

MINUTES OF MEETING COMMUNITY
PRESERVATION COMMITTEE February 7,
2022

Location: Online Meeting

The Community Preservation Committee (the “CPC” or the “Committee”) convened a regular meeting, duly noticed, on Monday, February 7, 2022, at 7 p.m. via the videoconferencing platform Zoom. CPC members present were Steve Ober, Chair; Nina Danforth; Nathalie Thompson; Steve Wagner, Leslie Glynn, Marcy Dorna, and Neil Levitt. CPC member Barry Tubman was absent. Recreation Commission Chair Eric Rosenthal, Recreation Commission member Adam King, Recreation Director Christopher Fitzgerald, Regional Housing Service Office (“RHSO”) employee Elizabeth Valenta, Affordable Housing Trust Chair Sarah Rhatigan, Elderly Housing Committee Chair Tom Timko, Finance Committee member Bharath Venkatraman, Weston Media Center Videographer Jim Tremble, and CPC Administrator Cheri Amour Mahan were also present.

Steve Ober read a statement explaining the need for a meeting conducted by remote participation in light of the emergency orders issued by Governor Baker in response to the COVID-19 global pandemic, noted that the meeting was being recorded, and invited public comment.

Public Comment

None

Mr. Ober advised the Committee that only four (4) of the previously-anticipated five (5) applications will be heard at the current meeting because the pickleball court application has been withdrawn.

Application for FY2023 Annual Town Meeting:

Memorial Pool Application

Adam King and Eric Rosenthal of the Recreation Commission, together with Recreation Director Christopher Fitzgerald, presented to the CPC a PowerPoint slide deck for the Memorial Pool renovation project.

Mr. Rosenthal provided an overview of the Memorial Pool project. He highlighted that the goals are to improve the recreational value of the pool in order to expand membership across different ages, and to invest the capital to ensure that revenues meet the charge as an Enterprise Fund as the majority of the operating costs of the Recreation Department are funded by the Town’s recreation activities, with a smaller subsidy from the Town’s General Fund. Mr. Rosenthal referred to other nearby towns that recently upgraded their pools, such as Belmont, Needham, and Salem, noting that Needham increased their pool revenue by 100% in 2019 following their renovation project.

Mr. King discussed the areas of the pool and the pool complex that will be renovated, noting that family bathrooms will be added to the entryway, which will include a shower with hot water, changing tables for children, and handicapped accessibility. Mr. King also noted that people would have the ability to purchase a badge directly from the facility instead of the current process of going to the Recreation Department. There will also be additional capabilities at the concession stand to improve the space and increase revenues. In terms of other features, there are ongoing discussions with families to gauge their interest in having another water feature included in the pool. The sandpit will be reconfigured to provide better access to the bathrooms and to give children an enclosed area to play, with additional seating for parents. Portions of the pool area are intended to be covered, and pictures showing the different types of shaded structures were displayed. There is a desire to add a fenced water play area with showers as an attraction for younger families. A water slide will generate interest and provide additional activity for children. In terms of accessibility, the stairwell going down into the pool at the deep end will be upgraded. In response to a question from Nina Danforth, it was noted that a second railing will be installed on the existing ramp to increase accessibility, especially for a person with physical limitations.

Mr. King also discussed the other areas to be upgraded, including the concrete siding of the filter house, the current water filtration system, and the lifeguard house to improve the general aesthetics of the complex and increase the facility's overall safety.

The amount requested for the project is \$2.3 million, which is a conservative amount to enable modest improvement to the pool; however, ongoing input on features and types of upgrades will be solicited from the community. Mr. Rosenthal highlighted meetings scheduled with the relevant stakeholders, including Council on Aging, Weston Community Children's Association, PTO, and a Citizen's Committee empaneled by the Recreation Commission, to discuss the plans geared towards fun and enjoyment and improving the financial bottom-line of the enterprise.

Questions/Comments:

Mr. Ober referred to the amount in the original application that was updated since its original submission and requested a further explanation. Mr. King responded that the architects did a feasibility study, and a range of \$1.9 million to \$2.2 million was provided. The submission was made based on the higher estimate because all the numbers from the design were not yet available at the CPC application deadline. However, since then, the design team has come up with more reliable numbers, including a 15% contingency.

Mr. Ober asked what process would be required to procure the services of a contractor, should the funding request be approved at the Town Meeting. Mr. Fitzgerald described the anticipated timing.

Neil Levitt highlighted that a member of the Permanent Building Committee is involved in the design group for the pool to ensure that it can go out to public bid when it is ready. There had

been no specific indication of the timeline; however, it is in process and awaiting additional input.

