

**Economic Development Advisory Board
Lab & Bio/Life Sciences Subcommittee
Minutes**

April 27, 2021

4:00-5:30 PM held remotely via Zoom

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

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|----------------|---|
| Cliff Brown | Y |
| Marilyn Newman | Y |
| Carol Levin | Y |
| Paul Saner | Y |

Staff present: Kara Brewton, Meredith Mooney

Guests: Steve Magoon, Director of Planning and Assistant Town Administrator, Watertown, MA.
Dr. Swannie Jett, Director Brookline Public Health Department

Attendees: Carla Benka, Lisa Cunningham

Paul Saner opened the meeting remotely via Zoom due to COVID.

Paul provided an overview to Steve Magoon of the subcommittee's work. He asked Steve to give his suggestions on how Brookline should build-out the licensing and regulations for lab use.

Steve:

Qualifies answer since he doesn't know what Brookline does or does not want to entertain for lab uses.

Watertown started with an Economic Development planning process, to understand where the town fit into the regional economy. It identified a niche for companies which started in Kendall Square but didn't want to continue to spend on high rents. These firms may eventually grow and move on, but that's okay. The town also identified areas where they wanted the development and growth to occur. They identified niches where they thought they wanted to growth to occur and life sciences bio-labs was one of those niches.

The above laid the groundwork.

Dr. Jett then joined the meeting and Paul suggested switching back to Dr. Jett and focusing on the licensing side of the conversation.

Paul: We are focused on recombinant RNA Bio-2 Lab with a small animal lab. Steve please tell us about how Watertown developed its regulatory and licensing structure.

Steve: As planners we did not try and be the lab regulator. Federal and state regulation of the industry are substantial. Watertown established a local committee to look at recombinant RNA issues. On planning issues, the focus is on broader technical issues: 1) Exhaust plumes from the buildings – and

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their directions. 2) Noise produced by roof top equipment. Need plenty of language to restrict noise levels and ability to revisit if noise become an issue. 3) Parking & loading requirements are distinct from office. Need less parking and more loading space. If multiple tenants may want extra loading area because they do not want to co-mingle loading areas. Bio-Safety Level (BSL) approvals are on a case-by-case basis. Most users willing to limit to BSL II.

Marilyn: New Watertown lab rules went to in effect in June of this year. The Bio Lab Safety Committee issues permits. Did this transition to the bio lab review committee create any issues?

Steve: Not directly involved as much in the BioSafety committee work. He has not heard of any big issues. Some early concerns about the regulations, but they have been modified – the committee heard and responded to concerns.

Carol: Was there a template for how formed/developed the role of the BioSafety Committee?

Steve: The BioSafety lab committee was developed by the public health director drawing on Lexington example and Watertown resident expertise.

Paul: Introduces to Dr. Jett the background on 10 Brookline Place. The subcommittee desires to have as an addendum to its report recommendations regarding regulations for the Town.

Dr. Jett: Reviewed Cambridge and Boston's history on permitting. The Boston scheme includes establishing a fee structure, an annual reporting system, a reporting requirement if there is a release, establishing a BioSafety Committee, and a town inspection function.

BioSafety committee makes recommendations to the public health commissioner. Develop a regulatory process to assure the public safety.

Dr. Jett has lots of experience in a health department with labs. He does not think a Level III or IV lab would be appropriate for Brookline, due to the density of population and development and concerns regarding how Town would respond if there was a release.

Paul: We want well vetted draft licensing regulations for our report. Looking at Watertown and Lexington is high on our list. How can we work together with the Public Health Department on developing this? If we come up with a solid draft, can you then help us by reviewing the draft?

Dr. Jett: He typically works with Jocelyn (Town Counsel) on rules/regulations. Paul: would like a report later this year. Would likely not implement in a few years. Would like something when start to engage with the owners of 10 BP later this year.

Kara: engagement with Jocelyn (Town Counsel) makes sense. People would probably be happy to respond to a draft from our committee.

Dr. Jett – be sure to look at Boston's regulations. They are more robust and include Level III & Level IV.

Paul: Owners of 10 BP may want a small portion of space as Level III.

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Dr. Jett – very leery of a Level III and Level IV. There is no 100% safeguard against a release. Even at the CDC there have been releases.

Marilyn: Regarding Watertown, the licensing process is disconnected from the permitting of the facility. How is this working?

Steve: In this environment where developers start permitting without a tenant, they cannot get into too much detail about the use. Developers either cannot answer questions or don't give answers they can stand behind it is a bifurcated process. The special permit process addresses whether the project goes forward at that location. The licensing process addresses safety.

Jett: Everyone needs to be involved in the process for total transparency.

Steve: If only a few properties in town, and a developer is building for a specific tenant then they can probably provide answers.

Paul: We haven't asked Bulfinch if they have a tenant, but if they do, they probably would not reveal it until the zoning is in place.

Does any of the existing public health advisory committee members have expertise in this space?

Dr. Jett will ask and find out.

Kara: Do the members of the public health advisory committee want to be involved in this early or wait until we have a first draft through town counsel.

Jett: I think you should discuss a draft after it is through Town Counsel with Public Health Committee.

Jett: Thinks will have a separate committee to deal with Bio Safety labs, hopefully with members having this particular expertise.

Dr. Jett left meeting.

