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Community Preservation Committee

MINUTES

27 March 2012

The meeting was held on Tuesday 27 March 2012 at 7:00 pm at the Waban Library Center, 1608 Beacon Street, Waban.

Community Preservation Committee (CPC) members present: Leslie Burg, Joel Feinberg, Zack Blake (arr. 7:15), Michael Clarke, Nancy Grissom, Thomas Turner, Jim Robertson, Wally Bernheimer, and Dan Green.

Also present: Aldermen Brian Yates and John Rice (for the entire meeting) and Aldermen Susan Albright and Deb Crossley (for the start of the meeting). Approximately 30 members of the public also attended.

Program manager Alice Ingerson served as recorder.

Committee Chair Leslie Burg opened the meeting at 7:05 pm.

PRE-PROPOSAL

Civil War Monument, Newton Cemetery

Alice Ingerson noted that the question before the Committee for this project was simply whether to accept an off-cycle proposal; this was not a public hearing, and the Committee could not vote on whether to recommend funding at this meeting.

Frank Nichols of the City's Engineering Division, Dept. of Public Works, showed a series of photographs and explained that this "Soldiers' Monument" was built in 1864 with contributions by Newton citizens, on a lot purchased by the City in the private Newton Cemetery, which was founded in 1855. The CPC and Board of Aldermen had funded an assessment of the Monument and recommendations for its restoration in 2004-2006. Its condition recently deteriorated significantly, leading to concerns about public safety. The Cemetery had roped off the area and used propped up some components of the granite and marble Monument with wooden beams. It had previously removed and stored the granite cannon that rested on the top of a supporting wall because the wall was now leaning. That gravity wall was now failing, partly due to water infiltration and to annual freezing and thawing. Other components of the monument had also suffered significant water damage over the years.

The City and the Cemetery would both like to see the Monument restored in time for its 200th anniversary in 2014. Both felt that another season of freezing and thawing might cause truly irreparable damage, so the City was asking the CPC to accept an off-cycle proposal for \$134,000,

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to produce final specifications and restore the Monument. Nichols expected full project costs to be less than this amount, but the request will include a 20% contingency because there are no as-built drawings for the Monument's underground supporting structure.

Wally Bernheimer expressed his support for considering a full proposal off-cycle, but asked to consider funding in two separate phases: specifications first, followed by construction funding based on those specifications.

Mike Clarke had found historical sources showing that the Cemetery was responsible for "maintaining the grounds [of the Monument] in good condition." In response to a question from Ingerson, Clarke clarified that he felt this included preventing damage to the Monument from the annual cycle of freezing & thawing in the soil. Several members of the audience, including former Jackson Homestead archivist Susan Abele and City preservation planner Katy Holmes, affirmed that the Cemetery's responsibility was confined to mowing the grass, and that the City was fully responsible for the Monument.

Ingerson noted that the deed and other historical records mentioned in tonight's discussion were online from the project webpage, as she had informed the Committee prior to this meeting, but that she had not mailed this historical information to the Committee along with the pre-proposal.

Joel Feinberg and Alderman Brian Yates both expressed concern that funding the project in phases might mean the work could not be completed before next winter.

VOTE Wally Bernheimer moved, and Dan Green seconded, acceptance of an off-cycle full proposal for this project, subject to the conditions that the proposal include: (1) a phased budget and schedule so the CPC could if it chose vote only on funding for design/specifications at first, and consider construction funding later; and (2) confirmation of City ownership and financial responsibility for the Monument by the City of Newton Law Department.

The motion was adopted by a vote of 9-0.

COMMITTEE BUSINESS

After a motion by Nancy Grissom, seconded by Dan Green, the Committee approved the minutes for 28 February 2012 as submitted by a vote of 8-0. Jim Robertson abstained because he had not attended this meeting.

The Committee took a brief break at this point so people who had come solely for the Civil War Monument discussion could leave.

PRESENTATION: Happy 10th Birthday, Newton CPA! Focus on Waban, Newton Highlands & Newton Upper Falls (Ward 5 & beyond)

Chair Leslie Burg explained the format of these events: a PowerPoint presentation, followed by audience discussion/Q&A and an "open house" with refreshments. She asked everyone to record their attendance on one of the circulating signup sheets, and to consider filling in and submitting a survey, at the meeting or online.

