



Ruthanne Fuller,
Mayor

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Director

Community Preservation Committee

MINUTES

February 9, 2021

The virtual meeting was held online on Tuesday, February 9, 2021 beginning at 7:00 pm. Community Preservation Committee (CPC) members present included Dan Brody, Eliza Datta, Byron Dunker, Susan Lunin, Robert Maloney, Jennifer Molinsky, Martin Smargiassi, and Judy Weber. Chair Mark Armstrong was not present for this meeting and Vice-Chair Dan Brody served as chair in his place. Community Preservation Program Manager Lara Kritzer was also present and served as recorder.

Mr. Brody opened the Community Preservation Committee's public meeting at 7:00 P.M and suggested that the Committee reverse the agenda order to take care of the minutes and other business items before the general discussion.

Approval of Minutes

The revised minutes for the January 12 CPC meeting had been sent out for review prior to the meeting. Mr. Brody asked if there were any further comments or questions on the draft minutes at this time and there were none. Ms. Weber moved to approve the minutes as revised. Ms. Lunin seconded the motion which passed by unanimous vote.

NHA Request to Use Remaining Project Funding

Ms. Kritzer explained that the Newton Housing Authority (NHA) was requesting to use the remaining funding in the CANDO properties acquisition project fund to pay for other expenses on the project. CPA funding had been allocated to the project to pay down the existing debt on the CANDO properties that were being acquired by the NHA. The project had taken considerably longer to complete than originally intended, and by the time the NHA acquired the properties, the amount allocated was \$8,200 less than was needed to pay down the loans. However, the NHA had incurred additional legal expenses over the course of the extended project. The NHA was now requesting to use the \$8,200 remaining in the account to pay for legal fees associated with the acquisition. Ms. Kritzer noted that it was not unusual for an applicant to request to use any extra CPA funding for other project expenses so long as the expenses were consistent with the intent of the CPC's project recommendation and the original project goals.

Ms. Weber noted that she was the CPC's NHA representative and would recuse herself from the vote. Ms. Datta noted that it was a small amount and asked if these changes were ever handled administratively. Ms. Kritzer stated that it depended on how the project was initially recommended and approved. In this case, the funding was allocated very specifically to pay down the debt on the properties and staff did not feel comfortable approving the change without the Committee's

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agreement. Ms. Kritzer added that all of the CPA grant agreements include language requiring applicants to come back to the CPC if they have any reasons for changing the use of the funding.

Mr. Maloney noted that the funding was already set aside for this project and he had no issue with using the remaining funds to pay for other project expenses. Ms. Lunin moved to approve the reallocation of the remaining NHA Acquisition funds to cover legal expenses associated with the purchase of the CANDO properties. Ms. Datta seconded the motion which passed by a vote of seven to zero with one abstention (Ms. Weber).

Proposed West Newton Armory Proposal for Pre-Development Funding

Ms. Kritzer explained the City Council approved the acquisition of the West Newton Armory last week for its conversion into a completely affordable housing development. As part of the sale from the State, the City is working on completing the due diligence requirements which include environmental and noise assessments that need to be completed before the sale. The City's Housing Division is working on those requirements and will be requesting CPA funding to assist in the process. Because of the tight timeframe, the applicants have asked to skip the pre-proposal section of the process and to submit a full proposal in March. Ms. Kritzer stated that the anticipated funding amount is \$20,000 and asked if members would consider holding the public hearing at the next meeting. She noted that the CPA funding request would be matched with other grant funds and that there is an expectation that the project will be back before the CPC in the future for additional funding.

It was noted that most members were already familiar with the project. Members discussed the project's status and next steps. Ms. Datta explained that the City was working with a housing consultant to put together an RFP to find the firm that would develop the new affordable housing. Ms. Weber thought that affordable housing would be a good use of the property. Ms. Datta stated that she was fine with seeing the full proposal in March and other members agreed. Ms. Datta moved to waive the pre-proposal requirement for the West Newt Armory Affordable Housing Proposal and allow the proposal to be reviewed at a public hearing in March. Ms. Weber seconded the motion which passed by unanimous voice vote.

