

MINUTES OF MEETING  
COMMUNITY PRESERVATION COMMITTEE  
January 24, 2022  
Location: Online Meeting

The Community Preservation Committee (the “CPC” or the “Committee”) convened a regular meeting, duly noticed, on Monday, January 24, 2022, at 7 p.m. via the videoconferencing platform Zoom. CPC members present were Steve Ober, Chair; Barry Tubman; Nina Danforth; Nathalie Thompson; Steve Wagner, Leslie Glynn, and Neil Levitt. CPC member Marcy Dorna was absent. Tree Advisory Group (“TAG”) Chair Lori Hess, TAG member Carol Lee, Merriam Village Board President Tod Foote, Merriam Village Board Member Ken Newberg, Property Manager Lynne Friedman, Merriam Village Director and Resident Lynne Lazaro, Regional Housing Service Office (“RHSO”) employee Elizabeth Valenta, 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**

Steve Wagner announced that there will be a celebration for all the major projects (AIC, JST, Boston Post Road, etc.) at the Town Center on Saturday, May 14<sup>th</sup>.

**Applications for May 2022 Annual Town Meeting:**

Mr. Ober advised that a total of eight (8) applications were received, three (3) of which are being discussed in today’s meeting.

- **Case Park Restoration and Rehabilitation, Phase 2**

Lori Hess, Chair of the Tree Advisory Group (TAG), introduced herself and presented a PowerPoint slide deck on the sustainable restoration project at Case Park. Ms. Hess started off by providing background on Phase 1, noting that the project encountered some unexpected setbacks, which resulted in the 2021 planting being deferred to 2022. Despite this, there has been significant progress made, including soil tests, soil and lawn improvements, purchase of a replacement plaque, a new landscape architect hired in 2021, new plans/plant lists developed with DPW, and water access secured from the Scouts organization.

Carol Lee, a TAG member, provided the Phase 2 updates and displayed a Google map exhibit of the layout of the Park. Ms. Lee noted that the objective is to have more cohesive planting along the edges, improve the space and increase usage. The area involved of each of the two phases planned to date is approximately 0.4 acres and the emphasis will be primarily on planting native species that will benefit the birds and pollinators while creating a visual appeal and minimizing maintenance. The other goal is to educate people on how to replicate this in their personal space.

The budget for Phase 2 is \$42,000, which is comparable to the Phase 1 amount. The project is anticipated to commence in the fall of 2022 starting off with the design, confirming plans with the relevant stakeholders in the winter of 2022, starting the bid evaluations in the spring of 2023, and beginning planting in the fall of 2023.

Mr. Ober asked whether there were any items outstanding for Phase 1. Ms. Hess clarified that for Phase 1, the exact planting is still being finalized due to plant availability issues, however, this will be the final design aspect of Phase 1 that will take place this spring and planting will occur in the fall of 2022.

Mr. Ober asked whether the balance in the appropriation was sufficient to cover the outstanding work on Phase 1. Ms. Hess advised that due to COVID and inflation, planting prices have increased; as such, it will be tight for whether the remaining funds will cover the Phase 1 plantings to be done, noting that the remaining Phase 1 budget will be fully exhausted this year. If funding is approved for Phase 2, the planting is expected to take place in 2023.

Leslie Glynn recommended soliciting guidance on drought-resistant grasses, engaging with the pollinator crew to ensure that the fertilizers supplement the soil, and paying careful attention to the overall health of the soil.

Additional observations regarding the presentation were made as follows:

- Nathalie Thompson indicated that the presentation slides need to be more legible, i.e. darker and with larger print.
- Neil Levitt stated the crosswalk from the library should be more visibly shown on the plans/add additional crosswalks.
- Ms. Glynn suggested using this as an opportunity to outline the benefits of native planting and the resulting water conservation benefit of doing so.

Mr. Ober reminded everyone that the CPC Public Hearing is scheduled for Monday, March 21, and each presenter will be expected to do a dry-run of their presentation for Annual Town Meeting at the Public Hearing.

