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City of Newton

# APPLICATION FOR COMMUNITY PRESERVATION FUNDING

## Form CPA-1

Submit to:

Robert Ricchi, Community Preservation Planner  
Newton Planning and Development Department  
1000 Commonwealth Ave., Newton, MA 02459  
rricchi@newtonma.gov  
617-796-1144



David B. Cohen  
Mayor

Name of Applicant<sup>1</sup> Mayor David B. Cohen

Name of Co-Applicant, if applicable \_\_\_\_\_

Contact Name Jeremy Solomon

Mailing Address 1000 Commonwealth Ave. City Newton State MA Zip 02459

Daytime Phone 617-796-1100 Email jsolomon@newtonma.gov

Name of Proposal Aquisition of 230 Lake Avenue lot

Address of Proposal 230 Lake Avenue Newton Highlands

CPA Category (circle all that apply): **Open space** **Historic preservation** **Recreation** **Community housing**

CPA Funding Requested \$1.4 million Total Cost of Proposed Project \$1.95 million

**PROJECT DESCRIPTION:** Attach answers to the following questions. Applications will be returned as incomplete if all requested information is not provided. Include supporting materials as necessary.

1. **Goals:** What are the goals of the proposed project?

The primary goal of this project is for the City to acquire the 230 Lake Avenue property, which is situated between our current Crystal Lake facility at 20 Rogers Street and the Crystal Lake Park at Levingston Cove. The acquisition of this property would provide the final natural link to complete the City's land ownership to span the entire south shore of Crystal Lake.

*See photograph at end of this proposal.*

2. **Community Need:** Why is this project needed? Does it address needs identified in existing City plans?

With the support of the Newton Community Preservation Committee, the City last year was able to acquire the property at 20 Rogers Street. This key acquisition enabled the City to open the entire 290 linear feet of beachfront at Crystal Lake for the first time in two summers, immeasurable adding to the Crystal Lake experience for its patrons. Since the acquisition, the City has fortified the failing retaining wall, regraded the land and seeded the lawn, and I've docketed an item requesting an appropriation from free cash to demolish the house and garage. The collaborative efforts of the CPC, Board of Aldermen, committed members of the community and the Executive Office have made lasting improvements to Crystal Lake that will benefit many thousands of future beachgoers, for generations to come.

Today we have the unique opportunity to purchase the property adjacent to 20 Rogers Street, creating an uninterrupted swath of land holdings for the City.

<sup>1</sup> If the proposal is on City-owned land, either the applicant or the co-applicant must be the City Board, Commission, or Department that has custody of the land.

As you know, Crystal Lake has been a summer tradition for many thousands of Newton residents since the City was granted authority over it by the Commonwealth in 1924. For more than eight decades, this unique community recreational facility has provided thousands of citizens with a refuge from the summer heat, swimming programs for nine separate camps and community organizations, and a chance to meet, congregate, and enjoy passive and active recreation with other Newtonians in a relaxed atmosphere.

For years the City has also owned the Crystal Lake Park at Levingston Cove, which provides beautiful waterfront open space for dog walkers, bicyclists, picnickers, and for many other passive recreational activities. By connecting this Park with the City's facility at Crystal Lake, the City would have a range of options to consider as we promote and preserve the public's enjoyment of this pristine natural resource.

I firmly believe that this is an opportunity that comes along only once in a generation. We recently seized a similar opportunity at 20 Rogers Street, and we should not miss what is perhaps the last best chance the City will have to acquire the precious little waterfront property available in Newton on behalf of our citizens.

3. **Community Support:** What is the nature and level of support for this project? Include letters of support and any petitions.

Like the resounding support the 20 Rogers Street acquisition received, this proposal has met with enthusiastic support from community members.

Attached you will find letters of support of the acquisition from the Newton Parks and Recreation Commission, the Citizens for a Better Crystal Lake, the Crystal Lake Task Force, and the three Aldermen from Ward Six, which encompasses Crystal Lake.

4. **Timeline:** What is the schedule for project implementation, including a timeline for all critical milestones?

On August 26, 2007, the owner of 230 Lake Avenue accepted our offer for purchase of the lot and home for a total of \$1.95 million. This application is for the \$1.4 million lot, the remaining \$550,000 for the home is to be purchased using City funds. The owner's acceptance is contingent upon the approval of this application to the CPC, along with expenditure approval from the Board of Aldermen, "on or before November 30, 2007."

Should the CPC favorably recommend this project to the Board of Aldermen, their subsequent deliberations and vote will be necessary to complete the transaction, as stipulated by the offer for purchase, prior to the Closing, which is to take place on or before December 31, 2007.

Once acquired, the City will engage in an open, deliberate process on how best to use the land. I have appointed a Crystal Lake Advisory Task Force to host public meetings and deliberate on options for the best use of the aggregate land holdings. While we are limited only by our imagination, some options for the property that may be under consideration are:

- 1) Demolish both the 20 Rogers Street and 230 Lake Avenue buildings to create a continuous park with bike paths, picnic benches, and open space for active and passive recreation activities. Combined with the spectacular views of Crystal Lake, this would undoubtedly be among the finest parks in the City.
- 2) Renovate the property at 230 Lake Avenue to house a City department.
- 3) Renovate the property at 230 Lake Avenue to provide affordable housing.
- 4) Renovate the property at 230 Lake Avenue to become the Crystal Lake bathhouse.

