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Community Preservation Committee

MINUTES

19 September 2012

The meeting was held on Wednesday 19 September 2012 at 7:00 pm at the Newton Senior Center (345 Walnut Street, Newtonville).

Community Preservation Committee (CPC) members present: Nancy Grissom, Thomas Turner, Jim Robertson (arr. 7:15 pm), Joel Feinberg, Dan Green (arr. 7:05 pm, dep. 7:30 pm), Wally Bernheimer. Absent: Leslie Burg, Michael Clarke. Also present: Senior Planner Alexandra Ananth (Newton Farm Commission staff). Program manager Alice Ingerson served as recorder.

Committee Vice Chair Joel Feinberg opened the meeting at 7:10 pm.

PROPOSALS & PROJECTS

Walker Center (Auburndale) Pre-Proposal

Walker Center Board members Fran Bogle and Wende Weinstein, Facilities Manager and project manager Bill Tanguay, and Executive Director Carolyn Montalto all spoke on behalf of the preproposal. Tanguay described the history of the Walker Center, which was established in the 19th century as a home for the children of overseas missionaries and now includes housing for about 20 graduate theology students, along with a bed- and-breakfast and conference center. The structure proposed for demolition was built to connect 2 buildings in the 1970s, when students lived in both but only one had a kitchen. Each building now has a kitchen, so the connector is no longer needed; its roof is caving in; and it is out of keeping with the historic buildings. The project will restore the original historic entrances and a porch, based on historic photos.

Joel Feinberg asked how the Center serves the general community. Montalto described life skills training at the Center for special education students from both Newton high schools; a public speaker series; and a holiday crafts fair. The Board is working to increase community connections.

Dan Green asked about non-CPA funding for the project. Center representatives said in addition to seeking CPA funds for about half the project's anticipated total cost of \$62,000, the Center has raised about \$3,800 in cash donations, including \$200 from Lasell College. All other matching funds in the pre-proposal were estimated cash values for pro bono work by two architects and volunteer labor.

Jim Robertson felt that CPA funding for the historic windows at the West Suburban YMCA was justified by the Y's broad public reach and the historic preservation restriction it granted in return for funding. In contrast, the Walker Center's community reach is more limited, and because it is in a local historic district, it must follow historic preservation standards, even if no CPA funds are used.

Nancy Grissom felt that many people in Auburndale and in Newton were aware of the Walker Center. She felt helping property owners in local historic districts meet preservation requirements was an appropriate use of CPA funds.

Green, Wally Bernstein, and Feinberg also wanted to see stronger community outreach and more cash matching funds. Green suggested a maximum CPA request of \$25,000. Grissom suggested that the Center develop a strategic outreach and development plan for the next 3-5 years. Feinberg suggested that the CPC monitor the Center's efforts into the future, through regular meetings.

Bogle commented that the Center's recently formed fundraising committee should have a plan in place by a year from now. Weinstein explained that their efforts had been limited over the summer because people had been busy or away, and the board did not want to ask for community funds until they knew whether the CPC would consider their proposal. Turner felt this limited effort to date suggested the project was not yet quite ready to proceed, but Feinberg felt the new, significantly improved pre-proposal suggested the project was ready for full consideration.

Ingerson reminded the CPC that if they recommended funding, they could make the actual release of CPA funds contingent on raising a specific amount from other sources, as they had for the Durant-Kenrick project. She was concerned that the current project budget was not based on a completed, professional design; in the past, projects funded on this basis had often taken much longer and cost more than anticipated, leading to supplemental funding requests. She suggested that the CPC consider funding final designs first, to get a more accurate estimate of construction costs.

VOTE Dan Green moved that the CPC consider a full proposal from the Walker Center in the regular fy13 annual funding round. Wally Bernheimer seconded the motion.

The motion was adopted by a vote of 5-1, with Jim Robertson opposed.

Angino Farm Barn Supplemental Funding - Request for Off-cycle Consideration

Dan Green indicated that he would support consideration of this request off-cycle, in advance of the regular fy13 funding round, then apologized for having to leave the meeting early.

