

Report of Capital Subcommittee of Brookline Advisory Committee

Submitted by: John VanScoyoc

Article 11: Brookline High School Project MBTA/Town of Brookline easement plan

On 3/19/19 the Capital Subcommittee met at 5:30 PM in room 308 of Brookline Town Hall. The attendance is at the end of this report.

ARTICLE 11 is submitted by the Select Board, with the following explanation (underlining added):

The planned expansion of Brookline High School includes the construction of a new school building situated on Cypress Street.

The design of the new building extends over the MBTA Green Line tracks onto property owned by the MBTA.

The Town has reached Agreement with the MBTA, wherein the MBTA will grant easements for the necessary air rights and ground rights to allow the construction of the new building.

In return, the Town will undertake certain improvements to the Brookline Hills MBTA Station, including replacement of MBTA parking area utilized by the new school building, making the MBTA Station accessible for people with disabilities and creating public accessibility to the MBTA Station from Brington Road. (Schematics at end of this report.)

The High School Project and the MBTA Station Improvements will require the Town to grant the MBTA certain rights and easements over certain portions of Town Property on Tappan Street and off Brington Road order to provide access to and egress from the MBTA Facilities for MBTA patrons and employees.

The Town, in turn, will acquire rights and easements over MBTA property, including air rights to extend the new building over the tracks. This warrant article will give the Select Board the authority to enter into a reciprocal easement agreements with the MBTA that will allow the High School Expansion project to proceed as planned.

BACKGROUND. BHS EXPANSION/RENOVATION :

Article 11 is necessitated by the multi-part/multi-phase expansion and renovation of Brookline High School. The portion relevant to Article 11 is the building project at 111 Cypress St.. The PSB describes the project as a 120,000 square foot new academic building planned for 700 students. The program includes general use classrooms, a library, physics labs, special

education classrooms, a cafeteria, a “white box” theater, administrative, and building support spaces. The construction timetable is:

- Site mobilization – June to July 2019
- Demolition – July to October 2019
- Foundations – September 2019 to January 2020
- Erection – January to May 2020
- Façade – May to December 2020
- Interiors – October 2020 to June 2021
- Landscaping – April to June 2021
- Occupancy - September 2021

As described by the Building Commission’s George Cole at our 3/19 hearing, the Article 11 exchange of easements will enable the MBTA to replace parking and access to the T tracks lost due to the air rights construction of 111 Cypress. Parking will be re-configured such that the 8 MBTA spaces will be relocated. The final configuration of the School Department and/or public parking spaces is to be determined.

In exchange for the MBTA’s granting of air rights, the 111 Cypress project will require the Town of Brookline to rebuild the Brookline Hills MBTA stop with replacements/improvements to accessibility, lighting, canopies, and signage. The estimated cost will be \$6 million, factoring in the added expense of construction around an active trackway. The new MBTA platform will accommodate 3-car trains.

A focus of comments from Brington Road neighbors, some of whom were represented in person or by email at the 3/19 hearing, is an Access/Egress Easement that will be granted to the MBTA, The immediately adjacent property is 19-21 Brington. (The easement pathway is labeled “South Path” on the first schematic at the end of this report.)

Kim Smith, 22 Brington Rd., submitted a letter citing traffic, safety and privacy concerns as to “steady streams of pedestrians going to and from the MBTA station and across Route 9, especially during the extended rush hour periods, as well as student athletes going to and from Brookline High School (BHS) to the fields across Route 9. The BHS expansion is guaranteed to exacerbate an already congested traffic situation at the junction of bottleneck traffic intersections at Brington and Cypress.”

John Dempsey said his Brington Road neighbors are generally supportive of the pathway access to the MBTA platform. He cited the importance of fencing and shrubbery to provide privacy for the abutter.

Lighting was also mentioned as something to be reviewed during the design process.

A letter signed by eight Pct. 6 Town Meeting Members offers input as to the Town's plans to rebuild and reconfigure the Brookline Hills T stop. The letter seeks "to improve the surrounding neighborhoods' access to the Brookline Hills station." The recommendations include:

- Improve plan details for pedestrian access.
- Improve pedestrian access to Tappan St. platform.
- Rethink the parking.
- Consider current and future needs in the design and sizing of sheltered waiting/ticketing areas.
- Ensure pedestrian access to/from Brington Road.
- Address bike parking.

