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**Revisions to the Community Preservation Committee's  
Grace Episcopal Tower Restoration Project  
Funding Recommendation**

**Date:** February 26, 2021  
**From:** Community Preservation Committee  
**To:** The Honorable City Council  
**CC:** The Honorable Mayor Ruthanne Fuller

The Community Preservation Committee held a brief meeting on Thursday, February 25, to review and approve two new funding recommendations to be added to their October funding recommendation for the Grace Episcopal Tower Restoration Project. These new recommendations are included in the attached updated document as Additional Recommendations 9 and 10 (listed below). The first new recommendation conditions the funding on the receipt of a new preservation restriction to be held by the City on the CPA funded exterior elements of the building. Preservation Restrictions are a common requirement for CPA funded historic resource projects and are regularly required by the CPC whenever significant CPA funds are recommended to non-municipal entities.

The second new recommendation further defines how the CPA funding will be released to the project, requiring that the Applicants provide an equal proportion of the project costs from their own fundraising for every CPA dollar put into the project. The intent of this second recommendation is to ensure that at no time will there be more CPA funding put into the project than the Applicant has raised through private fundraising, ensuring the 50% funding match discussed during the project approval process.

**Additional Recommendations (Page 4 of the Attached Revised Recommendation)**

9. The Applicant will give a preservation restriction to the City on the exterior elements of the building which are being restored with public funds and meet the other conditions usual for CPA-funded private construction projects (City-approved procurement process, final construction contract, building permit, etc.)
10. As the Applicant has committed to raising 50% of the project costs through grants, donations and other sources, CPA funding for this project will be released based on the percentage of funding raised by the Applicant at the time of the funding request using an agreed upon funding approval process to be included in the grant agreement.

Lastly, CPC members were also asked whether they wanted to include any language in their recommendations to address the City Council's discussion on the amount of CPA funding to be returned if the preservation restriction is ever terminated. The termination process is stated in the restriction but it is extremely rare for a preservation restriction to ever be released. After briefly discussing this issue, members agreed to make no formal statements on this issue, preferring instead to use the standard preservation restriction language used for other CPA funded projects.

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**Community Preservation Committee**  
**Revised Funding Recommendation for the**  
**Grace Episcopal Tower Restoration Project**

**Date:** February 26, 2021  
**From:** Community Preservation Committee  
**To:** The Honorable City Council  
**CC:** The Honorable Mayor Ruthanne Fuller

**PROJECT GOALS & ELIGIBILITY** Grace Episcopal Church requests CPA historic resource funding in the amount of \$1,433,000 for the stabilization and preservation of the conical stone tower located in the southeast corner of the structure. A structural defect recently discovered in the tower, which includes the belfry and spire, is causing the structure to deteriorate to the extent that it is now a public safety risk and imperils the campus of the ca. 1872 building. The tower is a prominent historic resource which is considered to be a significant element of the neighborhood's visual landscape and contributes to the character of the adjacent Farlow Park. Designed by Architect Alexander Rice Esty, the stone campus is considered to be of "outstanding architectural quality" (Newton NRHP Nomination) and is listed on the State and National Registers of Historic Places as part of the Farlow and Kenrick Parks National Register Historic District.

This project is eligible for CPA funding for the restoration/rehabilitation of an historic resource as it is listed on both the State and National Historic Registers and is also supported by the Newton Historical Commission as a locally significant structure.

**RECOMMENDED FUNDING** At the CPC's regularly scheduled meeting on Tuesday, October 13, the Community Preservation Committee recommended, with a vote of 6 to 2 with one abstention, the appropriation of \$1,433,000 in Community Preservation Act historic resource funds to the control of the Planning & Development Department for the completion of the tower restoration project at Grace Episcopal Church. Committee member Martin Smargiassi abstained from the vote as he was not present for the public hearing, and reasons for the negative votes are discussed further in the Special Issues section. In recommending this project, the CPC proposes that all of the project funding come from the Historic Resource Reserve accounts as suggested below:

Sources of CPA Funding	
FY21 Historic Resource Reserve Funds	\$479,737
Prior Fund Balance – Historic Resource Reserve Fund	\$743,532
FY22 Historic Resource Reserve	\$209,731
<b>Total CPA Funding</b>	<b>\$1,433,000</b>