Alexandra Ananth explained that the full supplemental funding request was for \$180,000. Final professional cost estimates for the project, including previously unanticipated work required to make the building structurally sound and meet building code requirements, had been much larger than the original funding request, which had not been based on a final design. The scope had been reduced, but the extra \$180,000 was needed even for the reduced scope. Off-cycle consideration would allow for bidding in the winter and construction starting in the spring. In response to a question from Bernheimer, Ananth explained that the \$120,000 private fundraising target was the maximum that the nonprofit licensee, Newton Community Farm, felt they could raise.

In response to Feinberg, Ananth acknowledged that the project was not ranked highly in the City's *Capital Improvement Plan.* Ingerson noted that the *CIP* generally assigned a higher priority to projects that supported core City government functions than to optional amenities, such as the history museum or community farm. Bernheimer felt CPA funding was best used for exactly such amenities.

Robertson and Grissom felt the project did not meet the CPC's requirements for off-cycle funding, because it was not an emergency and did not involve real estate acquisition. Grissom requested a more detailed scope of work; interior remodeling could be done at any time of year, so it was not clear project work had to start by next spring. Ananth agreed that the trenching for new utilities was the only project work that must be done during warm weather.

Feinberg felt off-cycle consideration was justified because the originally appropriated funds could not be spent unless the supplemental funds were appropriated.

Ingerson explained that about \$25,000 of the \$30,000 originally appropriated for City project management costs had not yet been spent. Bernheimer and Grissom wondered why an additional \$30,000 was therefore being requested for this purpose. Feinberg urged the full proposal to include a detailed budget clarifying this issue.

VOTE Jim Robertson moved to consider the full proposal for this project off-cycle at the CPC's 11 October 2012 meeting. Joel Feinberg seconded the motion.

The motion was adopted 4-1, with Nancy Grissom opposed.

PROGRAM PLANNING

Public Hearing on Draft New CPC Funding Guidelines

As context for the draft new guidelines, Joel Feinberg described the CPC's past year of community outreach for the program's 10th anniversary and the challenges created by the combination of declining state funds and the summer 2012 amendments to the Community Preservation Act that widened project eligibility. The main goals listed the draft new guidelines are:

- 1. Use existing City-wide plans to guide funding decisions.
- 2. Balance the allocation of funds across all eligible resources and allowable uses, over time.
- 3. Support proposals with a high benefit/cost ratio and probability of success, based on their sponsors' demonstrated capacity for project management and long-term maintenance.
- 4. Evaluate funded projects to ensure accountability & improve future projects.

The slide presentation about the draft guidelines is attached to these minutes.

comments from the general public

Robert Fizek of the Crystal Lake Conservancy commended the CPC on a thorough job of revising its guidelines and invited everyone to the Conservancy's annual meeting the following week. In response to his question, Ingerson explained that no other City body had to approve the CPC's guidelines. Feinberg pointed out that the Board of Aldermen must approve all CPC funding recommendations.

Sachiko Ishihara, speaking as a private citizen from West Newton, praised the CPA-funded acquisition of additional public land at Crystal Lake as an example of a privately initiated proposal. She was concerned that including the City's *Capital Improvement Plan* on the list of plans that would be used to guide funding decisions would discourage projects like this one, and fresh ideas in general. She was supported having the *Comprehensive Plan* on that list but felt that the *CIP* did not follow the *Comprehensive Plan* and could therefore lead to decisions that did not reflect community priorities. Ingerson noted that as director of the private Suzuki School, which would be moving out of the Carr School when it was re-converted to a public school over the next 2 years, Isihara was involved in two potential proposals for CPA funding to help provide a new home for her organization.

Ingerson felt that nearly all plans listed in the draft guidelines had involved extensive public participation and were periodically updated through a public process. The CPC's proposal instructions had long required citations from one or more of these plans, to show how each proposed project met broad community needs as well as those of the sponsoring organization. Ingerson also explained that under the CPA, real property acquired with CPA funds must be owned by the municipality and maintained with non-CPA funds. Proposals for acquisition therefore needed support both from City government and from citizens, for funding the site's future maintenance from non-CPA taxes or fees.

Several CPC members responded to Isihara's concerns. Nancy Grissom felt that the draft guidelines proposed to combine and balance the *Comprehensive Plan* with other plans created for Newton as a whole. Grissom cited the CPC's decision to consider a proposal from the Walker Center as evidence that it was open to projects not initiated by City departments. She noted that the CPC had advocated for a more clearly prioritized *CIP* after many years of receiving competing proposals from City departments in no clear priority order. As a specific example, Feinberg cited a past proposal received from a City dept. requiring a long-term commitment of space by another dept., which — as it turned out — was unable to make that commitment. The CPC saw the *CIP* as a tool for ensuring that future proposals from City departments reflected the priorities of City government as a whole.

