

City of Newton



David B. Cohen
Mayor

City of Newton, Massachusetts
Community Preservation Committee



MEMORANDUM

TO: Honorable Board of Aldermen
FROM: Community Preservation Committee
DATE: 12 January 2005
RE: **CPC Recommendation For CPA Funding**

PROJECT TITLE: Historic Burying Grounds – Phase II
CPA PROJECT ID: CPA-FY05-6
CPA CATEGORY: Historic Preservation

PROJECT DESCRIPTION

The applicants, The Newton History Museum and the Parks and Recreation Department, request \$257,395 for Phase IIa of a three-phase restoration of three historic burying grounds: East Parish, West Parish, and South burying grounds. The primary intent of Phase II is to address what the project Master Plan has identified as the ‘immediate needs’ of the burying grounds, including: the rebuilding and repair of certain tombs and vaults; gravestone conservation; lawn rehabilitation and re-grading; and replacement of deteriorated fencing. Initially, the Phase II funding request amounted to \$739,273. Given that Phase II is a two-year project, funding has accordingly been allocated over a two-year period. Thus, the \$257,395 requested for Phase IIa represents work to be done in the first year. The CPC simultaneously recommended spending \$481,878 to fund Phase IIb, but will withhold presentation of this phase to the board of aldermen until the next fiscal year.

Background: CPA funds in the amount of \$188,277 were used to fund Phase I of this project. This phase focused on items deemed ‘urgent’ by the project Master Plan, including: tree and vegetation removal; stone conservation; regrading of eroded areas; and repairs to the entrance of the East Parish Burying Ground. Work is progressing on Phase I, and completion is expected by the target date of September 2005. David Olson, Director of the Newton History Museum, submitted a summary of work completed on Phase I components to date. His summary is included as an attachment to this recommendation.

FINDINGS/PROJECT EVALUATION

Community Preservation Act (MGL c.44B)

Historic Preservation

MGL c.44B defines an **historic resource** as “a building...that is listed or eligible for listing on the state register of historic places or has been determined by the local historic preservation commission to be significant...” Each of the three historic burying grounds, East Parish, West Parish and South, are listed on the National Register. A site listed on the National Register is automatically listed on the State Register.

In accordance with §5(b)(2), the project would **preserve, restore** and **rehabilitate** the three historic burying grounds in Newton. The scope of work generally appears to comply with the *US Secretary of the Interior’s Standards for the Treatment of Historic Properties, Standards for Restoration*. Standard #6 states: “Deteriorated features from the restoration period will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials.” In addition, Standard #8 states: “Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic

materials will not be used.” The rebuilding and repair of collapsed vaults and stone conservation work for select gravestones appears to adhere to Standards #6 and #8 in particular.

Regarding fencing, two of the sites currently have chain link fencing, while a decorative wire fence exists at the third site. Since 1990, three different consulting firms have evaluated the three sites, concluding that extensive fence replacement is necessary. The proposed treatment follows their recommendations, and would replace the existing fencing with decorative tubular steel fencing along the street faces at each of the sites. Black chain link fencing would be erected around the remaining sides.

Staff has reviewed whether this proposed treatment complies with the *US Secretary of the Interior’s Standards for the Treatment of Historic Properties*. For purposes of meeting these *Standards*, the fencing should be considered an effort to rehabilitate the three burying grounds. While town records indicate that the East Parish burying grounds were fenced as early as 1765, there is no documentary or archaeological evidence providing substantive information on the materials, dimensions, design and overall construction of that fence. Nor is such information available for any fencing that may have existed at the West Parish and South burying grounds. Given the absence of this information, the proposed fencing treatment cannot be considered as ‘restoration’ or ‘reconstruction,’ as the use of either such treatment must be “...substantiated by documentary or physical evidence...”

