

**Moderator's Committee**  
**Update on the Recommendations of the Brookline Fiscal Advisory Committee**  
**(BFAC)**  
**Second of Three Semi-annual Reports to Town Meeting**

**APPENDIX 3 Reference Materials**

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**Part 1. Town Administrator Memo and Progress Report/Chart  
dated March 1, 2022**

**BFAC MC Progress Report a.o February, 2022**  
**Select Board**

For each BFAC recommendation, enter the status of your review by entering a number from 0 to 3 as defined below:

0 =	no substantive discussion of the recommendation at a public meeting
1 =	had a substantive discussion of the recommendation at a public meeting but reached no decisions
2 =	as a result of discussions at a public meeting, decided to accept recommendation; progress is detailed in meeting minutes
3 =	as a result of discussions at a public meeting, decided to reject recommendation; explanation of why is detailed in meeting minutes

	<b>BFAC Recommendation</b>	<b>Status</b>	<b>Meeting Date(s)</b>
1	Performance management	2	See TA Memo
2	Financial review & budget	0	See TA Memo
3	Warrant article development	0	See TA Memo
4	AC structure and skills	0	See TA Memo
5	Change audit firms and partners	3	1/18/2022
6	Key program evaluation	2	See TA Memo
6.1	Investment analysis	0	See TA Memo
6.2	Metrics for prioritization	0	See TA Memo
6.3	Zero based budgeting	0	See TA Memo
7	SB Responsibilities	0	See TA Memo
7.1	Lead by example	0	See TA Memo
7.2	Clarify financial authority	0	See TA Memo
7.3	Increase transparency	2	
8	Revisit Town-School Partnership	1	2/11/22 TSP Meeting
9	Capital planning	1	
10	Financial Improvement Plans	0	See TA Memo
11	FIP assessment and reporting	0	See TA Memo
12	New economic development	0	See TA Memo
13	Minimum reserves	2	2/15/2022
13.1	Unassigned fund balance	2	2/15/2022
13.2	Annual Stabilization Fund budget	2	2/15/2022
13.3	Stabilization fund level	2	2/15/2022
13.4	Total reserves	2	2/15/2022
14	Maximum Debt policy	0	See TA Memo
14.1	Minimum at Moodys A level	0	See TA Memo
14.2	Moody's AA level by FY36	0	See TA Memo
14.3	Full disclosure of borrowings	0	See TA Memo
15	Strategic override plan	0	See TA Memo
15.1	Broadest range of uses	0	See TA Memo
15.2	More information to voters		
15.3	End piecemeal approach	0	See TA Memo
15.4	Include reserve maintenance	0	See TA Memo
16	Single Town-School financial model	0	See TA Memo

17	Annual Moody's scorecard review	2	
18	Require TMM financial training	2	

**MEMO TO:** Moderator's Committee on the Recommendations of BFAC

**FROM:** Mel Kleckner, Town Administrator

**SUBJECT:** Narrative Commentary

**DATE:** March 1, 2022

I have again offered to submit a narrative addressing a BFAC Progress Report on behalf of the Select Board. The basic spreadsheet intended to assign one of four status grades and specific references to Select Board meeting discussions/decisions is not an effective measure of progress in these areas, in my view. While some of the items in the BFAC report are clearly policy related, many of the issues raised by BFAC are administrative or managerial in nature. The Select Board meets dozens of times per year with their agendas loaded with controversial and important issues of the day, including pandemic related actions, racial equity, carbon emissions and climate change, and transparency and engagement in town government operations. Most of last year was dominated with dual Select Board committees around policing. It is unrealistic, in my opinion, to expect the Select Board to spend substantial time during their weekly meetings to address (or re-address) many of the detailed recommendations in the BFAC report.

As you know, the Town Administrator Act establishes the Town Administrator position as the Town's Chief Administrative Officer with broad responsibility in the areas of finance and administration. As Town Administrator, I have been clear with both BFAC and the Select Board of my support for the fundamental focus of BFAC's recommendations, notably enhancing the capacity for performance management and program evaluation, strengthening the Town's financial reserves and other financial indicators consistent with Aaa bond rated communities, and opening up the Town's budgeting processes to more community input. The Select Board relies on its Town Administrator and professional staff to work towards these policies and this narrative is intended to provide you with progress in these areas, regardless of whether the Select Board has met to discuss and vote upon them. Please find below my narrative related to recommendations of the BFAC, especially the draft comments as part of the Town Moderator's Committee next update to Town Meeting.