Robertson noted that the CPC would not automatically support projects simply because they were ranked highly in the CIP, and could and probably would request proposals for projects with low rankings in the CIP. As an example, Feinberg pointed out that the CPC had recently agreed to consider a proposal for rehabilitating historic windows at City Hall but had declined to consider a similar request for windows at the Carr School, because the CPC considered City Hall the more historically significant building.

Bernheimer noted that the City had multiple sources of funding for projects, and that only some City projects could qualify for CPA funding. Some CPC members, himself included, were quite skeptical about many City projects and had a strong desire to support community-initiated projects. He agreed that the phrase "City-wide plans" could be misunderstood to mean "plans made by City government, without community input." The Committee asked Ingerson to find an alternative to that phrase.

Andrea Kelley commented on behalf of the League of Women Voters. The League's readers' committee has discussed the draft guidelines, but the League's comments must now be finalized by the organization as a whole. Overall, the League supported balancing the *Comprehensive Plan* and the *CIP* in setting funding priorities. The League was still considering its views on the pre-proposal process and on target allocations as a strategy for balancing funding among the eligible resources. Overall, the League strongly appreciates the work of the CPC.

Nancy Grissom noted that she had suggested holding public hearings on pre-proposals as well as full proposals. She wondered what the CPC's staff would do if a sponsor skipped the pre-proposal step. Ingerson said she assumed that the Committee's current language making pre-proposals "required" meant that in this case, she should ask the proposal sponsor to submit a pre-proposal requesting consideration of the full proposal the following year. The Committee generally supported this interpretation of its current requirements.

Reyna Getz, a resident of Waban, saw the CPA as an incredible opportunity for the community. In response to Getz's question, Ingerson noted that the CPC had received about 150 responses to its online survey, and that about 120 people had attended the 4 neighborhood meetings it held beginning in November 2011, and then summarized all the ways in which the CPC had reached out to the community over this year, including a mailing in all water bills; op eds, articles and announcements in the *Newton Tab Boston Globe*, monthly or biweekly emails to a list of about 700 addresses, including the editors of all PTO newsletters and all known community and neighborhood organizations; and additional printed announcements and emails sent to the individual ward aldermen, school staffs and PTO officers in the area of each neighborhood meeting. Getz urged the Committee to do more community outreach, such as opening celebrations for specific projects. Ingerson noted that most projects did hold openings or open houses, but that the project sponsors were often better able than the Committee to get press and public attention for such events.

comments by CPC members

Grissom, as the CPC's sole current member for historic resources, felt that the target allocation for that category should be higher than 15%. She suggested raising this target to 20% by reducing the allocations for housing and perhaps for open space acquisition from 35% and 25%, respectively. She also suggested that proposals involving real estate acquisition should not automatically be considered on a rolling basis, but should still be required to request off-cycle consideration through their preproposals. Feinberg and Robertson supported this suggestion.

Grissom and Bernheimer both noted that they had opposed listing types of proposals the CPC would not consider. Feinberg felt this list would have been helpful but agreed to its omission.

Robertson wondered whether the CPC should consider funding temporarily affordable housing. Feinberg and Ingerson pointed out that, as interpreted by the Newton Law Dept. and the state Dept. of Revenue, the CPA required permanent restrictions to preserve all CPA-funded benefits, including land conservation, historic preservation and affordability.

Bernheimer and Feinberg suggested deleting the word "invited" for full proposals, which could be misunderstood to imply that the CPC would automatically recommend funding for "invited" proposals. Bernheimer suggested replacing this sentence: "The CPC uses [its] brief discussions [of preproposals] to decide whether and when to invite submission of full proposals and to strengthen preproposals that are incomplete or poorly presented" with this one: "Those pre-proposals which the committee decides merit further consideration will move to the full proposal stage, although moving to that stage is not a guarantee of final approval."

Bernheimer also suggested removing the phrase "high benefit/cost ratio" from the guidelines, because the CPC had never quantified project benefits and could not really do so. He offered to provide Ingerson with alternative wording for the CPC's next working session on the guidelines.