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### **SPECIAL ISSUES CONSIDERED BY THE CPC**

Whether or not public CPA funding should or could be provided for the preservation of an historic property owned by a religious entity was at the center of the CPC's discussion. Few questions were raised as to whether the tower is a significant historic and architectural resource within the community, a prominent visual and audible element of the neighborhood since its construction or contributes to the historic character of the adjacent historic Farlow Park. Instead, discussion focused on whether the CPC should recommend funding to a private institution, whether the amount of funding requested might prohibit the City from funding other important projects in the future, and how the legal questions raised by the case of *Caplan v. Acton* might impact a project recommendation.

**Funding of Private/Religious Institutions:** This was an area of significant discussion during the public meetings on this project. The Committee heard legal arguments made both for and against the use of CPA public funding for religious institutions, and also consulted with other CPA communities to learn about their reasoning and process for funding similar projects. It was noted that 91 CPA communities, including Boston and Cambridge, have funded the restoration of significant historic religious and institutional buildings based on their historic and architectural contributions to their neighborhoods and communities. The Massachusetts Anti-Aid amendment and its impact on the CPA funding of religious institutions was also reviewed during these meetings. As a result of these discussions, the majority of the CPC's members agreed that this project must be reviewed in the same manner that any historic resource project would be considered, based on the historic significance of the structure, its importance to the community, and the merits of its restoration process and plan. However, one member stated he could not see beyond the legal arguments against funding this project as he did not have the capacity to interpret legal opinions and voted against the recommendation.

**Architectural and Historical Significance:** The Grace Episcopal Church at 76 Eldredge Street has been considered to be of architecturally and historically significance for as long as the City has been tracking its historic resources. The site was listed on the National Register of Historic Places as part of the Farlow and Kenrick Parks National Register District in 1999, having previously been noted for its "outstanding architectural quality" in the 1986 Historic Resource Inventory of Newton. The property has been a local landmark in Newton Corner since its construction, as shown on the 1878 bird's eye view Map of Newton Corner included in the proposal. When the property was included in the Newton Corner Historic Neighborhood Walking Tour in 2002, the corner tower "rising to an open belfry and high stone spire" was again noted to be an important local landmark. Numerous other planning and historic preservation documents prepared by the City over the years have noted the importance of its design, the prominence of its architect, Alexander Rice Esty, and the need to protect and preserve Newton's many churches not only for their architectural and historical contributions to the area, but for their service as important community gathering spaces, polling centers, and multi-use open space facilities. A preservation restriction was placed on the property in 1999 after Massachusetts Preservation Project Funds were awarded to the property for other restoration purposes.

**Funding leverage & project costs:** The project meets the CPC's guidelines for the funding of private projects through public-private partnerships as it provides a 50/50 match to the CPA funds. The Applicant hopes to use the City's commitment of CPA funding to leverage additional grants and donations for the project. As a condition of the project's funding, the CPC recommended that if more funding is raised than is currently estimated, the CPA funding provided to the project should be lowered accordingly. The high cost of the project was discussed, with members noting that the high cost of this type of specialized historic preservation work made it an expensive project. The possibility of dividing the project over phases to lower the initial investment was also discussed with the Applicant, who explained that the stabilization work would be fruitless if the restoration work was not completed as well. Keeping in mind the need to complete all aspects of the project within a relatively short timeframe, the CPC agreed to recommend the full funding of the project with the understanding that the funding would be released as needed over the course of the two-year project.

The CPC's recommendation also included a condition that all of the CPA funding for this project come from the City's existing and future Historic Resource Reserve funds. While the CPC has a goal of spending at least 20% of CPA funding on Historic Resource projects, only 17% had been used for this purpose over the life of the program. With no new Historic Resource projects in recent years, the reserve fund had grown to \$1,223,270

set aside for Historic Resource projects. Allocating these reserve funds to this project, along with a portion of the FY22 reserve funds for Historic Resources, addressed some members concerns that the use of this much funding for the tower restoration could negatively impact the City's ability to complete much needed projects in other categories. The other member who voted against this project stated that he objected a large amount of CPA funding for this project when there were other City projects which he thought were more critical to the community.

