



**TOWN OF BROOKLINE
MASSACHUSETTS**

**REPORTS OF SELECT BOARD
AND ADVISORY COMMITTEE**

on the

Articles in the Warrant

for the

**SECOND SPECIAL TOWN
MEETING**

to be held in the High School Auditorium

Tuesday, April 9, 2019

at

7:30 P.M.

(Please retain this copy for use at the Town Meeting)

Town of Brookline

SELECT BOARD

Neil A. Wishinsky, Chair

Benjamin J. Franco

Nancy S. Heller

Bernard W. Greene

Heather Hamilton

Melvin A. Kleckner, Town Administrator

"The Town of Brookline does not discriminate on the basis of disability in admission to, access to, or operation of its programs, services or activities. Persons with disabilities who need auxiliary aids and services for effective communication in programs, services and activities of the Town of Brookline are invited to make their needs and preferences known to Lloyd Gellineau, Town of Brookline, 11 Pierce Street, Brookline, MA 02445, 730-2328 Voice, 730-2327 TDD, or email at lgellineau@brooklinema.gov."

MODERATOR

Edward N. Gadsby, Jr.

ADVISORY COMMITTEE

Sean M. Lynn-Jones, Chair, 53 Monmouth Street.....	738-6228
Carla Benka, Vice-Chair, 26 Circuit Road	277-6102
Benjamin Birnbaum, 15 Feneno Terrace,	276-5944
Clifford M. Brown, 9 Hyslop Road	232-5626
Carol Caro, 1264 Beacon Street, #2.....	739-9228
John Doggett, 8 Penniman Place	566-5474
Dennis Doughty, 57 Perry Street.....	739-7266
Harry Friedman, 27 Clafin Road	BE2-0122
Janet Gelbart 216 St. Paul Street #601.....	566-5616
David-Marc Goldstein, 22 Osborne Road	232-1943
Neil Gordon, 87 Ivy Street.....	(508)265-1362
Susan Granoff, 52 Vernon Street #1	731-0822
Kelly Hardebeck, 18 Littell Road	277-2685
Amy Hummel, 226 Clark Road	731-0549
Alisa G. Jonas, 333 Russett Road	469-3927
Janice Kahn, 63 Craftsland Road.....	739-0606
Steve Kanes, 89 Carlton Street	232-2202
Bobbie M. Knable, 243 Mason Terrace.....	731-2096
David Lescohier, 50 Winchester Street	383-5935
Carol Levin, 61 Blake Road.....	731-0166
Pamela Lodish, 195 Fisher Avenue	566-5533
Mariah Nobrega, 33 Bowker Street	935-4985
Michael Sandman, 115 Sewall Ave., No. 4	232-7125
Lee L. Selwyn, 285 Reservoir Road	277-3388
Kim Smith, 22 Brington Road	277-1606
Stanley Spiegel, 39 Stetson Street	739-0448
Claire Stampfer, 50 Sargent Crswy.	448-4201
Charles Swartz, 69 Centre Street	731-4399
John VanScoyoc, 307 Reservoir Road.....	731-3584
Christine M. Westphal, 31 Hurd Road.....	738-7981
 Lisa Portscher, Executive Assistant, Town Hall.....	 730-2115

APRIL 9, 2019
SECOND SPECIAL TOWN MEETING
INDEX

ARTICLE NO.

TITLE

1. Appropriation to situate an elementary school at Newbury College. (Regina Frawley, TMM16)

2019 SECOND SPECIAL TOWN MEETING WARRANT REPORT

The Select Board and Advisory Committee respectfully submit the following report on Articles in the Warrant to be acted upon at the 2019 Second Special Town Meeting to be held on Tuesday, April, 9, 2019 at 7:30 p.m.

Note: The following pages of this report are numbered consecutively under each article.