Feinberg and other members recommended rewording the guidelines' first goal, "use City-wide plans to guide funding decisions," to prevent the misunderstanding expressed by Isihara that this could favor projects initiated by City government over other types. Turner, Feinberg, and Bernheimer emphasized that the CPA was not intended as a routine municipal funding source and should be used only for special projects that benefit the general public and the community as a whole. Feinberg suggested adding a sentence specifying that City government should not request CPA funds for projects that could be more appropriately funded from some other municipal source. Grissom and Bernheimer felt that the guidelines already stated that the CPC wanted all proposals to make maximum possible use of other funds, in lieu of or in addition to CPA funds, so this need not be restated specifically for City government proposals.

Ingerson wished that the CPC, the Executive Office, and the Board of Aldermen could agree on some basic approach to using CPA funds to meet needs identified through the CIP: for example, should all projects eligible for general capital bonding be funded in that way, and CPA funds requested only for projects that could not be bonded? Bernheimer said he would enthusiastically support such a policy.

Robertson noted that although he had initially questioned the idea of having a single annual deadline and funding round, he now felt that this forced all sponsors to put their best feet forward at the same time. Grissom felt that the pre-proposal process also helped sponsors in this way.

Bernheimer strongly opposed target allocations in general. He felt that the CPC's past ad hoc decisionmaking had produced an appropriate cumulative balance of funding across the resources and should therefore be continued. During his time on the Committee, he had been very impressed with

the members' discussions and analyses. He also opposed setting funds aside for future open space acquisitions. He felt that open space advocates would see such funds as an entitlement and would organize to oppose using these funds for any other purpose, even if no potential acquisition projects were pending and there were important and urgent proposals in other categories. He preferred to wait for land acquisition proposals to be submitted, then fund them by bonding (borrowing against future revenues). Ingerson noted that bonding increased project costs by adding issuance and interest charges.

Robertson felt that the CPC would use target allocations flexibly and would not treat them as entitlements, but would continue to judge each proposal on its merits. He believed that some sponsors, especially City departments, could plan and budget more effectively if given a clearer sense of the CPC's overall funding targets by category. Feinberg and Ingerson felt that without targets, accepting proposals such those for as housing on a rolling basis could easily lead to overspending in those categories and therefore penalize proposals in categories that could only be submitted once a year, in the annual funding round. Feinberg also felt the CPC should set some upper limit on funding for park and playground rehabilitation, for example, to encourage longer-term planning and efforts to find other funding sources for this category. Overall, Feinberg felt the Committee generally saw flexible target allocations as a useful tool.

Ingerson noted that unlike residents in many other CPA communities, Newton's residents strongly supported all CPA-eligible resources. The balance of Newton's funding across resources had often been very uneven in individual years, and she felt that this could continue with target allocations in place. However, Newton's CPC never had and probably never would aim to allocate only the statutory minimum (10%) or the full statutory maximum (75%) to any one resource, year in and year out. Still, advocates for some resources still seemed to assume this was possible or desirable. Ingerson felt the target allocations were critical for helping these advocates understand that, over time, the broad community goal of allocating more than the minimum of funding to every resource required allocating less than the maximum to any one resource; and for helping proposal sponsors and the community as a whole understand the dollars and cents implications of that broad goal.

Robertson proposed reformatting the target allocations as ranges, allowing the maximum for the four resource categories to add up to more than 100%, but eliminating the "general" category. He offered to write up this revision and give it to Ingerson for the Committee's next working session on the draft guidelines. Grissom supported this suggestion. Bernheimer emphasized the importance of making clear that the minimum in each range was not a reserve or guarantee.

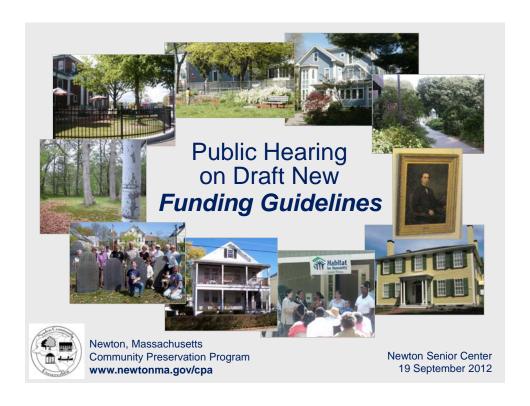
COMMITTEE BUSINESS

Bernheimer noted that the proposed 2013 schedule with most CPC meetings on Thursdays did not work well for him. After a brief discussion, however, the Committee as whole agreed to keep the proposed 2013 calendar.

