted for size, a comparable acquisition cost for the Waban Hill Reservoir would be about \$300,000. Holmes explained that the contrasting acquisition cost of \$1.5 million in the pre-proposal, to be requested entirely from CPA funds, was an estimate of the site's value prior to the imposition of a conservation restriction preventing its use for development. This mechanism was used in Brookline: the state made the granting of a conservation restriction a requirement for selling the Fisher Hill Reservoir. Peter Clote noted that a similar mechanism was used to reduce the cost of acquiring the now City-owned Newton Commonwealth Golf Course, also in Chestnut Hill.

In response to questions from Burg and Feinberg, Holmes acknowledged that there is no current agreement by the state to sell the site to Newton. DCAM (the state Dept. of Capital Asset Management) is currently determining if any other state agency is interested in using the site. Mayor Warren has asked the state to consider Newton as a buyer and created the WHRAG as a way to show that the City has a serious interest in the site. The next step is for DCAM to notify Newton that the property is available, on terms yet to be set by the state legislature. The City of Newton assumes Boston College has also indicated to DCAM an interest in acquiring the site.

In response to questions from Robertson and Burg, Holmes explained that the \$750,000 estimate in the pre-proposal for the cost of site improvements included paths and ramps, some of which might be eligible for Community Development Block Grant funds if they were wheelchair-accessible. Green felt it would be difficult to make such a steep site wheelchair-accessible. Silberstein said the WHRAG had identified 3 relatively level site "entrances," where handicap parking spots could be created.

Grissom and Ingerson asked whether the site might qualify for CPA funding in the historic resources category. Holmes felt the small historic building on the site might be too deteriorated to restore. Ingerson suggested making a case for the dam and reservoir themselves as historic, using the standards of the federal Historic American Engineering Record (HAER) program. Though making this case and completing the CPC's required "historic resources attachments" would be more work than treating the site only as open space or recreation land, Ingerson thought it might also be more appropriate. The landscape as a whole was clearly an engineered rather than natural. Holmes was familiar with the HAER and said she could complete the required attachments herself.

In response to Robertson, DeRubeis estimated that mowing the site's steep slopes would cost about \$15,000 annually. The Parks & Recreation Dept. does not currently have a funding source for this work or for maintaining the site improvements contemplated by the WHRAG.

Robertson, Burg and Grissom were concerned that the pre-proposal showed no leverage for anticipated CPA funding other than City of Newton funds. All three members would like to see significant private/neighborhood fundraising for the project. Clote said the WHRAG had discussed forming a friends group for the park, but this seemed premature. The neighbors envisioned contributing volunteer time more than cash, but hoped to solicit such support across the City.

Dan Green asked whether proceeds from developing part of the site could help to pay for preserving the remainder. Holmes noted that a conservation restriction imposed prior to City acquisition might preclude this, but the City-owned pump house parcel nearby could be sold as a house lot and the proceeds used for site maintenance.

In response to Robertson, Clote noted that the WHRAG report lists an estimated \$300,000 of costs related to the reservoir dam, but that there had been no full geotechnical evaluation of the dam. Burg and other CPC members agreed that such an evaluation was critical. Holmes felt that filling the

reservoir might also be an option, but Silberstein explained that the WHRAG felt the site's current combination of water, height, and views was unique. They were also concerned that filling the reservoir might redirect the rain it now collects in ways that would cause neighborhood flooding. Finally, the information available to them suggested that the cost of filling and earth moving would be greater than the cost of repairing the dam and keeping the water on the site. Clarke commented that, although one purpose of the CPA is to acquire open space, without a full assessment of the dam and a clear funding source for maintenance, this site might not be a good purchase.

Burg felt that the project needed to generate another pre-proposal for discussion with the CPC. Feinberg suggested that, since the acquisition opportunity would require a rapid response once the terms were set, the next document submitted to the CPC should actually include as much of the information required for a full proposal as possible, to permit rapid action on the final full proposal.

