



CITY OF WATERTOWN

Community Preservation Committee

Mark Krackiewicz, Chair
Jason Cohen, Vice Chair
Jonathan Bockian
Bob DiRico
Dennis J. Duff
Allen Gallagher
Jamie O'Connell
Elodia Thomas
Matthew Walter

The Community Preservation Committee of the City of Watertown will hold a public meeting in accordance with Chapter 22 of the Acts of 2022 suspending provisions of the Open Meeting Law, G. L. c. 30A, § 20. This meeting has only opportunities for remote participation with public access provided as follows:

ACCESS INFORMATION:

- A. The meeting will be recorded by WCATV (Watertown Cable Access Television) and aired at a later date.
- B. The Public may join the virtual meeting online: <https://watertown-ma.zoom.us/j/91525442843>
- C. The Public may join by phone: (877) 853-5257 or (888) 475-4499 (Toll Free); enter Webinar ID: 915 254 42843 #
- D. The Public may comment prior to the meeting through email: lhandy@watertown-ma.gov

COMMUNITY PRESERVATION COMMITTEE MEETING

THURSDAY, OCTOBER 20, 2022 AT 7:00 PM

AGENDA

1. Call to Order
2. Acceptance of the 2022-9-15-CPC-Minutes
3. Acceptance of the 2022-10-6-CPC-Minutes
4. Coordinator Update
 - A. Report on Faire on the Square and Farmers Market
5. Committee Discussion
 - A. CPC Relationship with the Municipal Affordable Housing Trust
6. Adjournment

2022-10-20-CPC-Agenda



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Draft Minutes of CPC Meeting, Thursday, September 15, 2022, held remotely via Zoom at 7PM.

Committee Members Present: Mark Krackiewicz, Chair; Jason Cohen, Vice Chair; Jon Bockian; Bob DiRico; Allen Gallagher; and Elodia Thomas.

Others Present: Lanae Handy, Community Preservation Coordinator; Tom Watkins, Department of Public Works; Megan Langan, Department of Public Works; Michael Lara, Watertown Housing Authority; Olivia Fields, Watertown Housing Authority; Chris Golden, Michael D'Angelo Landscape Architecture; and M. Pelletier.

1. Call to Order

Mark Krackiewicz called the meeting to order at 7pm and reminded attendees the meeting was being held remotely as allowed by the extension of the Governor's order. After Lanae Handy called the roll, Mark made comments about CPC members' demeanor at meetings.

2. Acceptance of 7-21-22 Minutes

Mark asked if there were amendments to the minutes. Lanae noted that Elodia Thomas had requested "Cemetery" be added after "Mt. Auburn" on Item 3 on page 1.

Motion: Jon Bockian moved to accept the 7-21-22 minutes with the requested change and Allen Gallagher seconded the motion.

Vote: Bob DiRico, Jason Cohen, Elodia Thomas, Jon Bockian, Mark Krackiewicz and Allen Gallagher voted in favor.

3. Coordinator Update

a. Irving Park Project Budget Increase

Lanae stated that the qualified bids for Irving Park came in substantially higher than the construction estimate and the recommendation to the City Council. The lowest bid was \$345,000 not including construction oversight/monitoring and arborist services. Tom Watkins of DPW made a formal request to the CPC for an increase of \$119,000 including a 20% contingency. Mark recommended voting to approve the request. Elodia asked for discussion and said that at the March 16th project presentation, Jason Cohen raised the issue of there being no budget for mobilization. At that time Greg St. Louis responded bids would be competitive

and bidders would absorb that cost as the cost of doing business.

Elodia also raised the issue of adding irrigation. She asked to hear from Tom Watkins about the process. Jon agreed with Elodia's remarks and noted the increase was not a not a small difference and wondered where the discrepancy occurred. Elodia emphasized the CPC could have amended the recommendation to include irrigation before it went to the City Council.

Tom could not address what Greg mentioned at a meeting about mobilization. He said it was a common cost and the amount seen in the project bids was consistent with what was seen in other bids received. Tom stated the mobilization in this bid included permits, fuel costs, and fencing to the secure site. Jason found it surprising when told at the March meeting that mobilization costs would be absorbed by contractors.

Tom asked Chris Golden about not including a budget for mobilization. He assumed the line-item was for staging, travel, and access. Chris noted the DPW would provide a staging area and access to utilities and that permitting and other overhead costs would be subsumed in other line items.