- **Merriam Village Building Preservation and Envelope Replacement Project**

Tod Foote, the President of the Board, provided a slide presentation of the Merriam Village Siding and Envelope Project. The project involves the five (5) original buildings built in the late 1970s. These are two-story structures with four apartments each; the buildings have additional one-story single units at each end (in different configurations) called Cottages. There is a total of ten (10) Cottages that will require siding replacement. Mr. Foote clarified that the estimate included in the original application from November was \$140,000; however, they were subsequently advised of additional work required to tightly seal the units at a new total cost of \$195,000. Mr. Foote also provided an update on some of the work that has already started on the five main buildings, which included residing, new roofs, installing a solar panel, replacing the windows, resurfacing the sidewalks, as well as ongoing projects to update the bathrooms and kitchens in the buildings.

Mr. Foote provided a brief history of Merriam Village from its formation in the late 1970s, including the transfer of Town-owned land to the newly-formed 501(c)(3) organization. The original 30 units were occupied in 1978, with 32 additional units becoming occupied in 1995. Private citizens put up \$100,000 in seed money and guaranteed a loan to allow for the original construction. The transferred land represents the only Town funding provided to date to Merriam Village. Mr. Foote also summarized the eligibility guidelines for occupancy at Merriam Village and the formula used for setting rents.

Ken Newberg, Merriam Village Board Member, discussed the project's eligibility to receive CPA funding and highlighted that the Department of Housing and Community Development (DHCD) in 2013 published a Public Housing Notice (2013-14) on their website regarding the various categories of eligibility uses. Mr. Newberg called the Committee's attention to the DCHD allowance for projects done for the purpose of preservation and read a portion of the notice that highlighted this; Merriam Village also had a deed restriction in place to satisfy the anti-aid amendments for CPA Fund eligibility.

- Mr. Wagner asked about the type of siding to be used in the preservation work and Mr. Foote discussed the options.
- Mr. Wagner asked whether there was a plan and budget in place for repairs and maintenance; he shared his view that he is uncomfortable paying for repairs that should be planned and programmed into the maintenance of different facilities in the Town as this could be seen as taking away funds from creating affordable housing. Mr. Foote noted that there is a budget in place for repairs; however, there are a number of capital projects that were funded from the Capital Reserve funds a few years ago. Mr. Foote stated there are still some remaining reserve funds; however, if spent on the siding project, it will impact their ability to address future projects or emergency contingencies, such as septic failure, etc. Mr. Foote noted that there are additional projects that are not CPA-eligible which will need to be addressed in the coming years.
- Mr. Newberg highlighted that Merriam Village has one of the lowest rents in Weston to allow the tenants who are on a fixed income to improve their quality of life and increase their disposable income. He also highlighted how efficiently Merriam Village has been run over the years. However, he noted that if CPA funding is not approved for this project, it could likely result in an increase in rent charges to be able to cover the repairs.
- Nina Danforth asked what the estimate would be for funds spent on each unit for the repairs. Mr. Foote confirmed that this would be approximately \$20,000 per Cottage.
- Mr. Ober asked whether a rent increase would be applicable only to the tenants of the Cottages or applicable across the board. Mr. Foote confirmed that if the option was being considered, this would be applicable across the board. However, if funding is not approved, increasing the rent would not necessarily be the first option; but some projects may have to be delayed in order to accumulate funding for the repairs.
- Ms. Thompson highlighted that the information that was shared by Mr. Newberg regarding the difference between rehabilitation and preservation is not binding; therefore,

it would be for CPC to decide if this is appropriate or not. Mr. Ober clarified that in terms of eligibility, this would likely be sent to Town Council for verification, and there would be a question of whether it would be an appropriate use of the limited CPA funds.

- Ms. Glynn asked for clarification on whether Merriam Village was required to conform to public bid laws and whether this would be required for the CPA funding. Mr. Newberg noted that Merriam Village does conform to public bid laws, but they would be required to enter into a funding agreement with the Town, which would stipulate the Terms and Conditions of the use of the funds.
- Ms. Glynn also asked whether Merriam Village had a budget threshold for the reserve fund (that the balance should not fall below a certain amount). Mr. Foote noted that by right of policy, a minimum had not been established.
- Mr. Levitt asked whether there was a foreseeable need for a new septic system in the near future. Mr. Foote noted that this was the original septic system, and repairs have been done on this before; however, they are anticipating that this will remain in place for now.
- Mr. Ober asked whether the Merriam Village had their financial statements audited, including a narrative about the capital reserve and whether the 990 filings were up to date. Mr. Foote confirmed that these are available and quarterly Board meetings are held, and a report of the financial situation is shared with the residents at each meeting.

Mr. Ober advised that additional consideration and consultation with the other CPC members would take place and the Committee will provide updates of the status of the application as it progresses.