With support from other CPC members, Burg reviewed the information the next document should include, based on the proposal form: identifying an actual project manager, rather than the Parks & Recreation Commissioner as a placeholder, or providing a draft scope of work/statement of qualifications for a manager to be hired with CPA or other funds; a clear, succinct summary of the site's proposed uses and City-wide benefits; addresses and qualifications for WHRAG members, and the process used to appoint that group; at least 2 supportive community contacts who are neither WHRAG members nor residents of the site's immediate neighborhood; a full engineering assessment of the dam and likely costs to repair and maintain it; and the two usual required budgets – for planned capital improvements and the site's first 10 years of operations and maintenance. Holmes felt it would be possible to generate this information. She also explained that the City's Chief Operating Officer Bob Rooney would lead the acquisition negotiations.

In closing, Burg reminded the presenters that in agreeing to discuss this next document, really a draft proposal, the CPC was not committing itself to recommend funding for the project. Ingerson noted that if the CPC did recommend funding, they would also need to decide whether to recommend providing funds as a grant or through debt financing (bonding).

### **Newton Highlands Playground**

Open Space Coordinator Carol Schein presented this pre-proposal. The site is just south of route 9. 13.3 acres, partly playing fields and woods. It needs to be rehabilitated to support more efficient use. Currently it is underutilized because of poor drainage and a lack of access pathways. Using CPA funds, the consultants Weston & Sampson produced a master plan, Donated funds from sports leagues were then used for a hydrologic assessment of that plan by the engineering firm Gale Associates. The 2008 plan was based on extensive neighborhood input, but new neighborhood meetings would be needed because there has been significant turnover in the area since then. The Parks Dept. is also working with the neighborhood to raise funds to replace the old playground equipment, which was removed because it did not meet current safety standards.

Clarke asked that the project use the site's correct name: the Joseph Lee Playground. DeRubeis noted that the Parks and Recreation Commission had voted to make this project a top priority in 2007.

Robertson felt this was one of the most leveraged pre-proposals the CPC has seen. Commissioner DeRubeis noted that the construction documents and drawings the department hopes to produce with the initial \$240,000 in CPA funds will be critical for soliciting private funds from the owners of abutting commercial sites, sports leagues and other private donors, all of whom have already indicated an interest in supporting the project. In response to Clarke, DeRubeis listed Pop Warner

Football, Newton Youth Soccer, and the Little League as potential donors; the soccer league has already donated \$300-400,000 to rehabilitate fields throughout the City. In response to Ingerson, Schein confirmed that the Parks & Recreation Department planned to request another estimated \$2 million in CPA funds for construction. Though the CPC has never recommended debt financing (bonding) for anything except land acquisition in the past, that might be a possibility for this project.

DeRubeis felt the likely use of the football/soccer field at this site was too heavy for natural turf, but in response to past concerns about rubber infill, the project would use another form of infill under any artificial playing surface. Burg and Robertson agreed that it was appropriate for some City parks to have artificial turf but that CPA funds should not be used for this purpose. Schein assured the CPC that proposals for this site would clearly exclude from CPA funding any component related to the design or installation of artificial turf.

In response to Feinberg's concerns about the aesthetics and safety of approaches to the site, especially for bicyclists, Schein and DeRubeis agreed that site approaches and edges should be redesigned. DeRubeis had identified a potential donor for redesign of the roadway and parking. In response to Ingerson, Schein said the plan for this site would be integrated with other plans for the area, including the Upper Falls Greenway (rail trail) and the current pre-proposal to the CPC to plan the possible creation of other open space along Needham Street.

The Committee advised Schein and DeRubeis to meet the same requirement they had imposed for the Waban Hill Reservoir pre-proposal: identifying supportive "community contacts" from outside the neighborhood. Overall, the CPC felt this pre-proposal was well done, and they agreed to consider a full proposal for the project in the regular fall 2013 funding round.

### **Farlow Park Pond Restoration**

DeRubeis briefly summarized this project to restore the small, ornamental pond in this historic 19<sup>th</sup>-century park and add an irrigation system to preserve the abutting Underwood School playground.

Burg felt that the pre-proposal as submitted was weak. The "community needs" section had been left completely blank, for example. Burg questioned whether Stephanie Lapham, the listed project manager, truly had the time to manage the project. DeRubeis proposed that he and Schein oversee the hiring of a consultant with historic landscape experience as the actual project manager.

