

ARTICLE 10

TENTH ARTICLE

Submitted by: Neil Wishinsky, Steven Kanas, and David Lee

To see if the Town will transfer the sum of \$194,644, or any other sum, from the special appropriation under item 38 of Article 7 at the 2018 Annual Town Meeting to be expended under the direction of the Director of Planning and Community Development, with any necessary contracts over \$100,000 to be approved by the Select Board, to support the comprehensive planning efforts described by Article 26 of the November 2021 Special Town Meeting including data services and analysis to better understand the existing conditions of the built environment in Brookline.

Or act on anything relative thereto.

PETITIONER'S ARTICLE DESCRIPTION

Warrant Article 26 was adopted almost unanimously at the November 2021 Special Town Meeting, which simply put, asks the Planning and Community Development Department to begin Brookline's long overdue comprehensive planning process. In so doing, Town Meeting overwhelmingly concluded by a vote of 219 in favor, 2 no votes, and 4 abstentions, that "it would be in the Town's best interest to engage in a Town-wide, progressive planning and zoning reform project responding to the need for greater resiliency in the face of the climate emergency and pandemic disruptions, plus the critical need for equity, housing affordability, and business vitality."

Warrant Article 26 specifically requests that the Select Board, in consultation with the Director of Planning and Community Development, appoint a Planning Process Study Committee, for an inclusive, community-driven planning and zoning reform process, and that the Select Board endeavor to seek and provide adequate funding to retain all necessary consultants and additional planning staff to successfully complete the work of the Planning Process Study Committee and the implementation of its recommendations.

Funds to support the Planning Process Study Committee's work were not included in the Town Administrator's proposed budget for FY 2023. This warrant article seeks to correct that omission by reprogramming funds from an abandoned zoning reorganization project to provide the Department of Planning and Community Development with the resources to begin the planning effort that was overwhelmingly supported by Town Meeting by its near unanimous approval of Article 26.

The source of funds for this effort would be a reallocation of the Item 38 Special Appropriation passed at the May 2018 Annual Town Meeting for a study to reorganize the zoning bylaw. That project was abandoned after \$5,356 being spent. In any event, planning needs to occur before any major reorganization of the zoning bylaw is undertaken. This

reallocation is in support of a more comprehensive effort to solve the issue identified for solution in the original 2018 Annual Town Meeting appropriation.

SELECT BOARD’S RECOMMENDATION

Article 10 is an appropriation article, which seeks to redirect funds from a prior year CIP account into a new special appropriation. These funds would support the activities expressed in the 2021 Special Town Meeting Article 26 resolution, which asked the Select Board to appoint a Planning Process Study Committee to work with the Planning Department and other Town staff to develop a work program, budget, and scope for an inclusive, community-driven planning and zoning reform process.

The Board appreciates that the petitioners worked with the director of Planning and Community Development to find a compromise that would work within existing staffing and funding constraints.

A unanimous Select Board voted FAVORABLE ACTION on the motion offered by the Advisory Committee.

ROLL CALL VOTE:

Aye: Hamilton
Fernandez
Greene
VanScoyoc

Absent: Aschkenasy

ADVISORY COMMITTEE’S RECOMMENDATION

Recommendation:FAVORABLE ACTION by a vote of 20-0-0.

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| Executive Summary | WA 10 would make funding available to support the comprehensive planning efforts described in WA 26 from the November 2021 Special Town Meeting, including data services and analysis to better understand the existing conditions of the built environment in Brookline. The database work is a precursor to the planning effort that had been overwhelmingly adopted by Town Meeting in November 2021. However, no action has thus far been taken by the Select Board on implementing WA 26. |
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| Voting Yes will... | Make available approximately \$188,644 in previously-approved CIP funds that Town Meeting had appropriated to the Department of Planning and Community Development in 2018 to support a total reorganization of the Brookline Zoning By-Law but which have never been expended, to support the planning effort that was overwhelmingly adopted by Town Meeting in November 2021. |
| Voting No will... | Prevent the November 2021 WA26 mandate from being carried out. |
| Financial impact | The funds that are to be redirected for this purpose were allocated to the Planning Department in the 2018 CIP. Redirecting these funds for this purpose will have no effect upon the FY23 budget. |