Responding to Mr. Ober, it was clarified that this project would go out to bid before Town Meeting. Mr. Fitzgerald noted that the design is ongoing, and the goal is to complete the design process before Town Meeting and the bidding process.

Steve Wagner asked whether the siding in the pump building was an allowed expense for the project? Mr. Levitt noted that this might not be an allowed expense, and noted that the replacement of the concrete pool surrounding area was also requested to be taken out because it was considered a maintenance issue rather than a safety concern. Mr. Fitzgerald confirmed that this was already taken out of the budget.

Leslie Glynn highlighted the comparison made with other towns in terms of revenues might not be comparable based on the fact that three communities highlighted are all cities and the per capita cost might be considerably different for them. She also commented that many persons in Weston own a private pool and would not be using the Memorial Pool, and there was some feedback that persons outside of the town were also utilizing the pool. Ms. Glynn expressed that she would be interested in seeing some demographics in this regard.

Mr. Rosenthal shared that the pool has been in existence for over 70 years, and it is a resource to be stewarded by the Recreation Commission. In recognition that there is a difference between the Memorial Pool population base as compared to the other towns noted, Mr. King was pleased to share that the Memorial Pool has higher subscription rates. The objective is to enhance the organic use of the pool and expand on this as a place for people to come together. Many people do not have a private pool or access to one. Each year, pool prices are considered quite carefully, and people have used the pool increasingly because of the available amenities.

Ms. Glynn recommended sharing some demographics and highlighted that community outreach would be a key factor in increasing awareness and getting more information from the people in Town. Ms. Glynn also recommended using solar panels instead of shade structures to maximize space, reducing the sand area's size, and increasing the size of the water play area. There should also be outreach done to the Health Department regarding the betterment of the pool water, and, to supplement the lump-sum cost estimate of \$2.3 million, Ms. Glynn requested that an itemized breakdown of the expenses be provided. In responding to Ms. Glynn, Mr. Fitzgerald confirmed that they have discussed the pool water betterment with the relevant authorities and have started the permitting process.

Ms. Danforth recommended using more natural materials rather than plastic. She was also concerned whether the filtration system and siding replacement were eligible for CPA funding, as these might be viewed as a maintenance function. Mr. Ober recalled that the filtration system concerns were addressed previously and confirmed appropriate for CPA funding; this will be further verified. Ms. Danforth suggested looking at other towns to see whether CPA funds were used similarly. Mr. Rosenthal pointed out that some of the other towns cited essentially started

over with their facilities, including a brand new filtration system, whereas we are undertaking a preservation of an existing facility. Mr. Fitzgerald also recalled getting clearance from Town Counsel in the past regarding the filtration system.

Marcy Dorna read a document that was recently circulated regarding justifiable CPA funding for siding. Mr. Ober clarified that Community Housing might have different funding allowances for siding replacement vs. a pool facility. Ms. Dorna also shared her recollection that the filtration system replacement is an allowance usage for CPA funds.

Mr. Levitt shared his view that the filtration situation would be classified as a health and safety issue, perhaps making it justifiable for CPA funding.

Mr. Ober stated that CPC would obtain better guidance on Memorial Pool filtration and CPA funding.

Brook School Addition-Building E

Tom Timko reported that the project was presented to the CPC previously but withdrawn because of various factors taking place at that time. Mr. Timko provided an overview of the project and reported that Weston's over 65 population is the fastest-growing demographic according to the Council on Aging ("COA") survey. There are currently 137 such units in Weston; however, no new units have been added over the past 15 years. The need is projected to be for 220 units by the year 2030, so that 83 new units would need to be added by that time. The purpose of the Brook School Apartments is to provide affordable housing to the elderly, and Mr. Timko walked through the various metrics that need to be considered in providing affordable housing. The Brook School Apartments currently consists of 75 units and 88 residents, with an estimated 31 of those residents affiliated with Weston in some way. There is a long wait list for the units at BSA.

The original feasibility studies in 2017-2018 identified several site options on the property from a technical standpoint, and the development cost was estimated at that time at \$6.9 million. The size of the project is limited by septic capacity, and therefore only 14 one-bedroom units or fewer two-bedroom units (or a mix of both) could be accommodated.

