



Real Property Reuse Committee Report

City of Newton In City Council

Tuesday, October 20, 2020

Present: Councilors Danberg (Chair), Greenberg, Albright, Kelley, Markiewicz, Downs, Laredo, Kalis, Wright, Malakie, Gentile, Norton, Humphrey, Crossley, and Ryan

City staff Present: Eamon Bencivengo, Housing Development Planner Eamon Bencivengo, Associate City Solicitor Andrew Lee, Director of Planning and Development Barney Heath, Chief Planner Neil Cronin

#393-20 Reuse of former water tower site on Countryside Road

DIRECTOR OF PLANNING & DEVELOPMENT submitting on September 10, 2020 a letter recommending that the former water tower site, a 16,900 sq. ft. parcel of land on Countryside Road, Ward 8, Newton Centre, known as Property ID: 83036 0003A be made available for sale or lease pursuant to Ordinance Section 2-7.

Action: Real Property Reuse Committee Held 8-0

Note: Director of Planning and Development Barney Heath and Chief Planner Neil Cronin presented an overview of the former water tower site on Countryside Road. Mr. Cronin noted that the 16,900 sq. ft. site, zoned public use, is landlocked and has three abutters; 197 Countryside Road (Zoned SR1), The Gables condo association at 465 Dedham Street (zoned MR1) and the Charles River Country Club (zoned SR1). In 1955 the City took the land for municipal purposes and the water tower was constructed. In 2019, the City took the water tower down (at an expense of approximately \$400,000) and as such, the Commissioner of Public Works has determined that the parcel is no longer needed. Mr. Cronin noted that the parcel is not buildable without a zoning variance for frontage, square footage and/or access.

The Committee expressed support for ensuring that the city is able to maximize the value of the parcel. The Committee questioned whether access to Countryside Road might be granted by way of an easement over the Gables' property. It was noted that access to Countryside Road through the Gables' property would depend on whether the Gables has rights to Countryside Road. Additionally, there is a conservation restriction on some of the property owned by the Gables.

The Committee discussed possible uses for the site including the location of wireless telecommunication equipment; either above or underground. Associate City Solicitor Andrew Lee noted that as the city has an assessed value of over \$35,000 and up to \$165,000, the parcel will have to undergo a formal solicitation process. Mr. Cronin noted that the value of up to \$167,000 is based on the parcel being vacant and unbuildable.

The Public Hearing was Opened

Nima, Shokrallahi, 197 Countryside Road, expressed an interest in purchasing the parcel. He questioned if interested parties would have to arrange an easement through abutting properties.

Atty. Lee confirmed they will have to go through procurement to determine what the parcel might be worth.

Mark Harmon, 437A Dedham Street, Chairman at the Board of the Gables, noted that if the conservation restriction is lifted on the Gables' property, 8,500 sq. ft. could be sold to make the lot buildable. Understanding that there are limitations for the site, he noted that the Gables is not interested in the property.

Pam Swartz, 433A Dedham Street, noted that the parcel behind the Gables is wooded and beautiful. She suggested that the space could be used for a restful area with benches and stated that there is no need to put a building on site.

The Public Hearing was Closed.

Atty. Lee explained that the Committee must make an initial determination that they want to make the property available for sale or lease. Because the parcel is vacant, the Council could choose to waive the formation of a Joint Advisory Planning Group (JAPG) and opt for a report and recommendation by the Director of Planning and Development instead. It was noted that once the City approves the sale or lease of the property, it is for a minimum price, which is then executed by the administration. The Committee asked that the Planning Department and Law Department explore options on how the property might be used (i.e. for a cell tower, for sale to an abutter, etc.). With that, Councilor Kalis motioned to hold the item which carried unanimously.

#135-20 Request to amend Real Property Reuse Board Order for Crescent Street
COUNCILOR GENTILE requesting that the Crescent Street Reuse Board Order #384-11(4) be amended to allow the site to be developed solely as open space/parkland.

Action: **Real Property Reuse Committee Held 8-0**

#398-20 Discussion regarding use of site at 70 Crescent Street
COUNCILORS KELLEY, BOWMAN, CROSSLEY, DANBERG, DOWNS, GREENBERG AND NOEL requesting a discussion to re-examine the best use for the city-owned 70 Crescent Street site.

Action: **Real Property Reuse Committee Held 8-0**

Note: The Committee discussed items #135-20 and #398-20 together. Councilor Gentile introduced item #135-20. He explained after the Board voted to approve Board Order #384-11(4) for not more than eight units of housing and parkland at the site, steps were taken to plan and design a project that met the conditions of the board order. The 5-58 process was initiated with the Council,

but the project was ultimately suspended after a vote to lower the project's priority on the Capital Improvement Plan (CIP) during budget season in 2018. Docket Item #135-20 was filed to seek an amendment to the board order to designate the space at the site exclusively for parkland/open space.

