



City of Newton, Massachusetts
Community Preservation Committee



MEMORANDUM

David B. Cohen
 Mayor

TO: Honorable Board of Aldermen
 FROM: Community Preservation Committee
 DATE: 28 July 2004
 RE: **CPC Recommendation for CPA Funding**

PROJECT TITLE: LINDEN GREEN/248 ELLIOT STREET
CPA PROJECT ID: CPA-FY04-11
CPA CATEGORY: Community Housing, Historic Preservation

PROJECT DESCRIPTION

The applicant, Citizens for Affordable Housing in Newton Development Organization, Inc. (CAN-DO), requests a total of \$575,000 to fund an historic renovation and the creation of three units of community housing within a mixed-income development totaling 5 units (two units affordable to households with incomes at or below 80% of area median income as defined by MGL c.40B, and one unit of moderate income housing that is affordable to households with income at or below 100% of area median income). The funds would be used toward paying down the existing conventional loan that was used to purchase the historic house currently on the site, for historic renovations, and for hard and soft construction costs of the community housing units. Both the Newton Upper Falls Historic Commission¹ and the Newton Historical Commission² have given their approval.

FINDINGS

Community Preservation Act (MGL c.44B)

1. The project complies with §5(b)(2), which allows the CPA to fund the creation of community housing. This project would create three-units of community housing defined as “low and moderate income housing for individuals and families...”
2. The project also complies with §5(b)(2) allowing the CPA to fund the acquisition, preservation and restoration of historic resources. The house at 248 Elliot Street is listed on the National Register of Historic Places and is located within the Upper Falls Historic District. It therefore meets the CPA’s definition for historic resources, defined 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...” All properties listed on the National Register are also listed on the State Register.

**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
3. Demonstrate the highest cost/benefit value relative to other proposals.	See below

¹ Approval by the Upper Falls Historic Commission was required due to the property’s location in the Upper Falls Historic District.
² Approval by the Newton Historical Commission was required because the project is requesting federal funding through the City’s housing office for a National Register listed property.

4. Leverage other public and/or private funds.	Yes, See below
5. Preserve a resource or opportunity that would otherwise be lost.	See below
6. Create incentives for other private projects to occur.	Yes
7. Show that a project is the most reasonable available option to achieve the objective.	Yes
8. Demonstrate strong community support.	See below
9. Serve to equitably distribute CPA funds throughout the City.	See below

Additional comments on selected goals:

Goal #3: Projects received during the November funding round included a high CPA cost of \$500,000 and a low CPA cost of \$2,000. The CPA cost for this project is \$575,000. The relative benefit for this project is to create community housing consisting of two low-income units and one moderate-income unit, while rehabilitating a house contributing to the Upper Falls National Register Historic District and the Newton Upper Falls Local Historic District.

Goal #4: The Planning and Development Board and the Newton Housing Partnership have approved the allocation of CDBG and HOME Program funds for this project.

Goal #5: 248 Elliot Street is located in the Upper Falls Local Historic District, and is therefore afforded the protections mandated by that district's governing rules. This does not prevent, however, eventual demolition by neglect or deferred maintenance. The historic preservation work will ensure the building's long-term vitality, and the creation of community housing will make the house a functioning part of the neighborhood.

Goal #8: Community support for this project is detailed and documented through letters and a neighborhood petition included in the application. A letter of support from the Newton Energy Commission applauded the project for implementing energy conservation efforts that go above required building code. There was concern among certain abutters regarding the density on the site, and while differences of opinion remain, the applicant has taken time to specifically address those concerns with the community.

Goal #9: The FY04 applications include funding requests for projects in Nonantum, Newton Corner, West Newton, Newtonville, Newton Upper Falls, Newton Center, Chestnut Hill, Newton Highlands, as well as city-wide projects; this project is located in Newton Upper Falls.