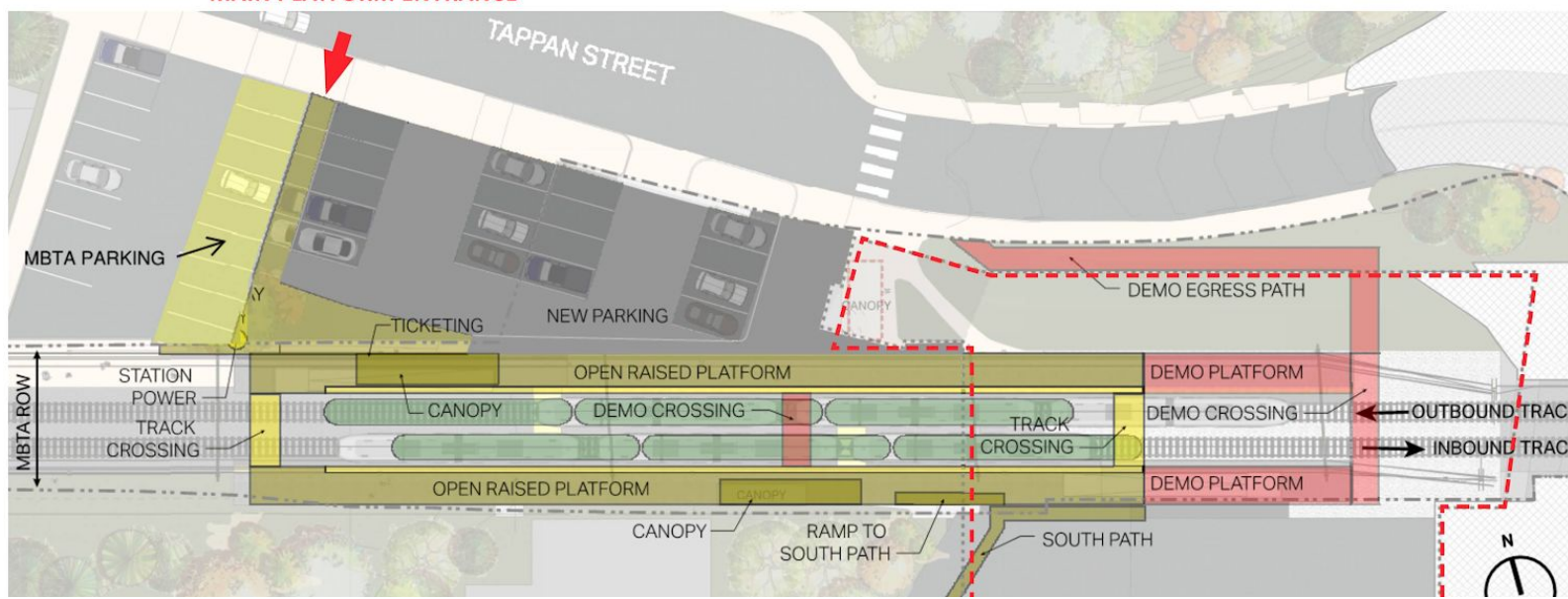
While recognizing that concerns over design and configuration of the Brookline Hills MBTA Station and the associated Brington Path are appropriate to address as those projects move forward, the subcommittee took note that the scope of Article 11 is limited to granting the Select Board the authority to enter into reciprocal easement agreements with the MBTA as required by the High School Expansion project. The subcommittee voted 4-1-1 to recommend a favorable vote on Article 11 as offered by the Select Board.

ATTENDANCE: The entire committee was present: Carla Benka (Chair), Amy Hummel, Pam Lodish, Harry Friedman, Cliff Brown and John VanScoyoc. Also in attendance were Peter Ditto, the Director of Engineering and Transportation; Ray Masak, Building Department; Erin Gallentine, Director of Parks and Open Space; Melissa Goff, Deputy Town Administrator; John Bain, Chair of the Parks and Recreation Commission; Nancy O'Connor, Vice-Chair of the Parks and Recreation Commission; Leigh Jackson, Acting Director of Recreation; George Cole, Building Commission; Justin Casanova-Davis, Assistant Town Administrator; Alisa Jonas, Advisory Committee; Kim Smith, Advisory Committee; Lynda Roseman; Scott Englander, Justin Casanova-Davis; Rosanna Cavallano; John Dempsey; and other unsigned members of the public were also present.