I am not predisposed on any of these four options, and I am sure the Task Force will seriously consider any reasonable option any member of the public suggests. However, any final decision will address traffic, parking, and any other issue raised by the neighborhood.

The only time sensitive need is the acquisition of this property. While we know that the 230 Lake Avenue property will be used for recreational and open space purposes, we do not know what, if any, changes we will make there. The City will be thoughtful and deliberate when deciding what to do with this property, and it will

be a public process. We have already garnered the support of the Ward 6 Aldermen, the Newton Highlands Neighborhood Council, and an active citizen group, Citizens for a Better Crystal Lake, for the acquisition of this property. It is my view that regardless of what we will do with the property, we must take the unique opportunity before us and acquire the property now.

5. **Credentials:** How will the experience of the applicant contribute to the success of this project?

As Mayor of the City of Newton for the nearly ten years, I have overseen the implementation of the use of CPA funds in our community since the program's inception. I fully understand the letter and intent of the Community Preservation Act, and I am also intimately aware of the limited CPA funds we have available for many worthy projects. However, I am of the firm opinion that this proposal is a once-in-a-generation opportunity that will have a notable impact in furthering the goals and mission of the Community Preservation Act in our community.

I believe the CPA projects that we have undertaken together have had already tremendous positive impact on the quality of life to many thousands of current and future Newton residents. Without the support and effort of the Community Preservation Committee, the invaluable CPA projects we have completed likely would have been impossible. The acquisition of the 230 Lake Avenue property, to complete the City's holdings along the south shore of Crystal Lake, will be a lasting landmark of the CPA in the City of Newton.

6. **Success Factors:** How will the success of this project be measured? Be as specific as possible.

The success of this project may be measured in the number of patrons who attend Crystal Lake, Crystal Lake Park, or any of the facilities following this acquisition. Newton Parks and Recreation Commissioner Fran Towle believes prior to the Rogers Street acquisition, the limited beach area and the lack of seating contributed to the steep decline in permits issued from 2,396 in 2005 to 1,874 in 2006 – a 21% decline. With the restoration of Left Beach, and the additional land at 20 Rogers Street, the City issued 1,909 permits this year, and hosted a total of 26,201 beachgoers in the summer of 2007. It can be reasonably expected that with the additional land and passive recreation opportunities, we will see even more people visiting the Lake and Park next summer.

7. **Budget:** What is the total budget for the project and how will CPA funds be spent? All items of expenditure must be clearly identified. Distinguish between hard and soft costs and contingencies. (NOTE: CPA funds may NOT be used for maintenance.)

The \$1.4 million request reflects the market value appraisal as performed by Shepherd Associates on July 30, 2007 of the 230 Lake Avenue lot. The City will use non-CPA funds to cover the negotiated price for the residence of \$550,000.

8. **Other Funding:** What additional funding sources are available, committed, or under consideration? Include commitment letters, if available, and describe any other attempts to secure funding for this project.

The City's \$550,000 obligation for purchase of the residence is contingent upon the CPC and Board of Aldermen approval of the \$1.4 million for the lot. I will work with the Board of Aldermen on an appropriate source of funds for the City's funding obligation.

9. **Maintenance:** If ongoing maintenance is required for your project, how will it be funded?

The maintenance of the 230 Lake Avenue property will be performed by the Newton Parks and Recreation Department. I am aware that this acquisition, along with that of 20 Rogers Street last year, is an added responsibility for the Parks and Recreation Department. If more resources are required to adequately maintain this expanded property, funds would be expended via the normal municipal budget process.

**ADDITIONAL INFORMATION:** Provide the following additional information, as applicable.

10. Documentation that you have control over the site, such as Purchase and Sale Agreement, option, or deed.
11. For projects that include construction or rehabilitation, include the existing and proposed site plan, floor plans, elevations, and any other drawings as necessary to visually describe the proposal.
12. Evidence that the project is in compliance with the zoning ordinance, Architectural Access Board Regulations, or any other laws or regulations. Or, if zoning relief is required, specify what relief is needed and when an application will be made to the City for zoning review.



13. Evidence that the appropriate City Boards and Commissions have approved the project (for example, proposed new uses on Parks & Recreation land requires approval from the Parks and Recreation Commission)
14. Evidence that the proposed site is free of hazardous materials or that there is a plan for remediation in place.
15. Evidence that appropriate professional standards will be followed if construction, restoration or rehabilitation is proposed.
16. Information indicating how this project can be used to achieve additional community benefits.

NOTE: If the requested funds are for a real estate acquisition, an independent appraisal will be required which the applicant will be required to fund initially. No funding decisions will be made without an independent appraisal. .

Refer to the City web site ([ci.newton.ma.us/Planning/CPA](http://ci.newton.ma.us/Planning/CPA)) for further information.  
Form CPA-1 (Revised 9/11/03)