Tom said he appreciated the feedback and if the low bidder were qualified, the DPW wouldn't need to request additional funding. Jon said before getting to a motion, he agreed with Elodia and that the CPC could face bid overages in the future, stressing the importance of budget estimates. He pointed out the CPC's credibility was at stake and asked if DPW would absorb some of the cost. Tom said he hadn't delved into the accounts to search for additional funds.

Lanae asked Tom whether it was customary to include a line item in a bid document when there was no cost estimated for that item. Tom said he had seen that before and had also seen bid documents without the unit pricing broken out.

Elodia agreed with Jon about asking the DPW to absorb some of the cost of the increase. Mark asked if the CPC should request this. Allen remarked that Housing Authority bids came in higher than estimated 75% of the time and the Authority needed to request more money. Jason said he understood Elodia and Jon's concerns though asking DPW to absorb the cost would lead to a shortfall somewhere else in their budget.

Elodia asked about the 10% vs. 20% contingency presented in the spreadsheet prepared by DPW. Jason, Elodia, and Mark favored the 20% contingency. When Elodia asked about the granite curbing, Tom said if the designated lowest bidder could start ordering product soon and the prices would be locked in. Chris also pointed out having a bid gave DPW firmer footing regarding costs and the DPW could then decide how tightly to hold contractors to the prices based on the spring start date.

Motion: Jason moved that the CPC recommend the revised budget of \$345,000 plus a 20% contingency of \$69,000, with the contingency to be used for DPW approved change orders. Allen seconded the motion.

Vote: Elodia Thomas, Mark Krackiewicz, Allen Gallagher, Bob DiRico, Jon Bockian, and Jason Cohen voted in favor.

a. Update on Memoranda of Agreement

Lanae reported the city attorney was working on drafting agreements.

b. Comprehensive Plan Workshops

Lanae mentioned the upcoming comprehensive planning workshop dates and time. Mark asked CPC members to try to attend and pointed out the Comprehensive Plan provided an opportunity to reference items that could be funded through CPA.

c. Faire on the Square Participation

Lanae said the committee members who could attend were signed up and she would see them there. Elodia said 4 out of 9 CPC members was a poor showing.

4. Committee Discussion

a. Project Eligibility Forms

The Project Eligibility Form summary was shared as CPC members discussed the projects to decide if they were eligible to move forward.

Old Burying Ground and Common Street Cemeteries Restoration and Preservation Plan - Mark described the project to assess and plan for restoration and preservation of the cemeteries. Committee members agreed the project was eligible to move forward.

Fowle House Climate Change and HVAC - Upgrade to the Fowle House to HVAC system to preserve documents and artifacts. There was some discussion as to why Lanae considered the project was a “maybe” for eligibility. She thought the project could be viewed as a maintenance project. The project was determined eligible to move forward.

Commander’s Mansion Landscape Cultural Survey and Mansion Exterior Assessment - Jason thought this was an example of what was learned in the last round. The CPC recommended a holistic study as opposed to focusing on one feature that ended up being a maintenance project. The project was determined eligible to move forward.

Fowle House Gutter Restoration - Replacement of gutters and fascia with long-lasting materials to preserve the property. Jason said it straddled the line and Elodia agreed. Jon said replacement as opposed to repair of the gutters was a capital improvement and eligible to preserve the historic resource. Committee members decided they would need more information in the application for funding, however the project was deemed eligible to move forward.

103 Nichols Ave - Allen stated the project was reduced from a 7-bedroom two-family to a 5-bedroom with zoning approval as a single-family structure. Elodia said the 21E issue needed to be addressed and the project should go before the Affordable Housing Trust. The project was determined to be eligible to move forward.

Saltonstall Park - The project involves rehabilitation of the park with the installation of accessible pathways, benches, lighting, and a covered performance space or bandstand. Elodia said she would like the community to be engaged in the design’s development. The project was determined to be eligible to move forward.

Motion: Jon moved that the committee categorized all the projects as eligible to apply for CPA funding. Elodia seconded the motion.

Vote: Jon Bockian, Jason Cohen, Bob DiRico, Allen Gallagher, Mark Krackiewicz and

Elodia Thomas voted in favor.

b. Housing Consultant Contract

Lanae presented that the housing consultant contract was produced by the purchasing agent and had not been reviewed by the city attorney. She said Christine also needed to review the insurance coverage requirements.

Jon had comments on the draft that he would share with Lanae. Elodia asked whether the applicant should go before the Affordable Housing Trust for vetting and support before coming before the CPC for additional vetting. She was concerned about the CPC's interface with the Housing Trust. Jon would like to see a proposal about how the CPC would relate to the Housing Trust and how the Trust would be made part of the CPC's evaluation process. Mark asked for a volunteer to draft a proposal. Elodia remarked there were different ways for a CPC to interact with a Housing Trust but with a new entity the CPC needed to establish trust. Jon proposed committee members prepare questions and suggestions for procedures for discussion at a future meeting. Jon asked to move the discussion to the next meeting and Mark agreed to place the discussion on the agenda of a future meeting.