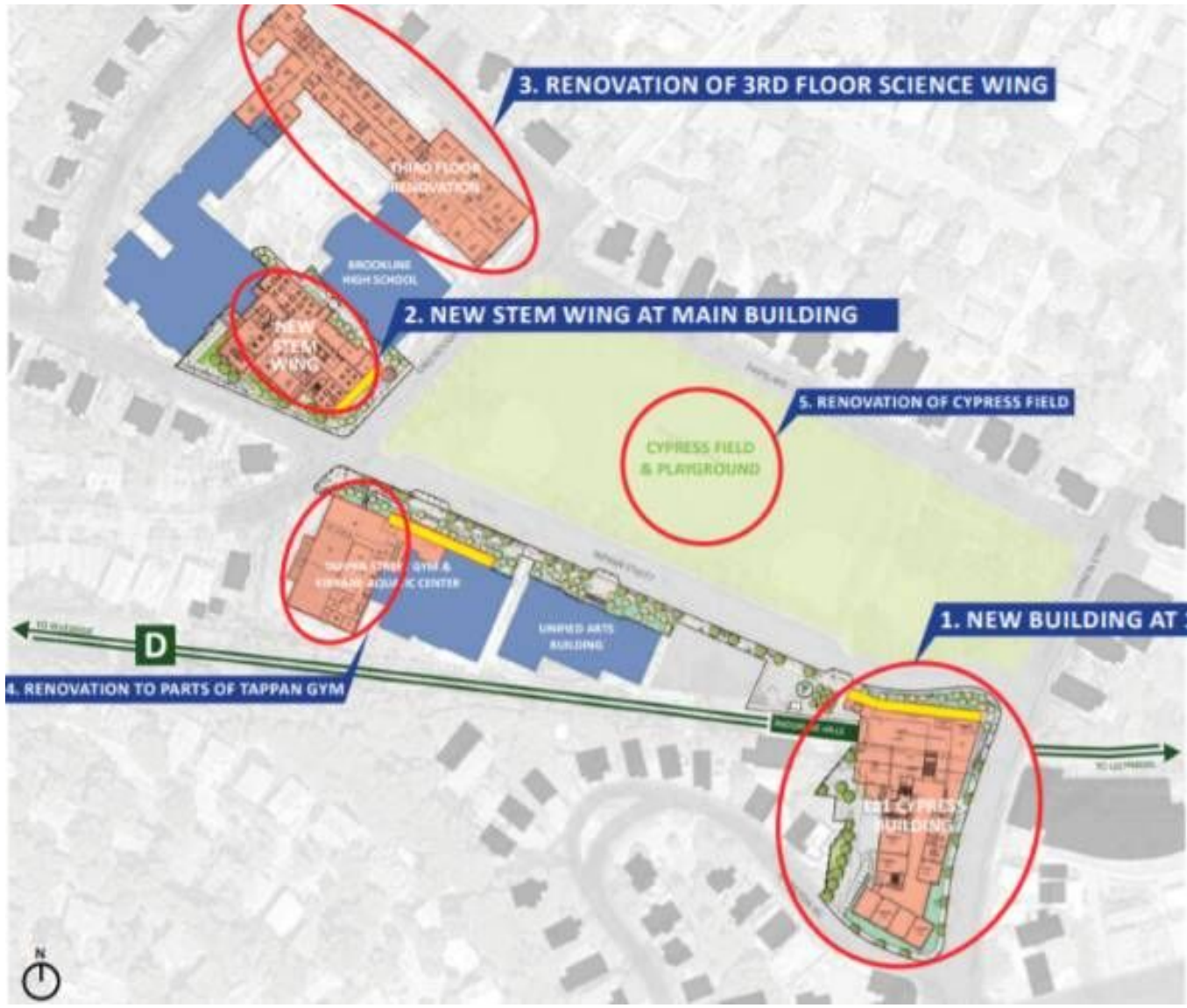
BROOKLINE HILLS MBTA PLATFORM - PHASING

Stage 4 – New platform & lot opened at full capacity

MAIN PLATFORM ENTRANCE







3. RENOVATION OF 3RD FLOOR SCIENCE WING

2. NEW STEM WING AT MAIN BUILDING

5. RENOVATION OF CYPRESS FIELD

1. NEW BUILDING AT 111 CYPRESS ST

4. RENOVATION TO PARTS OF TAPPAN GYM

THIRD FLOOR RENOVATION

BROOKLINE HIGH SCHOOL

NEW STEM WING

CYPRESS FIELD & PLAYGROUND

TAPPAN STREET GYM & CERAMIC ARTISTIC CENTER

UNITED ARTS BUILDING

111 CYPRESS BUILDING

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Capital Subcommittee
Warrant Article 12
April 4, 2019

