

MINUTES OF MEETING
COMMUNITY PRESERVATION COMMITTEE
October 19, 2020
Location: Online Meeting

The Community Preservation Committee (the “CPC” or the “Committee”) convened a regular meeting, duly noticed, on Monday, October 19, 2020 at 7 p.m. via the videoconferencing platform Zoom. CPC members present were Stephen Ober, Chair; Barry Tubman; Ken Newberg; Nina Danforth; Nathalie Thompson; Marcy Dorna; and Steve Wagner. CPC member Sue Zacharias was absent. Elderly Housing Committee Chair Tom Timko and members Tack Chase and John Hennessey were present. Weston Media Center Videographer Alanna Muldoon and CPC Administrator Tracey Lembo 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.

Elderly Housing Committee – Update on Brook School Apartment Expansion Project

Mr. Ober recalled that the CPC had received 2 applications for the next Town Meeting: one application for Memorial Pool which it had heard at its last meeting and the current application for additional apartments at Brook School which it had last heard 2 ½ years ago. Mr. Ober suggested that since there were still meaningful pieces of information missing from the Brook School Apartments (“BSA”) proposal, the EHC would provide more of an update than a presentation around an application at this meeting. Tom Timko concurred.

Stating that the EHC was reviving its proposal for Building E, Mr. Timko noted factors contributing to the delay of the project including the loss of BSA’s Director and other major projects in Town occupying the Permanent Building Committee’s time. Mr. Timko expressed surprise at the timing of the CPC’s request for applications and noted that the EHC had not yet done the constituency work needed to build a broad base of support. Indicating that he was working on a new proforma that was not evolved enough to share, Mr. Timko expressed a desire to work with the CPC to put the financial piece of the project to rest. Mr. Timko explained that this was the EHC’s first public presentation of the [restarted] project and that he would like the CPC’s feedback. Recalling a conversation with Select Board member Harvey Boshart, Mr. Timko reported that there probably would not be a Special Town Meeting (“STM”) and that spring Town Meeting might occur sooner than usual. Mr. Timko stated that the EHC intended to submit an application with full documentation for consideration at Annual Town Meeting (“ATM”).

Mr. Timko reported substantial demand for elderly housing citing the following: 1) 137 elderly housing units currently in Weston (75 of which are at BSA), 2) a Council on Aging (“COA”) study indicating that ½ of Weston residents over age 60 want to remain in Town, that 1/3 of Weston’s population will be over age 60 by 2030, and that the over 65 population is the fastest growing demographic segment, and 3) a Housing Production Plan indicating substantial need for elderly housing by 2030. Acknowledging that not all elderly residents are interested in rental units, Mr. Timko noted financial and logistical issues facing seniors who want to remain in Town.

Mr. Timko suggested that the EHC's experience managing BSA was consistent with the COA study's indication of demand. Mr. Timko reminded the Committee that there were 75 units at BSA, of which 20 were unsubsidized and 55 were subsidized through either the Department of Housing and Urban Development ("HUD") or the Community Preservation Act ("CPA"). Mr. Timko reported a 150-person active waitlist for BSA units (37 of whom are Weston affiliated), 25-35 new waitlist requests per year, and an 8-10 unit per year average annual turnover resulting in a deep backlog. Mr. Timko reported that the pandemic had resulted in a few more vacancies which were taking more time to fill but suggested that overall demand had not been significantly impacted and that the EHC could probably fill 28 new units (double the number of proposed units) in a few days.

Mr. Timko referred to a slide showing the layout of the BSA campus noting that Buildings A, B, and C were the original school buildings and that Building D had been constructed approximately 15 years ago. Mr. Timko noted that the current 14-unit proposal was based on existing septic capacity since he believed that any new septic facility at Case Campus (to which BSA septic capacity is tied) was at least 5-6 years away. Mr. Timko reported that the 24 units in BSA Building D had been completed in 2004 at a total cost of \$6 million (\$250,000/unit) and that half of the funding had come from the EHC and half from CPA Fund.

Mr. Timko reminded the CPC that in 2018 the EHC, with the help of the Permanent Building Committee ("PBC"), had commissioned a preliminary schematic and feasibility study of the site. Mr. Timko presented a slide illustrating 6 possible site options determined by that study and highlighting the 2 options the EHC was currently considering: 1) Site 3 in the general area of the tennis courts, and 2) Site 1 between Building C and the septic field (the primary site). Mr. Timko reported that septic options were considered and traffic impacts were preliminarily evaluated as part of the 2018 study. Mr. Timko explained that the biggest issue that had arisen in 2018 was the impact on residents and abutters including visual and psychological impacts, noise and disruption, and health and safety concerns. Mr. Timko suggested that residents and abutters should understand and have a voice in the process [of developing Building E].