The funding is being requested for the schematic design and design development process to determine the most desirable site, the potential for the new building, and preliminary cost estimates. The goal is to be approved for funding for this phase at the upcoming Town Meeting in order to begin engaging with design firms and engineers, and to complete this phase before the 2024 Town Meeting. A broad range of discussions have been initiated with stakeholders across the Town, and the plan is to have additional resident and abutter meetings before meeting again with the CPC. A resident meeting was held this past Saturday, February 5, 2022, and the next step is to reschedule an abutter meeting which was delayed previously due to COVID. The outreach process has started with a number of the boards and committees that are directly and

indirectly affected, and the goal is to discuss the plans with all involved before the 2022 Town Meeting. This will better understand the needs and concerns of the initial funding process. Should funding be approved, an Advisory Council consisting of residents and key stakeholders will be appointed to be directly involved and active throughout the project. At the recent meeting, Mr. Timko indicated his view that the residents were more concerned with improving the quality of their lives, and there was seemingly no opposition to the Brook School Apartments expansion.

Mr. Timko reported that Building D was completed in 2004 for \$6 million consisting of 24 units at \$250k per unit. This was a mix of CPA and Brook School Apartments funding through a bonded process, which will be retired in 2024. The projected cost for Building E is at \$6.9 million, which is expected to be a similar mix of BSA and CPA funding components. The projected cost of \$493k per unit was derived from two different perspectives. The EHC took the professional cost estimates of the initial feasibility study, and also evaluated similar projects built in the last 3 or 4 years in the MetroWest area. Mr. Timko reiterated that this is only a preliminary estimate until the bids have been received or until a professional cost estimating firm has reviewed the schematic design. Mr. Timko highlighted that this figure is likely to change with the current inflation rates. Mr. Timko discussed the project cost and schedule breakdown and noted that the schematic and design development cost is the initial funding requested from the CPC. If approved at the Town Meeting, it is expected that this design phase will be completed early first quarter of 2023.

Question/Comments:

Mr. Wagner asked what the position of the Select Board is relating to the project; and wanted further clarification regarding the numbers for the schematic design, noting that the amount appeared to be higher than normal. Mr. Timko confirmed that this was presented to the Select Board, and they did not have any questions at that point. In terms of the cost estimates, Mr. Timko indicated they were based on similar projects. In response to Mr. Wagner's question, Mr. Levitt did not think the cost estimate was either modest or outrageous.

Mr. Levitt strongly recommended that Mr. Timko solicit as much community feedback as possible as they are a significant player in the decision-making process.

Bharath Venkatraman asked the CPC to advise on its current available funding capacity and projections for the next year. Mr. Ober noted that the expected fund balance coming out of FY21 should have been something north of \$5.1 million; however, the updated figures should be available by the next meeting on March 7th. Mr. Ober was pleased to report that the state match received in the fall was better than expected and the CPA Fund balance should be an even higher amount once the FY22 surcharge and state match are reflected in the numbers. The CPC guidance is that any approved funding request under \$1 million would be handled in cash as the default option, and the default option for an approved project cost of \$2 million and above would be bonding. Any amounts in between would be handled on a case-by-case basis. Therefore, if

Town Meeting approves the design request and later approves the construction funds, the request will likely be bonded if approved.

Mr. Timko noted that there are other approaches to splitting the bond. Since income will be generated by the Brook School Apartments every month, the bond repayment obligation will likely be divided between the CPA Fund and the BSA Enterprise Fund.

Mr. Ober observed that the affordable units did not get counted toward the housing inventory during the last submission in 2003/2004 due to last-minute preparations. Mr. Ober urged Mr. Timko to ensure that all steps are taken to ensure the currently-proposed units are appropriately counted towards the housing inventory. Mr. Timko acknowledged the 2003/2004 situation and highlighted a process that was undertaken at the time to move the Building D units onto the inventory; however, the Massachusetts Department of Housing and Community Development (“DHCD”) did not approve of the approach. As such, the 24 Building D units were excluded from the HSI. Mr. Timko expressed his confidence that all new units would be appropriately captured in the housing inventory.

Ms. Dorna expressed concern about whether the campus could sustain an additional building with the current spacing constraints and asked whether other properties were being explored to develop elderly housing. Mr. Timko responded that the preliminary feasibility study for the BSA campus identified five different sites on the campus that would be viable for an additional building; however, most of them would not be desirable from the standpoint of the residents, e.g. having to relocate the tennis courts, etc. Therefore, the focus is on the options that make sense from a holistic perspective. Furthermore, there are few other options for elderly housing around Town that could accommodate a significant number of units.

Ms. Dorna referred to the legislation regarding the requirement for towns on the MBTA to develop affordable housing within one mile of transportation. She asked whether these rules would impact Weston and Weston’s elderly housing development. Mr. Timko acknowledged the legislation, noting that this was the mandated requirement by the state and is subject to further review and discussion.