The Capital Subcommittee held a public hearing on Article 12 on March 19 at 5:30 pm in Room 308. Attending the hearing were subcommittee members Cliff Brown, Pam Lodish, Amy Hummel, John VanScoyoc, Harry Friedman, and Carla Benka; Building Commission member George Cole; Deputy Town Administrator Melissa Goff; Assistant Town Administrator Justin Casanova-Davis; Director of Engineering Peter Ditto; Director of Parks and Open Space Erin Gallentine; Acting Director of Recreation Leigh Jackson; Building Department staff member Ray Masek; Park and Recreation members John Bain and Nancy O'Connor; Town Meeting members Lynda Roseman, Kim Smith and Scott Englander; Advisory Committee member Alisa Jonas; and members of the public Rosanna Cavallano, John Dempsey, and others.

Summary

Article 12 asks Town Meeting to authorize the Select Board to accept a grant of easement from Kenwood Investments LLC over portions of land located at 20 Boylston Street. By a vote of 6-0, the Subcommittee voted to recommend approval of Article 12.

Background

The developer of 20 Boylston Street (formerly Dunkin' Donuts) has received a special permit from the Zoning Board of Appeals to construct a mixed-use development. As a result of the design review process, the owner agreed to increase the width of the sidewalks on both Walnut Street and High Street by increasing the setback of the building and providing additional sidewalk area on the property. The developer also agreed to plant street trees on High Street and Walnut Street, subject to the approval of the Tree Planting Committee, and on Boylston Street, subject to the approval of MA DOT. The additional sidewalk area on Walnut and High Streets is necessary to accommodate tree planting and a safe pedestrian passageway. Article 12 provides the Town with a permanent, non-revocable mechanism for sufficient pedestrian access over the newly created portion of the sidewalk on the owner's property.

Discussion

Peter Ditto, Director of Engineering, noted that the easement was a condition of the Zoning Board of Appeal's granting a Special Permit for the development of the property.

A neighbor and member of the Design Advisory Team noted in an email that the easement "will provide wider sidewalks for better pedestrian access AND it will provide space for street trees. Both of these we [the neighborhood] consider to be public benefits, and will enhance the pedestrian experience along this stretch."

Recommendation

By a vote of 6-0-0, the Capital Subcommittee recommends Favorable Action on the Article.

**Brookline Advisory Committee: Capital Subcommittee
Report WA 30
Spring 2019**

On March 19th, 2019 the Capital Subcommittee met at 5:30 PM in room 308 of Brookline Town Hall. The entire committee was present: Carla Benka (Chair), Amy Hummel, Pam Lodish, Harry Friedman, Cliff Brown and John VanScoyoc. Also in attendance were Peter Ditto, the Director of Engineering and Transportation; Ray Masak, Building Department; Erin Gallentine, Director of Parks and Open Space; Melissa Goff, Deputy Town Administrator; Justin Casanova-Davis, Assistant Town Administrator; John Bain, Chair of the Parks and Recreation Commission; Nancy O'Connor, Vice-Chair of the Parks and Recreation Commission; Leigh Jackson, Acting Director of Recreation; George Cole, Building Commission; Alisa Jonas, Advisory Committee; Kim Smith, Advisory Committee; Lynda Roseman; Scott Englander; Rosanna Cavallano; John Dempsey; and other unsigned members of the public were also present.

Summary

WA 30 is a resolution asking Town Meeting to support a preliminary study to locate and operate an outdoor public swimming facility for Brookline residents.

Recommendation

By a vote of 6-0-0 the Capital Subcommittee recommends FAVORABLE ACTION on Warrant Article 30 as amended.

Public Hearing

Petitioner's Introduction: The committee heard from petitioner's who were largely motivated to submit the warrant article because Brookline is one of the few communities in the greater Boston area which does not have an outdoor swimming pool, and because in a survey done as part of the 2005 Parks and Open Space Comprehensive plan, respondents ranked the need for an outdoor swimming pool as #4 on their list of priorities. The petitioners also cited the possible acquisition of additional land by the Town in the near future as an additional impetus for submitting the warrant article now. Additionally the petitioner's noted Brookline's history as the first municipality in the country to build public baths in the 1800's.