**Recommendation 1- Performance Management:**

It is inaccurate to state that the Select Board has not prioritized resources to support enhanced performance management that would "address the structural deficit". As you know, addressing the structural deficit is a very big and complex problem that cannot be solved solely with better data and decision making. With the availability of American Rescue Plan Act (ARPA) funding, the Select Board approved funding and we have already hired a grant manager who also serves as a budget analyst for the Town. This is one of two budget analysts that I have identified as necessary to make a difference in the Town's performance management, program evaluation, and financial improvement plans for discreet areas of town programs and services. Unfortunately, during this same timeframe our Finance Director relocated and I assigned current Assistant Town Administrator to serve in that position for an acting capacity. We hope to fully take advantage of the increased staffing capacity once this position is backfilled.

**Recommendation 2- Financial Review and Budget Summits:**

The report confirms that the Town School Partnership (TSP) is a unique and responsive mechanism to foster communication and collaboration between the Select Board, School Committee and Advisory Committee. While the focus of all discussions are related to the annual budget allocation process, we have begun to discuss the structure and other goals of the body, including the merits of more formal budget summits. The School Superintendent and I have drafted a new Memorandum of Agreement that proposes the incorporation of TSP into the budget process as codified in the Town's By-Laws and/or Town Administrator Act. I have not personally heard skepticism on the merits of budget summits, but admittedly we have not fully addressed this specific recommendation. I also consider the budget educational forums that I have conducted as essential building blocks to creating more effective public engagement and input of budget priorities and tradeoffs.

**Recommendation 3- Warrant Article Development:**

I previously reported that the Select Board discussed a formal process to require more consistent and robust analysis by petitioners of warrant articles. A proposal prepared by Select Board member Bernard Greene was eventually not adopted because of the state law that guarantees consideration of petitioned warrant article proposals of ten registered voters without conditions. Instead, the Board considered this proposal as guidance for potential petitioners. Ultimately, the most effective mechanism to guarantee compliance will be consistent rejection of proposals by the Advisory Committee and Town Meeting that do not meet these evaluation standards. The Board did not believe a new committee would be effective at resolving this situation but is supportive of the Advisory Committee's and Town Moderator's efforts at structural changes.

**Recommendation 4- Advisory Committee Structure and Skills:**

I concur with the Committee's comment that the Select Board has not taken this matter up and is deferring to the Town Moderator and Advisory Committee for leadership in this area.

**Recommendation 5- Auditor Rotation and Scope:**

The Board previously considered but did not adopt the requirement of changing the audit firm on a regular basis. The Board renewed the current agreement, but will require that the audit partner be rotated. It was noted at this year's Audit Committee meeting with the Select Board that this issue could be reconsidered when the existing contract comes due again.

**Recommendation 6- Program Evaluation:**

Please see my response to Recommendation #1

**Recommendation 7- Select Board Fiscal Leadership Responsibilities:**

I sense that individual Board members would disagree with the Committee's assessment that it does not lead by example in establishing improved financial decision making. In addition, the composition of the Select Board has and will continue to change each year. As a result, it would not be accurate to assume there will be no discussion of this topic in the future. This year, the Select Board assigned its members to various departments to support the public communication of their budgets. While these are not formal subcommittees, they do represent a beginning on empowering individual Select Board members to exert budgetary and financial leadership.

I appreciate the comments of the Committee with respect to progress made on budget education, on-line access, and transparency.

**Recommendation 8- Town School Partnership:**

Please see comments under Recommendation #2.

**Recommendation 9- Capital Planning:**

Studies to inform the longer term needs of the Town's capital assets are critical. Assets including buildings, roadway systems, parks and open spaces, and specialized fleet all require expert and objective analysis necessary for effective capital planning. In terms of staff resources, I would have the same response as Recommendations # 1 and 6.