In response to Robertson, DeRubeis described Newton's winter skating opportunities on the Charles River at Auburndale Cove and temporary rinks set up on playgrounds or in parks. He noted that the City clears the Cove for skating using an antiquated, originally horse-drawn planer. Volunteers clear the temporary rinks, as the Friends of Farlow Park have volunteered to do for the Farlow Park pond.

Ingerson noted that the Farlow Park plan had been funded and written when parks could be rehabilitated with CPA funds only by following the federal guidelines for historic landscapes. However, parks could now be rehabilitated under "recreation" as well as "historic resources." She noted that some residents in the past had opposed a restored pond as a drowning hazard and asked whether project supporters would consider "rehabilitating" the pond by installing a new water feature in the historic footprint, such as sprayer that would be safe for toddlers because it left no standing water. Friends of Farlow Park representative Jay Walter thought this might be possible, but he also believed there was no significant opposition to restoring the purely ornamental pond.

Ingerson noted that the historic bridge also could not be literally restored but would have to be rebuilt with a design that met ADA standards. DeRubeis noted that the Parks & Recreation

Commission had endorsed, though it had not prioritized, the master plan for the pond; it had not yet reviewed or voted on a plan to rebuild the bridge. Burg and Feinberg encouraged him to request Commission review and endorsement of both components, as it made little sense to leave the current concrete-slab bridge in place if the historic pond were restored.

Jay Walter described the site as the City's oldest park, now blighted by a dry pond and the concrete slab bridge. He felt the CPC had treated the project unfairly by recommending only enough funding to plan the project, in response to multiple requests since 2004. This prolonged uncertainty made it difficult to persuade supporters to keep attending meetings, and might now make it difficult to redeem the \$10,000 in neighborhood pledges made in 2004 and still listed in the current pre-proposal. The CPA is really the project's only possible funding source, and he felt the CPC should now recommend funding to complete it. He reported that current parents at the closest nearby public schools supported the project, even though it was not a top priority for the Parks Department or in the City's capital plan.

Burg, Grissom and Green acknowledged that the project's long and inconclusive history with the CPC had been frustrating for its supporters. Burg urged the CPC either to approve or deny the full project in the next funding round, clearly and permanently.

Grissom felt that although the project might be a priority for the immediate neighborhood, the CPC needed to focus on priorities for Newton as a whole. Burg suggested revising the "community contacts" section of the pre-proposal, which listed only members of the Friends of Farlow Park, to list at least 2 supportive contacts from outside the immediate neighborhood. Feinberg, Grissom and Robertson agreed that over the years, the CPC had not perceived sufficient City-wide support for the project, and that the project needed evidence of such support as well as more community fundraising to make its case.

Robertson felt a rehabilitated historic Farlow Park would be gorgeous but felt the CPC should require 25 percent of project costs to come from private donations, foundations, etc. Clarke remembered suggesting a target of 50 percent non-CPA funding for recreation projects during discussions of the CPC's draft *Funding Guidelines*. Green, Burg and Grissom felt a set percentage was unwise. Ingerson read the adopted *Guidelines* section stating that the CPC will aim to support "for all resources ... projects that benefit the community as a whole and that raise the maximum possible funding from non-CPA sources." She noted that, as it had with the Durant-Kenrick project, the CPC could make the release of CPA funds appropriated for Farlow Park contingent on meeting a project-specific non-CPA funding target. Grissom and Burg felt this leverage should not be City funds from non-CPA sources.

In response to the Committee's suggestions, DeRubeis agreed to submit for the CPC's September 12<sup>th</sup> meeting a revised pre-proposal that addresses the weaknesses in the first pre-proposal and includes both the pond and the bridge, as a basis for the CPC to decide whether it will consider a full proposal in the fall 2013 funding round. There is not enough time for the Parks & Recreation Commission to endorse this revised project by the upcoming CPC deadlines, so the CPC recognized that it could receive, but could not recommend funding for, a full proposal unless and until the project has that Commission's endorsement.

After a motion by Green, seconded by Robertson. the meeting was adjourned by committee consensus at 9:30 pm.