5. Adjournment

Motion: Allen moved to adjourn, and Elodia seconded the motion.

Vote: Bob DiRico, Elodia Thomas, Allen Gallagher, Jon Bockian, Jason Cohen, and Mark Krackiewicz voted in favor.

Meeting adjourned at 8:30PM



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Matthew Walter

Draft Minutes of CPC Meeting, Thursday, October 6, 2022, held remotely via Zoom at 7PM.

Committee Members Present: Mark Krackiewicz, Chair; Jason Cohen, Vice Chair; Jon Bockian; Bob DiRico; Dennis J. Duff; Allen Gallagher; Jamie O'Connell, Elodia Thomas, and Matthew Walter.

Others Present: Lanae Handy, Community Preservation Coordinator; Susan Falkoff, City Council; Nicole Gardener, City Council; Joyce Kelly, Historical Society of Watertown, Marilynne Roach, Historical Society of Watertown; Olivia Field, Watertown Housing Authority; Carsten Snow Eikelberg, Cambridge Housing Authority; and Margie Wayne.

1. Call to Order

Mark Krackiewicz called the meeting to order at 7:01PM, noting the meeting was being held remotely as allowed by the extension of the Governor's emergency order. Lanae Handy called the roll.

2. Committee Discussion - Feedback and Comments on FY2023 Proposed Projects

Mark introduced the purpose of the discussion was to review the 6 applications received and offer comments and suggestions to applicants. He added the information would then be summarized and provided to the applicants to aid them with the preparation of their applications.

Committee member gave the following feedback for each project.

Old Burying Ground and Common Street Cemeteries

- Leverage other sources of funding, including in-kind volunteer contributions.
- Seek and describe DPW involvement in the project.
- Consider the visual aspect of landscaping and its relation to the bordering streets.
- Study the ecological values of soil, trees, and proposed landscape improvements.
- Consider accessibility in any proposed path development, including universal design principles, ADA, and MAAB compliance as applicable.
- Ensure the application contains a realistic budget estimate.
- Examine visual continuity of fencing that relates to the high school.

- View the project as addressing two CPA categories—historic preservation and outdoor (passive) recreation as appropriate.
- Detail information about how the project will be phased and plans to seek other funding for the larger project.
- Demonstrate support from the public and Historical Commission for the project.

Commander's Mansion Cultural Landscape and Building Exterior Assessment

- Seek and leverage other sources of funding, including information about the \$10,000 that was not part of the CPA request.
- Include a detailed scope for the assessment and a realistic budget estimate based on that scope.
- Examine accessibility regarding ADA and MAAB compliance as well as community assess as part of the assessment.
- Study the ecological value of the landscape as part of the assessment.
- Consider the transition to areas bordering the Commander's Mansion property and highlight valuable features in these transition areas, for example, the allée on Talcott Avenue.
- Expand on how the project will address two CPA categories.

103 Nichols Avenue

- Present a clear understanding of what progress has been made on issues and concerns raised by the CPC since the last application was submitted.
- Thoroughly and clearly address the environmental contamination on the site to determine whether further assessment is necessary and to demonstrate its suitability for housing a vulnerable population.
- Provide a detailed breakdown of how the budget is allocated to project team members and the various phases of project implementation.
- Address environmental design and practices for long-term maintenance.
- Provide detailed description of project team member roles and responsibilities.
- Address the issue of permanent affordability through an affordable housing restriction.
- The CPC recommends the project go before the Municipal Affordable Housing Trust with the understanding that the Trust will most likely not be able to review the project before the December CPA Funding Application deadline.
- Provide letters of support from the Developmental Disability community that demonstrate they are in support of this project with full knowledge of the environmental conditions on the site.

Saltonstall Park

- Investigate other sources of funding or explain DPW contributions to the project. For example, money that is carried in the capital improvement plan.
- Ensure a detailed and realistic budget estimate.
- Consider performing an acoustic study or review.

- Clarify the limits or boundaries of the project and the scope of work, realizing the CPC cannot fund work outside of the park boundaries. For example, ensure reference to the streetscape improvements are for work within park boundaries.
- Detail if there is any net loss of green space in creating accessible pathways and making other improvements.
- Address whether soil conditions will allow planting in the pine stand understory.
- Note if lighting will be dark sky lighting.
- Study and describe the ecological benefits of proposed plantings.
- Consider bike infrastructure in improvements proposed.
- Conduct a robust public outreach and participation process that includes a variety of stakeholders for this highly visible location, including musicians and other potential bandstand users.