Mr. Timko recalled that in 2018 the EHC had determined that design should be broken into 2 phases, the first of which would address design; siting and location options; and size, code, Zoning Board of Appeals ("ZBA") and Conservation Commission ("ConCom") issues. Mr. Timko expected that the first design phase would produce a detailed schematic design and that the second would produce bid documents. Mr. Timko reported that estimated overall design fees had been increased from \$450,000 in 2018 to \$500,000 currently, which he believed to be more than adequate. Mr. Timko reviewed a proposed project schedule as follows:

- 1) EHC requests schematic design funds at spring 2021 Town Meeting,
- 2) EHC selects design firm within 3-4 months,
- 3) Schematic design process continues for 6-9 months,
- 4) EHC requests final design funds at spring 2022 Town Meeting,
- 5) Final design process completed by late 2022,
- 6) Construction starts in mid-2023, and
- 7) Construction finishes in mid-2024.

Mr. Timko reviewed some highlights of the 2018 feasibility study including the ability to construct 14 units within the existing septic capacity and site options which required ConCom approval but which were outside of no build zones. Mr. Timko noted that additional parking would be needed and that the EHC was considering underground parking but was mindful of increased costs. Mr. Timko reported that in 2018

Gienapp Design had estimated 2020 construction costs of between \$4.89 and \$5.68 million, that construction costs had likely increased 25% since that time (but schematic design was needed to refine costs), and that total development costs were approximately 25% above construction costs. Mr. Timko suggested that the substantial cost of the project had to be discussed with the CPC, other stakeholders, and the Town.

Mr. Timko reminded the Committee that BSA and CPA had each provided half of the funding for Building D and noted that he would target this funding mix as a starting point. Mr. Timko referred to increases in both construction costs and rent limits since 2018 and noted that a viable financing mix could not be determined until the EHC conducted further financial analyses which would be presented to the CPC at a future date. Mr. Timko reiterated that the EHC was working on various financial models which it hoped to present to the CPC shortly. Mr. Timko referred to the complexity of the process involved in developing the proposed project, noted that he was looking to the CPC as a resource and partner in the process, and described the current meeting as the kick off for the process.

Steve Wagner asked if there were any guarantees that Weston residents could exclusively occupy new units at BSA. Noting the complexity of the process, Mr. Timko explained that a local preference was allowed at initial lease up but not thereafter for units counted on the Town's Subsidized Housing Inventory ("SHI"). Mr. Timko reported that a change in the lottery system for Building D had just been submitted to the Department of Housing and Community Development ("DHCD") to allow for inclusion of those 24 units on the SHI. Mr. Wagner reported that in contrast to the EHC's proposal, schematic design fees were typically much less than final design fees. Mr. Timko suggested that which ancillary components were included in each phase (e.g., traffic studies) would impact the split and reported that the EHC would consult with the PBC to develop a request for proposals. Responding to Marcy Dorna, Mr. Timko indicated that the only elderly units in Town outside of the BSA were located in Merriam Village.

John Hennessey reported that the bonds which had financed Building D would soon be paid off and that this would have a large impact on BSA and CPA Fund finances. Mr. Ober explained that though annual debt service on Building D had been large (approximately \$220,000 as recently as FY17) it was now less than \$5,400 and would conclude in FY25. Mr. Timko recalled that BSA debt service mimicked CPA debt service. Mr. Hennessey suggested that annual debt service payments on the proposed Building E could satisfy the requirement that 10% of CPA annual revenues be spent on community housing. Tack Chase reported that he had informed the Recreation Commission that Building E might impinge on the BSA tennis courts. Mr. Hennessey reported a lack of 2-bedroom units at BSA currently and suggested including them in Building E to maximize revenue. Mr. Timko noted that septic capacity was based on the number of bedrooms so that including 2-bedroom units in the project would decrease the number of units.

Ms. Dorna recalled that the Town's State Representatives had had to intervene on its behalf in order to use CPA funding for Building D and wondered what the implications were for this proposal. Mr. Timko explained that the federal program on which the financing of Building D was based had been cut late in the development process. Mr. Ober indicated that he had been on the FinCom during this time period, that he recalled supplanting as the main issue with regard to using CPA funds for Building D, and that he was not aware of issues that would preclude using CPA funds for this project. Tracey Lembo concurred. Responding to Nina Danforth, Mr. Timko reported that BSA's former Director had passed away and that a new Director had been in place for approximately 1 ½ years. Mr. Timko suggested that the EHC had purposefully not advanced the current proposal during the new Director's early tenure. Ms. Danforth asked about tennis court usage. Mr. Chase noted that outsiders had not been allowed to use them since March; Mr.

