

Economic Development Advisory Board Minutes

April 21, 2021

7 – 9 PM held remotely via Zoom

EDAB Board members (in attendance noted by Y/N)

| | | | | | | | |
|-----------------------|---|---------------|----|-------------|----|----------------|----|
| Anne Meyers, Co-Chair | Y | Derrick Choi | Y* | Carol Levin | Y* | Marilyn Newman | Y |
| Paul Saner, Co-Chair | Y | Alan Christ | Y | Ken Lewis | Y | Al Raine | Y |
| Cliff Brown | Y | Susan Houston | N | Tom Nally | Y | Sandi Silk | Y* |

*Arrived late or left early as noted below.

Staff present: Kara Brewton

Guests included: Kathleen Scanlon, Jesse Gray, Deborah Brown, Lisa Cunningham

Materials provided ahead of time to the Board included: 4/21/21 agenda, 4/5/21 minutes with revisions, Spring 2021 Town Meeting Warrant Article & Explanations; package from WA 26 petitioners to EDAB 4/20/21 including: Memo responding to EDAB comments, tracked changes and clean amended version of WA 26; package from from WA 25 petitioners to EDAB 4/20/21 including tracked changes and clean amended version of WA 25; revised Article 39 (Al Raine & Cliff Brown, 4/14/21).

Information shared via Zoom during the meeting: outline of motion regarding WA 39 (K. Brewton)

Paul Saner opened the meeting remotely via Zoom due to COVID, ensured all members were able to participate with audio and video. The meeting was not recorded. He reminded everyone that at the last EDAB meeting on April 5th, the public hearings had already been closed for the three warrant articles being discussed this evening.

Approval of April 5, 2021 meeting minutes

April 5, 2021 meeting minutes as noted in the agenda link were approved by roll call vote (in favor: MN, TN, PS, CB, AC, KL, DC, AR, AM). After the vote Derrick Choi noted one minor edit about how a VRF system term should be referred to; this will be forwarded and changed in the minutes as a scri~~ve~~bn~~er~~'s error.

Warrant Article 39: Babcock Street Lot (continued discussion)

Deborah Brown stated that housing was an urgent need and the Town can evaluate more than one site and one process at the same time. She also added that she would likely be amending Warrant Article (WA) 38 & 39 in the near future to expand the study scope to include senior housing as well as family housing. The Advisory Subcommittee heard this on Monday (1-1-2), full Committee will be discussing this Thursday. The Housing Advisory Board voted unanimously no action.

Al Raine stated there should be mixed income housing on the Babcock Street lot, noting that it is zoned multifamily with a Floor Area Ratio of 2.0 already. He and Cliff Brown worked on an amended version [see meeting materials], but the Moderator ruled it out of scope. This isn't the only Town-owned parking lot, not even in Coolidge Corner. When existing parking needs to be replaced, particularly on a small inefficient site like any of the parking lots in Coolidge Corner are, that cost eats into a lot of the public subsidies that might otherwise be available for housing. Al and Cliff couldn't figure out how to amend the direction of the study without also looking at the three Town-owned Coolidge Corner parking lot properties as a whole. He thought the Housing Production Plan and the Multifamily study should be completed before the Babcock Street study is launched, in addition to getting useful results from the Kent/Station St. housing development underway. Finally, he wanted to make sure the resources and bandwidth are available, especially for any kind of study with an expanded scope, but would like for this to be the study lined up next in the queue. Unfortunately, the Moderator has ruled the Raine/Brown amendment out of scope.

Anne Meyers added that the Coolidge Corner Merchants Association sent in a letter on this, concerned about parking impacts, especially as the business community is distracted with COVID impacts. Economic Development staff are working extremely hard to assist the commercial areas right now due to COVID. Parking availability was an issue for the merchants pre-COVID, and hopefully those customers will be returning again soon. Moving forward with Babcock Street right now sends the wrong message to everybody in the commercial areas; it dilutes the message that the Town supports its merchants.

Ken Lewis then made a motion that was no action on WA 39, but also recommended the motion include a recommendation that the amended Raine/Brown WA be taken up at Fall Town Meeting.

[Carol Levin and Sandi Silk joined the meeting].

Kara Brewton then offered that the Raine/Brown language could be sent to the Select Board for their endorsement and direction to staff, which would be faster than waiting for Fall Town Meeting.

Cliff Brown thought the motion should somehow be a positive motion, and wondered whether two separate motions were needed.

Al Raine asked whether the motion should simply refer to the attached amended language, or restate it in the motion. Paul Saner replied that he thought it should be restated in the motion.

While Al was working on a draft motion, Deborah Brown noted that affordable housing had waited long enough. She believes it could be a year and a half before the Babcock Street lot study is commenced. Deborah added that everyone already knows that the Kent St. project is having money problems due to parking replacement commitments, and we could already move forward with that information in hand. She believes the Babcock Street project could move forward on a parallel track, and added that Director Alison Steinfeld has been clear that resources are not a factor one way or the other.

Al Raine then made a motion of no action on WA 39 and that:

“The Planning Department conduct a study of Town-owned properties in Coolidge Corner, including but not limited to the Babcock Street lot, with specific attention to mixed-income housing;

That the study begin after the Housing Production Plan and its included studies are completed and incorporate information from those studies, as well as the Kent-Station project;

That the Coolidge Corner study be next in line once the Newbury Reuse and Chestnut Hill West studies have begun;

That the Department seek resources to enable all of these studies to be accelerated.”