- **Community Housing Support/Regional Housing Services Office**

Liz Valenta, Regional Housing Service Office (RHSO) employee, noted that this is the standard request for level-services support from the RHSO; however, the Trust has not yet reviewed and approved the application as it was the Town that submitted the request. In response to a question from Ms. Danforth about the emergency rental assistance appropriation approved at Town Meeting in 2020, Ms. Valenta indicated that Weston's program had closed with excess appropriated funds to be returned to the CPA Fund, but also shared that she was seeing an increase in need in other areas outside of Weston.

**669 Boston Post Road**

Mr. Ober noted that two of the remaining applications were potentially related to 669 Boston Post Road. He recalled that the Committee had approved an administrative funds request in August for a feasibility study for creating affordable Housing at 669 Boston Post Road. In a call just prior to the January 18 application deadline, Ms. Valenta and Sarah Rhatigan discussed with Mr. Ober and Cheri Mahan the options that were being considered for 669 BPR. They noted a demolition delay that will be expiring in late June and how both the Historical Commission and the Affordable Housing Trust are interested in this property. The options discussed at that time included the following:

- A \$206,000 request from the Historical Commission for a historic preservation restriction.
- A request of \$1,000K from the Affordable Housing Trust to add to the Affordable Homeownership Opportunity Funds (AHOP), which could possibly be used in purchasing 669 BPR.
- An amount (approximately \$900-\$1,000k) requested by the Affordable Housing Trust to purchase the property.

Applications were subsequently submitted for the first two options described above.

Mr. Ober had recommended deferring any discussions on the applications to the February 7<sup>th</sup> CPC meeting based on the strategy discussions that might be required and the time constraints involved.

Mr. Ober shared his concern that these two applications might be competing proposals for the same property, or that perhaps the reason to submit two applications might be to buy additional time. Ms. Valenta clarified that the two applications stood on their own, with the preservation restriction option being the preferred way to go with 669 BPR while the AHOP request served to replenish AHOP funds expended elsewhere.

Mr. Wagner shared his view that both organizations are working together to determine the best solution to save the house while adding some units while looking to satisfy the owner. However, one of the concerns with the Historical Commission was that maybe the appraised value that the Town could pay might not be satisfactory to the owner. The Commission's priority is to preserve and save the house and the owner is also receptive to this as well.

Ms. Valenta stated that the owner was not interested in moving forward with the purchase option based on the appraised value but was interested in pursuing the preservation restriction. Ms. Valenta also shared that this was an opportunity to replenish the original allocation from 2017 of \$950,000 in AHOP, of which \$450,000 was committed to the 0 Wellesley project for the grant amount. Therefore, the request would give the AHT the flexibility to accumulate over \$1M to provide some bandwidth to purchase a property in Weston.

In relation to the remaining five applications, Mr. Ober noted that they were submitted on time but had errors and are in the process of being corrected. Once these have been finalized, the remaining five (5) applications will be distributed to the Committee for review. The applications are as follows:

- Memorial Pool renovation \$2,200,000
- Pickleball court design \$500,000
- Brooks School Apartments addition-Building E \$3,653,752
- WAHT Affordable Homeownership Opportunity Funds \$1,000,000
- 669 Boston Post Road preservation restriction \$206,000

**Minutes of November 15, 2021 Meeting**

Mr. Ober apologized for the delay in sending out the minutes late and recommended that they can be voted on at the February 7<sup>th</sup> meeting to provide everyone with enough time to review the same.

**CPC Meeting Dates:**

The confirmed meeting dates were sent out after the November meeting and are as follows; February 7<sup>th</sup>, March 7<sup>th</sup>, and the Public Hearing Meeting on March 21 at 7 pm.

The meeting adjourned at 8:36 pm

Respectfully submitted,

Cheri Amour Mahan  
CPC Administrator

## Appendix A

### **CPC Meeting January 24, 2022 Document List**

- 1) CPA Applications for FY 2023 Annual Town Meeting:
  - a. Case Park Restoration and Rehabilitation, Phase 2 (\$42,000)
    - i. Application
    - ii. PowerPoint
  
  - b. Merriam Village Building Preservation and Envelope Replacement Project
    - i. Application
    - ii. PowerPoint
  
  - c. Community Housing Support/Regional Housing Service Office
    - i. Application
  
- 2) CPC Schedule