The *Standards for Rehabilitation* state that rehabilitation is an appropriate treatment “...when alterations or additions to the property are planned for a new or continued use...” Specifically, Standard #9 states that “...related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.” The proposed treatment fulfills these requirements by placing historically appropriate fencing along the most prominent street fronts at each site. The applicant has presented several designs and images for such fencing to the CPC, with the preferred style being one that is not overly ornamented. An unadorned fence design would go the furthest to reflect the historical characteristics of the burying grounds. The tubular steel fencing along the street as well as the chain link fencing proposed for the less prominent boundaries must be recognizable as contemporary construction, and not attempt to create a false sense of history. This will be evident with regard to the chain link fencing and, based on the designs submitted by the applicant, fencing proposed for the street borders will also be distinguishable as new construction. Finally, the proposed fencing treatment will serve to protect the integrity of the property and its environment as required by Standard #9.

Newton Community Preservation Plan

Overarching Goals

1. Contribute to the preservation of Newton’s unique character, boost the vitality of the community and enhance the quality of life for its residents.	Yes
2. Serve more than one CPA category.	Yes, see below
3. Demonstrate the highest cost/benefit value relative to other proposals.	See below
4. Leverage other public and/or private funds.	See below
5. Preserve a resource or opportunity that would otherwise be lost.	Yes
6. Create incentives for other private projects to occur.	No
7. Show that a project is the most reasonable available option to achieve the objective.	Yes
8. Demonstrate strong community support.	Yes, see below
9. Serve to equitably distribute CPA funds throughout the City.	Yes, see below

Additional comments on selected goals:

Goal 2: While money for this project will be allocated from the Historic Preservation Reserve fund, elements of the project satisfy open space and recreation criteria as well.

Goal 3: Projects received during the October funding round included a high CPA cost of \$1,000,000 and a low CPA cost of \$19,250. The CPA cost for this project is \$257,395. The relative benefit for this project is the preservation and restoration of Newton’s three historic burying grounds.

In terms of CPA cost related to all other historic preservation projects previously approved or currently in front of the board of aldermen, this project ranks first out of 10 total (that total drops to 9 when discounting for projects specifically requesting funds to conduct formal studies). The following table illustrates the comparative costs of historic preservation projects.

TABLE 1: CPA Project Costs (Historic Preservation)

<i>Project Name</i>	<i>Fiscal Year</i>	<i>Total CPA Funds (for preservation portion only)</i>
Historic Burying Ground Restoration – Phase IIa	05	\$257,395
Newton Corner Library	03	\$195,129
Historic Burying Ground Restoration – Phase I	03	\$188,277
YMCA	05	\$160,273
City Hall – Balustrade	03	\$150,660
City Hall – Lighting	03	\$121,200
City Hall – Windows	03	\$119,400
248 Elliot Street/Linden Green	05	\$63,290
Brigham House – Phase I*	03	\$20,000
Historic District Signs	04	\$2,000

*Denotes projects requesting CPA funds to conduct a study in preparation for a larger preservation project.

Goal 4: The table below shows how this project compares to the other FY05 CPA requests in terms of leveraging funds.

<i>Total project cost</i>	<i>CPA funds requested</i>	<i>Leveraging (CPA as % of total project cost)</i>	<i>Ranking (as compared to other FY05 projects)</i>	<i>Average for all FY05 projects</i>
\$257,395*	\$257,395	100%	8**	85.7%

*This total project cost represents the amount for the scope of work identified in Phase IIa of the project. The total project cost for all three phases is \$1,569,715.

**While this project ranks 8th overall, 14 projects share this ranking, as they each have requested CPA funds to cover 100% of total project cost.

The applicant intends to pursue grant funding from the Massachusetts Preservation Projects Fund to offset costs for this project. The application will be submitted to the State in Spring/Summer 2005. If granted, the MPPF funds would reimburse a portion of the CPA funds.

Goal 8: At the 16 November 2004 Public Hearing held by the CPC, citizens and organizations were supportive of this project. No objections were expressed. In addition, the CPC has received several letters of support for this project.