Shared Documents: The petitioner's shared additional documents which showed: a suggested site for a pool in Brookline even if the Town did not acquire new land; areal photographs of Belmont and Needham public pools; estimates of operating costs and revenues of the Belmont and Lexington public pools; a list of Towns with public pools and their respective populations; and a breakdown of Brookline's population by income according to the U.S. 2017 Census. Petitioners sought to highlight that 11.4% of Brookline residents (approximately 7,000) live below the

poverty line, compared to 10% in the greater Boston area. Petitioners made the argument that the Town ought to provide a public pool to individuals who may not have the means to join a private pool or may not have another means of cooling off on hot summer days.

One of the sites the petitioner's initially proposed and provided photographs of was a portion of Larz Anderson Park currently used by the DPW for seasonal equipment storage year round. **A letter from the Commissioner of Public Works**, sent in response to the possible siting of a public pool near on the parcel, made clear how heavily the department and in-turn the Town relies on that property for equipment storage, and if the property were put to some other use the Town would have to find an alternative site, which would require it's own extensive public process and capital expenditures.

Public Comments: Deputy Town Administrator asked if the community pools provided as examples were CPA communities and received matching funds from the state to build their pools. Brookline has not joined the CPA (Community Preservation Act). The Director of Parks and Open Space highlighted the importance of balancing our resources and needs, and suggested that the Town might be better served if we looked at recreation needs more broadly in identifying recreation community space and consider the Town's year round recreation needs. To that end, the Chair of the Parks and Recreation Commission suggested that the Town needs a "First Class" Recreation Center and a broader feasibility study, rather than one limited to an outdoor pool. Though he welcomed the concept of a community pool, he pointed to other communities in the country with facilities that include indoor/outdoor amenities, ice rinks, gym facilities, ball cages, indoor habitrails and the like. The Vice-Chair of the Parks and Recreation Commission noted that the 2006 Master Plan had a long list of priorities, of which an outdoor pool was just one. She too supported a master plan with a larger vision for the Town. She also noted that the Town is a bit of a "ghost town" in the summer; whether or not an outdoor pool would be minimally used or be widely used, is worth some study. Additional speakers generally seemed to favor the concept of an outdoor pool.

Subcommittee Discussion

Although **generally supportive** of the concept, the subcommittee had many **concerns about the assumptions and arguments** petitioners presented in support of their WA. Specifically, the subcommittee noted that the table of neighboring towns and population with pools didn't include available acreage or town owned acreage, which is entirely relevant for a meaningful comparison. The operating costs and revenue for Belmont and Lexington were silent on capital costs, cost recovery, pricing, usage, other funding sources and whether sources revenue, such as costs for public parking or special events also generate revenue. The committee also wondered about whether the pools were heated or not, which would impact cost, use and the environment.

A subcommittee member also remarked that citing the census poverty level numbers was not entirely instructive since Brookline is home to many students who technically have incomes below the poverty level, but who are not living in poverty. The argument on its own was not viewed as a strong reason to build an outdoor pool. Another member suggested that the Town has other more pressing needs, citing anticipated school projects and the possibility that the Town may purchase the Newbury College site. The member suggested that perhaps the request for a pool or larger project ought to be weighed along with these needs, rather than in isolation. And, one member asked why the WA was silent on the outdoor pool in Cleveland circle. It is cheap if not free, available to all, and it seems to get very little use. (Petitioners responded that the pool has no shade, no play features or easy access into the pool for individuals with mobility issues, and chairs are not allowed in the fenced area.)

The subcommittee was ultimately unanimously supportive of the resolution, as amended. However, the subcommittee would have preferred to vote on a WA that included language supporting a broader study for a public recreational facility that might include an outdoor pool. Even if a larger, more comprehensive facility isn't immediately practical, a project the Town could expand over time might be the best course of action. There was general agreement that changing the WA to include such language would expand the scope of the article, therefore the committee decided to vote on the amended language, without expanding the scope, but with the understanding that the WA would not necessarily limit the scope of a study, and if it did, a complimentary WA at a future Town Meeting could offer a solution.

