

DRAFT Select Board Climate Action Committee Minutes

August 24, 2020, 6 pm.

Meeting held remotely on Zoom due to COVID-19; hosted by Town staff Kara Brewton.
Meeting chaired by Nancy Heller.

SBCAC Members in attendance: Nancy Heller (co-Chair), Werner Lohe (co-Chair), David Lescohier (joined later in the meeting as noted below), Deborah Rivers, Don Weitzman, Michael Berger, David Pearlman, James Carr (joined later in the meeting as noted below), Alan Leviton, Kathleen Scanlon.

SBCAC Members not in attendance: Dan Bennett, Linda Olson Pehlke, Dr. Swannie Jett, David Gladstone

Staff: Kara Brewton

Guests in attendance included: Select Board member John VanScoyoc, Carla Benka, Lisa Cunningham, Jesse Gray, John Harris, Steve Heikin, Paul Saner, Diane Sokal, Cora Weissbourd.

List of materials sent ahead of time to Committee members included: draft 7/27/2020 meeting minutes; Black Lives Matter Statement document including main motion from Kathleen Scanlon & David Lescohier, comments from Linda Olson Pehlke & James Carr, and earlier drafts for reference; Letter presented to the Select Board on 8/11/2020, "Subject: Request for Select Board sponsorship of Fossil Fuel Free building Warrant Articles for this fall", signed by Lisa Cunningham, TMM 15 Cora Weissbourd, Brookline resident Jesse Gray, TMM 10; comment letter from Linda Olson Pehlke dated 8/19/2020; reference to Climate Action Plan from Alan Leviton that relates to the 8/11/2020 letter request for further developing energy efficiency guidelines for major impact projects.

List of materials emailed to Committee members hours prior to the meeting included a draft home rule petition, resolution, and zoning warrant article related to fossil fuel free construction (all dated 8/24/2020, authors including Jesse Gray and others not identified).

After making sure that Committee members could fully participate in the remote meeting, Nancy Heller opened the meeting.

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Approve July 27 Meeting Minutes

July 27 minutes, were approved by roll call vote. Those that voted in favor included Nancy Heller (co-Chair), Werner Lohe (co-Chair), Deborah Rivers, Don Weitzman, Michael Berger, David Pearlman, Kathleen Scanlon. Alan Leviton abstained.

Black Lives Matter Statement

Nancy Heller reviewed the document the Committee received ahead of time and thanked Kathleen Scanlon and David Lescohier for their combined draft. Kara Brewton shared the document and reminded members that Linda Olson Pehlke offered replacement language for the second paragraph and that James Carr had concerns that the statement dropped the specific reference to look at the history of racism within the environmental movement itself. James had also suggested to take specific action items in lieu of voting on a statement at this time.

[David Lescohier joined the meeting].

After further discussion, the Committee voted to replace the second paragraph with Linda Olson Pehlke's version and separated her last phrase into a separate sentence. Those in favor were Nancy Heller (co-Chair), Werner Lohe (co-Chair), Deborah Rivers, Don Weitzman, Michael Berger, David Pearlman, Kathleen Scanlon, Alan Leviton, David Lescohier. James Carr abstained as he joined the meeting at the very end of the discussion.

VOTED LANGUAGE:

Black Lives Matter Statement, Select Board's Climate Action Committee

The Brookline Select Board's Climate Action Committee stands in solidarity with the Black Lives Matter movement. We must look to the history of racism and exclusivity within Brookline, the killing of Ahmaud Arbery, Breonna Taylor, George Floyd, and countless others to help us recognize and understand how racism has increased the vulnerability of Black Lives, to not only police brutality, but also to the threats of climate change.

Too many Black Lives in Brookline bear the burden of increased vulnerability to environmental harms, whether through substandard housing, lack of access to resources or increased health impacts from pollution. These disproportionate impacts must be mitigated.

It is our responsibility to speak and act to end racism and repair the harm it has done to individual lives, to communities, the country, and to the planet. We cannot create a sustainable world without justice, social equality, economic opportunity, and a healthy environment.

There is no climate justice without racial justice.

[James Carr joined the meeting during the voting].

Further discussion of specific action items the Select Board Climate Action Committee could take on included:

- Utilizing the Town's GARE consultant to actively recruit for a more diverse membership
- Sometime over the next six month host a listening session

Kara Brewton offered to contact Lloyd Gellineau regarding the first item.

Conversation also included letting Erin Gallentine, Parks Director, know about perceptions from some in Brookline regarding the Urban Forestry Plan. At least one resident thought that this was not a priority topic for people of color. Kathleen Scanlon will forward that message to Erin Gallentine and copy Kara Brewton. A couple SBCAC members noted that more outreach to different types of community groups may be helpful as urban forest relates to urban heat islands and public health. Other members noted the August 23rd Boston Globe article where residents are fighting to keep the street tree canopy along Melnea Cass Boulevard, noting that the plan to remove the trees would be environmental racism.

Kara Brewton will post the Black Lives Matter statement on the SBCAC webpage and then individual members may forward the statement to anyone they think would be interested.

Discussion and potential recommendations to the Select Board prior to the Select Board's meeting regarding the request by Lisa Cunningham, Cora Weissbourd, and Jesse Gray related to Fossil Fuel Free Buildings

Nancy Heller started the conversation by noting that in addition to the original letter presented to the Select Board on August 11th requesting they take several actions including directing staff to incorporate, as soon as possible, building electrification and other specific sustainability measures explicitly into the review criteria for Major Impact Projects, Jesse Gray released just hours prior to the SBCAC meeting specific Town Meeting actions that further flesh out the August 11th letter. These drafts all relate to fossil fuel free buildings and include a home rule petition, a resolution for the state to take action, and a zoning warrant article that includes public benefit incentives.

