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## **Community Preservation Committee**

### **MINUTES**

8 August 2012

The meeting was held on Wednesday 8 August 2012 at 7:00 pm in City Hall Room 209.

Community Preservation Committee (CPC) members present: Leslie Burg, Nancy Grissom, Thomas Turner, Joel Feinberg, Michael Clarke (occasionally absent at another meeting in City Hall), Jim Robertson (arr. 7:10 pm) . Absent: Dan Green, Wally Bernheimer.

Also present from the Newton Parks & Recreation Dept. (at start of meeting): Commissioner Bob DeRubeis, Open Space Coordinator Carol Schein.

Program manager Alice Ingerson served as recorder.

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

### **GOALS & CRITERIA FOR CPA-ELIGIBLE RECREATION PROJECTS**

Discussion with Parks & Recreation Commissioner & Open Space Coordinator

Commissioner DeRubeis said his department's current priorities are the same now as in the master list created about 5-6 years ago, which identified Upper Falls and Newton Highlands playgrounds as the top priorities for complete renovation or rehabilitation. The department's two requests for matching federal/state funds for these projects through the Land & Water Conservation Fund were denied, and the projects are now being pursued piecemeal.

Some work on the tennis courts and a new walkway at Upper Falls has now been done with City funds allocated through the *Capital Improvement Plan (CIP)*, so Newton Highlands is now the top priority. The department is working on new public-private partnerships and fundraising with including Newton-based developer Ted Tye, Alderman John Rice, and athletic groups that use each site. In addition to the CPA-funded site master plan, these sources raised \$30,000 for a feasibility study of the Highlands playground by Gale Associates. The biggest problem is drainage, but the playground needs about \$3.2 million in total improvements, including new playing fields.

DeRubeis noted that play structures can now cost \$200-\$300,000. The universal/accessible structure donated to the Newton Centre Playground cost over \$300,000. The department currently provides some seed funds for each playground from Boston Marathon funds, but that is only about \$12,500 a year. The PTOs have done impressive things with this small amount.

The Parks Department operating budget only covers short-term repairs. The dept. has lost the \$75,000 for it once to spend annually on fields, which it used to replace the turf on one soccer field. Revenue from Gath Pool and Crystal Lake must be used for swimming; \$60,000 was spent to repair cracks in Gath Pool, which significantly reduced the pool's water costs. The department is using GIS to evaluate whether some of Newton's 71 tennis courts could be closed to reduce maintenance costs, and which should be repaired.

In general, the Parks and Recreation Department plans to request partial CPA funding of any project, not the sole source. Although allowed under the newly amended CPA, the Department does not expect to request CPA funds for playground structures. It may work to make a \$300,000 for drainage improvements at Newton Highlands Playground a top CPA-eligible priority in the *CIP*.

In response to Mike Clarke, DeRubeis said the *CIP* includes replacing Gath Pool, ideally by an Olympic-sized indoor facility that supports diving, at a total estimated cost of \$32 million. Jim Robertson noted that Newton cannot currently host most standard swim team meets, which involve 3-4 teams. Pools capable of hosting these meets rent for \$30,000 a weekend.

Carol Schein supported Alice Ingerson's suggestion that CPA funds be used for "deep" improvements such as drainage or paths. Schein advised using CPA funds for projects that include public input but are professionally designed to ensure the future health of each site's soils, water and stormwater systems, etc., as well as ease of maintenance. Doing large projects the right way will make the parks last. Schein said the department already had many professional designs ready to implement.

Leslie Burg agreed that infrastructure was the most appropriate use of CPA funding. Joel Feinberg suggested that more visible features such as benches or planters could be funded through fundraising and donations, but drainage or paths probably could not be.

Burg and Grissom asked the department to provide a list of specific site plans already done and plans still needed, as well as evidence of funding for future site maintenance. Burg also asked for a master plan showing how CPA funding for parks and playgrounds could be phased over multiple years, in small increments. Burg, Robertson and Ingerson emphasized the need to bundle or batch projects into project management contracts, since regular Parks staff do not have time to manage these special projects in addition to their regular work. Ingerson noted that construction and outdoor recreation happened at the same time of year, making it hard for any one staff member to manage both. DeRubeis also felt that capital projects and recreation programs required different skills.

Jim Robertson hoped the CPC would set approximate targets for allocating funds to each resource, for the first time ever. DeRubeis and Schein both supported that approach.