Goal 9: The FY05 applications include funding requests for projects in Nonantum, Newton Corner, West Newton, Newtonville, Newton Upper Falls, Newton Center, Newton Highlands, Waban as well as city-wide projects. The East Parish, West Parish and South burying grounds are located in Newton Corner, West Newton and Newton Highlands, respectively.

Historic Preservation Goals

1. Support the preservation and restoration of privately-owned properties that are on the National or State Historic Registers, or that have been landmarked or found to be “preferably preserved” by the Newton Historical Commission.	No
2. Support the preservation and/or restoration of municipally-owned resources that are on the National or State Historic Registers, or that have been landmarked or found to be “preferably preserved” by the Newton Historical Commission.	Yes
3. Encourage protection of resources that retain their historic integrity, in terms of location, context, design, style, workmanship, and materials.	Yes
4. Enable access to the resource by the public.	Yes, see below
5. Support the objectives and priorities of local historic preservation organizations, such as the Newton Historical Society, the Jackson Homestead, local historic districts, and other such organizations within the City of Newton.	Yes, see below

Additional comments on selected goals:

Goal 4: Through the removal of volunteer growth, repair of damaged fencing and installation of replacement fencing and gates, the project will ultimately make the three burying grounds handicap accessible and greatly enhance the educational opportunities in the form of walking tours and history-related programs.

Goal 5: The scope of work identified in Phase IIa is part of a Master Plan created in 1990 and updated in 2003 as a coordinated effort to care for the burying grounds.

Past Performance Rating

Applicants who are prior recipients of CPA funds have been rated on past performance. Ratings are based on adherence to project timelines, meeting deadlines for quarterly reports, and remaining within budget constraints. An overall ratio is assigned to each applicant, with 1.0 being the highest. A rating of 1.0 indicates an applicant has met all requirements in a timely fashion; a rating of 0.8 indicates a compliance rate of 80%, etc. The table below represents a summary of the ranking for the project applicants:

<i>Applicant</i>	<i>Prior Projects</i>	<i>Rating</i>	<i>Missed Criteria</i>
Newton History Museum	1	1.0	None
Parks & Recreation Dept.	5	0.8	One project not begun on time; Four projects not completed on time

CPC RECOMMENDATION

The proposal is consistent with the CPA criteria and many of the Plan's goals, as described above. Therefore, the Community Preservation Committee voted unanimously to recommend funding this application* to support the preservation and restoration of Newton's three historic burying grounds by appropriating and transferring \$257,395 to be expended under the direction and control of the Director of the Newton History Museum for purposes of funding Phase IIa of this project as detailed in the recommendation attachment submitted by David Olson dated 20 January 2005, subject to the following conditions:

1. Work shall commence no later than 31 December 2005 and shall be completed no later than 31 December 2006 or such other date(s) as may be approved in writing by the Director of Planning and Development. In the event of failure to meet the project start or completion dates as stated herein or as approved by the Director of Planning and Development, any remaining funds in the project account shall be returned to the Newton Community Preservation Fund.
2. Promptly after substantial completion of project, the applicant shall submit to the Community Preservation Committee a final project development cost statement. If such final development costs are less than the development budget on which the CPC based its funding recommendation, then the CPC reserves the right to require the applicant to remit to the Newton Community Preservation Fund a share of such surplus.
3. Should the Newton History Museum receive future funding through the Massachusetts Preservation Projects Fund grant program administered by the Massachusetts Historical Commission or another grant program for this project, funds in an amount equal to such a grant will be returned to the Newton Community Preservation Fund.
4. Any portion of the grant not used for the purposes stated herein shall be returned to the Newton Community Preservation Fund.

*Note: In voting to recommend Phase IIa of this project, the CPC simultaneously recommended Phase IIb on the condition that the \$481,878 requested for Phase IIb be allocated as part of the FY06 funding round. As such, the applicants do not need to reappear before the CPC and Phase IIb will not be docketed with the Board of Aldermen until FY06.