**Recommendations 10 and 11- Financial Improvement Plans (FIPs):**

Although the term FIP is not common in government finance, the concept of performing detailed review of existing or proposed revenues and expenses (programs) using standard cost and benefit analyses is understood. In order to develop a consistent and sustainable approach to this effort, we will require staffing resources as discussed in Recommendations #1, 6 and 9.

**Recommendation 12- Aggressively Pursue New Economic Development:**

Development in a community as densely populated in Brookline is an extremely contentious and time consuming endeavor that must be balanced with other priorities and interests. The Committee's response suggesting that the Select Board has no interest in exerting leadership on economic development is subjective and simplistic. I believe the Select Board understands the budgetary benefits of economic development and have responded effectively when EDAB has recommended action. I acknowledge the FY 2023 budget decisions have prioritized other immediate funding needs in the Planning department.

**Recommendation 13- Maintain Minimum Reserves:**

Continued progress has been made in these set of recommendations including the following summary in the FY 2023 Budget Message;

“The Town's fund balance from FY 2021 was healthy, part of a strategic plan to bolster reserves necessary to retain the Town's Aaa bond rating. The unreserved fund balance certified by the state is referred to as Free Cash, and this amount is used by the Town solely for reserves and capital expenditures. For FY 2023, a total of \$14.2 million in Free Cash has been certified. About \$6.1 million of this amount will be allocated to preserve fund balance while another \$6.8 million will fund the town's Capital Improvement Plan. The balance is then allocated to various operating and special reserve funds of the Town in accordance with formal fiscal policies. I am pleased to report that the Town is on track to increase its ratio of reserves to 10% of revenue, which is the accepted minimum rate for Aaa-rated communities.”

**Recommendation 14- Establish a Maximum Debt Policy**

While our financial policies dictate that the Town’s debt burden should never exceed 6% per capita, it was never anticipated that so many large-scale capital projects such as school building replacement would be funded outside the Proposition 2½ property tax levy limit. As of FY 2023, debt financed within the tax levy is relatively low at 3%, but when added to \$350 million of “excluded” debt, this pushes the overall per capita costs to 11%. The current CIP, which assumes more large-scale projects being added to the mix, is unsustainable. I encourage the consideration of BFAC’s recommendations for setting maximum levels, although frankly this concept is not well understood. I concur with the recommendation to be transparent about all current and future debt regardless of whether this debt is within or outside the Proposition 2½ tax levy limit.

**Recommendation 15- Strategic Override Plan**

At this time, I believe the Select Board intends to continue the current practice of establishing ad hoc override committees that recommend specific levels, purposes and other conditions associated with tax overrides. I don’t agree with the statement that the Select Board is unlikely to consider the BFAC’s recommendations. In fact, I believe any override committee and process established by the Select Board will consider BFAC’s recommendation within 15.1-15.4.

**Recommendation 16- Single Town-School Financial Model**

No additional comment.

**Recommendation 17: Annual Review of Moody’s Scorecard**

No additional comment.

**Recommendation 18: Require Town Meeting Member Financial Training**

No additional comment.

cc: Members of the Select Board

**Part 2. Advisory Committee Progress Report/Chart**

**BFAC MC Progress Report a.o February, 2022  
Advisory Committee**

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	<b>BFAC Recommendation</b>	<b>Status</b>	<b>Meeting Date(s)</b>
2	Financial review & budget	2	
3	Warrant article development	3	
4	AC structure and skills	2.5	
6	Key program evaluation		
6.1	Investment analysis	2	
6.2	Metrics for prioritization	2	
6.3	Zero based budgeting	0	
9	Capital planning	2	
13	Minimum reserves		
13.1	Unassigned fund balance	2	
13.2	Annual Stabilization Fund budget	2	
13.3	Stabilization fund level	?	
13.4	Total reserves	2	
14	Maximum Debt policy	1	
14.1	Minimum at Moodys A level	1	
14.2	Moody's AA level by FY36	1	
14.3	Full disclosure of borrowings	0	
16	Single Town-School financial model	1	
17	Annual Moody's scorecard review	1	
18	Require TMM financial training	2	