In addition to SBCAC members and Kara Brewton, Nancy Heller called upon Jesse Gray and Steve Heikin to join the conversation. Points made during discussion included:

- The action vote this evening just needed to show general support, as the SBCAC makes policy recommendations to the Select Board and the Select Board would be discussing these items on August 25th, prior to the warrant article deadline.
- By taking actions such as the home rule petition, state petition, and zoning incentives bylaw, Brookline would be joining 12 other Towns in working with the Rocky Mountain Institute to further pressure the state in taking action related to fossil fuel free construction.
- Deborah Rivers specifically noted that Warrant Article 21 as passed last Fall was too punitive, and that any action needed to be incentive based; she was reluctant to even endorse the Home Rule Petition that would effectively revive Warrant Article 21 at the legislature.
- Very few cases that the Planning Board hears trigger Major Impact Project review, and while Planning staff could further develop a checklist that fleshes out the review guidelines, significant changes to those guidelines would need to come back to Town Meeting for approval. Kara Brewton noted that a letter from the Planning & Community Development Department to the Select Board late last week was just released hours earlier, but did support working on these guidelines – but noted that the Select Board would need to recognize that this prioritization would then further the development of the long-awaited Site Plan review development, which includes tree protections as recommended by the Tree Protection By-Law Committee.
- With regards to the action item in the Climate Action Plan “Establish a streamlined and fast-tracked permitting process as well as reduced or eliminated needs for new construction and major

renovations that include renewable energy or energy efficiency features,” Committee members had differing viewpoints on whether, and how, that should be accomplished. Kara Brewton reminded the SBCAC that that item wasn’t up for a vote at this meeting and that action would like follow site plan review development, including tree protections.

The SBCAC by (9-0-1) roll call vote (in favor included Don Weitzman, Kathleen Scanlon, Alan Leviton, Werner Lohe, Michael Berger, Deborah Rivers, David Pearlman, David Lescohier, Nancy Heller; James Carr abstained)

VOTED:

The SBCAC recommends that the Select Board should sponsor the Home Rule Petition.

The SBCAC by unanimous roll call vote (in favor included Don Weitzman, Kathleen Scanlon, Alan Leviton, Werner Lohe, Michael Berger, Deborah Rivers, David Pearlman, David Lescohier, Nancy Heller, James Carr)

VOTED:

The SBCAC recommends that the Select Board should instruct the Planning Department to incorporate Fossil Fuel Free construction into the Design Review process for Major Impact Projects.

The SBCAC by unanimous roll call vote (in favor included Don Weitzman, Kathleen Scanlon, Alan Leviton, Werner Lohe, Michael Berger, Deborah Rivers, David Pearlman, David Lescohier, Nancy Heller, James Carr)

VOTED:

The SBCAC makes the following recommendation: The Select Board should sponsor a resolution as drafted urging state action on Fossil Fuel Free buildings.

There was significant debate on how much detail the Committee felt comfortable supporting with regards to the Zoning Bylaw draft; several noted they did not understand fully the potential impact of the zoning incentives but a majority felt comfortable dealing with those issues after the warrant article deadline closed and in concert with zoning experts.

- Nancy Heller was concerned about the Floor Area Ratio (FAR), height, and parking relief being proposed in the zoning article, especially the parking. Deborah Rivers, on the other hand, noted that she would support the parking provision but would object to the FAR and height – she believes there are other more creative incentives, including fast-tracking permitting.
- Jesse Gray noted that Somerville has an incentive to reduce the required minimum size of units [which Brookline does not have except for affordable units] in exchange for Passive House standards and that Acton has a FAR bonus of 0.05 [Jesse said 5% in the meeting, but the Acton By-Law appears to read as a ratio increase of 0.05 – and this is in exchange for LEED certification¹], but that provision has never been utilized.
- Incentives could be reduced following the Town Meeting warrant article deadline
- Kathleen Scanlon noted that Melrose and Wellesley are also looking to make zoning changes related to this topic
- Steve Heikin noted the zoning is a stop gap - once the state takes more action, later zoning changes could lower these incentives; James Carr added that the Town could also consider a sunset provision.

¹ <https://www.acton-ma.gov/DocumentCenter/View/659/2018-Zoning-Bylaws?bidId=>

- Deborah Rivers noted that all-electric buildings are not necessarily more energy efficient or all renewable, and do not take into account embodied carbon. James Carr agreed with Deborah, but on the other hand noted that for example on Beacon Street, this would only apply to maybe 8 properties, and that the net effect of incentivizing more multifamily units would help meet other Town goals.

The SBCAC by (8-0-3) roll call vote (in favor included Don Weitzman, Kathleen Scanlon, Werner Lohe, Michael Berger, David Pearlman, David Lescohier, James Carr; votes against were Nancy Heller, Deborah Rivers, and Alan Leviton)

VOTED:

The SBCAC recommends that the Select Board sponsor a warrant article, as discussed, amending the Zoning Bylaw to provide incentives for Fossil Fuel Free construction.

As part of this vote, Alan Leviton noted he would like to see more study before being asked to vote on the zoning. Don Weitzman noted as part of his vote that he thought there should be a sunset provision to the zoning.

Nancy Heller then asked Steve Heikin whether the Planning Board was permitted to first consider fossil fuel free projects prior to reviewing other projects. Steve Heikin said they could look at their Board's guidelines and let the SBCAC know.

[Time ran out prior to any Staff or Committee member updates].

SBCAC members realized the next scheduled meeting, September 28th, would overlap Yom Kippour. Kara Brewton will send out a doodle poll including a preference for September 21st (although this will be staffed by an administrator for minutes as Kara cannot make the 21st). The meeting was adjourned at 7:47 p.m.