Vice chair Joel Feinberg presented an overview of the Community Preservation Act: a short history of the state law & Newton's adoption of it; fundable resources & actions; the prohibition on using CPA funds for operating expenses, including maintenance; sources of local & state funding; the roles of the Community Preservation Committee and Newton's Board of Aldermen in the funding process;

and the currently proposed amendment to the CPA, which would mandate that state funds match at least 75% of the revenue raised locally, and allow for the rehabilitation of recreation land not created or acquired with CPA funds in the first place.

Alice Ingerson then reviewed the work done by Newton's CPA program since fy2002, including sources of funds and the funding forecast for the next 5 years; the balance of yearly and cumulative appropriations among the fundable resources; and specific projects funded in the focus neighborhoods.

Ingerson then presented a series of maps and graphs illustrating the idea that "community preservation is making choices about change," starting with historic photos showing how Newton Upper Falls, Newton Highlands and Waban have changed since the mid- 19th century, but also including: the turnover of real estate around the City from before 1980 to the present, coded by decade; the growth of Newton's village centers and development in those parts of the City outside village centers; current housing values and needs; the distribution of both current buildings by their approximate date of construction and of recent demolition permits in the City; the loss or re-engineering of the City's historic wetlands and streams; the sub-watersheds that link Newton neighborhoods to each other and to the Charles River; and the present distribution of parks, playgrounds and conservation areas.

DISCUSSION

At approximately 8:05 pm, Burg invited audience questions and comments, with a special focus on funding priorities for this part of the City over the next 5-10 years. Speakers are identified here by both name and the title of any previous CPA-funded projects with which they were closely associated, whenever possible.

A brief discussion of questions related to Ingerson's presentation of historic photos and maps covered: whether the known breast cancer cluster in Waban might be related to the 19th-century tannery or glue factory on Quinobequin Road, the later presence of a film studio in what is now Cold Spring Park, or air and water pollution from factories in Newton Upper Falls; whether Frederick Law Olmsted had designed the pattern of curving streets in Waban; and whether Olmsted and H. H. Richardson had designed the train stations and grounds for the Circuit Railway connecting Waban and Newton Highlands to both Riverside and Newton Centre.

Barbara Darnell, a member of the advisory committee for updating Newton's *Recreation and Open Space Plan*, noted that several other members of that committee were also present, and encouraged the audience to respond to their online survey.

Feinberg asked how the City interacted with the state Dept. of Conservation & Recreation (DCR) over the state-owned land along the Charles River. Ald. Yates summarized a recent divergence of views between the DCR, based on a 1970s plan for land along Quinobequin Road, and the administration of current wetlands and river protection laws and regulations by Newton's Conservation Commission.

Fran Godine, a long-time resident of Crofton Road in Waban, supported the point made in the presentation that many Newton residents could not afford to purchase their current homes at current market prices, so maintaining the community's existing diversity required active efforts to create more affordable housing. She felt that small, infill affordable housing projects often improved neighborhoods. Affordable housing was also critical for many people who wished to downsize but stay in Newton, or for their children to live in the community they had grown up in.

Burg agreed that “affordable housing” really served a much broader demographic than the stereotypes sometimes associated with it. Bernheimer agreed that affordable housing was important, but that Newton’s high land prices made it difficult and expensive to build.

Ingerson and others in the audience confirmed that this building would be eligible for CPA funding, because it was on the National Register of Historic Places. Burg and Ingerson summarized the CPA’s prohibition on funding maintenance, and noted that the CPC and Board of Aldermen had funded an ongoing City Historic Buildings Survey, partly as a way to distinguish the smaller set of City buildings that were historically significant and therefore eligible for CPA funds, from the many older City buildings that also needed significant repair or improvements, but were not eligible for CPA funds. The final individual building reports from that survey should be available and online in spring 2012.

Burg emphasized that this survey, along with recently completed surveys of the City’s archaeological resources and archives, would be critical for helping the City and the CPC to prioritize the use of CPA funds.

In response to a question about archival funding from Ald. Yates, Burg explained that the CPC had asked the City to set priorities for the CPA-eligible projects in its *Capital Improvement Plan (CIP)* and then to discuss with the CPC a combined, overview pre-proposal for all City projects for each year, prior to submitting full proposals for individual projects.