ARTICLE 1

FIRST ARTICLE

Submitted by: Regina Frawley, TMM16

To see if the Town will raise, appropriate or transfer a sum of money to fund the costs adequate to appropriate some or all of Newbury College property or properties to situate an elementary school,

or act on anything relative hereto.

PETITIONER'S ARTICLE DESCRIPTION

Between 2000-2005, during the Comprehensive Plan, the Town planned significant growth in population, and stated publicly that “a ninth and probably a tenth elementary school will be necessary”.

In addition, schools such as Pierce, have deteriorated and proved insufficient to house all students in one building. Thus, children are taught in expensive leased spaces. The community is thus dispersed, during these formative years of childhood.

Also, the “Devotion” school, (now Coolidge Corner School) occupied leased space in “Lower Devo” in Coolidge Corner, at considerable costs to Town taxpayers, and additionally, include considerable costs to “upgrade” spaces to make them student and classroom appropriate. These costs are millions annually, and have enhanced the value to private properties, with no additional future economic return to the Town.

Old Lincoln, used regularly as “swing space” is repeatedly cited as inadequate for a school, despite millions invested to improve the building’s use as a “swing space” for schools and even Town Hall, nor even large enough for all students needing space during a renovation., hence the leasing of private properties.

It is time and mandatory that Brookline plan and provide for the planned growth of the population and housing units, to which we have committed, as part of the 15 member Consortium for additional housing in Boston and greater Boston. Brookline will have added thousands of housing units over the next years on top of those several hundred already permitted.

Newbury is adequate for ANY growth of student population, so that the struggles and divisiveness witnessed across town, neighborhood against neighborhood, ceases.

Brookline has and will always have only 7 square miles in total. Few options for appropriate-sized schools will ever become available, though the Town has contacted over the years every large institution that might become available. The “Major Parcel Study” is just the latest iteration of that effort.

Newbury College is a “Chance in a Hundred Years” as one Town Meeting Member rightly said. We must seize it. And despite claims about the inadequacy of the buildings, some are new or newer additions, and can be retrofitted relatively easily, as least as easily as some of the leased spaces have been.

Abutters have publicly stated they are happy to have the space purchased for public use, and one specifically citing the desire for a school.

Finally, Newbury is next to the newly funded and finished Reservoir, idyllic play area, and has adequate parking spaces on the property. It would seem that all the “check boxes” needed to place an elementary school there are checked.

Only the political will of Town Meeting remains.

ADDITIONAL EXPLANATION OFFERED BY THE PETITIONER

WHY THIS SPECIAL TOWN MEETING? AND WHY THIS WARRANT ARTICLE?

2018 is a seminal year in Massachusetts Housing policy

At the Federal, State and Local levels, Greater Boston is scheduled for unheard of housing unit growth: 135,000 by 2015; 185,000 by 2030; and more than 400,000 by 2040.

These numbers may be a Wish List, (even Boston Mayor Walsh s running into pushback, which could reduce his goal of 69,000 additional housing units by 2030) and is no guarantee these goals are even plausible since the economy drives housing production and development. Nonetheless, this is the current "plan" of the 15 community Metro Mayors' Coalition on housing, which includes Brookline, pledged to add 186,000 new housing stock. In the next 11 years.

Various incentives and penalties are in place since 2018: Federally, Housing and Urban Development announced it would penalize states and communities who do not add to the housing stock. Penalties include lower (or no) infrastructure incentives.

In MASSACHUSETIS, Governor Baker re-introduced legislation which would lower ZONING vote approval threshold from 2/3rds, to 50 percent plus one. A quick scan of zoning amendments illustrates nearly all proposed changes easily get a 50 plus one vote. Neighborhoods almost assuredly will be unable to stop large development, even non-40Bs.

In Brookline level, both the current Chair and Chair of the Housing Advisory Board have publicly stated that they support the 50+1 threshold. Further, the Zoning By-Law committee has been revived and advised that multiple town-wide Overlay Districts will be on future agenda.