Burg then recognized Jason Wong and Ted Vahey of the Burr School PTO, who thanked the Parks and Recreation Department for helping to repair their playground, but noted that current City funding for playground improvements was very limited and maintenance is not always funded adequately. At Burr School, the playgrounds and technology needs are currently competing for PTO funds. Alice Ingerson noted that the Community Preservation Act prohibits funding for maintenance.

Mike Clarke left the meeting at this point.

## **OUTLINING NEW CPC FUNDING GUIDELINES & PRIORITIES**

Alice Ingerson summarized the process and schedule for producing new guidelines, which the CPC had approved at its June and July meetings.

Nancy Grissom felt that Ingerson's instructions to CPC members about submitting notes for the new funding guidelines were unclear, and that Ingerson had misinterpreted many of her suggestions when combining submissions from individual members into the draft outline circulated for tonight's discussion. Burg encouraged all members to use the discussion to correct misinterpretations or omissions.

At different points, Ingerson, Feinberg, Burg and Turner all noted that many of the CPC's current guidelines were not specific enough to justify turning any projects down. They hoped that the new guidelines could be more forceful and less ambiguous.

In response to Ingerson's suggestion, in the course of the meeting the Committee agreed to the following broad goals without extended discussion: integrate CPC priorities with other City plans; encourage multi-resource projects; support the preservation and improvement of both public resources and some non-City projects; support both rental and home ownership housing; and support both the acquisition and rehabilitation of public open space or recreation land.

Mike Clarke returned to the meeting at this point.

**Target Allocations** The Committee discussed these at length. Ingerson projected on screen an interactive spreadsheet showing the impact over the next few years of possible allocation targets for each resource. The draft circulated prior to the meeting allocated 25% for affordable housing, 18% for historic resources, 25% for open space, 18% for recreation land, and 9% for any of the above. This reflected the slightly higher ranking of housing and open space in the CPC's online community survey. Grissom and Robertson noted that the survey had received relatively few responses and was not at all scientific. Grissom felt that the CPC should not base its target allocations on either its survey or its Happy 10<sup>th</sup>, Newton CPA! community meetings.

Robertson preferred the historic cumulative allocations over those Ingerson had circulated. Ingerson said that cumulatively, the share of open space and recreation together had been about equal to housing, between 30 and 35%, and that historic resources had received a fairly small share of funding, partly because the flow of City proposals had been limited and the management of City projects had often been less than ideal. (Note: the historic 20-year total is about 38% for affordable housing, 17% for historic resources, 18% for open space, and 24% for recreation land.) She also felt the historic pattern might not be a good guide for the future because the 2007 lawsuit had stopped funding for park improvements, which are now explicitly eligible for funding.

The Committee agreed that it was important to set funds aside for future land acquisitions. Burg suggested building an acquisition reserve up to a certain total, then not adding to it unless or until it was spent. The total might be \$2.5 or \$3 million. Mike Clarke preferred an acquisition reserve of about \$4-\$4.5 million. In response to Robertson, Clarke explained that the *Recreation and Open Space Plan* was a list of desirable actions but did not necessarily set priorities, especially for acquisitions. It was hard to predict when a parcel recommended for acquisition might become available, but when it was large amounts of funding would be needed quickly.

In response to Grissom, Ingerson explained that multi-resource projects could tap funds from several allocation categories. All funding must be reported to the state by resource, so the Comptroller's reports list multi-resource projects once under each resource involved. In contrast, the CPC's reports list each project only once, with columns showing how much of that project's funding was for each eligible resource.

Turner, Robertson and Burg felt that target allocations would encourage departments or organizations to plan a sequence of projects carefully over time, and particularly that it made sense to cap funding for certain categories (such as park and playground improvements). Burg also endorsed the suggestion made by Ingerson to 'batch' City projects into short-term contracts for temporary project managers, so projects would not get stuck for lack of staff management capacity.

Joel Feinberg agreed it was important to reward multi-year planning for predictable projects, as long as funds were also set aside for projects that must be opportunistic, such as housing or open space acquisitions. Robertson felt that a clearer allocation strategy would also help housing developers plan their funding requests.

Clarke pointed out that targets should be guidelines, not guarantees. The proposal process should still be competitive, and projects should be funded only if they were well-designed and viable, not simply because they fell within a given allocation. Turner and Robertson agreed.

Through further discussion, Ingerson adjusted the tentative targets to: 35% for housing, 15% for historic resources, 20% for acquisition of either open space or recreation land, 15% for rehabilitation of either open space or recreation land, and 10.0% for any of the above. Several members felt comfortable with these targets, but the Committee agreed that they should not be considered final. Clarke asked Ingerson to send him her spreadsheets for both the proposed targets and the cumulative list of all CPA-funded projects, so he could compare them. Burg pointed out that the targets could always be adjusted within a range, after being set.

