

Newton City Council



Committee of the Whole Agenda

Monday, February 22, 2016

**Council Chamber
7:00 PM**

The City Council will meet in a Committee of the Whole with the Finance Committee presiding on Monday, February 22, 2016 at 7:00 pm in the Council Chamber to discuss the following item.

Referred to Public Facilities and Finance Committees

#66-16

Authorization to purchase 23 Parkview Avenue for school use

HIS HONOR THE MAYOR requesting authorization to purchase 23 Parkview Avenue, including trees and structures on the property, for the purpose of school use and further requesting authorization to one million ten thousand dollars (\$1,010,000) from bonded indebtedness for the Cabot School project to be used to fund the purchase of the property and associated recording fees. [02/09/16 @ 2:46 PM]

The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, *please contact Jini Fairley, at least two days in advance of the meeting: jfairley@newtonma.gov, or 617-796-1253. For Telecommunications Relay Service dial 711.*

CITY OF NEWTON
LAW DEPARTMENT
INTEROFFICE MEMORANDUM

DATE: February 19, 2016
TO: All Members, City Council
FROM: Ouida C.M. Young, Associate City Solicitor
RE: Acquisition of 23 Parkview Avenue for School Use
Docket #66-16



As part of the information being presented to the City Council meeting as a Committee of the Whole to consider acquisition of land abutting the Cabot Elementary School, I am transmitting executive summaries from two appraisals of 23 Parkview Avenue. The Owners of the property and the City each had appraisals made. The City used William J. Lanciloti d/b/a Suburban Appraisal Services, who set the value for the property at \$925,000.00. The Owners used Christine Zitso Jaques, who set the value for the property at \$970,000.00.

As you may recall, in addition to paying an owner the fair market value for real property acquired through either a purchase or an eminent domain taking, a governmental entity is also required in Massachusetts to compensate an owner for rehousing and moving expenses pursuant to G.L. c. 79A. These costs can be significant.

I am pleased to report that the Owners of 23 Parkview Avenue, Daphne and Alan Potter, have signed a Settlement Agreement with the City to acquire their property. The terms of that Agreement include all the points set out in the Letter of Intent signed by the parties earlier this month, a copy of which was filed with the Mayor's request for authorization to acquire this property. The Owners have agreed to accept \$1,000,000.00 as compensation for both their home and the rehousing/moving expenses they will incur.

Please call me if you have any questions. I will be attending the meeting on Monday evening.

Thank you.

APPRAISAL OF REAL PROPERTY

LOCATED AT

23 Parkview Ave
Newton, MA 02460

South Middlesex County Registry of Deeds Book 36268 Page 454

FOR

City of Newton
1000 Commonwealth Avenue
Newton Centre, MA 02459

AS OF

01/22/2016

BY

William J. Lanciloti, Jr., SRA
Suburban Appraisal Services
727 Washington Street
Newton, MA 02460
(617) 969-3006
suburbanappraisal@verizon.net

SUMMARY OF SALIENT FEATURES

SUBJECT INFORMATION	Subject Address	23 Parkview Ave
	Legal Description	South Middlesex County Registry of Deeds Book 36288 Page 454
	City	Newton
	County	Middlesex
	State	MA
	Zip Code	02460
	Census Tract	3734.00
	Map Reference	15764
SALES PRICE	Sale Price	\$ 0
	Date of Sale	
CLIENT	Client	City of Newton
	Appraiser	William J. Lanciloti, Jr., SRA
DESCRIPTION OF IMPROVEMENTS	Size (Square Feet)	1,701
	Price per Square Foot	\$
	Location	Average
	Age	91 Years
	Condition	Good
	Total Rooms	7
	Bedrooms	3
	Baths	2.1
APPRAISER	Appraiser	William J. Lanciloti, Jr., SRA
	Date of Appraised Value	01/22/2016
VALUE	Opinion of Value	\$ 925,000