Nancy Grissom moved approval of the minutes as submitted for the 8 August 2012 meeting. Jim Robertson seconded the motion, which was approved 4-1, with Bernheimer abstaining because he had not attended that meeting.

By Committee consensus, the meeting was adjourned at 9:40 pm.

Attachment: presentation on draft new funding guidelines





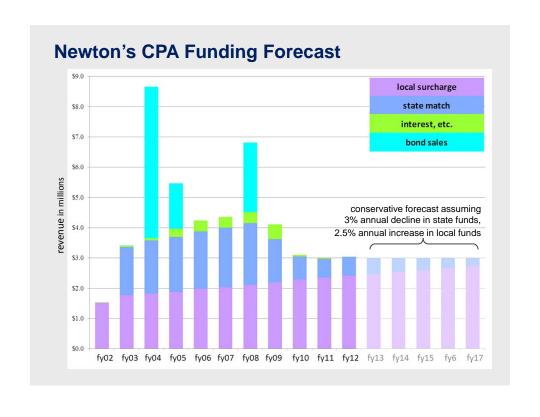
What is the Massachusetts Community Preservation Act?

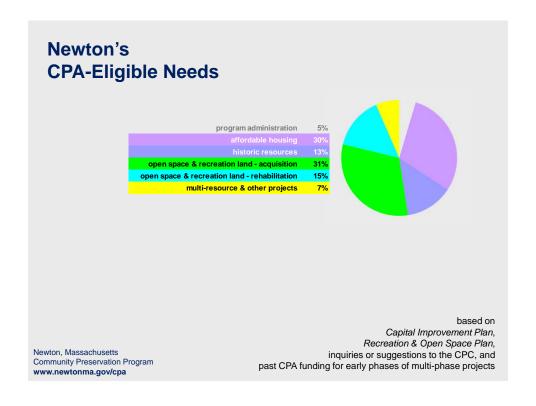


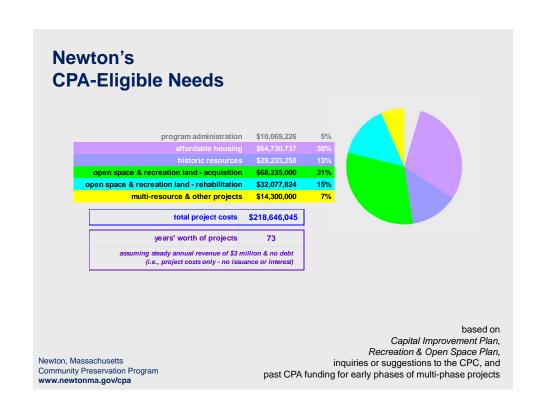
- state law 2000, Newton adopted 2001
- funds for affordable housing, historic resources, open space & recreation land
- local property tax surcharge 1-3% (1% in Newton)
- state match from deeds fees, up to 100%











- 1. Use existing City-wide plans to guide funding decisions.
- 2. Balance the allocation of funds across all eligible resources and allowable uses.
- 3. Support proposals with a high benefit/cost ratio and sponsors with a demonstrated capacity for project management and long-term maintenance.
- 4. Evaluate to ensure accountability & improve future projects.

Newton, Massachusetts Community Preservation Program www.newtonma.gov/cpa

draft new Funding Guidelines

- Use existing City-wide plans to guide funding decisions.
 - Comprehensive Plan
 - surveys of CPA-eligible resources: archaeology, City archives, City & non-City historic buildings, heritage landscapes
 - new Capital Improvement Plan
 - Consolidated Plan for Housing & Community Development
 - Recreation & Open Space Plan

plus

· accessibility in excess of legal requirements, where appropriate

2. Balance the allocation of funds across all eligible resources and allowable uses.

Use flexible target allocations to:

build a reserve for land acquisitions

but support other resources

encourage planning

but respond to real estate opportunities

encourage

multi-resource projects

Newton, Massachusetts Community Preservation Program www.newtonma.gov/cpa

More on allocations at the end of this presentation ...

draft new Funding Guidelines

2. Balance the allocation of funds across all eligible resources and allowable uses.

for housing:

rental &

homeownership

and expedite funding through a housing trust

for historic resources:

already recognized

& previously unprotected

for open space & recreation land:

rehabilitation for sustainability & ease of maintenance

for all projects, maximize: public benefits and access

use of non-CPA funds

3. Support projects with a high benefit/cost ratio and sponsors with a demonstrated capacity for project management & long-term maintenance.