Robertson noted that the Committee's current, large fund balance gave it more options in the short term than it might have in the long term. Ingerson hoped the Committee would use that balance gradually, partly to compensate for the steady decline in state funds, rather than all at once.

**Accessibility** Grissom thought a goal of supporting accessibility in excess of legal requirements when "practical" was open to too many interpretations. For housing, Grissom, Burg and Clarke supported determining the actual need for and current supply of fully accessible units, rather than simply aiming to maximize accessibility. Burg and Grissom noted that it had been difficult to find buyers or tenants for the fully wheelchair-accessible units the CPC had recently supported at Lexington Street and Pearl Street, and that the eventual owners or tenants had asked that some accessible features be removed or reversed. Turner noted that the Housing Authority had an architect survey all its units for accessibility, so those data should be available.

Burg felt the top priority for accessibility should really be Newton's public buildings. Joel Feinberg felt accessibility in public parks should also be a priority. Turner felt this should be handled on a case-by-case basis.

The Committee agreed to reword this goal as "Encourage accessibility that exceeds legal requirements, where appropriate."

**Planning Grants** Ingerson explained that she had suggested planning grants, and perhaps limiting private projects to planning grants only, partly to help sponsors pursue non-CPA funding. At one point the CPC had offered to provide a continuously updated list of all private, state, and federal funding opportunities for all CPA-eligible resources, but she had found this impossible to do, and even when the list was up-to-date, proposal sponsors seemed not to use it. She thought it made more sense to offer grants so sponsors could pay for professional designs and cost estimates, grants research, and fundraising plans customized for specific projects.

This was especially true for small private projects, but the CPC also needed to fund designs for City projects, so it could have more confidence in the City's cost estimates for construction projects. Ingerson acknowledged that there was some risk of discovering from this process that construction would cost so much more than anticipated that the Committee might then decide not to fund construction at all, but she felt the Committee and the City had to accept that risk.

Robertson, Feinberg and Turner opposed planning grants, which they felt conflicted with Ingerson's recommendation at earlier meetings not to provide initial funding if the Committee was not basically committed to funding the entire project. Feinberg felt that private groups in particular should simply be required to have a professional plan, a realistic budget, and be ready to proceed – in short, projects should only be funded if they are “fully” or “mostly cooked.”

Ingerson wished the CPC would simply say “no” to more pre-proposals that fail these tests, but that instead it often seems to accept revised pre-proposals, with no limit on the number of versions it will discuss. Turner agreed that the CPC's new guidelines should help it say “no” more quickly and often.

Burg suggested stating that for the next 2-3 years it would prioritize public projects, and preferred not to consider private projects. Grissom, Feinberg and Robertson disagreed with this suggestion.

The Committee ultimately decided to omit any mention of planning grants, but to use its proposal requirements to ensure that it funded only projects that were “fully or mostly cooked.”

**Regional Projects** Grissom and Burg both thought these were desirable, but agreed they were difficult, and that past attempts at inter-municipal cooperation had not been entirely successful. The Committee agreed to omit this topic from its guidelines for now.

**Management and Maintenance** The Committee supported Ingerson's suggestions to: continue current requirements to identify a project manager clearly, document the manager's qualifications and availability, and require the manager to be the primary presenter at public meetings; and expand to all proposals the requirement to submit a 10-year operating budget, which to date has applied to all housing projects and on a case-by-case basis to a few others.

**Pre-proposals** Grissom suggesting taking public comment on pre-proposals. Burg and Ingerson felt it was best to keep pre-proposal discussions short, and save more time-consuming steps for full proposals. Robertson described pre-proposal discussions as “speed dating,” and hoped the Committee could hold 3 of them in an hour, easily. The sense of the meeting was to leave the pre-proposal process as it stands.

**Off-cycle Consideration** Grissom, Robertson and Clarke thought the Committee should be willing to consider time-sensitive or emergency proposals outside the annual funding round. Robertson then agreed with Ingerson and Burg that such a policy would encourage all proposals to be presented only when they became emergencies, and that an annual deadline for most proposals encouraged earlier submission and helped the Committee evaluate tradeoffs. After further discussion, the Committee agreed to accept off-cycle submissions to proposals that involve real estate acquisition. Clarke favored accepting emergency historic resources proposals off-cycle as well. The sense of the meeting was not to include this exception in the guidelines, to encourage planning for historic resources, with the understanding that sponsors will request off-cycle consideration for any genuinely unpreventable emergencies.