Hennessey reported that prior to the pandemic, a private school renting the courts had been the biggest user.

Mr. Ober recalled that a number of meaningful loose ends had existed when the EHC last presented this proposal to the CPC including abutter buy in and the development of financial projections. Mr. Ober suggested that the EHC request CPC administrative funds to engage a consultant to help with financial modeling. Mr. Timko agreed that in 2018 the EHC had not done enough work to engage Town entities and abutters and welcomed the idea of hiring a professional to help with financial projections which he described as testing the limits of his expertise. Mr. Timko suggested that the Regional Housing Services Office would be a good place to start to find this type of specialized skill set. Mr. Ober thanked the EHC for the update and suggested taking the conversation off line in terms of next steps.

Housing Trust Update on 0 Wellesley St.

Ken Newberg reported that the Weston Affordable Housing Trust (the “Trust”) had accepted a proposal from Habitat for Humanity (“Habitat”) to build up to 6 units on 0 Wellesley St. and that the Trust had 30 days to execute a purchase and sale agreement. Mr. Newberg noted that funding for the project was still an open question since the Trust was waiting for Town Counsel to provide a full range of options. Mr. Newberg anticipated a lengthy LIP process but expressed excitement over the partnership with Habitat. Mr. Ober suggested that whether existing Home Ownership Opportunity Funds (“Opportunity Funds”) could be used for this project was an outstanding question. Mr. Newberg indicated that even if Opportunity Funds could be used, the Trust might want to request separate financing for the project. Mr. Ober asked about timing implications should Town Counsel determine that given the way the Opportunity Funds vote was taken, existing funding could not be used for this project. Mr. Newberg indicated that Habitat was comfortable waiting until ATM to secure financing if necessary.

CPA Fund Financial Information

Mr. Ober indicated that he was not inclined to spend a lot of time on the details of the CPA Fund projections which had been circulated last week and drew the Committee’s attention to a verbal reconciliation of what had changed since the last time the CPC had reviewed projections. Mr. Ober noted that the COVID-19 Emergency Rental Assistance Program was the only new project and that projections had not been updated to reflect a spring Town Meeting submission for the EHC proposal. Stating that the CPC had received no meaningful new requests in the last 8-12 months, Mr. Ober noted his focus on the low point of the projected CPA Fund balance which is currently estimated at \$1,160,000 at the end of FY22. Barry Tubman asked about expectations for fall Town Meeting and the impact on projections. Mr. Ober recalled that that the Select Board’s decision on when and whether to hold STM might depend on guidance from the Department of Revenue (“DOR”) regarding an issue with the Recreation Enterprise Fund. Mr. Ober reported that the Select Board had determined that STM would not be held this year but had discussed moving ATM forward. Ms. Lembo reported that the only definitive decision she had heard the Select Board make was that no STM would be held in the year 2020.

Minutes of the October 5, 2020 Meeting

VOTE: Mr. Ober entertained a motion to approve the minutes of the October 5, 2020 meeting. Ms. Danforth made the motion, seconded by Ms. Dorna. The motion was approved unanimously by roll call vote with Ms. Zacharias absent.

Other

Mr. Ober reminded the Committee that its Public Hearing was scheduled for next Monday at which time it would consider the proposal for Memorial Pool. Mr. Wagner reported that the Historical Commission would discuss appropriations for preservation restrictions at 71 Lexington and 120 Summer St. at its next meeting and would return any money that could not be used. Ms. Danforth reported that she would have more information on the Case Park renovation project at the end of the week. Ms. Danforth suggested that using CPA funds to replace the filter at Memorial Pool was not appropriate since it was akin to replacing an air conditioner in a Town owned building and asked whether other Town funding was being sought for this purpose. Responding to Mr. Ober, Ms. Dorna reported that the next Recreation Commission meeting would be held in early November. Mr. Ober suggested that Ms. Dorna and Ms. Lembo alert Chris Fitzgerald to Ms. Danforth's question before the CPC's Public Hearing. Ms. Lembo recalled language in the CPA that allowed aspects of a rehabilitation project that make a project "functional for its intended use." Ms. Danforth noted that filters had to be continuously replaced; Ms. Lembo thought that filters had a useful life of approximately 25 years, which would suggest they were capital, not maintenance, items.

The meeting adjourned at 8:11 p.m.