Councilor Kelley presented item #398-20. Councilor Kelley noted that during budget 2020, Councilors realized that the priority of Crescent Street had moved up on the CIP. When she and other Councilors realized that the priority for the site had changed based on the updated proposal to designate the parcel for open space and/or parkland, the question of what the best use for the parcel is was raised. Councilor Kelley emphasized how the Crescent Street site has undergone many different proposals and expressed concern relative to the alternating proposals. She noted that the 2012 JAPG provided recommendations for the site but stated that several factors have changed over time (i.e. the increase in regional and local housing needs, financing options). Councilor Kelley and co-docketers Councilor Bowman, Councilor Crossley, Councilor Danberg, Councilor Downs, Councilor Greenberg and Councilor Noel are seeking a reevaluation of all possible uses of the site, sensitive to the needs of the neighborhood and the Myrtle Baptist Church community, which was devastated by the taking for Mass Pike. Councilor Kelley suggested that the 2012 JAPG report is a good foundation for analysis of the site and reiterated the importance of an improved Revered Ford Playground and improved car access for Myrtle Baptist Church.

Councilors expressed support for the exploration of options for the parcel. Committee members suggested that while the proposal for 8-units at parkland at Crescent Street was unsuccessful, an affordable housing project may still be possible. It was noted that the City could partner with various non-profit entities to leverage funds that were not available for municipal use during the initial housing proposal. Councilors were supportive of affordable housing at the site, which can accommodate a housing project while addressing the city's housing needs. It was no

Atty. Lee explained that currently the property in the custody of the Commissioner of Public Buildings for the development of a housing project as described in Board Order #384-11(4). He explained that the Commissioner must declare the property as surplus for the City to begin the Real Property Reuse process again to transfer the use and/or amend the Board Order. A two-thirds vote is necessary to transfer custody of the site from Public Buildings to Parks & Recreation. The Committee requested that the Law Department detail the process that the Committee must undergo. Understanding that the administration must initiate the process, Councilors expressed support for hearing from The Mayor and the Commissioner of Public Buildings. Councilor Laredo motioned to hold item #135-20 and Councilor Kelley motioned to hold item #398-20. Both motions carried unanimously.

Public Comment

Lisa Monahan, 1105 Walnut Street, expressed support for the discussion relative to housing at the site, which is near a village center and transportation.

Elaine Rush Arruda, 1921 Commonwealth Avenue, served on the Crescent Street Working Group, she stated that the group wasn't given the opportunity to tweak the project to address budget constraints and noted that there are factors of the project that could have been changed to make it more successful. Ms. Rush Arruda noted that the project met the open space, affordable housing and historic Community Preservation Act guidelines and noted that the project was designed to be 100% affordable.

Jason Harburger, 15 Perkins Street, visits the playground regularly. Mr. Harburger expressed support for the retention of open space and a playground at the site as well as affordable housing.

Mlungisi Ndwandwe, representing Myrtle Baptist Church, expressed support for movement on the project. He noted that while there has been some back and forth with respect to the progress of the project, the Myrtle Baptist Church remains an advocate for housing at the site.

Josephine McNeil, 53 B Taft Avenue, noted that there have been shifts in the neighborhood and expressed support for a reevaluation of the site and the appropriate uses for the site.

Nancy Zollers, 154 Oliver Road, expressed support for a review of the history of the site and analysis of possible uses. Ms. Zollers noted that the initial housing proposal would not have been successful but stated that support for housing at this site remains.

Chairs Note: The Committee heard an update from the Director of Planning & Development on the status of the work of the Joint Action Planning Committee's (JAPG) formed to evaluate the redevelopment of the West Newton National Guard Armory for affordable housing or municipal uses.

Note: Ted Hess-Mahan, Chair of the JAPG and Barney Heath, Director of Planning & Development presented updates on the work of the JAPG as shown on the attached presentation. Mr. Heath noted that the JAPG has been meeting since January and is working with a consultant to develop scenarios and pro formas to determine feasibility of turning the Armory into 100% affordable housing. It was noted that group met with Commissioner of Public Buildings Josh Morse and City Clerk David Olson to explore possible municipal uses (i.e. NewCAL and/or a city archive). Mr. Hess-Mahan noted that preliminary analysis indicates that the building is not appropriate for the location of NewCAL and would be underutilized if used for archives.