Mr. Ober advised Mr. Timko that he might be required to provide further updates at the March 7th meeting.

WAHT Affordable Homeownership Opportunity Funds

Sarah Rhatigan, Weston Affordable Housing Trust (“WAHT”) Chair, reported on an application to the CPC to replenish the Affordable Homeownership Opportunity Fund, which was initially funded at the 2017 May Town Meeting for \$950,000.

Ms. Rhatigan noted that the Trust’s purpose is to create affordable housing options in Weston. She highlighted that, according to the 2020 census, the median home sales price was \$1.8

million; however, an individual at 100% of the area median income would only be able to afford a \$500,000 house, which is difficult to find in Weston. In reviewing the Weston Housing Production Plan (“HPP”) income levels in Weston, approximately 23% of households are earning less than 80% of the area median income.

Ms. Rhatigan explained that the inspiration for the homeownership opportunity program was to partner with a group such as Habitat for Humanity as a non-profit developer who could help the Trust create homeownership units. The Housing Trust has a particular niche in its overall housing strategy: to leverage the CPA funds in partnership with private non-profit organizations to create smaller scattered sites around Town for affordable homeownership projects. It is anticipated that the Trust will roll out a project at the corner of Boston Post Road (0 Wellesley Street), which is a property that the Trust holds and Habitat for Humanity was the winning development bidder. Habitat for Humanity is currently in the process of applying for a friendly 40B project that will allow for six units and three houses on the site.

Of the \$950,000 previously allocated to the Trust in CPA funds, \$450,000 will supplement the Habitat for Humanity development at 0 Wellesley Street and Habitat will fund the remainder. All units built will be sold to income-eligible households at affordable prices, and the properties will be deed-restricted to be resold to owners who qualify for affordable housing.

Funding the Trust as proposed allows the Trust to act quickly when the opportunity arises. The Trust’s goal for the requested funds is to do feasibility analysis on potential sites and, if feasible, to use the funds to acquire the property and develop guidelines for future housing development with community input. An RFP would be put out for a private developer to do the construction and resell to the owners. All funds will be used to support permanently deed-restricted affordable homes.

Ms. Rhatigan explained that the request for \$1 million would supplement the estimated \$350,000 remaining in the homeownership opportunity program funds, which represents the portion of the original funding that is not earmarked for the 0 Wellesley Street project. Ms. Rhatigan indicated that the Trust cannot do much with the balance of \$350,000, such as to make an offer on any property. In terms of community involvement and input, the Trust has been in front of most groups in town with respect to the 0 Wellesley Street project and will continue to take this approach to do public outreach, including with neighbors and abutters of a potential project. The Habitat for Humanity is also engaging with several individual and group outreach efforts. Ms. Rhatigan also reminded the CPC that the Trust would notify the Select Board in advance of any potential project and wouldn’t proceed on a project without the Select Board’s approval.

Questions/Comments:

Mr. Ober asked whether there was any likelihood of any CPA funds used to acquire a project coming back to the Town, as was noted in an earlier presentation by the Trust. Ms. Rhatigan

noted that this might be unlikely in most scenarios, especially when the project is not for-profit and these units are created solely as affordable housing solutions.

Mr. Ober also asked about the 0 Wellesley Street project and whether there would be any reimbursement to the Town. Ms. Rhatigan noted that there would be no reimbursement. The Town transferred the property to the Trust, and Habitat for Humanity will be paying a minimal amount for the land cost. The Housing Trust will fund \$450,000 towards the project which will be allocated in increments when various milestones are achieved.

Mr. Levitt commented that the owners would also be putting sweat equity into the project in connection with their purchase, which helps to reduce the cost of developing and constructing the property.

Mr. Venkatraman described his view that one of the goals of funding affordable housing is to spread the funding as much as possible to get as many units as possible for the dollars spent. He asked what was to be expected in terms of cost per unit. Ms. Rhatigan explained that the Housing Trust has different models, and the one being used for these units is to develop small-scale projects that would not be cost-efficient under normal market conditions. It is a public good to create small-scale home ownership projects scattered around the community that fit into it. The other models were also explained, and, as an example, Ms. Rhatigan recalled that the Warren Avenue project was a renovation and reuse of three Town-owned buildings that were turned into seven apartments. The Trust was undertaking the development for Warren Avenue, and the per-unit cost was approximately \$550,000. Ms. Rhatigan estimated that the per-unit cost for the Habitat for Humanity units may be close to \$500,000.

