



## **Newton City Council**

### **Committee of the Whole Agenda**

**Monday, February 22, 2016**

**Council Chamber  
7:00 PM**

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

#### **Referred to Public Facilities and Finance Committees**

**#66-16**

##### **Authorization to purchase 23 Parkview Avenue for school use**

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

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

CITY OF NEWTON  
LAW DEPARTMENT  
INTEROFFICE MEMORANDUM

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

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

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

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

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

Thank you.

**APPRAISAL OF REAL PROPERTY**

**LOCATED AT**

23 Parkview Ave  
Newton, MA 02460

South Middlesex County Registry of Deeds Book 36268 Page 454

**FOR**

City of Newton  
1000 Commonwealth Avenue  
Newton Centre, MA 02459

**AS OF**

01/22/2016

**BY**

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

## SUMMARY OF SALIENT FEATURES

SUBJECT INFORMATION	Subject Address	23 Parkview Ave
	Legal Description	South Middlesex County Registry of Deeds Book 36268 Page 454
	City	Newton
	County	Middlesex
	State	MA
	Zip Code	02460
	Census Tract	3734.00
	Map Reference	15764
SALES PRICE	Sale Price	\$ 0
	Date of Sale	
CLIENT	Client	City of Newton
	Appraiser	William J. Lanciloti, Jr., SRA
DESCRIPTION OF IMPROVEMENTS	Size (Square Feet)	1,701
	Price per Square Foot	\$
	Location	Average
	Age	91 Years
	Condition	Good
	Total Rooms	7
	Bedrooms	3
	Baths	2.1
APPRAISER	Appraiser	William J. Lanciloti, Jr., SRA
	Date of Appraised Value	01/22/2016
VALUE	Opinion of Value	\$ 925,000

## RESIDENTIAL APPRAISAL SUMMARY REPORT

File No.: 23park

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

CZJ APPRAISAL SERVICES

File No. 23Parkview

APPRAISAL OF



a single family home...

LOCATED AT:

23 Parkview Ave  
Newton, MA 02460

CLIENT:

Daphne and Alan Potter  
23 Parkview Ave  
Newton, MA 02460

AS OF:

January 21, 2016

BY:

Christine Zitso Jaques

## CZJ APPRAISAL SERVICES

File No. 23Parkview

Daphne and Alan Potter

Daphne and Alan Potter  
23 Parkview Ave  
Newton, MA 02460

File Number: 23Parkview

Dear Daphne and Alan,

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

23 Parkview Ave  
Newton, MA 02460

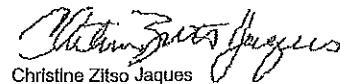
The purpose of this appraisal is to develop an opinion of the defined value of the subject property, as improved.  
The property rights appraised are the fee simple interest in the site and improvements.

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

\$970,000  
Nine Hundred Seventy Thousand Dollars

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

THANK YOU!