When evaluating the possibility of locating housing at the site, phase 1 of the environmental testing has occurred. No issues have been raised relative to the presence of asbestos, lead or radon. The consultant has recommended a phase 2 to investigate the presence of an underground oil tank. Mr. Hess-Mahan previewed possible options for the reuse of the building and the configuration of housing. He noted that at this time, two options are preferred; Option 2 (demolition of the rear drill

shed, 53-units for senior/special needs residents) and Option 4 (full demolition, 46-units for families). Options 1 and 3 would require additional analysis. Mr. Heath noted that each scenario is reliant on low income tax credits from the state, possible CDBG funds and possible historic tax credits.

It was suggested that the JAPG's work is focused on the development of affordable housing at the site. The Committee urged the JAPG to continue their review which should include the potential to locate municipal uses, which may not be mutually exclusive. Mr. Hess-Mahan noted that if used for municipal purposes, the cost of the building to the city would be more than if used for affordable housing. He suggested that the city could design the site for affordable housing and then later negotiate lease of a portion of the space for archives space.

Mr. Hess-Mahan noted that it is the intent to present a recommendation to the Committee in November 2020. The Chair thanked Mr. Hess Mahan for the work of the JAPG. With that, the Committee adjourned at 10:20 pm.

Respectfully submitted,

Victoria Danberg, Chair

Department of Planning and Development



REAL PROPERTY REUSE

83036 003A

BALDPATE WATER TOWER

OCTOBER 20, 2020



Aerial/GIS Map



Street View



Real Property Reuse Committee

West Newton Armory JAPG Update

October 20, 2020

Update Outline

- 1) Housing Consultant Environmental Update
- 2) Housing Consultant 9/10/20 Presentation to JAPG
- 3) Housing Consultant 10/14/20 Presentation to JAPG
- 4) Housing Consultant 10/19/20 Presentation to JAPG
- 5) JAPG Timeline Next Steps

Housing Consultant Environmental Testing

- Affirmative Investments contracted to serve as the City's affordable housing consultant for the Armory housing feasibility analysis in June 2020.
- AI conducted environmental testing on the Armory in August.
- Tests included preliminary structural analysis, Phase I Environmental Assessment, and hazardous material investigation and revealed both lower and remediable levels of hazardous materials than originally anticipated. These materials included asbestos, lead, and radon.

Housing
Consultant
9/10/20
Presentation:
Introduction

- AI offered three options for the Armory as 100% affordable housing:
 - 1) Left fully intact (no / minimal demolition)
 - 2) Partially demolished by keeping the front head house and demolishing the field house / drill shed
 - 3) Fully demolished
- There is a myriad of public funding sources at all levels of government that can be harnessed to convert the Armory into affordable housing.
- Potential populations living in the Armory could be either families, individuals, seniors, or special populations.
- To ensure affordability, income targeting for these populations would vary between 30%, 60%, and 80% of the area median income

Housing
Consultant
10/14/20
Presentation:
Historic
Process

- AI discussed two potential scenarios of the historic review process by the Massachusetts Historical Commission's (MHC) and the Newton Historical Commission's (NHC) as the property is disposed of by the State and potentially redeveloped as 100% affordable housing:
 - 1) NHC ("the City") enters into an MOA with DCAMM and MHC
 - 2) The City accepts the covenants that DCAMM will place on the property as part of the sale.
- The MOA outlines the NHC's and MHC's role in the review of a potential project throughout the RFP and development process. This provides more certainty for a developer of the review process and the role that NHC and MHC will play as the project is developed.
- The MOA involves a 6 months public process and may begin as soon as the City chooses to purchase the property.
- If a covenant is pursued, the chosen developer is bound by the covenants placed on the property and must negotiate directly with MHC throughout the development process.

Housing
Consultant
10/19/20
Presentation:
Four
Development
Scenarios

- AI presented the JAPG with a feasibility analysis of four potential scenarios. These included:
 - 1) Use entire existing building – 33 units for senior/special needs populations (tax credits)
 - 1a) Use base of existing building - 33 units for senior/special needs populations (no tax credits)
 - 2) Keep front head castle house, demo rear drill shed - 53 units for senior/special needs populations
 - 3) Keep front head castle house, demo rear drill shed – 46 units for families
 - 4) Full demolition – 46 units for families
- In considering costs and financing possibility, AI estimates that scenarios #2 and #4 are feasible, with #1 and #3 possibly feasible with more analysis. #1a is not feasible due to the need to secure historic tax credits.
- None of the scenarios envisioned a project higher than 5 stories. Parking ratios ranged from 0.57 to 1.24.

JAPG Next Steps

- JAPG has begun to draft its final report
- JAPG will vote on its final recommendation in late October/early November
- JAPG will submit its final report to the Committee by mid-November
- JAPG expires on 11/30/20