Mr. Wagner was concerned that the funding request might not reflect the overall cost needed to achieve the intended goal and therefore might be insufficient, i.e. tying up \$1 million that couldn't reasonably be used might be counterproductive. Ms. Rhatigan indicated that a fund balance of \$1.35 million should be sufficient to enable the Trust to acquire a property.

Ms. Glynn also added that the budget model for property acquisition should reflect the overall cost and note that additional funding may be required. She recommended that the Trust explore other opportunities for acquiring municipal property or having property donated.

Ms. Glynn asked whether multi-tenant housing was being considered with communal living areas. Ms. Rhatigan noted that the Trust has not yet looked into this type of housing and that it might not fit neatly into the regulations.

669 Boston Post Road

Mr. Wagner provided a brief description of the proposal and the current status of the application. The house at 669 Boston Road is a Queen Anne-style house built-in 1891. The house is in the Boston Post Road National Register Historic District. The house was built by Andrew Jones, the

grandson of Isaac Jones, who built the Golden Ball Tavern, and the property is located on the corner of Boston Post Road and Warren Avenue. The house is approximately 1,500 sq. ft. with a barn that together are a focal point in the neighborhood context.

Mr. Wagner reported that the owner was selling the house and sought the help of the Historical Commission to save the house. A group of people explored the opportunity as a joint venture between the Historical Commission and the Affordable Housing Trust. The CPC allocated administrative funds for feasibility studies. An appraisal for possible purchase also was completed and the value was somewhat low. Since the Town could not pay out more than the appraised amount, this approach was not satisfactory to the owner. The Historical Commission imposed a demolition delay in June of 2021 that will expire after 12 months. Mr. Wagner noted that the priority of the Historical Commission is to preserve the house. As such, a preservation restriction appraisal is being done to see what the diminished value of the property would be if there were a deed restriction on the house. This is currently being paid for with the CPC administrative fund allocation and should be available by February.

Questions/Comments:

Mr. Ober asked whether funding was available to do the appraisal needed to confirm the precise value of the preservation restriction. Mr. Wagner confirmed that the necessary funding is in place.

Liz Valenta confirmed that the primary appraisal was done, and they are working on getting the assessment to determine the amount of the historic preservation deed restriction.

Mr. Wagner noted that there would be discussions with the owner once the deed restriction appraisal is completed to ensure that the amount is acceptable and that the owner fully understands the deed restriction parameters. The Historical Commission has also asked additional questions of Town Counsel and the responses are forthcoming.

Ms. Danforth asked whether an addition to the building would be permitted under the restriction. Mr. Wagner responded that this is still being explored.

CPC Next Meeting

Mr. Ober stated that the next CPC meeting was on March 7. The Public Hearing will follow on March 21.

Mr. Ober asked the Committee to provide feedback on the projects that require a follow-up meeting with the CPC before the Public Hearing and those that can go directly to the Public Hearing.

The Committee agreed that the following projects should come back for a follow-up meeting with the CPC on March 7th: the Historical Commission on 669 Boston Post Road, the Recreation Commission on Memorial Pool, and the Elderly Housing Committee on Brook School Apartments, while the WAHT Opportunity Fund, the annual RHSO request and Case Park will present next at the Public Hearing.

Mr. Ober noted that in terms of Merriam Village, the guidance referenced in the application regarding certain expenditures to be clarified as eligible for CPC funding has been directed to Town Counsel for confirmation.

Mr. Ober read a response from the Coalition regarding a matter about which Cheri sought guidance based on a request from the Tree Advisory Group “TAG”. However, upon further review, the Committee confirmed that this was about another project and not the current Case Park application that is under review.

Mr. Ober advised the Committee that the request related to pickleball court funding has been withdrawn due to questions they are having with location uncertainty.

Minutes of November 15, 2021 Meeting

VOTE: *Mr. Ober entertained a motion to approve the minutes of the CPC meeting on November 15, 2021, subject to minor amendments. Mr. Levitt made the motion, which was seconded by Ms. Danforth.*

The motion passed unanimously by roll call vote.

The meeting adjourned at 9:40 pm.

Respectfully submitted,

Cheri Amour Mahan
CPC Administrator

Appendix A

CPC Meeting February 7, 2022 Document List

- 1) CPA Applications for FY 2023 Annual Town Meeting:
 - a. Memorial Pool Application
 - i. Application
 - ii. PowerPoint

 - b. Brook School Apartments-Building E
 - i. Application
 - ii. PowerPoint

 - c. WAHT Affordable Homeownership Opportunity Funds
 - i. Application
 - ii. PowerPoint

 - d. 669 Boston Post Road
 - i. Application

- 2) CPC Schedule

- 3) Minutes for November 15, 2021