The Capital Subcommittee edits: The Capital Subcommittee suggested several editing and word-smithing changes to the warrant article, in an effort to clarify and focus the content.

Most significantly, the committee voted to remove the last three WHEREAS clauses.

- The committee removed the 11th original WHEREAS clause because it generally served to describe the current indoor pool deficiencies, which the committee generally felt unnecessary to make a strong case for a new, outdoor pool.
- The committee voted to remove the 12th and 13th original WHEREAS clauses because it felt they were unnecessarily prescriptive regarding citing options, which like original clause 11 detracted from the overarching goal of the warrant article calling for a preliminary study of locating and operation a public outdoor swimming pool.

Article 30 – As Amended by the Capital Subcommittee

Submitted by: Rosanna Cavallaro; Alisa Jonas, TMM16; Lynda Roseman, TMM 14; Irene Scharf, TMM 16; Maura Toomey, TMM 8

Resolution calling for a preliminary study of locating and operating a public outdoor swimming facility for Brookline residents.

To see if the Town will adopt the following resolution:

WHEREAS, the Town of Brookline has large populations of children and of elderly persons;

WHEREAS, good health and overall good quality of life for all residents is a worthy objective;

WHEREAS, swimming is one of the healthiest forms of exercise for all ages;

WHEREAS, outdoor community pools are opportunities for community-building;

WHEREAS, swimming outdoors can be a memorable experience of childhood;

WHEREAS, currently in Brookline, the only opportunities for outdoor swimming are limited to private settings;

WHEREAS, most towns in the Greater Boston area comparable to Brookline provide their residents with one – and sometimes more than one - outdoor swimming facility (for example, Needham, Newton, Natick, Wellesley, Waltham, Watertown, Milton, Belmont, Norwood, Framingham, Hingham);

WHEREAS, the Town of Brookline is the largest town in Massachusetts;

WHEREAS, surprisingly, the website [blog for Gohlke Pools of Denton, Texas](#) asserts that “[T]he first swimming pool was a **public pool** built in **1887** in Brookline, Massachusetts” and that “[P]ools such as this were great places to socialize, and they provided a way to escape the summer heat...”

WHEREAS, Brookline residents surveyed by the Town placed having an outdoor swimming pool high on their list of priorities for parks and open space;

NOW, THEREFORE, BE IT RESOLVED that Town Meeting calls for a preliminary study of locating and operating an outdoor swimming facility for Brookline residents, to be led by the Department of Parks and Open Space, at any location deemed appropriate to evaluate; with such initial analysis serving as preparatory for a more comprehensive study of feasibility to be initiated thereafter.

Submitted by Petitioners in response to a request from the Capital Subcommittee, for the full Advisory Committee to consider

Here is the breakdown of operating expenditures for Belmont (obtained from June Howell, Recreation Dept. Office Manager):

2020 Operating Expenditure Estimates*:

Staffing:	\$192,000
Electricity:	9,400
Water:	2,500
Maintenance:	60,000

Total Expenditure: \$263,900

(note: this is different from the number she quoted of 262,000. I had just taken her figures without rechecking the amounts, but came out with the different number when doing so.)

*Does not include indirect costs, such as Recreation Dept staff time apportioned to the pool.

Revenue: \$398,000 (includes memberships, daily passes, swim classes, swim teams, private lessons – I have emailed June to see whether she has specifics on how much is attributable to what and will call her tomorrow)

Net revenue projection: \$135,000

I had called Lexington last week to get breakdown of their expenditure approximates but the managerial staff members were all at a conference last week, and so I emailed them to obtain the data – am hoping that they can get back to me soon. I went online to look for the data, but there were no figures that I could find specifically for their outdoor swimming facilities (pool and reservoir).

The operating budget of \$300,000 includes pay for 65 lifeguards and swim instructors, the vast majority of whom are high school and college students from Lexington, which they believe is a benefit for the town.

Needham's new pool was open for 2 weeks last year so the Rec Director did not want to provide estimates for cost/revenue for the upcoming year.

Memberships:

It will be hard to compare memberships/utilization among public facilities, because the amount will vary depending on the quality of the facility. Belmont, Needham and Lexington would have been good comparables because their pools are either new or very recently renovated. But there is no data for Needham yet. See above for Belmont. Acc to cites to the pool complex on the Lexington website, 70,000-75,000 persons used the pool, which was also the number provided by the pool supervisor with whom I spoke. He said that figure included residents and non-residents. But I am wondering whether they mean "admissions" since Lexington only has 31,000 population. The supervisor also told me 1,000 people had swim lessons at the pool. He told me he did not have more utilization data, but I have nonetheless asked follow-up in email.