Respectfully submitted,

Tracey A. Lembo
CPC Administrator

Appendix A

CPC Meeting October 19, 2020 Document List

- 1) Chair's Statement
- 2) Elderly Housing Committee Update on Brook School Apartments' Expansion Project:
 - a. Application for \$300,000 in Conceptual and Schematic Design Fees
 - b. Weston Brook School Expansion Study – Gienapp Design dated April 2, 2018
 - c. Aging in the Town of Weston – Community Needs Assessment – March 2019
 - d. Power Point
- 3) Housing Trust Update on 0 Wellesley St:
 - a. Article 30 – May 2017 Annual Town Meeting Warrant - \$950,000 - Affordable Home Ownership Opportunity Funds
 - b. Article 30 - May 10, 2017 Adjourned Annual Town Meeting Vote
 - c. Habitat for Humanity Proposal dated September 2020
 - d. 10-13-20 O'Donnell Opinion Emails
- 4) CPA Fund Financial Information:
 - a. 10-12-20 – Draft FY21 CPC Spreadsheet
 - b. 10-12-20 Draft FY21 CPC Spreadsheet – Compare to 2-4-20 Draft FY21 CPC Spreadsheet
- 5) Draft October 5, 2020 Minutes



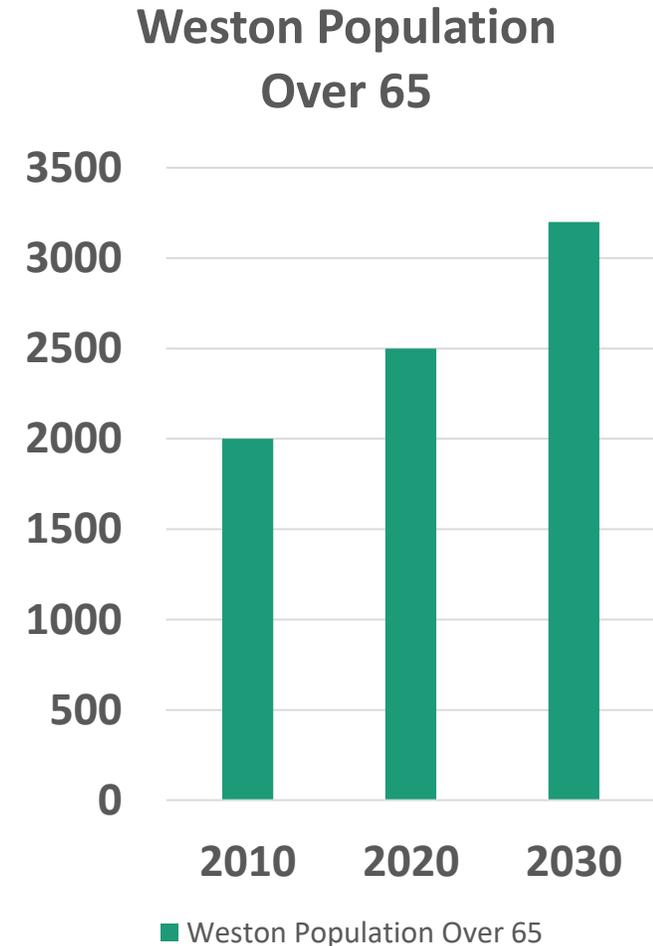
Elderly Housing Committee

Proposal for Phase One Design Funds for
Additional Apartments at The Brook School

October 2020

Weston Needs More Affordable and Elderly Housing (1)

- **Available elderly housing = 137 units**
 - 75 Existing Elderly Units at the Brook School
- **Weston in 2030 – Council On Aging**
 - Over 65 population is fastest growing demographic
 - 1/3 of Weston residents will be over 60 by 2030
 - 50% of EXISTING residents over 60 say it is “VERY IMPORTANT” for them to stay in Weston
- **90 to 100 NEW *ELDERLY* units are needed**
 - By 2030 Weston will need 220 to 230 rental units
 - Approximately 8 units/year for the next 12 years.
- **Consistent with the Housing Production Plan**



Weston Needs More Affordable and Elderly Housing (2)

- **Demand for Brook School apartments consistently expanding**
- **75 Existing Units at the Brook School**
 - 55 Affordable – Subsidized (42 HUD, 13 CPA)
 - 20 Affordable – Unsubsidized (often called “Market rate units”)
- **Wait List Overflowing**
 - Total Wait List (Oct 2020) = 150 (37 are Weston affiliated)
 - Between 25 and 35 new wait list requests/year (NOT counting inquiries)
 - Average annual turnover = 8 - 10 units/year = more than a 10-year backlog