According to a December Wall Street Journal article, before our vote on the 9th elementary school, Brookline will add 1700 units by 2030 (on top of currently licensed units in the pipeline), though Brookline's Task Force Representative, our Town Administrator, says it is not a "commitment".

Whatever one calls it, clearly large numbers of school age children are coming to Town. As the author of the Petition for the April Special Town Meeting, the following 2018 events spurred this STM:

FEBRUARY 2018: the Massachusetts Area Planning Council announced formation of a Metro Mayors' Coalition on Housing. Concurrently, Brookline announced its Major Parcel Study, specifically naming Newbury College as a site to explore.

JULY: Governor Baker announced plans to revive proposal to lower the Zoning vote requirement.

AUGUST: The Town Administrator appointed to the Task Force Housing Coalition. There is no record in Select Board minutes for this action, only an interview with Roger Blood and HAB member giving a nondetailed participation in the program. (Earlier in his interview for re-appointment to HAB, Mr. Blood expressed regret that the lower zoning vote threshold failed in 2017, and looked forward to its reintroduction SB Chair agreed). In AUGUST the Wall Street Journal reported that HUD would tie zoning to funding for states who lowered the threshold. Baker reintroduces the bill.

DECEMBER 12: Wall Street Journal article about the Mayors Housing Coalition, mentioning Brookline.

DECEMBER 13, Special Town Meeting about Schools, including a 9th elementary school at Baldwin.

DECEMBER 14: (Friday morning) Newbury's closing announced.

DECEMBER 14, (afternoon) The Tuesday Select Board agenda, posted, with NO MENTION OF NEWBURY, despite the Major Parcel Study's mandate! I contacted the Chair Wishinsky, who drafts the agenda, and asked about it. But also, what would it take to hold a Special Town Meeting. He said he would get back to me later that day. Never heard from him again.

DECEMBER 15: (Saturday) I drafted the Petition for a CITIZENS' Special Town Meeting, and hit the street gathering signatures.

DECEMBER 17 (Monday) Select Board's Agenda revised to include mention of Newbury, though no substantive deliberation or even conversation occurred at the SB. Signature gathering continues, as clearly, had SB leadership been roused by Newbury's announcement, some substantive discussion would have taken place.

JANUARY 2019: Special Town Meeting Petition signatures and Warrant Article submitted

So, here we are. Many are hearing about this federal ,state, local housing production time line, for the first time. No public conversation about substantial housing unit additions has been heard at the Select Board, though perhaps at the HAB. The SELECT BOARD, HOWEVER, IS WHERE POLICY DERIVES.

Even if the 1700 additional unit goal is not met, rational people can expect several hundred new school age children to come to Brookline. By 2030, just 11 years away.

This Special Town Meeting on Newbury is intended to address this anticipated growth of units and population. It could solve ALL future school growth, which is my intent, and why I hope you will support putting a school there.

IT DOES NOT PRECLUDE EITHER AFFORDABLE HOUSING (PREFERABLY UNDER THE HOUSING AUTHORITY) OR RECREATION FACILITIES. NEITHER DOES IT REQUIRE BUILDING OR RETROFITTING THE PROPERTY OR PROPERTIES IN THE IMMEDIATE FUTURE, FOR AN ELEMENTARY SCHOOL. IT IS TO PREPARE FOR THE FUTURE. NOR IS THIS SPECIAL TOWN MEETING INTENDED TO REPLACE BALDWIN AS A CHOSEN SITE FOR A 9TH SCHOOL. THAT IS NOT FOR ME TO SAY.

That is the conversation we should be having. My presentation and Petition for the Special Town Meeting is intended to EDUCATE those who vote these matters, and who represent all who win be affected.

This is potentially your LEGACY. I trust you will deliberate with due diligence and gravity

SELECT BOARD'S RECOMMENDATION

Article 1 of the Second Special Town Meeting is an article that seeks to provide authorization to fund costs associated with acquiring some or all of the Newbury College campus to situate an elementary school. The Select Board has already noted that the article as filed does not provide the proper mechanism for the Town to acquire this property and filed their own article (Article 2) under the First Special Town Meeting in order to meet that intent.