Program and Policies Discussion

Mr. Brody began the discussion by stating that he would prefer not to make any decisions on changes at this meeting since Mr. Armstrong was not able to be present. Members began the discussion with the allocation target chart in the design guidelines. Mr. Brody stated that he had two questions for the Committee about the existing chart- first, are the categories correct and second, are the percentages correct. As currently written, instead of considering open space and recreation projects separately, the chart combined the two categories and separated out individual projects by activity. (Acquisition vs. Rehabilitation/Capital Improvements). Members discussed the reasons for dividing projects in this way. Mr. Dunker stated that it had been this way for all of his time on the CPC, but that he was not sure about the reasoning behind it. Ms. Weber thought that it would be more logical to consistently refer to the areas by category throughout. Ms. Molinsky asked if there was some reason behind the current format and members discussed whether this went back to the original Act when existing recreation sites could not be restored or rehabilitated with CPA funds. Members also discussed the types of projects that typically came in and past comments on open space and

recreation projects that may have led to this approach. Members agreed that there was consensus in changing the third and fourth lines of the chart to separate open space and recreation, and asked staff to put together a new version of the chart for the next meeting.

From here, discussion turned to the amount of the funding allocation and whether the Committee wanted to make any changes in the guidelines. Mr. Brody and Mr. Dunker both thought that the existing percentages were helpful targets for the CPC to keep in mind when reviewing projects. Mr. Brody noted that it gave the CPC a benchmark when they were reviewing the Webster Wood project. The debt service on the Webster Woods bonds was projected to use an average of 10% of available CPA funds. With the 20% guideline for open space, buying Webster Woods would therefore commit roughly half of the open space guideline. This served as a counterargument to those who were concerned about future Open Space opportunities. He noted that the discussion raised the question of whether these targets were correct and suggested that the Committee reach out to the City Council for their thoughts on this as well. Ms. Molinsky asked what the demand was for CPA funding and what the program was doing to encourage new projects. Mr. Dunker noted that the City had recently created a new Fields Committee which was hoping to bring in some of the faster and easier projects for CPA funding in the near future. They were working to put together a list of what could reasonably be done, such as upgrading the lighting at Albemarle and Pellegrini parks and installing irrigation. Other sites, such as Braceland and Lyons Field, were known to need work but were much larger projects to consider.

Ms. Weber noted that there were opportunities for encouraging projects that included both historic and affordable funding, such as the past work at the Warren House and the future West Newton Armory project. She thought that the CPC should be as flexible as possible to encourage creative projects that used the funding wisely, particularly those that could meet more than one funding use. Mr. Brody noted that the Auburn Street Affordable Housing project was a good example, as CPA funding was used to restore the historic house as part of the development of the property into affordable housing.

Members discussed whether they should hold a public hearing to discuss changing the category percentages. Ms. Kritzer noted that the CPC was tasked with reviewing the Community Preservation Plan and that if members decided to change the full document, then a public hearing would be a requirement of making the new document official. Ms. Datta commented that as a new member of the Committee, she was not sure whether she had fully considered the existing percentage targets. She noted that the CPC had not received any open space or recreation proposals since she had joined the Committee and so had not thought too much about them, but noted that combined they accounted for a target of 40% of all CPA funding. As a housing advocate, she encouraged the Committee to consider whether that percentage should be changed based on the ongoing need for that resource. She encouraged the Committee to continue the conversation of how to consider these funding targets.

Ms. Weber agreed and noted that the CPC had to plan for the future as well as today. She thought that looking at the pie chart, funding had been fairly equally divided between physical assets (Community Housing and Historic Resources) and Land (Open Space and Recreation). Ms. Kritzer clarified how the funding is requested to be set aside for Community Housing, Historic Resources, and Open Space but that Recreation could also be funded. She noted that as of today, 41% of all funding

had gone to Community Housing, with Open Space close behind and Recreation and Historic Resources both far below.

Ms. Kritzer noted that at one of her first meetings almost a year ago, the Committee had reviewed the results of its 2019 community survey. She reviewed those results with members at this time, noting that while there had been a spike in interest in Recreation projects due to a campaign amongst community field supporters, the community's goals for the remaining categories were similar to the CPC's current targets and results. Members discussed whether it made sense to consider doing another survey at this time, as well as what other documents and reports could be used to learn more about the City's funding priorities. It was noted that the City had recently completed an updated Open Space and Recreation Plan, and Ms. Kritzer was asked to share a link to that document with Committee members.