Paul: Let's flip over more to the zoning side.

To Steve: Is lab an allowed use or is it by special permit?

Steve: By special permit with just a few exceptions.

Paul: What is Watertown's current thinking on FFF?

Steve: We haven't done anything about FFF. Require LEEDS Silver. Require solar panels on 50% of roof and 90% of structured parking. Encourage developers to go beyond this standard but haven't yet achieved.

Paul: Regarding the process of Special Permit, how meeting certainty and time requirements of the market?

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Steve: More complicated projects take more time, regardless of the process. Start process by having a meeting with applicants and the planning staff prior to starting an official process. When ready to start process, the developer submits documents, schedules a public meeting to describe project and get neighborhood input. Get early public feedback for developer to act on. Thinks getting input early is important. Also, early in the process have a meeting with all of the Town Departments and Citizen Committees that will be involved in the process. In general, most Special Permit projects go to the Planning Board and the ZBA in the same month. Sometimes if very complicated there is more than one meeting.

Paul: Any advice to getting community buy-in to lab as a use in the Town? How do we get the community to be understanding and supportive?

Steve: Having the BioSafety committee, going through its process to develop regulations, with citizen members has been helpful. The separate expert committee is useful.

Carol question regarding tax-exempt users in the Watertown market.

Steve: Arsenal campus was transferred to a private developer and then sold to Harvard. Negotiated a very good PILOT with Harvard. When sold to a private developer taxes went down.

Carol: Is it correct the lab licensing is the same whether an academic or private lab?

Steve: Yes.

Paul: How handle the head houses?

Steve: We have exempted them in the zoning. Require them to be screened, particularly as far as noise abatement.

Paul: Understand floor to floor 13.5' to 15', is that the Watertown experience.?

Steve: Yes, first floor frequently more.

Paul: Is there a sweet spot of FAR which is inducing lab development in Watertown?

Steve: Most special permits do not involve. Some developments are located in a special mixed use zoning district, which allows to the developer to increase height of a particular building without necessarily increasing FAR for the development.

Paul: Parking requirements?

Steve: One site is trying to reduce its parking, use tandem spaces. Before the Planning Board now with some skepticism on sufficiency of parking. Also have (require) a Transportation Demand Management plan. Experience to date shows labs are low parking demand. Brokers, lenders, developers say how much they need for parking, then a specific tenant will say we don't use it. Also, tenants have shuttles, bike programs, etc.

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Pre Covid experience has been limited. Reaching out to Boston for their experience. It has a maximum on its parking. ZBA has concerns at 0.7. Spaces. Using all provisions of a Special. Permit which allow a reduction in parking.

Also have a shadow parking provision, which requires developer to put in the parking if later found necessary. Frequently landscaped space or a deck of a parking structure. Makes public comfortable that there is a back stop, and the developer feels it is right-sizing parking.

Kara: Noise issues, is that an annual process?

Steve: It is an annual review by the planning/building department. It is not an annually renewing license. Most inspections are due to complaints.

Kara: Is a BioSafety license conditional?

Steve: It is granting you a license to make sure you are doing things appropriately, not to keep you out from a site.

Steve: one site has a single level of underground parking. High water table in Watertown limits what developers can do with underground parking.

Other models to look at: Cambridge, though remember it has a lot of resources, also look to Boston with the same caveat.

Lexington is a good resource. Watertown building inspector previously in Cambridge and is very familiar with what can do with noise issues.

Kara: Any community questions or concerns about vivarium?

Steve: We have tried to keep it out of the planning process and users have also kept it out of the planning process. Thinks that belongs at the regulatory level for the BioSafety committee, state, and federal regulations.

Paul: Have irregular hours of lab workers created any issues with abutting residential areas?

Steve: Occasional issue with building and parking lighting. Resolvable.

Paul: Regarding the economic development multiplier – do neighborhood businesses benefit?

Steve: Yes, but since during COVID it is hard to tell the amount. Some concerns that we are putting all are eggs in one basket (lab space). At some point some of the buildings will not find tenants.

Paul: Tax payments?

Steve at the higher end of the range.

Steve is thanked for his time and leaves the meeting.

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Voted approval of last minutes. Unanimous.

Paul: Two meetings in May: the 11th in the morning and 25th in the afternoon. No one scheduled yet. Paul is reaching out again to BU, Kara working on Somerville.

Carol suggested Waltham, but Cliff points out it is as dissimilar as Watertown to Brookline.

Lexington is a better comp and is a long-established lab market. Kara and Cliff spoke to Lexington about FFF. That is separate. From a discussion on what doing to promote/incentivize development. Lexington looking at up-zoning some of its historical lab areas.

Paul: Given the few sites in Brookline lab use will always be a negotiated transaction.

Carol: Can we find a community with a Special Permit process for a handful of sites?

Marilyn: Newton would be a good choice, only a limited amount of development in lab, though it is now accelerating.

Paul will look at reaching out to the chair of the Newton Economic Development Board and the Planning Director.

Kara will continue to reach out to Somerville.

Paul is targeting a draft outline of the committee's report by 5/25. At that meeting we should also discuss a timeline for the subcommittee's work.

Paul: Let's have the first meeting in May around BU, Newton, and/or Somerville. Will probably not de-brief with EDAB until July.

The meeting adjourned at 5:28 pm.