The Board appreciates the sentiment expressed by the petitioner and others to examine the Newbury parcel for some municipal purpose. The Board has convened the Newbury College Acquisition Advisory Committee to assist with the exploration of the possible acquisition of some or all of the Newbury College property. The Committee's work is still underway. There is not enough information to move forward on the property at this time, and as the Advisory Committee notes this article does not provide the proper mechanism to acquire the property. An acquisition authorization article has been placed on the May Annual Town Meeting warrant should the Select Board be in a position to seek Town Meeting authorization for acquiring the Newbury College property.

On March 26, 2019, a unanimous Select Board voted NO ACTION on Article 1.

ADVISORY COMMITTEE'S RECOMMENDATION

SUMMARY:

Warrant Article 1 of Special Town Meeting Two, if approved, would authorize money to be raised, appropriated, or transferred to fund the costs of appropriating some or all of the Newbury College campus to situate an elementary school. By a vote of 24-0-3, the Advisory Committee recommends NO ACTION on the Article.

BACKGROUND:

Town Meeting member and petitioner Regina Frawley submitted this Article along with the citizens' petition that called upon the Select Board to convene a Special Town Meeting to consider the acquisition of the Newbury College campus.

For additional information on the Newbury College campus and the steps that the Town has taken toward acquiring it, please see the Background section of the Advisory Committee's report on Warrant Article 2 of Special Town Meeting One.

DISCUSSION:

In her presentation to the Advisory Committee and to its Planning and Regulation and Capital Subcommittees, Article 1's petitioner, who worked on and collected signatures for the citizens' petition, stated that she submitted Article 1 with its focus on the use of the site for an elementary school based on the research that she has undertaken. This research shows in the coming years there will be significant residential growth in the Town. Included in the list of sources that she consulted is a statement by the Metro Mayors Coalition, convened by the Metropolitan Planning Council and representing 15 municipalities, including Brookline. The Coalition has identified a need for 185,000 new housing units in the Greater Boston area by 2030 to meet demand and to reduce (or at least

stabilize) housing costs. (<https://www.mapc.org/planning101/metro-mayors-announce-185000-unit-production-goal/>)

In addition to the Coalition's projections, the petitioner also pointed to a 2018 U.S. Department of Housing and Urban Development (HUD) policy penalizing states and communities that do not add to the housing stock. She also cited the introduction of legislation by Governor Baker that would lower the requirement for changes to local zoning from a two-thirds majority to a simple majority, thereby presumably making it easier to build additional housing. In the context of such research, the petitioner foresees "large numbers of school age children" coming to Brookline and the subsequent need to plan now for their arrival.

In Article 1's explanation, the petitioner wrote that "Newbury is adequate for ANY growth of student population" and that its purchase would eliminate the current 9th School's "struggles and divisiveness witnessed across town" in any possible future search for a new school site. She also has emphasized that the Article is not intended to suggest or imply that Newbury should be considered as an alternative to the Baldwin School site to locate a 9th K-8 school.

Advisory Committee members noted that Article 1 of Special Town Meeting Two lacks a legal description of the property, does not explicitly allow for uses other than an elementary school, and does not authorize the Select Board to acquire the property after adequate funds are raised. It also does not mention eminent domain as a mechanism for acquiring the property. While eminent domain is not necessarily a desirable mechanism to acquire the property, it nevertheless should not be ignored as an option.

RECOMMENDATION:

By a vote of 24-0-3, the Advisory Committee recommends NO ACTION.

XXX

SELECT BOARD

Neil A. Wishinsky, Chair
Benjamin J. Franco
Nancy S. Heller
Bernard W. Greene
Heather Hamilton

ADVISORY COMMITTEE

Sean Lynn-Jones, Chairman