**Part 3. Audit Committee Chair Bernard Greene Memo and Progress Report/Chart**

**BFAC MC Progress Report a.o February, 2022  
Audit Committee**

For each BFAC recommendation, enter the status of your review by entering a number from 0 to 3 as defined below:

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	<b>BFAC Recommendation</b>	<b>Status</b>	<b>Meeting Date(s)</b>
5	Change audit firm and partners	see notes	
5	Expand Audit Scope	see notes	

Change Audit Firm: deferred until end of contract

Rotate Partner: 2

Expand Scope: See attached response

## Audit Committee Response to Moderator's Committee Request

**BFAC's recommendation is twofold: to periodically change audit firms and audit partners and to expand the scope of the audit to include a review of managerial as well as financial accounting issues.**

### **UPDATE:**

#### **Change the Audit Firm**

The Committee met on December 16, 2021, and had further discussions of issuing an RFR for audit services once the current contract expires but did not set a time for doing so and it did not commit to changing auditors.

#### **Rotate Audit Partners**

The Committee discussed whether to ask Powers & Sullivan to rotate partners on the Brookline account. The Committee agreed to ask Powers & Sullivan to rotate the partner on the account beginning with FYE June 30, 2022, and the Comptroller reports that Jim Powers will do the Brookline Audit.

#### **Scope of the Audit**

The Audit Committee's initial response to BFAC's recommendation "to expand the scope of the audit to include a review of managerial as well as financial accounting issues" has not changed. Below are the Committee's previous response and the explanations.

##### **A. Financial Controls and Policies**

"monitoring internal adherence to financial controls and policies" (Summary). This was considered but not accepted:

The Auditor evaluates certain financial controls and policies of the Town, such as the appropriateness of accounting policies used and the presentation of the financial statements. But the overall responsibility to ensure adherence to financial controls and related policies is undertaken by the Comptroller. Evaluation whether the Comptroller is performing these responsibilities adequately would not be the Auditor's job but an undertaking of a separately engaged consultant.

##### **B. Town and School Internal Controls**

"conduct a sufficiently inquisitive review of the Town and School's internal controls" (Summary). This was considered but not accepted:

It is unclear whether a "sufficiently inquisitive review" of internal controls differs from the examination of internal controls currently a part of the Auditor's engagement. The Auditor performs a review of internal controls related to the financial statements and a Single Audit pursuant to the federal OMB Administrative Guidance regulation.

In my report to the Select Board on January 18, 2022, I noted the following that is also responsive to this recommendation and lists the reports on internal controls that the Auditor currently prepares:

Powers & Sullivan also prepared a Report on Federal Award Programs, required by the federal Office of Management and Budget's Uniform Guidance regulations for entities that expend federal funds more than \$750,000, a Management Letter, that reviewed the Town's financial controls for the purpose of designing its audit and identifying deficiencies, material weaknesses, or significant deficiencies in internal controls and opportunities to strengthen internal controls and additional Required Supplemental Information.

### **C. Compliance with Policies and Credit Agency Ratios**

“consider requesting the audit firm apply appropriate procedures in testing compliance with key policy and credit agency ratios” (Recommendation). This was considered but not accepted:

These are non-audit tasks that the Audit Committee does not believe are appropriately included in the scope of services of the Auditor. Powers & Sullivan suggested that these are tasks that can be performed by an independent consultant or the Town's financial advisor. Such an entity would have to look at the quantitative data collected by the rating agency and use its judgment to determine, looking at the data as a whole and its relative weight, as is the method used by the rating agencies, whether the Town deserves its current triple-A rating or whether there are threats to the rating that the data may suggest are on the horizon.