The Existing Brook School Campus



The Immediate Opportunity

- **New Construction on Adjacent Land**
 - 14 Units approved in the Housing Production Plan
 - Integrates with existing campus infrastructure
- **Comparative History -- Brook School Building D**
 - Completed 2004 for a Total Cost of \$6M
 - Funding: 50 percent CPA, 50 percent EHC
 - Number of Units: 24 at Cost per Unit of \$250,000

Brook School Expansion Study Proposed Site Options



Critical Issues for Site, Residents, and Neighborhood

- **Physical and legal constraints on number of units**
- **Siting options and constraints**
- **Septic options and constraints**
- **Traffic impact**
- **Impact on Residents and Abutters**
 - **Visual and psychological**
 - **Noise and Disruption**
 - **Health and Safety**

CPC Design Phase Funding -- Proposal Specifics

- **Two Phases of Design**
- **Phase 1 – Schematic Design -- To Be Funded Now**
 - A formal schematic/preliminary design process open, transparent, and involving the range of stakeholders
 - Includes finalizing site and location options
 - Determine design and site criteria/limits
 - Develop schematic design documents and preliminary cost estimates sufficient to go to the ZBA for a comprehensive permit
- **Develop a proposal for Phase 2 Design -- final construction/bid documents and the funding strategy for construction**

Design Effort Cost and Schedule

- **Estimated Overall Design Cost \$500,000.**
 - Based on approximate 10 percent of construction cost and similar projects
 - Two Phases of Design
- **Proposed Rough Schedule**
 - Phase 1 Schematic Design - funds appropriated: Spring 2021 Town Meeting
 - Selection of design firm completed: July 2021
 - Schematic Design and Community/Stakeholder Review: Winter 2021
 - Schematic Design process complete: Spring 2022
 - Phase 2 Final Design - funds appropriated: Spring 2022 Town Meeting
 - Final Design complete: late 2022

Brook School Expansion Study Proposed Site Options



Brook School Expansion Study

Preliminary Results/Conclusions (1)

- **Draft Version of Feasibility Study by Gienapp Design Completed**
- **Proposed Unit Count Confirmed at 14**
 - Existing septic system CAN be expanded to support 14 one-bedroom units, or a lesser mix of one and two bedroom units
- **Four Site Options Identified -- Two Viable Candidates**
 - Option One: Between Building C and the Septic Field
 - Option Three A/B: At the rear by the Tennis Courts
- **Conservation and Other Site Considerations**
 - Within Wetland Oversight Zones -- Conservation Approval Required

Brook School Expansion Study

Preliminary Results/Conclusions (2)

- **Traffic and Parking**
 - 14 additional parking spaces required
 - Negligible impact on traffic
- **Estimated Costs – Extremely Preliminary**
 - 2018 Construction cost range (for 2020 build) was between \$4.89M to \$5.68M
 - Assuming 25 percent cost inflation range now roughly about \$6.1M to \$7.1M
 - Overall project costs about 25 percent above that range
- **Conclusion**
 - The EHC believes that the Feasibility Study findings clearly support that viable campus expansion options exist,
 - That the expansion goals are reasonable and affordable, and
 - The site and design issues can be dealt with during the Schematic Design Phase in a way that addresses the desires and needs of the stakeholders

Brook School Expansion Study

Preliminary Financial Analysis (1)

- **Critical Factors**

- **CPC / BSA funding mix option**

- Building D – 50/50
 - Building E – 50/50 - TARGET

- **Construction Cost: Current Preliminary Estimate \$7.0M**

- **Rent Targets**

- CPC units: 100 percent of AMI limit
 - SHI Eligibility Units: 80 percent of AMI limit
 - BSA “Market” Units: not limited

- **Family Size**

- Family size of “1” used for analysis
 - 2-person family has a significant positive cash flow impact

Brook School Expansion Study

Preliminary Financial Analysis (2)

- **Funding and Revenue Scenarios**
 - Various scenarios being developed.
 - Detailed models available soon
- **Other Variables/Factors to Be Examined**
 - Increase in percentage of CPC funding
 - Current analyses have focused on Building E only. Building D long term payments ending soon.
 - Cost model could take into account the cost and revenue structure of the entire complex.

Brook School Expansion Study Process and Next Steps

- **Next Steps**

- **EHC to continue interfacing with Permanent Building Committee on proposal**
- **EHC to continue dialog with COA and Recreation Department**
- **EHC to continue resident/abutter outreach and involvement**
- **EHC to update Select Board**