Process

- · Use pre-proposals to screen & strengthen proposals.
- Accept most proposals in an annual funding round, but accept proposals involving real estate acquisition on a rolling basis.

Newton, Massachusetts Community Preservation Program www.newtonma.gov/cpa

draft new Funding Guidelines

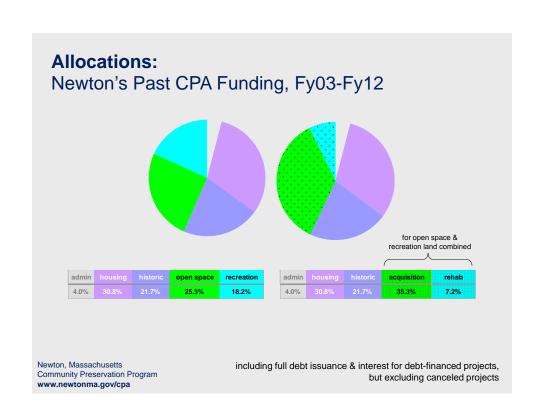
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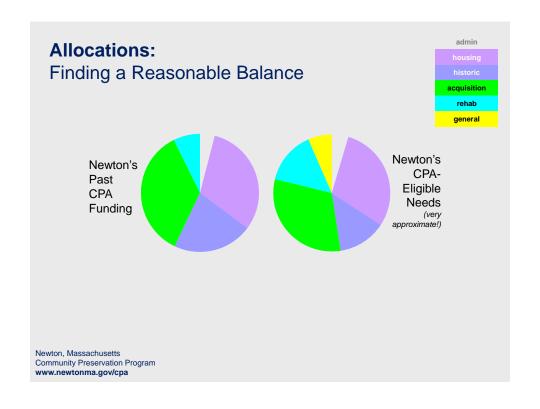
Major Requirements

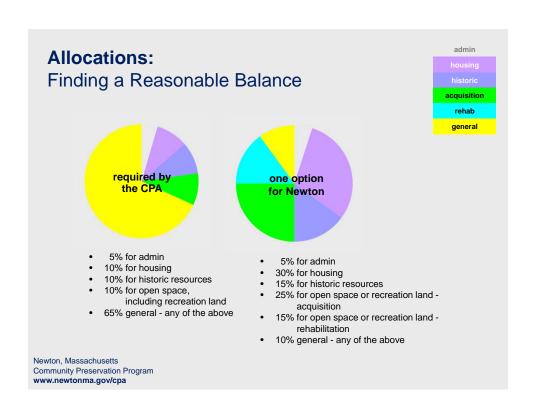
- · broad community support
- qualified, available project manager support temporary, contracted project managers for groups of similar City projects
- financial transparency & long-term planning development budget,
 10-year operating budget, sponsor's assets & liabilities
- · professional designs & cost estimates

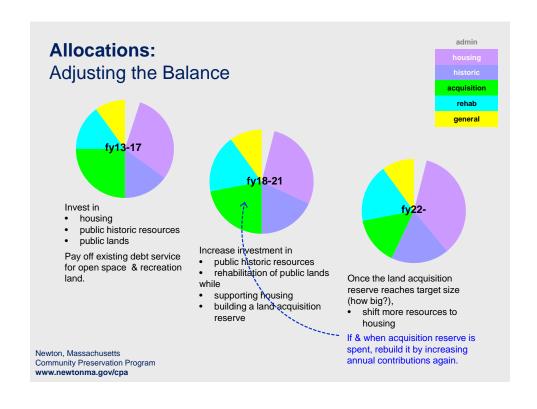
4. Evaluate to ensure accountability & improve future projects.

- require regular progress reports &
- · release final funds only after final report to the CPC
- monitor after completion –
 which projects provide the best long-term returns, and why?
- when reviewing new proposals, consider the sponsor's past record of project management and maintenance









Allocations: Finding a Reasonable Balance Illustrative Target Allocations & Funding Forecast Newton, Massachusetts Community Preservation Program www.newtonma.gov/cpa