Christine Zitso Jaques

## Summary Residential Appraisal Report

File No. 23Parkview

PURPOSE	The purpose of this appraisal report is to provide the client with a credible opinion of the defined value of the subject property, given the intended use of the appraisal.																																																																																																																																	
	Client Name/Intended User <b>Daphne and Alan Potter</b>		E-mail <b>daphne.potter@gmail.com</b>																																																																																																																															
	Client Address <b>23 Parkview Ave</b>		City <b>Newton</b>	State <b>MA</b> Zip <b>02460</b>																																																																																																																														
Additional Intended User(s) <b>Client's attorney</b>																																																																																																																																		
Intended Use <b>market valuation for proposed sale of the home to the city for school expansion</b>																																																																																																																																		
SUBJECT	Property Address <b>23 Parkview Ave</b>		City <b>Newton</b>	State <b>MA</b> Zip <b>02460</b>																																																																																																																														
	Owner of Public Record <b>Daphne Potter/Alan Potter</b>		County <b>Middlesex</b>																																																																																																																															
	Legal Description <b>Book 36268 Page 454</b>																																																																																																																																	
	Assessor's Parcel # <b>S:22 B:008 L:0007</b>		Tax Year <b>2015</b>	R.E. Taxes \$ <b>6,327.00</b>																																																																																																																														
	Neighborhood Name <b>Newtonville</b>		Map Reference <b>MSA 15764</b>	Census Tract <b>3734.00</b>																																																																																																																														
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My research <input type="checkbox"/> did <input checked="" type="checkbox"/> did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.																																																																																																																																		
Prior Sale/Transfer: Date _____ Price _____ Source(s) <b>Middlesex Registry of Deeds</b>																																																																																																																																		
SALES HISTORY	Analysis of prior sale or transfer history of the subject property (and comparable sales, if applicable) <b>as of the effective date of this valuation, there were no sales in the prior three years.</b>																																																																																																																																	
	Offerings, options and contracts as of the effective date of the appraisal <b>None noted as of the day effective date of this report</b>																																																																																																																																	
NEIGHBORHOOD	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th colspan="3">Neighborhood Characteristics</th> <th colspan="3">One-Unit Housing Trends</th> <th colspan="2">One-Unit Housing</th> <th colspan="2">Present Land Use %</th> </tr> <tr> <td>Location</td> <td><input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural</td> <td>Property Values</td> <td><input checked="" type="checkbox"/> Increasing <input type="checkbox"/> Stable <input type="checkbox"/> Declining</td> <td>PRICE</td> <td>AGE</td> <td>One-Unit</td> <td>90 %</td> </tr> <tr> <td>Built-Up</td> <td><input checked="" type="checkbox"/> Over 75% <input type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%</td> <td>Demand/Supply</td> <td><input checked="" type="checkbox"/> Shortage <input type="checkbox"/> In Balance <input type="checkbox"/> Over Supply</td> <td>\$(000)</td> <td>(yrs)</td> <td>2-4 Unit</td> <td>1 %</td> </tr> <tr> <td>Growth</td> <td><input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow</td> <td>Marketing Time</td> <td><input checked="" type="checkbox"/> Under 3 mths <input type="checkbox"/> 3-6 mths <input type="checkbox"/> Over 6 mths</td> <td>580 Low</td> <td>1</td> <td>Multi-Family</td> <td>0 %</td> </tr> <tr> <td colspan="3">Neighborhood Boundaries <b>on the north by the Mass Pike, to the south by Comm Ave, to the east by Newton Corner and to the west by West Newton Hill.</b></td> <td colspan="2">3,800 High</td> <td>150</td> <td>Commercial</td> <td>1 %</td> </tr> <tr> <td colspan="3"></td> <td colspan="2">1,225 Pred.</td> <td>80</td> <td>Other condo</td> <td>8 %</td> </tr> </table>		Neighborhood Characteristics			One-Unit Housing Trends			One-Unit Housing		Present Land Use %		Location	<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural	Property Values	<input checked="" type="checkbox"/> Increasing <input type="checkbox"/> Stable <input type="checkbox"/> Declining	PRICE	AGE	One-Unit	90 %	Built-Up	<input checked="" type="checkbox"/> Over 75% <input type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%	Demand/Supply	<input checked="" type="checkbox"/> Shortage <input type="checkbox"/> In Balance <input type="checkbox"/> Over Supply	\$(000)	(yrs)	2-4 Unit	1 %	Growth	<input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow	Marketing Time	<input checked="" type="checkbox"/> Under 3 mths <input type="checkbox"/> 3-6 mths <input type="checkbox"/> Over 6 mths	580 Low	1	Multi-Family	0 %	Neighborhood Boundaries <b>on the north by the Mass Pike, to the south by Comm Ave, to the east by Newton Corner and to the west by West Newton Hill.</b>			3,800 High		150	Commercial	1 %				1,225 Pred.		80	Other condo	8 %	<p>Neighborhood Description <b>subject property is located in the suburban town of Newton in in area know as Newtonville. The overall appeal of the neighborhood is very good with excellent access to the adjacent school and park as well as easy access to the Newtonville services and shopping district. Employment stability and proximity is also excellent and very stable. The area is made up of many similar style homes of various sizes and condition.</b></p> <p>Market Conditions (including support for the above conclusions) <b>The market for the subject segment is extremely strong with days on market usually under 21 days and often under a week, there is a shortage of supply in the under \$1 million segment in the portion of the city south of the Pike, absorption rate that is at least 45 units a month across the 12 month period that increases in the spring and fall to at least 56 units per month. It is also very common for there to be multiple offers on homes like the subject in the first week on the market. This data is supported by the 1004MC market conditions statement in the workfile.</b></p>																																																																													
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	Dimensions <b>see attached deed</b>		Area <b>4300 sf</b>	Shape <b>rectangular</b>	View <b>Neighborhood/Park</b>																																																																																																																													
	Specific Zoning Classification <b>MR1</b>		Zoning Description <b>7,000 sf MINIMUM LOT REQUIREMENT</b>																																																																																																																															
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Is the highest and best use of the subject property as improved (or as proposed per plans and specifications) the present use? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe.																																																																																																																																		
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