**Leverage** The Committee discussed at length whether to set specific requirements for matching funds, and whether those requirements should differ between City and non-City projects, or between projects that benefit mostly a single neighborhood rather than the City as a whole. Ingerson suggested that CPA funds should also be “last in,” after evidence has been presented that funds have been sought and committed from other sources. Feinberg reiterated his principle of requiring sponsors to show that CPA funding is “but for” money, without which the project simply could not happen – after all other possible sources have been tapped. In the end, the Committee agreed that all

projects should be required to demonstrate that they have sought and raised the maximum possible funding from non-CPA sources, prior to requesting CPA funds.

**Housing** The Committee discussed at length Burg's initial suggestion to direct CPA funds toward housing for lower-income groups, in the understanding that zoning reform was a more cost-effective, could have encourage the construction of far more housing affordable to moderate-income households, without requiring either special or comprehensive permits or CPA grants. Burg decided to withdraw the suggestion, out of concern that it might discourage mixed-income developments. Grissom, Feinberg, and Robertson agreed. The sense of the meeting was not to focus on any particular income group within those eligible under the CPA.

The Committee also agreed to leave the current guidelines' encouragement on housing at village-center, transit-oriented sites, as recommended in the *Comprehensive Plan*.

The Committee then discussed briefly and rejected the option allowed by the newly amended CPA of providing direct rental subsidies to households. All members who spoke felt that Newton's CPA funds should support the development of permanently affordable housing, for either rent or ownership.

Robertson was concerned that supporting a municipal affordable housing trust would not leverage any expertise not already available through the CPC, would not speed up the funding process unless it simplified the Aldermanic part of that process, and would increase overall program overhead if the trust needed its own staff but the CPC still kept its current full-time staff position. After further discussion, the Committee agreed to support funding a housing trust if the trust would significantly expedite the funding process for housing.

**Historic Resources, Especially Archives** Ingerson noted that it was hard to get archives prioritized through the risk-based *Capital Improvement Plan*, but that Public Buildings Commissioner Stephanie Gilman thought this might change over the next year. The Veterans and Public Health departments had recently hired a consulting archivist with non-CPA funds, who found that they could legitimately discard many records, and thus freed up space for other uses. Grissom and Burg both agreed that the City needed a strategic plan for archives: someone to do similar triage throughout the City, to identify the need and possible locations for any additional archival storage, and to set priorities for the scanning or preservation of specific records collections. After further discussion, the Committee accepted Ingerson's suggestion not to include make this plan a goal in the new guidelines, but to request a pre-proposal for such a plan in fy14.

The Committee then discussed the mechanics of achieving additional permanent protection for historic resources, particularly buildings. CPA funding of City buildings gives the Newton Historical Commission additional authority over future changes to those buildings, which it does not have over all City buildings, however historic they are. CPA funding for other buildings can require landmarking, granting of a preservation restrictions, or inclusion in a local historic district to provide permanent protection. The Committee felt it should also be willing to fund already protected, non-City buildings, and to judge each proposal case by case.

**Open space & Recreation** Ingerson acknowledged that her notes for this section were too long, compared to those for the other sections. After discussing the possible deletion of specific options, the sense of the meeting was simply to state support for both land acquisitions and rehabilitation or improvement projects recommended by the *Recreation & Open Space Plan*.

The Committee then discussed building a funding reserve for land acquisitions, recognizing that no matter how large the reserve, some acquisitions might still have to be partly or fully debt-financed.

Feinberg felt that a large reserve was important for acquisition, whereas rehabilitation could be planned and done gradually. Clarke suggested a land acquisition reserve of \$4-\$4.5 million. Burg favored about \$3 million. Feinberg noted that the amended CPA no longer makes a clear distinction between open space and recreation land. After additional discussion, Burg, Robertson and Feinberg supported simply changing the 20% from open space to acquisition of either open space or recreation land, and changing the 15% from recreation land to the rehabilitation of either open space or recreation land. The Committee's earlier decision not to treat this meeting's decisions about these numbers as final still stands, however.

Ingerson encouraged the Committee to consider as models the 1-2 page funding guidelines used by several small New England foundations, which she distributed to all members.