RESIDENTIAL APPRAISAL SUMMARY REPORT

File No.: 23park

Property Address: 23 Parkview Ave City: Newton State: MA Zip Code: 02460
County: Middlesex Legal Description: South Middlesex County Registry of Deeds Book 36268 Page 454
Assessor's Parcel #: 22-8-7
Tax Year: 2016 R.E. Taxes: \$ 6,327 Special Assessments: \$ 0 Borrower (if applicable): N/A
Current Owner of Record: Alan & Daphne Potter Occupant: [X] Owner [] Tenant [] Vacant [] Manufactured Housing
Project Type: [] PUD [] Condominium [] Cooperative [] Other (describe) HOA: \$ 0 [] per year [] per month
Market Area Name: Newtonville Map Reference: 15764 Census Tract: 3734.00
The purpose of this appraisal is to develop an opinion of: [X] Market Value (as defined), or [] other type of value (describe)
This report reflects the following value (if not Current, see comments): [X] Current (the Inspection Date is the Effective Date) [] Retrospective [] Prospective
Approaches developed for this appraisal: [X] Sales Comparison Approach [] Cost Approach [] Income Approach (See Reconciliation Comments and Scope of Work)
Property Rights Appraised: [X] Fee Simple [] Leasehold [] Leased Fee [] Other (describe)
Intended Use: The purpose of this appraisal is to determine a market value for possible sale.
Intended User(s) (by name or type): Provide Opinion of Value for possible purchase.
Client: City of Newton Address: 1000 Commonwealth Avenue, Newton Centre, MA 02459
Appraiser: William J. Lanciloti, Jr., SRA Address: 727 Washington Street, Newton, MA 02460
Location: [] Urban [X] Suburban [] Rural
Built up: [X] Over 75% [] 25-75% [] Under 25%
Growth rate: [] Rapid [X] Stable [] Slow
Property values: [] Increasing [X] Stable [] Declining
Demand/supply: [] Shortage [X] In Balance [] Over Supply
Marketing time: [X] Under 3 Mos. [] 3-6 Mos. [] Over 6 Mos.
Predominant Occupancy: [X] Owner [] Tenant [] Vacant (0-5%) [] Vacant (>5%)
One-Unit Housing: PRICE (\$000) AGE (yrs)
Present Land Use: One-Unit 75% 2-4 Unit 10% Multi-Unit 5% Comm'l 0% Park/School 10%
Change in Land Use: [] Not Likely [X] Likely * [] In Process *
* To: Residential to Municipal.
Market Area Boundaries, Description, and Market Conditions (including support for the above characteristics and trends): Newton is bounded by the cities of Waltham and Watertown to the north, the city of Boston and the town of Brookline to the east, Boston and the towns of Needham and Wellesley to the south, and Waltham, Wellesley and the town of Weston to the west. See Comment Addendum for additional neighborhood discussion. At present, MLS reports 102 active offerings. List prices range from \$560,000 to \$10,500,000. Median list price is \$1,735,000. Only three homes are priced below \$609,000 and only two houses are listed in excess of \$4,500,000. Of the active listings, 11 have accepted offers with contingencies. There are 37 properties pending for sale. Median asking price was \$1,349,000. Conventional financing is available at low interest rates. Seller concessions are typically in the form of price reductions. Prices are relatively stable at this time.
Dimensions: Refer to Attached Deed Site Area: 4,300 sf
Zoning Classification: Multi Residence 1 Description: 10,000 SF Minimum/ 80' Frontage
Zoning Compliance: [] Legal [X] Legal nonconforming (grandfathered) [] Illegal [] No zoning
Are CC&Rs applicable? [] Yes [X] No [] Unknown Have the documents been reviewed? [] Yes [] No Ground Rent (if applicable) \$ /
Highest & Best Use as improved: [] Present use, or [X] Other use (explain) New Home
Actual Use as of Effective Date: Single-Family Residence Use as appraised in this report: Single-Family Residence
Summary of Highest & Best Use: Highest and Best Use is as currently utilized. Lot size is insufficient to take advantage of Multi-Residence Zoning.
Utilities Public Other Provider/Description Off-site Improvements Type Public Private Topography Level
Electricity [X] [] Eversource Street Paved Asphalt [X] [] Size Below Average
Gas [X] [] Eversource Curb/Gutter Granite [X] [] Shape Rectangular
Water [X] [] City Sidewalk Concrete [X] [] Drainage Appears Adequate
Sanitary Sewer [X] [] City Street Lights Overhead [X] [] View Resid./School
Storm Sewer [X] [] City Alley None [] []
Other site elements: [X] Inside Lot [] Corner Lot [] Cut de Sac [] Underground Utilities [] Other (describe)
FEMA Spec'l Flood Hazard Area [] Yes [X] No FEMA Flood Zone X FEMA Map # 25017C0552E FEMA Map Date 6/4/2010
Site Comments: See Comment Addendum
General Description Exterior Description Foundation Basement Heating
of Units 1 [] Acc. Unit Foundation Concrete Slab None Area Sq. Ft. 875 Type Steam
of Stories 2 Exterior Walls Hard Plank Crawl Space Partial % Finished 0 Fuel Gas
Type [X] Det. [] Att. [] Roof Surface Asphalt Shingle Basement Predominant Ceiling Wood Joists
Design (Style) Colonial Gutters & Dwnspts. Alum/Alum Sump Pump [] Walls Conc./Knt Pn Cooling
[X] Existing [] Proposed [] Und. Cons. Window Type Double Hung Dampness [] Floor Concrete Central No
Actual Age (Yrs.) 91 Storm/Screens Full Settlement None Noted Outside Entry Walkout Other 3 Mini-Splits
Effective Age (Yrs.) 12 Condition Good Infestation None Noted Finish Minimal Fin.
Interior Description Appliances Attic [] None Amenities Car Storage [] None
Floors Hardwood Refrigerator [] Stairs [] Fireplaces # 1 Woodstove(s) # Garage # of cars (4 Tot)
Walls Plaster Range/Oven [X] Drop Stair [X] Patio Attach.
Trim/Finish Wood Disposal [X] Scuttle [] Deck Rear Detach.
Bath Floor Linoleum Dishwasher [X] Doorway [] Porch Blt-In
Bath Wainscot Tile Fan/Hood [] Floor [] Fence Carpet
Doors Wood Microwave [X] Heated [] Pool Driveway 4
Condition Good Washer/Dryer [] Finished [] Surface Paved Asphalt
Finished area above grade contains: 7 Rooms 3 Bedrooms 2.1 Bath(s) 1,701 Square Feet of Gross Living Area Above Grade
Additional features: Wired for Alarm, Recessed Lights, Granite Counters, Stainless Steel Appliances, Ceiling Fans, Deck, Fireplace, 3 Mini-Split AC Units; Renovation and Addition in 2012
Describe the condition of the property (including physical, functional and external obsolescence): See Comment Addendum.

