

## **REPORT OF THE BOARD OF SELECTMEN AND COUNCIL ON AGING: TOLLES-PARSON CENTER UPDATE**

This is a Report of the Board of Selectmen (“BOS”) and the Council on Aging (“COA”) on the status of the Tolles-Parsons Center (“TPC”) since the Special Town Meeting of Fall 2013. A bibliography at the end of this Report provides a comprehensive history of the TPC project.

### **Appropriations to Date**

At the Fall 2013 Special Town Meeting (“STM”), a supplemental appropriation of \$308,855 was approved by Town Meeting to make revisions to the Application for a Special Permit as a Project of Significant Impact (“PSI”) or to submit a new PSI Application with regard to the TPC and to make any additional modifications to the proposed project that may be necessary to complete the design, permitting and construction document preparation. To date, \$11,000 of the funds appropriated at the 2013 STM have been expended on interim professional services.

Previously, in 2008, Town Meeting appropriated \$50,000 for a feasibility study of the former American Legion (“AL”) site at 496 Washington Street and in 2009, \$600,000 was appropriated by Town Meeting for a detailed building design at the site. An additional \$165,300 in design funds were appropriated at the 2013 Annual Town Meeting (“ATM”) to accommodate revised programming needs, as well as to develop plans for additional parking across the street at the police station.

### **Alternative Parking Proposals**

Throughout this project, a substantial amount of time and money has been spent on addressing traffic and parking concerns and numerous alternatives have been considered.

#### **1. Previous Attempt to Purchase 494 Washington Street**

In 2010, the Selectmen engaged in negotiations with the owners of the property located adjacent to the AL site, 494 Washington Street. The lot size is 12,489 square feet and when combined with the AL site, totals almost an acre at 41,924 square feet. At that time, a price of \$1,270,000 was negotiated and the Selectmen requested an appropriation for the property at the 2010 ATM. Town Meeting did not approve the proposed purchase price of \$1,270,000 but agreed that it would accept \$1,000,000. The owners declined to accept the offer and further negotiations were unsuccessful.

#### **2. Parkland Owned by Natural Resources Commission**

Additionally, the Selectmen and the Natural Resources Commission (“NRC”) discussed the use of parkland on Morton Field (across Washington Street from the AL site) as well as use of Wellesley Housing Authority property adjacent to the police station for additional parking. Recognizing the complex issues involved with the use of parkland for parking and the time required to obtain legislative approval of a land swap, it was determined that this was not a viable alternative.

#### **3. Additional Parking Spaces at Police Station**

In the PSI Application for the TPC, the parking plan included 34 on-site parking spaces and an additional 22 spaces dedicated to the TPC at the police station. The proposed plan included an expansion of the police station driveway, 31 additional parking spaces (22 for TPC and 9 for the Police Department) and a new crosswalk with a pedestrian-activated signal to replace the

existing crosswalk in front of the police station. The plan assumed the existing St. Paul's Church and School crosswalk and flashing yellow pedestrian-activated signal would remain in place.

The Planning Board did not issue the special permit for the project and during the PSI hearing, members of the Planning Board raised concerns about the safety of those participants of the TPC who parked at the police station and who would then be required to cross Washington Street in order to access the TPC. PB also raised issues regarding whether TPC participants would park on Washington Street, rather than at the police station, thereby reducing the number of parking spaces for use by St. Paul's Church and School. Additionally, they raised concerns over the type of pedestrian-activated crosswalk being proposed for a new crosswalk.

### **Proposed Acquisition of 494 Washington Street**

In order to address the parking and traffic issues raised by the Planning Board and others, the Selectmen reengaged with the owners of 494 Washington Street to determine whether the Town could negotiate the purchase of the property. On February 2014, a Purchase and Sale Agreement (the "Agreement") was executed by the Town and the owners which includes the following terms:

- Purchase price of \$1,365,000
  - \$1,290,000 to be paid at time of delivery of deed;
  - \$75,000 to be held in escrow and paid upon completion of Sellers' obligation to demolish the structures on the site and deliver the Building Inspector's certification that the site is clear
- Closing to occur on June 2, 2014 unless otherwise agreed upon in writing or unless the necessary action of the 2014 STM has not become final. In that case, closing will be the 10<sup>th</sup> day following final STM action.
- Sellers must apply for a demolition permit within ten months following closing and demolition must be completed no later than four weeks after issuance of the demolition permit.
- Sellers must demolish the structures on the site and deliver the Building Inspector's Certificate that the site has been cleared in accordance with applicable protocols.
- Sellers may occupy the premises for a period of up to nine months following the closing. During that period, Sellers have the right to lease a portion of the building to others and collect any rents therefrom. Sellers shall continue to pay all utilities and property insurance, but not real estate taxes which will be paid by the Town.
- Prior to the closing, the Sellers have the right to market the property but do not have the right to sell it pending the Town's right to purchase in accordance with the Agreement.
- The Agreement is contingent on and subject to approval and appropriation of the purchase price being voted (passing by a two-thirds vote) at the 2014 STM. If TM fails to pass the appropriation, the Agreement will be terminated without recourse. If TM passes the appropriation, but a Referendum request is filed, each party shall have the right, but not the obligation, to terminate the Agreement within ten days of certification of the

Referendum Petition by written notice to the Town. If no such written notice is given, and if the Referendum proceeds and passes, the transaction shall proceed to closing.

### **Next Steps Following Annual Town Meeting**

In order for the TPC project to proceed, the Selectmen and the Permanent Building Committee (“PBC”) must amend the original PSI Application or submit a new PSI Application. **No further work on this project will take place until a determination is made on the purchase of 494 Washington Street.**

In the event that STM approves the purchase of the property and no Referendum Petition is filed or a Referendum Petition is filed and the voters approve the action of ATM to purchase the property, a modified or new PSI Application will be filed to include the addition of the Property and the off-site impacts on municipal systems of the combined properties.

If STM does not approve the purchase of the property or a Referendum Petition is filed and the action of STM is not approved by the voters, or the Sellers give Notice to the Town that they are terminating the Agreement because a Referendum Petition was filed, the Selectmen and PBC will work with the Planning Board to submit an amended PSI Application with specific and material changes from the original PSI Application as required by the Town By-Laws.

If the Planning Board approves a new or amended PSI Application, the Selectmen will continue with permitting and the development and completion of construction documents. The Selectmen currently are projecting that they will return to a 2014 Town Meeting to seek funding for the construction of the TPC.

Respectfully submitted,

Board of Selectmen  
Council on Aging

March 31, 2014

### **Bibliography**

Comprehensive History of TPC Project: Report of the BOS and COA on the status of the project, *2013 Advisory Report*, pages 193-202.

Rationale for a Senior Center: Report of the Senior Study Committee, *2009 ATM Advisory Report*, pages 80-81.

Report of the Tolles-Parsons Review Committee, *2013 Advisory Report*, pages 203-210.

Description of the Supplemental Appropriation Request, *2013 STM Advisory Report*, pages 6-12.