Mr. Brody asked if members thought that it would be worthwhile to change the target percentages at this time. Ms. Weber thought that it would be helpful to gather more data points before this decision was made. She suggested that the CPC should first consider the goals in the Open Space Plan and other plans, and perhaps reach out to the Mass. Housing Partnership for additional affordable housing information as well. She stated that she would like to be better informed on all of the pieces available for funding before making any changes. Mr. Brody suggested that one way to consider this issue was to ask if the Committee was at the stage where the targets were not impeding the process. He suggested that if a lot of CPA funding had gone to one category, then the Committee might want to consider changes that would rebalance the fund. But if the targets were serving as guardrails for the program, then they could continue to be useful guides. He thought that there was an argument for leaving the targets in their current form until the program got to the point where they were no longer useful. Mr. Maloney and Mr. Dunker agreed with leaving the targets at their existing percentages.

Discussion turned to the suggestion of a joint meeting between the CPC and City Council. Mr. Brody explained that when the City's CPA ordinance was updated in 2018, a provision was included that the CPC should meet annually with the City Council. Mr. Brody thought that it would be useful to have a joint meeting now to get the City Council's thoughts on the review process and what they would like to see funded each year. He added that he had also heard from Councilors who were interested in the Committee considering guidelines for proposals from private and religious organizations.

Returning to the guidelines discussion, Ms. Molinsky agreed with Ms. Weber that it would be helpful to be able to compare the elements of each category and thought it would give the Committee a better sense of what might be out there as a future proposal. Mr. Brody asked what the goal would be for this research. Ms. Molinsky stated that it could be used to rethink the guidelines and funding targets. She added that while the Committee usually looked at funding requests one project at a time, it would be useful to understand the larger needs in the community.

Ms. Kritzer suggested that the Committee could look at each category individually over the next few months and develop a single page document on each one. She offered to reach out to stakeholders to discuss how the CPC could consider their overall goals in future funding decisions. It was noted that this work could serve as a reminder to both the Committee and potential applicants of the

available options for funding. Members also noted that they had looked at the Coleman House as an individual project, but that there might be other similar projects out there needing funding as well. Ms. Molinsky noted that CPC members were all appointed for their expertise in different specialties and thought it would be helpful to look at potential projects from these different perspectives. Ms. Datta agreed that checking in with other stakeholders would be helpful. She also thought that meeting with the Council would help the Committee to understand how the CPC's priorities lined up with those of the City. She thought that the current target percentages appeared to be working, particularly in community housing, where the Committee had been able to make some significant awards. Mr. Brody also thought that it would be helpful to know if there were ways to get a sense of what else was out there that had not been submitted for funding yet. Ms. Lunin thought that this review would give the Committee a broader view to build from and would allow decisions to be made from a position of strength rather than ignorance.

Mr. Brody thought that historic, open space, and recreation projects might be easier to quantify as there were only so many opportunities. He thought that it might be harder to get a sense of future housing projects but noted that he was also less worried about this category given the recent approvals for housing projects. He agreed that it would be good to get a better sense of what might be coming up over the next 5-10 years.

Members agreed that a discussion with the City Council would be helpful at this time. Mr. Brody, Mr. Armstrong, and Ms. Kritzer were tasked with reaching out to the Council to schedule a meeting. Ms. Kritzer suggested that the discussion could take place when the CPC meets with the Council for the Affordable Housing Trust discussion, but members agreed that the two discussions should remain separate. Mr. Dunker noted that the recently approved Grace Tower funding was bringing more attention to the CPC and the materials it uses for its reviews.

Members next reviewed the second chart in the design guidelines, which defines the types of projects that the CPC would consider funding and what level of matching funds are necessary. Mr. Brody stated that he found the design guidelines to be helpful to review when looking at proposals but found this second chart to be hard to interpret. He was interested in learning how other Committee members looked at this chart. Several members stated that they struggled with determining which projects were beneficial to the City as a whole and which were only beneficial to some of the City. Mr. Brody noted that this had come up during the Grace Tower discussion and wondered if the Committee should deal with the question more explicitly. It was noted that the question of public use had also come up during the Grace Tower discussion and whether the use of the structure was relevant to historic preservation discussions. Members agreed that there was a need to be clearer about the significance of structures and the reasons for funding.