APPRAISAL OF



a single family home...

LOCATED AT:

23 Parkview Ave
Newton, MA 02460

CLIENT:

Daphne and Alan Potter
23 Parkview Ave
Newton, MA 02460

AS OF:

January 21, 2016

BY:

Christine Zitso Jaques

CZJ APPRAISAL SERVICES

File No. 23Parkview

Daphne and Alan Potter

Daphne and Alan Potter
23 Parkview Ave
Newton, MA 02460

File Number: 23Parkview

Dear Daphne and Alan,

In accordance with your request, I have appraised the real property at:

23 Parkview Ave
Newton, MA 02460

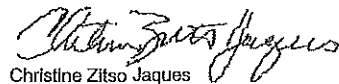
The purpose of this appraisal is to develop an opinion of the defined value of the subject property, as improved. The property rights appraised are the fee simple interest in the site and improvements.

In my opinion, the defined value of the property as of January 21, 2016 is:

\$970,000
Nine Hundred Seventy Thousand Dollars

The attached report contains the description, analysis and supportive data for the conclusions, final opinion of value, descriptive photographs, assignment conditions and appropriate certifications.

THANK YOU!



Christine Zitso Jaques

Summary Residential Appraisal Report

File No. 23Parkview

The purpose of this appraisal report is to provide the client with a credible opinion of the defined value of the subject property, given the intended use of the appraisal.