In response to a question from Rob Caruso, co-chair of Newton’s Commission on Disabilities (CoD), Ald. Rice reported that he had been working with the Waban Improvement Society to provide short-term improved accessibility at the Waban Library, but that they also anticipated seeking CPA funds for a longer-term solution, including a fully accessible restroom. Burg noted that a number of historic City buildings

Caruso and Gerard Plante, the other co-chair of the CoD, described the need for an improved, wheelchair-accessible winter entrance at the Newton Senior Center, the former Newtonville branch library. The City’s previous commitment to fund this improvement from federal Community Development Block Grant funds had been put on hold, because it triggered new state requirements for sprinkler systems throughout the building, significantly increasing the original \$75,000 cost. Caruso and Plante urged the use of CPA funds for this project.

Feinberg, Burg and Bernheimer emphasized that the CPC did not initiate proposals or create projects, and that supporters of particular projects should advocate for assigning those projects a high priority through the *CIP*. Ingerson noted the Civil War Monument was an example of this process. She noted that the CPC’s website, email list, and *Tab* announcements would provide advance notice of any public meeting at which pre-proposals for upcoming City projects from the *CIP* would be discussed, and urged people to attend those meetings. She also noted that the federal historic preservation standards required by Newton’s CPC did allow for adapting historic buildings to new needs and codes, by the installation of improvements such as lifts, ramps, or sprinklers.

Maureen Meagher Reilly of Quinobequin Road asked for an explanation of what listing on the National Register of Historic Places meant, and why the CPA included a prohibition on funding maintenance.

Ald. Yates explained that the National Register, maintained by the National Park Service, documents and recognizes historic significance, but does not really regulate use. Ingerson noted that the Register does require an extra level of review by the Massachusetts Historical Commission for projects using federal funds, but that properties on the Register can be and sometimes are demolished. Nancy

Grissom and Wally Bernheimer pointed out that listing on the Register can qualify properties for certain tax credits and grants. Grissom also noted that Newton's local ordinance allowed the city's Historical Commission to impose a longer delay on the demolition of properties on the National Register than on other properties.

Burg explained that the prohibition on funding for maintenance had always been part of the CPA, and would not be changed by the proposed amendment currently pending in the state legislature, which would allow spending CPA funds to rehabilitate existing recreation facilities, and guarantee a 75% match of state funds for funds raised locally. Ingerson noted that the CPA surcharge is essentially a property tax, and the legislature had restricted the use of those funds to "special projects" to ensure that the CPA was not used as a way around Proposition 2½, which requires Massachusetts communities to pass an override if they wish to increase their total property tax levy by more than 2.5 percent a year.

In answer to an audience question about whether CPA funds could be used to trim trees on private property, Burg and Ingerson noted that this would be ineligible as maintenance. After some discussion, Burg suggested that others present at the meeting might be able to offer suggestions about sources of assistance for a private property owner of limited means, after the CPC meeting adjourned.

Ingerson noted that to date, Newton's CPC had felt that properties already in public ownership or proposed for public acquisition were a higher priority than private properties, and had always required the grant to the City of a permanent affordability, preservation, or conservation restriction on any private property in return for CPA funding. Ald. Yates suggested that a future worthwhile project might be the preservation and adaptive re-use of the Newton Upper Falls 19th-century Greek Revival building now owned and used by the Mary Immaculate of Lourdes parish as Saint Elizabeth's Center in Newton Upper Falls, might merit such funding in the future.

In response to Burg's request for final comments, Waban resident Anki Wolf expressed the hope that the CPA program could help to preserve the village atmosphere in Waban and other parts of Newton. Ingerson noted that CPA funds could be used for the studies needed to establish additional local historic districts, for example, to encourage architectural preservation, but could not be used for the ongoing costs of staffing new district commissions.

Bernheimer pointed out that the CPC had an announced priority of funding projects in village centers, but had received few if any proposals for those places.

Apart from CPA funding, Ald. Yates briefly discussed the zoning issues and actions associated with recent redevelopment in Waban. Ald. Rice pointed out that area councils could also help to preserve and shape neighborhoods: the Newton Highlands council was established many years ago, Upper Falls had recently formed a new area council, and Waban was now in the process of forming its own.

Burg believed that everyone in Newton valued the diverse character of its villages but also urged everyone to think about the needs and character of the City as a whole.

OPEN HOUSE At approximately 8:50 pm, Burg thanked the audience for coming and invited everyone to adjourn for refreshments and continuing conversation.

MEETING MATERIALS Presentation materials from this meeting are online from the "Reports and Presentations" page of the program website, www.newtonma.gov/cpa.