Re Capital Costs:

Spoke with Raul Silver, Deputy Engineer for DCR, who is responsible for pool construction for the State and also with Kevin Whalen, who is the former Deputy Commissioner. Both told me to estimate \$5 million for a new pool, including zero entry and play structures, bath house, filtration system, decking, and landscaping. But does not include parking. Also this amount is for a single 25 meter (competitive swimming size) pool. They also told me that the purchase of a bubble to make use of the pool year-round is \$350,000 capital cost plus \$50,000 annually to hire contractors to set up and break down fall and spring. Belmont's capital cost conforms with that amount, though it's \$5.4 million investment paid for 2 pools.

DCR built a new pool in Waltham 6 years ago. The capital cost came to \$6 million, but that included hazmat remediation on site and making the pool zero net energy, including purchase of solar panels.

CPA:

Belmont, Needham and Lexington are all CPA towns. Lexington used CPA funds for its renovation. Belmont paid for \$2 million of the \$5.4 million total cost of the new pool complex with CPA funds. (But Brookline's overall budget is twice that of Belmont). Needham used CPA funds for its new pool complex as well, but I dk yet how much.

As we noted at the meeting, the only statistically valid survey of Brookline residents for recreation parks, open space and rec needs assessment found that an outdoor pool was a high priority. So, just as with other capital projects carried out by the Town, this one would be funded without CPA funding and will not result in cost recovery, with funding determined based on a decision that the capital expense is worth it, given the benefit to residents. And unlike other capital projects, could result in annual net revenue.

Capital Subcommittee
Warrant Article 6
April 4, 2019

The Capital Subcommittee held a public hearing on Article 6 on March 19 at 5:30 pm in Room 308. Attending the hearing were subcommittee members Cliff Brown, Pam Lodish, Amy Hummel, John VanScoyoc, Harry Friedman, and Carla Benka; Building Commission member George Cole; Deputy Town Administrator Melissa Goff; Assistant Town Administrator Justin Casanova-Davis; Director of Engineering Peter Ditto; Director of Parks and Open Space Erin Gallentine; Acting Director of Recreation Leigh Jackson; Building Department staff member Ray Masek; Park and Recreation members John Bain and Nancy O'Connor; Town Meeting members Lynda Roseman, Kim Smith and Scott Englander; Advisory Committee member Alisa Jonas; and members of the public Rosanna Cavallano, John Dempsey, and others.

Summary

Article 6 is submitted to close out any Special Appropriations and/or rescind any unneeded Bond Authorizations. The Subcommittee recommends postponing a vote until after May 7th.

Background

An article similar to Article 6 is submitted each year by the Select Board to close out any Special Appropriations and/or rescind any unneeded Bond Authorizations.

Section 2.1.4 of the Town's By-Laws requires that each Annual Town Meeting include a Warrant Article to

- 1) show the status of all special appropriations to ensure that surplus funds, if any, are managed in a timely fashion;
- 2) identify the unused portion of borrowing authorization that requires rescission.

Discussion

There are two parts to Article 6. The first deals with Special Appropriations Closeouts. Under state statute, surplus funds for revenue-financed capital projects are transferred to free cash at the end of the respective fiscal year. Surplus funds from bond-financed capital projects are also transferred to free cash, unless they are appropriated under a Warrant Article by Town Meeting for a purpose similar to the original borrowing.

Attached to this report is information on the status of funds for capital projects (Special Appropriations) that are debt-finance or revenue-funded. No action is required if the surpluses are returned to Free Cash. The Comptroller has the statutory authority to close out the unexpended balances in the accounts.

The second part of Article 6 asks Town Meeting to rescind the bond authorization for a new HVAC system for the Driscoll School (Item #70 of Section 13 of Article 7 of the 2018 Annual Town Meeting) in the amount of \$4,000,000. Deputy Town Administrator Melissa Goff has suggested that any action to rescind the bond authorization be

postponed at least until after the May 7th Debt Exclusion vote. If the vote fails, the bonding authorization will be needed to purchase the Oak Street properties.

Recommendation

The Capital Subcommittee recommends postponing a vote until after May 7th.