PURPOSE
 Client Name/Intended User: Daphne and Alan Potter E-mail: daphne.potter@gmail.com
 Client Address: 23 Parkview Ave City: Newton State: MA Zip: 02460
 Additional Intended User(s): Client's attorney
 Intended Use: market valuation for proposed sale of the home to the city for school expansion

SUBJECT
 Property Address: 23 Parkview Ave City: Newton State: MA Zip: 02460
 Owner of Public Record: Daphne Potter/Alan Potter County: Middlesex
 Legal Description: Book 36268 Page 454
 Assessor's Parcel #: S:22 B:008 L:0007 Tax Year: 2015 R.E. Taxes \$: 6,327.00
 Neighborhood Name: Newtonville Map Reference: MSA 15764 Census Tract: 3734.00
 Property Rights Appraised: Fee Simple Leasehold Other (describe)

SALES HISTORY
 My research: did did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.
 Prior Sale/Transfer: Date: Price: Source(s): Middlesex Registry of Deeds
 Analysis of prior sale or transfer history of the subject property (and comparable sales, if applicable) as of the effective date of this valuation, there were no sales in the prior three years.

Offerings, options and contracts as of the effective date of the appraisal: None noted as of the day effective date of this report

NEIGHBORHOOD

Neighborhood Characteristics			One-Unit Housing Trends			One-Unit Housing		Present Land Use %			
Location	<input type="checkbox"/> Urban	<input checked="" type="checkbox"/> Suburban	<input type="checkbox"/> Rural	Property Values	<input checked="" type="checkbox"/> Increasing	<input type="checkbox"/> Stable	<input type="checkbox"/> Declining	PRICE	AGE	One-Unit	90 %
Built-Up	<input checked="" type="checkbox"/> Over 75%	<input type="checkbox"/> 25-75%	<input type="checkbox"/> Under 25%	Demand/Supply	<input checked="" type="checkbox"/> Shortage	<input type="checkbox"/> In Balance	<input type="checkbox"/> Over Supply	\$(000)	(yrs)	2-4 Unit	1 %
Growth	<input type="checkbox"/> Rapid	<input checked="" type="checkbox"/> Stable	<input type="checkbox"/> Slow	Marketing Time	<input checked="" type="checkbox"/> Under 3 mths	<input type="checkbox"/> 3-6 mths	<input type="checkbox"/> Over 6 mths	580 Low	1	Multi-Family	0 %
Neighborhood Boundaries: on the north by the Mass Pike, to the south by Comm Ave, to the east by Newton Corner and to the west by West Newton Hill.								3,800 High	150	Commercial	1 %
Neighborhood Description: subject property is located in the suburban town of Newton in in area know as Newtonville. The overall appeal of the neighborhood is very good with excellent access to the adjacent school and park as well as easy access to the Newtonville services and shopping district. Employment stability and proximity is also excellent and very stable. The area is made up of many similar style homes of various sizes and condition.								1,225 Pred.	80	Other condo	8 %

Market Conditions (including support for the above conclusions): The market for the subject segment is extremely strong with days on market usually under 21 days and often under a week, there is a shortage of supply in the under \$1 million segment in the portion of the city south of the Pike, absorption rate that is at least 45 units a month across the 12 month period that increases in the spring and fall to at least 56 units per month. It is also very common for there to be multiple offers on homes like the subject in the first week on the market. This data is supported by the 1004MC market conditions statement in the workfile.

Dimensions: see attached deed Area: 4300 sf Shape: rectangular View: Neighborhood/Park
 Specific Zoning Classification: MR1 Zoning Description: 7,000 sf MINIMUM LOT REQUIREMENT
 Zoning Compliance: Legal Legal Nonconforming (Grandfathered Use) No Zoning Illegal (describe)
 Is the highest and best use of the subject property as improved (or as proposed per plans and specifications) the present use? Yes No If No, describe.

SITE

Utilities	Public	Other (describe)	Public	Other (describe)	Off-site Improvements—Type	Public	Private
Electricity	<input checked="" type="checkbox"/>		Water	<input checked="" type="checkbox"/>	Street	PAVED	<input checked="" type="checkbox"/>
Gas	<input checked="" type="checkbox"/>		Sanitary Sewer	<input checked="" type="checkbox"/>	Alley	None	<input type="checkbox"/>

Site Comments: site is level and abuts the Cabot school on two sides (the building on one side and the garden area at the back). The front faces the Cabot Playground. Part of the street is two way, but the street cannot be accessed directly from Cabot Street which cuts down on through traffic. The subject lot is zoned MR1 which has a minimum lot requirement of 7000 sf. The subject lot does not meet this requirement but is legal grandfathered use as it was built prior to the adoption of the current bylaws.