Community Housing Goals

1. Create community housing that is well designed, is of high quality, and is based on sound planning principles.	Yes, See below
2. Address one or more of the City's priority housing needs, such as those articulated in the City's Consolidated Housing Strategy Plan 2001-2005 and A Framework for Newton's Planning.	Yes, See below
3. Help Newton reach the state mandate of having 10% of its housing stock as affordable to those at or below 80% of median income under MGL c.40B.	Yes
4. Create new moderate housing units (80% to 100% of median income) that promote housing for City employees, such as teachers, firefighters, and police officers.	See Below
5. Keep new units affordable for the long term, and in perpetuity where possible.	Yes
6. Use deed restrictions to acquire, update, and resell existing market rate housing as affordable units, following the small house program model.	No
7. Show that the proposal leverages or is not otherwise eligible for other public funds and could not otherwise be economically feasible without CPA funds, such as proposals for community housing targeted at households earning between 80% and 100% of area median income.	Yes
8. Demonstrate that the proposal works in conjunction with other funding mechanisms already available in Newton such as the First Time Homebuyer Program, which currently cannot adequately assist families in purchasing homes in Newton.	See below
9. Provide community housing opportunities for individuals whose residency in Newton would promote community services, such as Newton teachers and public safety workers and other city employees.	See below
10. Create affordable and moderate homeownership opportunities for families who currently rent	Yes

or work in Newton.	
11. Help disperse community housing throughout the City by siting housing in neighborhoods that currently lack affordable housing.	See below
12. Reuse previously developed sites (including, potentially, remediated brownfield sites) for community housing with minimal effect on existing housing resources.	Yes, See below
13. Avoid displacement of current residents.	Yes, See below

Additional comments on selected goals:

Goal #1: The property on Elliot Street contains an existing house contributing to the Newton Upper Falls National Register and Local Historic districts. The preservation efforts will help restore architecturally defining features, while the new construction is comparable in scale and style to the physical character of the current house and neighborhood.

Goal #2: The creation of 2 units of affordable housing and one unit of moderate housing addresses the need to create housing of this nature as identified in the City’s Consolidated Housing Strategy Plan for FY2001- FY2005.

Goal #4: While the community housing units created at Elliot Street will not specifically target City employees, employees may nevertheless qualify as homeowners of the units created.

Goal #8: The new units will not necessarily be created in conjunction with programs assisting homebuyers, but individuals and families eligible for programs such as the First Time Homebuyer Program or the Newton Homebuyer Assistance Program could put those funds toward the purchase of a unit at Elliot Street.

Goal #9: Again, while such persons are not specifically targeted, they may very well be eligible homebuyers of the community housing units to be created.

Goal #11: Although the Upper Falls neighborhood has a greater number of community and affordable housing projects than some other areas of Newton, there is a demonstrated need for affordable housing throughout the City.

Goal #12: The existing house previously served as housing, and the plans for its redevelopment, while including new construction, has been deemed appropriate to the site by rulings from the necessary historical commissions.

Goal #13: No residents were living in the house at the time of purchase, thus no one will be displaced.

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.	Yes
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.	No
3. Encourage protection of resources that retain their historic integrity, in terms of location, context, design, style, workmanship, and materials.	Yes, See below
4. Enable access to the resource by the public.	No
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

Additional comments on selected goals:

Goal #3: The house retains its integrity of location, as it has not been moved from its original construction site. The context of the house as a contributing structure to the Upper Falls Historic District will remain in tact.

Features such as the fluted columns and two-over-two sash windows significant to the style and design of the house will be restored and preserved. The materials to be used in the restoration and the plans for new construction have been approved by the necessary historical commissions.

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 create two affordable housing units, one community housing unit, and to take appropriate historic preservation measures at 248 Elliot Street by appropriating and transferring the requested \$575,000 to be expended under the direction and control of the Director of Planning and Development for purposes of paying down a loan made to the applicant, subject to the following conditions:

1. Two of the units at 248 Elliot Street shall be affordable to individuals/households with incomes at or below 80% of the area median in perpetuity and be bound by a permanent deed restriction.
2. One unit at 248 Elliot Street shall be affordable to individuals/households age 55 years or older with incomes at or below 100% of the area median in perpetuity or to the maximum extent permitted by law and be bound by a permanent deed restriction.
3. The house shall have a historic preservation restriction placed on it in perpetuity to be enforced by the Newton Historical Commission. The Newton Historical Commission may choose to grant enforcement power to the Newton Upper Falls Historic District Commission.
4. Prior to release of CPA funds, all necessary zoning permits shall be granted by the appropriate entities.
5. Any portion of the grant not used for the purposes stated herein shall be returned to the Newton Community Preservation Fund.