Edmund Fowle House - Gutter Replacement

- Seek and leverage other sources of funding.
- If considerable rot is discovered during this project what are the plans for funding the replacement of the wood?
- Be sure to obtain three estimates or professional quotes.
- Consider incorporating the whole storm drainage system in the project.
- Demonstrate support from the public and Historical Commission for the project and its elements.

Edmund Fowle House - HVAC/Climate Control

- Provide details on the HVAC system currently in place.
- Consult the Historic New England on museum environmental conditions and provide information about the requirements for a system in a historic resource. Or consider having a preservation specialist advise or provide an expert statement on the system required to meet preservation goals.
- Outline preservation goals and what environmental conditions that must be met in maintenance plan.
- Seek an energy efficient system.
- Make the case for retaining artifacts and documents in the Edmund Fowle House rather than transferring them to the Watertown Free Public Library given that the museum is not as accessible to the public as the library.
- Demonstrate support from the public and Historical Commission for the project.

During the discussion of the 103 Nichols Ave. project, Elodia Thomas brought up the fact that the Watertown Municipal Affordable Housing Trust had been established. She thought the CPC should take advantage of the body's expertise and have housing applicants go before the Trust as historic preservation applicants go before the Historical Commission for review and support.

Motion: Elodia moved that as of this date as a general principle all applicants for affordable housing must first go before the affordable housing trust before making an application to the CPC. Dennis J. Duff seconded the motion.

Discussion: Allen noted that Michael Lara is trying to get on the Watertown Affordable Housing Trust (WAHT) agenda. Dennis asked is anything was done to remediate the lot since Housing Authority's last application. Jamie raised that while she agreed with the concept of having applicants go before the WAHT first, it was inappropriate for the CPC to vote on the issue before confirming with the WAHT. John asked to table the discussion. Mark noted Elodia's motion had been seconded and she and Jason called for a vote.

Vote: Jamie O'Connell, Matthew Walter, Jon Bockian and Jason Cohen voted against. Bob DiRico, Dennis J. Duff, Elodia Thomas, and Mark Krackiewicz voted in favor. Allen Gallagher voted present.

3. Adjournment

Motion: Dennis moved to adjourn, and Jason seconded the motion.

Vote: Bob DiRico, Elodia Thomas, Mark Krackiewicz, Jason Cohen, Allen Gallagher, Matthew Walter, Jon Bockian, Dennis J. Duff, and Jamie O'Connell voted in favor.

Adjournment: 9:07PM

DISCUSSION PAPER

CPC AND WATERTOWN AFFORDABLE HOUSING TRUST RELATIONS

Background

The inaugural meeting of the Watertown Affordable Housing Trust (WAHT) was held on September 22. The seven Trust members comprise three from the former Watertown Housing Partnership:

- Cliff Cook, worked in Cambridge's planning department and managed an affordable housing grant portfolio for the state
- David Leon, former Executive Director of Watertown Community Housing (now Metro West Collaborative Development)
- Helen Oliver, served as State Street Bank vice president, specializing in affordable housing tax credit transactions

And four other members:

- Jill Hyde, Deputy General Counsel at Beacon Capital Partners and previously served as General Counsel of Trinity Financial, Inc, a major affordable housing developer
- Leo Patterson, a Massachusetts registered architect and senior associate at the Boston office of Perkins Eastman
- Zoe Weinrobe, served as Director of Real Estate Development at 2Life Communities and previously worked at Recap Real Estate Advisors and Urban Edge Housing Corporation
- George Proakis, Watertown City Manager.

The powers and responsibilities of the WAHT in the Watertown ordinance creating the Trust follow closely those set forth in the Massachusetts authorizing legislation. In brief and following the verbs proscribing eligibility for CPA funds, the Trust can:

Acquire: Purchase land for construction for affordable housing or buildings to convert or preserve for affordable housing

Create: Construct or cause to construct affordable housing. For example, through issuing an RFP to housing developers requesting proposals for affordable housing on a site acquired by the WAHT.

Preserve: For example, purchase housing which now provides naturally occurring market rate rents which are now affordable, but which is threatened by teardown or conversion to higher end housing. Extending the life of existing restrictions for affordable units.

Support: Financing predevelopment plans and surveys. Establishing rental assistance or home ownership programs.