IMPROVEMENTS

GENERAL DESCRIPTION		FOUNDATION		EXTERIOR DESCRIPTION materials		INTERIOR materials	
Units	<input checked="" type="checkbox"/> One <input type="checkbox"/> One w/ Acc. Unit <input type="checkbox"/>	<input type="checkbox"/> Concrete Slab <input type="checkbox"/> Crawl Space	<input checked="" type="checkbox"/> Full Basement <input type="checkbox"/> Partial Basement	Foundation Walls	concrete/avg	Floors	Wood/good
# of Stories	2	Basement Area	812 sq. ft.	Exterior Walls	Hardiplank/good	Walls	Plaster/good
Type	<input checked="" type="checkbox"/> Det. <input type="checkbox"/> Att. <input type="checkbox"/> S-Det./End Unit	Basement Finish	0 %	Roof Surface	Asphalt Shingle/gd	Trim/Finish	Wood/good
	<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Under Const.	<input checked="" type="checkbox"/> Outside Entry/Exit <input type="checkbox"/> Stump Pump		Gutters & Downspouts	Aluminum/good	Bath Floor	tile/good
Design (Style)	Colonial			Window Type	Dbl hung/good	Bath Wainscot	tile/good
Year Built	1925			Storm Sash/insulated	yes	Car Storage	<input type="checkbox"/> None
Effective Age (Yrs)	8			Screens	yes	<input checked="" type="checkbox"/> Driveway	# of Cars 3
Attic	<input type="checkbox"/> None	Heating	<input type="checkbox"/> FWA <input checked="" type="checkbox"/> HW <input type="checkbox"/> Radiant	Amenities	<input type="checkbox"/> Wood Stove(s) #0	Driveway Surface	paved
<input checked="" type="checkbox"/> Drop Stair <input type="checkbox"/> Stairs		<input type="checkbox"/> Other	Fuel gas	<input checked="" type="checkbox"/> Fireplace(s) # 1	<input checked="" type="checkbox"/> Fence side/rear	Garage	# of Cars 0
<input type="checkbox"/> Floor <input type="checkbox"/> Scuttle		Cooling	<input type="checkbox"/> Central Air Conditioning	<input checked="" type="checkbox"/> Patio/Deck deck	<input type="checkbox"/> Porch none	Carport	# of Cars 0
<input type="checkbox"/> Finished <input type="checkbox"/> Heated		<input type="checkbox"/> Individual	<input checked="" type="checkbox"/> Other mini split	<input type="checkbox"/> Pool 0	<input type="checkbox"/> Other 0	Att.	<input type="checkbox"/> Det. <input type="checkbox"/> Built-in
Appliances: <input checked="" type="checkbox"/> Refrigerator <input checked="" type="checkbox"/> Range/Oven <input checked="" type="checkbox"/> Dishwasher <input checked="" type="checkbox"/> Disposal <input type="checkbox"/> Microwave <input type="checkbox"/> Washer/Dryer <input type="checkbox"/> Other (describe)							
Finished area above grade contains: 7 Rooms 3 Bedrooms 2.1 Bath(s) 1,687 Square Feet of Gross Living Area Above Grade							
Additional Features: house has been extensively improved over the past 3 years (as mentioned below). It has been well maintained in the time since that time. There is also a separate back shed for storage and the driveway is big enough to fit at least 3 cars tandem.							
Comments on the Improvements: subject has been extensively updated and renovated in the past 3 years. The home has a new kitchen, new addition of a master bath, renovated family bath and lav, new windows, new roof, new gas fireplace insert, updated wiring and plumbing, new exterior siding (hardiplank), new gutters and new composite deck. Also, the owners have installed mini split ductless ac units to cool the home. There was no evidence of excessive wear and tear on the day of inspection.							