Introduction

The May 2018 Annual Town Meeting adopted, in WA 7, an appropriation of \$200,000 in CIP funding to support an undertaking being requested by the then-Director of the Department of Planning and Community Development for a study to reorganize the Brookline Zoning By-law. That project was abandoned after \$5,356 had been spent, leaving a balance of \$194,644. The Petitioners seek to redirect these unspent funds to support a related undertaking – one that had been overwhelmingly supported (by a vote of 219 in favor, 2 opposed) at the November 2021 Town Meeting. The Petitioners explain that “Warrant Article 26 specifically requests that the Select Board, in consultation with the Director of Planning and Community Development, appoint a Planning Process Study Committee, for an inclusive, community-driven planning and zoning reform process, and that the Select Board endeavor to seek and provide adequate funding to retain all necessary consultants and additional planning staff to successfully complete the work of the Planning Process Study Committee and the implementation of its recommendations.” However, no action has been taken by the Select Board with respect to WA26 since its adoption nearly five months ago. WA10 would make these previously-approved but as-yet-unused CIP funds available to support the objectives of WA26.

Discussion

The Advisory Committee received more than fifty (50) e-mails from members of the public in support of WA 10. WA10 received unanimous support from members of the Advisory Committee. It was noted that the monies that had been previously allocated (in 2018) were intended to improve our zoning, and that’s what this WA will accomplish, but in a more thoughtful rather than in the simply mechanical way that had been originally contemplated in the 2018 allocation. The Planning Director advised the Committee that a small portion of the unused 2018 funds allocation, which she had estimated at about \$6,000, is currently being expended on work being undertaken by General Code, the contractor to the Planning Department, to update the online version of the zoning by-law. She advised that approximately \$6,000 less than the amount stated in Warrant

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Article 10 would thus be available. On the basis of this estimate, the Advisory Committee amended the dollar amount stated in WA 10 to \$188,644, representing the funds that would be available to support the comprehensive planning effort contemplated in the November 2021 STM WA26.

Recommendation

By a vote of 20-0-0, the Advisory Committee recommends FAVORABLE ACTION on WA 10 as amended.

VOTED: That the Town transfer the sum of \$188,644 from the special appropriation under item 38 of Article 7 at the 2018 Annual Town Meeting to be expended under the direction of the Director of Planning and Community Development, with any necessary contracts over \$100,000 to be approved by the Select Board, to support the comprehensive planning efforts described by Article 26 of the November 2021 Special Town Meeting including data services and analysis to better understand the existing conditions of the built environment in Brookline.

ARTICLE 10 ADVISORY COMMITTEE VOTES

| Article Description | Redirect funds for comprehensive planning |
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| AC recommendation (Favorable Action unless indicated) | 20-0-0 |
| Scott Ananian | Y |
| Carla Benka | Y |
| Ben Birnbaum | Y |
| Harry Bohrs | |
| Cliff Brown | Y |
| John Doggett | Y |
| Katherine Florio | Y |
| Harry Friedman | Y |
| David-Marc Goldstein | Y |
| Neil Gordon | |
| Susan Granoff | Y |
| Kelly Hardebeck | Y |
| Anita Johnson | Y |
| Georgia Johnson | Y |
| Alisa Jonas | Y |
| Janice Kahn | Y |
| Carol Levin | Y |
| Pam Lodish | Y |
| Linda Olson Pehlke | Y |
| Donelle O’Neal, Sr. | |
| David Pollak | Y |
| Stephen Reeders | |
| Carlos Ridruejo | Y |
| Lee Selwyn | Y |
| Alok Somani | Y |
| Christine Westphal | |
| Dennis Doughty * | |
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| * Chairperson does not vote except to break a tie | |