WAHT currently has access to funding from the following sources:

- HOME Investment Partnership Program: \$80,000 a year plus can apply in competitive round for any pooled money from the 13-member community West Metro HOME Consortium (generally

less than \$500,000 a year). Some uncommitted funds from \$265,000 in program income from prior projects.

- Community Development Block Grants: Some \$36,000 in program income from prior awards.
- Affordable Housing Trust Fund: approximately \$269,000 in cash in lieu payments from developers (inclusionary zoning developments)
- Watertown Budget: \$250,000 to cover WAHT startup costs.

CPC and WAHT Relations

How the CPC and WAHT work together is determined not only by decisions of the CPC but importantly by how the WAHT chooses to operate. Of the 131 Housing Trusts in Massachusetts, some choose to be primarily a funder for affordable housing, establishing an application process for project proponents. Other Trusts take a more direct approach, initiating projects on their own account. And then some pursue a mixture of both approaches. Some also focus on advocacy. Were the WAHT to take the first approach, would the CPC continue to accept applications for affordable housing projects? Or would the CPC direct applicants in the first instance to apply to the WAHT, which would either use CPA funds it had already received or would apply to the CPC for funding for each particular project once approved by the WAHT?

Given the scarcity of land and available sites in Watertown, it is likely that WAHT will eventually opt primarily to initiate projects. In such a case, there still remain issues about how the CPC might provide funding to the WAHT. In all cases, the WAHT is required by law to maintain a separate accounting of any CPA funds received and to report this accounting to the CPC and the CPC in turn reports trust expenditures to the state. (MHP created a fillable form to assist MAHTs with their reporting to CPCs) Moreover, best practice dictates that any transfer of funds between community preservation committees and affordable housing trusts be subject to grant agreements. The experience of other communities provides a range of models. These are broadly described below and should not be taken as the only possibilities.

Major Block Grant of CPA Funds. A set portion of CPA funds are allocated automatically each year to the Trust; Cambridge sets aside 80%; Somerville 45%. In these instances, the trusts basically perform as the affordable housing arm of the CPC with the CPC having only a limited reporting role. The transfer of CPA funds is akin to a “block grant,” or transfer payment, and no limits are placed on the use of the monies other than the restrictions set by the Community Preservation Act (e.g., definition of affordable housing as 100% of AMI, no funds for rehabilitation if the housing has not been purchased with CPA funds, placement of affordability restrictions etc.). This arrangement makes for a “one-stop” shop for affordable housing projects, giving the autonomous WAHT wide latitude to initiate and carry out projects and programs and an ability to move quickly as market opportunities arise.

Programmatic Grant of CPA Funds. A lesser and either annual or periodic grant of funds is made based on an agreed upon program of goals and activities and may include predevelopment activities. The transfer of CPA funds to Trusts may specify, for example, that funds be only used for supporting affordable rental units, not ownership programs, or that funds be used to provide housing to those at 60% or less of AMI, etc. In some communities, if the allocation is not used within a certain period of time, the funds are returned to the CPC. Under this arrangement, CPCs and Housing Trusts basically negotiate an agreed upon set of goals, targets, and eligible projects/programs. As the proposed grant

must go through the CPC and City Council, the proposed program is subjected to an additional layer of transparency and public scrutiny. In this model, affordable housing projects may or may not also apply directly to the CPC for funding.

Case by Case. For any program or project, the Trust must separately apply to the CPC through normal CPC procedures. If the project is of high priority and requires rapid action because of a pending real estate transaction, application could be made off-cycle. The case-by-case approach ensures multiple levels of review as well as approval from the highest political level, the City Council. On the other hand, having to complete the CPC application process and the time required for review is burdensome and may impede the finalization of transactions and deter co-funders. In purchasing a site or building, negotiations must take place in closed session, requiring a trust to apply for funds to the CPC and then the City Council would make public the negotiations, absorb time, and create uncertainty for the seller, and thus likely doom the transaction. Should WAHT seek to finance an affordable housing project through issuance of bonds with their debt service covered by CPA funds, the project would of necessity have to pass through the CPC.

Regardless of the model or approach chosen, there remains the issue of how the Trust and CPC keep each other informed. While some communities specify in their Trust ordinances that a CPC member is also to be a member of the Trust, that is not the case in Watertown. At a staff level, Larry Field in the Office of Communities and Development backstops the Watertown Affordable Housing Trust, and some coordination and information sharing does and is likely to continue to take place among Larry and Lanae. At the Committee level, the chair and other members have attended sessions of the Trust's predecessor – the Housing Partnership, and now the Trust. That too is likely to continue.