**Community spaces & services:** The proposal details the extensive public use of this property as a meeting center, performance venue and local polling location. Grace Episcopal also has a long history of allowing non-profits to use other structures on their site, and an additional letter detailing the congregation's history in community engagement can be found on the website at:

[www.newtonma.gov/civicax/filebank/documents/106924](http://www.newtonma.gov/civicax/filebank/documents/106924). The CPC found it important to note during their discussion, however, that many historic resources are not public buildings but provide a benefit to their neighborhood and community by contributing to the community's architectural and historic landscape and character.

**Project design & permitting:** The Applicant has spent several years working closely with Structures North, as well as other preservation and masonry experts, to complete a thorough evaluation of the tower's existing condition and develop the proposed solutions. The result is a set of detailed elevations and drawings of the tower which show where the damage is located and the proposed treatment methods. The Applicant's have prepared a breakdown of each phase of work to be completed, who will complete the work, and how each material/structural element will be restored along with an estimated cost for the work. The proposed work meets the Secretary of the Interior's Standards for Preservation and Restoration as it will be restored and repaired using existing and in-kind materials, with new structural materials to be used only as needed on the interior of the structure. There are no anticipated zoning changes required by this project and the Applicant will be required to take out building permits to complete the necessary work.

#### **ADDITIONAL RECOMMENDATIONS** (*funding conditions*)

1. Recommended CPA funds should be appropriated within 6 months and the project should be completed within 3 years after the date of its approval by City Council, with the understanding that these deadlines may be extended by submitting a written request to the CPC outlining the reason the extension is necessary and the proposed new deadline.
2. The Applicant has committed to raising funding for 50% of the project budget. If through grants or donations more funding is raised than is currently estimated, those additional funds will be used to reduce the CPA funding contribution to the project.
3. All funding for this project will be taken from the City's CPA Historic Resource Reserve accounts, using both its current balance of available funding and additional funding from FY22 as needed.
4. All CPA funding will be used solely for the restoration of the tower as a public element of the building which is visible from all surrounding public ways and park spaces. No funding can be used for the support of any religious activities, or for the restoration of any other elements of the building which are solely used for religious purposes.
5. The Applicant will be asked to update the CPC on the status of the project at regular intervals as requested. Periodic site visits to check the status of the restoration work may also be requested.
6. The CPC will hold 10% of the project's CPA funding until all restoration work is complete, at which time a final report and updated project budget must be submitted to the CPC for approval. The Applicant will be expected to present these materials at a public meeting of the CPC for their review and approval before the final funds are released.
7. The release of CPA funds will be governed by a grant agreement that includes but is not limited to the usual conditions for the phased release of CPA funds for historic resource projects, including a final report to the CPC and the return of unspent funds.
8. Any CPA funds appropriated but not used for the purposes stated herein should be returned to the Newton Community Preservation Fund.

9. The Applicant will give a preservation restriction to the City on the exterior elements of the building which are being restored with public funds and meet the other conditions usual for CPA-funded private construction projects (City-approved procurement process, final construction contract, building permit, etc.)
10. As the Applicant has committed to raising 50% of the project costs through grants, donations and other sources, CPA funding for this project will be released based on the percentage of funding raised by the Applicant at the time of the funding request using an agreed upon funding approval process to be included in the grant agreement.

**KEY OUTCOMES** The successful outcomes of this project will be the interior stabilization of the tower, using a patented system to replace the failing interior supports and prevent further deterioration, and the exterior restoration of the facades by repointing and replacing failed masonry elements to prevent water infiltration and damage in the future. The ultimate goal of this project is to have a fully restored tower element which can be viewed and accessed again by the public.

#### **ATTACHMENTS**

- Tower Restoration Proposal submitted by Grace Episcopal Church on Aug. 14, 2020. (Due to the size of this document, a link has been included to its location on the project website: <http://www.newtonma.gov/civicax/filebank/documents/105631>)
- October 13, 2020 Presentation by Grace Episcopal Church to the Community Preservation Committee

Additional information not attached to this recommendation, including petitions and letters of support, are available on the CPC's website at: <http://www.newtonma.gov/gov/planning/cpa/projects/gecsr.asp>