After further discussion, Cliff Brown then **moved favorable action on WA 39**. Paul Saner clarified that if the motion failed, EDAB Co-Chairs would still send the sentiment of EDAB as reflected in Al’s motion to the Select Board. Al Raine seconded the motion. Regarding favorable action on WA 39, EDAB then voted by roll call vote (no: KL, DC, TN, PS, AR, AC, SS, MN, AM; abstained: CL, CB). The motion failed (0-9-2).

Warrant Article 25: EISD District Fossil Fuel Free Bylaw (continued discussion)

Kathleen Scanlon summarized the amendments that were made since the last EDAB meeting: the definitions were moved to the EISD section of the bylaw; language was adjusted about on-site infrastructure; and labs were exempted, matching WA 26 amended language. Additionally, the moderator requested that any term that is defined should be capitalized. The Advisory Subcommittee would be taking up this warrant article Thursday night, and the Select Board would be voting on Tuesday.

Ken Lewis noted at the end of WA 25, there is language that implies the Board of Appeals would be looking at whether projects were financially infeasible, and wondered whether that decision would be subject to the Planning Board guidelines anticipated in the amended WA 26 language. Following further discussion, Jesse Gray noted that the Planning Board could always write guidelines, but there is nothing in the amended language of WA 25 or 26 that requires those guidelines to be written prior to WA 25 being enacted. Paul Saner added that his push for guidelines in WA 26 was primarily because of concerns associated with substantial renovation.

Anne Meyers asked if WA 25 would be moot if WA 26 also passed. Jesse Gray replied that would only be the case if Town Meeting and the Attorney General passed both warrant articles. They anticipated WA 25 was much more likely to be passed by the Attorney General than WA 26.

EDAB then VOTED by unanimous approval (11-0-0) favorable action on WA 25 as amended, by roll call vote: (in favor: AL, CL, SS, AC, TN, DC, PS, CB, MN, KL, AM).

Warrant Article 26: Special Permit Fossil Fuel Free Bylaw (continued discussion)

Jesse Gray summarized their memo to EDAB. While they adjusted the lab exemption language, they decided in the end to not change the language defining work area. They added language about guidelines needing to be drafted and adopted by the Planning Board prior to enactment of the warrant article.

Derrick Choi asked for additional explanation on why the definition of work area was remaining the same as had been proposed in current WA 26 (which was a change from prior WA 21 to include new expansions in the calculation). Jesse Gray noted that ~~a~~ if they went with the definition of the building code for work area, ~~the requirements could be triggered for~~ a new addition of any size would not be covered by the new requirements if only a very small portion of the existing building were being retained. ~~Therefore, they decided to err on the side that only the area in the total rehab category would be considered for the trigger threshold.~~

In response to additional questions, Jesse Gray agreed that there would be no consequence if the Planning Board did not adopt guidelines by September 1st; the bylaw would simply not be in effect. The petitioners anticipated the Attorney General would approve the guidelines sometime between September and November. It is anticipated that the Planning Board would work on and approve the guidelines before knowing whether the Attorney General approves the article.

[Derrick Choi had to leave the meeting].

Ken Lewis thought it was really important that the Planning Board address the topic of financial feasibility in their guidelines, noting that these kinds of rules usually evolve over time to close loopholes (e.g., when the ADA laws were first enacted).

Jesse Gray then explained that earlier this evening he received communication that Town Counsel would be meeting on Thursday with Building and Planning staff due to concerns about the new exemption being proposed by the proponents in part (g), which attempts to address so-called Deadrick projects (existing and non-conforming single and two-families that propose to expand their non-conformity). He did not yet have language, but asked if EDAB were to make a motion, that they consider some flexibility.

Marilyn Newman thanked the petitioners for clarifying language around lab uses for both WA 25 and 26, as EDAB ~~was~~ just at the beginning stages of looking at expanding the allowance of lab use in Town. While that exemption may need some refinement in the future, she appreciated that for now that use was exempted. Since the last EDAB meeting, she has become more supportive of piloting fossil fuel free construction requirements in a particular district (as reflected in her vote on WA 25). However, she continues to be concerned about enacting this requirement in all districts, applied so broadly.

EDAB then VOTED favorable action by roll call vote (6-3-1) on WA 26, with the understanding that the so-called Deadrick exemption language would be subject to further refinement by Town Counsel (in favor: TN, AC, CL, AR, KL, PS; against: SS, MN, AM; abstained: CB).

Other EDAB Business

Kara Brewton announced the new hiring of Tom Barrasso, Director of Sustainability, starting May 3rd. Additionally, she anticipated being able to start the hiring process for the second Economic Development planner position in the next couple weeks (offer not to be prior to Town Meeting vote on budget and start date not to be prior to July 1st).

Sandi Silk updated EDAB on further development on setting up a panel discussion on retail and what Brookline could do to be more welcoming. This would include Convisor Associates and Graffito, and this

may be set up for the June or July EDAB meeting. Ken Lewis added that it would be helpful if this was the only main agenda item.

Meeting adjourned at approximately 8:25 pm.

Attachment – Language shown on screen during the Zoom meeting as Al Raine was outlining a motion on WA 39:

Al made a motion and Paul seconded: no action on WA 39, provided that EDAB convey to the SB our proposed language and that EDAB requests/encourages the SB consider the following:

- 1) PD to conduct a study on Town-owned prop in CC with sp. Attention to mixed in come housing
- 2) HPP completed. And incorporate Kent St. project information
- 3) Next in line once CH & Newbury begun
- 4) Resources for all these studies needs to be accelerated