## **COMMITTEE BUSINESS**

### **Future Meeting Dates & Deadlines**

Ingerson showed slides of announced dates for the fy13 funding round and proposed deadlines for the fy14 and fy15 funding rounds, along with a calendar of recurring conflicts she has been asked to avoid by individual CPC members, or that the CPC as a group needs to avoid with Aldermanic committees. The Committee as a whole agreed to consider meeting on second Thursdays, the only day of the month without a pre-existing conflict. Ingerson will circulate proposed 2013 meeting dates and fy14-15 deadlines for final confirmation by email or at the September meeting.

### **Approval of Minutes for 11 July 2012**

Nancy Grissom moved to approve the minutes as submitted, with the correction that Wally Bernheimer had not attended. Joel Feinberg seconded them motion, which was approved 6-0.

By Committee consensus, the meeting was adjourned at 9:50 pm.

Attachment: draft outline for new guidelines

## KEY POINTS for NEW CPC FUNDING PRIORITIES

*With implementation notes – please skim these in advance to help us use meeting time well. Thanks, Alice*

### OUTLINE

- **An Un-funding Priority:** Meeting CPA-Eligible Needs Without CPA Funds
- **Overall Priorities**

#### *What to Fund*

- Integrate CPC priorities with other City plans. *May not set clear priorities – see notes.*
- Establish broad targets for allocating funds among eligible resources.
- Encourage multi-resource projects.
- Focus on the preservation and improvement of public resources, while also reserving some funds for non-City projects.
- Offer additional funding for accessibility that exceeds legal requirements, where practical.
- Provide planning grants.
- *See note on regional projects.*

#### *How to Fund It*

- Use pre-proposals to screen projects more effectively. *Disagreement here – see notes.*
- Clarify requirements for considering proposals outside the annual funding round. *Disagreement here – see notes.*
- Require sponsors to demonstrate adequate project management capacity as a prerequisite for funding. *Disagreement here – see notes.*
- Require evidence that maintenance will be funded from non-CPA sources.
- Require any project, public or private, that benefits primarily a small group or a single neighborhood to raise matching funds.
- Require private/non-City projects to raise maximum possible funds from other sources before or in addition to requesting CPA funds.

- **Affordable Housing Priorities**

#### *What to Fund*

- Reserve CPA housing funds for lower-income, at-risk groups.
- Support housing on sites that meet the goals of the *Comprehensive Plan*: in village center, mixed-use, or transit-oriented locations.
- Fund rental housing as well as home-ownership opportunities. *Clarify priorities? See notes.*
- *See note on new-construction projects.*

#### *How to Fund It*

- Expedite the funding process for housing proposals.
- Support the creation of a municipal affordable housing trust. *Really a priority? See notes.*
- Accept housing proposals on a rolling basis.

- **Historic Resources Priorities**

#### *What to Fund*

- Support the preservation of City archives, starting with a strategic plan.
- Preserve & rehabilitate historically significant City-owned properties, including buildings and landscapes.
- *See notes on neighborhood preservation & heritage landscapes.*

#### *How to Fund It*

- *See notes for policy decision needed here.*

Outline continues on next page. →



*OUTLINE continued***• Open Space & Recreation Land Priorities***What to Fund*

- Balance funding to acquire open space and recreation land with funding to improve sites already in public ownership.
- Land acquisition is necessarily opportunistic, but other factors being equal, prioritize acquisitions for open space or recreation that:
  - ~ protect large or contiguous parcels;
  - ~ eliminate inholdings or breaks in existing parks and conservation areas;
  - ~ connect existing parks and conservation areas by creating new paths or trails;
  - ~ provide new passive or active recreation opportunities that benefit the entire City, not just one neighborhood;
  - ~ take advantage of opportunities to create new public open spaces where such spaces are currently scarce
  - ~ preserve or restore critical "ecological services" such as water quality, stormwater storage, habitats and biodiversity
- Prioritize improvements on public land that:
  - ~ are needed for recent acquisitions to provide their full intended benefits
  - ~ benefit the entire City, not just one neighborhood
  - ~ create or expand enhance public open spaces where such spaces are currently scarce
  - ~ preserve or restore critical "ecological services" such as water quality, stormwater storage, habitats and biodiversity

*How to Fund It*

- Build an acquisition reserve to minimize the need for debt financing of future open space and recreation acquisitions.
- Set an annual limit on funds for the improvement of existing public parks, playgrounds and conservation areas; and within that, a limit on funds to improve playgrounds and parks that primarily serve single neighborhoods.
- Ask the City of Newton Parks & Recreation Dept. and Conservation Commission to provide clear priorities, standards and schedules to guide the funding of improvements for sites in their custody.

***Alice note on keeping Priorities short: Consider moving some requirements into proposal instructions (Proposal & Project Handbook).***