Mr. Smargiassi noted that the City's Historic Districts Commissions had manuals which were helpful for both applicants and Commission members to use in determining what was and was not appropriate for the districts. He thought that it would be helpful to have a similar document for the CPC members as well as developers to review before submitting their application. Ms. Molinsky agreed that the chart in question had been hard to apply to the Grace Tower project. Ms. Weber noted that in that case, the building in question had multiple purposes, and its uses were much broader than its ownership suggested. She thought that to Mr. Brody's point, the chart should be updated and revised to reflect these types of situations. Ms. Molinsky stated that if the guidelines

were intended to officially guide the CPC's decisions, then she agreed that these statements needed to be considered further. Mr. Smargiassi noted that the National Park Guideline's for historic preservation focus on the preservation of the structure and do not look at its use, which could change without impacting the building's preserved historic character. He thought that this was a good point to keep in mind for Newton's historic resources as well and noted that while these same guidelines are used in every state, each state can interpret them differently.

Mr. Brody stated that he was not sure that he understood the guideline's distinction between all and some benefit to the community. In terms of preserving a structure, he agreed that the Committee could weigh those questions in terms of its visibility or impact on the community. Members asked Ms. Kritzer to look into how other communities consider this element in their reviews. Ms. Datta noted that the charts did not align with the funding categories and it was suggested that the funding categories be used to define the targets. Ms. Kritzer was also asked to look into how the target percentages had been set in the past and how the currently approved projects would have likely scored.

Ms. Lunin noted that the percentage of funding to be allocated to each category was always a discussion when large projects were approved. Mr. Dunker thought that the Committee would learn more in the few months as they gathered information from stakeholders. Mr. Brody raised the question of Grace Tower's recommendation, which assumed that the Committee would not consider the ownership of the structure. Members agreed that this question could be part of the next project discussion.

Ms. Kritzer also asked members to consider if there are changes that could be made to the administrative processes to assist the CPC in their reviews. She asked members to let her know if there was any additional information that would be helpful or if there were any changes to the format of materials that they would like to see.

Affordable Housing Trust Update and Discussion

Ms. Kritzer explained that the Planning Department had been working over the last few weeks to gather information on how Affordable Housing Trusts (AHT) were established and used in other communities. She had particularly focused on how Trusts worked with the Community Preservation Committees and their funding and review processes. Ms. Kritzer gave a presentation on Affordable Housing Trusts at this time, noting that there were 110 communities with AHTs in Massachusetts, 80% of which also had CPA funding. Some communities chose to give up to 80% of their CPA funding to their Trusts for affordable housing projects, while in other communities, the CPC continued to conduct all of the housing project reviews. Ms. Kritzer noted that one of the things that the CPC would need to consider would be how much funding it would be willing to allocate to an AHT, or whether it would want to hold on to a portion of the housing target funds until specific projects were in progress. Ms. Kritzer also noted that it would be important for the CPC to establish a process of working with a new AHT for reporting and review, to continue to ensure that the CPA funding was used for its allowed purposes.

Members reviewed examples of how CPA funding was used by AHTs in other communities and reviewed how an AHT could change the CPC's review process. Ms. Kritzer explained that once funding

was allocated to the AHT, there was no other review required for specific projects to use the funds. Ms. Weber thought that this topic went back to the Committee's previous discussion on the guidelines and getting a better understanding of the City's priorities for CPA funding. She thought that it was hard to say how much the CPC would be willing to allocate to a Trust until that information was known. Mr. Smargiassi noted that AHTs could buy and sell properties and thought that a Trust might be able to leverage more into a project than the CPC could on its own. He thought that a Trust could be more active than the CPC and could be an interesting option for the future. Members agreed to not make any decisions at this time and to hold this discussion until after the joint meeting with the City Council on March 22.

Review of Finance Reports

Members briefly reviewed the existing financial information and Ms. Kritzer explained the updates to current projects since the last report. Ms. Kritzer also noted that she was currently working on the draft budget for FY22 and planned to have it ready for the CPC to review at the April meeting.

Ms. Lunin moved to adjourn the meeting. Ms. Weber seconded the motion which passed by unanimous voice vote. The meeting was adjourned at 8:59 P.M.