**Part 4. School Committee Progress Report/Chart**

**BFAC MC Progress Report a.o February, 2022  
School Committee**

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	<b>BFAC Recommendation</b>	<b>Status</b>	<b>Meeting Date(s)</b>
1	Performance management	0	has not been discussed.
2	Financial review & budget	1	TSP 2/11/22 (also SC capital subcommittee 2/8/22)
6	Key program evaluation		
6.1	Investment analysis	2	SC policy 2/14/22 (financial analysis of sustainability policy WRT food services impact); also e.g. ongoing SPED review, middle school review, science review
6.2	Metrics for prioritization	2	SC budget guidelines voted 12/02/21 - made multi-year to allow for long-term prioritization
6.3	Zero based budgeting	1	Initial efforts towards ZBB for FY22; ongoing discussions with new staff to implement long-term. OBB being explored e.g. SC Finance 2/23/22 WRT financial assistance policy
7.3	Increase transparency	2	SC and staff have worked closely to improve quality of budget materials for FY23 (see FY23 preliminary budget as a first step in these improvements)
8	Revisit Town-School Partnership	1	SC discussed TSP at SC 2/17/22 - awaiting revised TSP MOU draft
9	Capital planning	2	SC voted (09/23/21) to submit CIP request for capital strategic plan to inform larger planning (denied for CIP, awaiting ARP decision). SC is committed to much better understanding of our capital needs, including repair and maintenance (SC finance 12/15/21; SC capital 12/14/21)
10	Financial Improvement Plans	2	SC is looking at financial improvement on capital projects e.g. Pierce use of historical building, and staff looking at improvement on e.g. transportation, medical reimbursement (SC finance 2/23/22, SC 2/3/22 or 1/20/22)
11	FIP assessment and reporting	1	New PSB budget book will have a section on capital improvements which would provide for this kind of reporting
16	Single Town-School financial model	0	has not been discussed since new administration joined
17	Annual Moody's scorecard review	0	has not been discussed.

**Part 5. EDAB Memo dated February, 2022**

### **Recommendation 12 - New economic development**

(Note: the other BFAC recommendations on the EDAB spreadsheet are not direct EDAB responsibilities, and therefore are not included)

For each BFAC recommendation, enter the status of your review by entering a number from 0 to 3 as defined below:

#2 - as a result of discussions at a public meeting, decided to accept recommendation; progress is detailed in meeting minutes.

On October 4, 2021, EDAB unanimously voted to accept the [Lab Report](#), including its recommendations for appropriate zoning and public regulatory infrastructure to make new economic development possible.

At the Select Board's November 9, 2022 meeting, several members of EDAB presented the Report recommendations and timeframes as summarized below. Where applicable, the current status is included.

- A new zoning use definition for Research and Development Laboratory should be proposed by the Planning Department to Town Meeting in the Fall of 2022. This should encompass a broad range of possible uses including:
  - Biotechnology, medical, engineering, scientific, technology, computer science, and similar “21st century industries.”.
  - Biotechnology uses would be limited to Biosafety Levels (BSL) 1 and 2.
  - This use would ONLY be allowed by special permit in major commercial corridors in G, O and certain overlay districts.
- The creation and commencement of a [10 Brookline Place Study Committee](#) should occur by January 2022.

This was accomplished, and the Committee will be negotiating the parameters for the redevelopment of this site to laboratory use for Select Board followed by Town Meeting approval in the Fall of 2022.

- A new Bio-Safety public health general by law should be offered to Town Meeting for approval in the Fall of 2022. The bylaw would:
  - Establish a framework for Town oversight, licensing, and monitoring of public health and safety aspects of life science laboratory operations.
  - Require the establishment of a Brookline Biosafety Advisory Council
  - State that “nonhuman primate” animal research is not allowed.
  - Outline parameters for a future regulatory scheme for operations of life science facilities with a licensing process for BSL 2 Laboratories.

Note that after the new Public Health Commissioner is on board, the Planning Director will convene an internal meeting to review the above EDAB recommendation.

- A series of sequential corridor zoning studies, beginning in fiscal year 2023 and starting with the Chestnut Hill West district, should be funded and incorporated into the FY23 budget.
- The Select Board, the Town Administrator and the Planning Department should continuously pursue opportunities identified in the 2019 Major Parcel Study, with a focus on large non-profit owned properties with commercial redevelopment potential.

Below is the requested update on other subsequent issues referenced in the MC's August 4, 2021 Report. This update relates primarily to resources, both staff and Select Board capacity.

The vacant Economic Development / Long Term Planning position was filled in late August. The division had another unexpected vacancy in October when the Economic Development Director was appointed Planning Director. That vacancy has been posted with first round interviews anticipated to begin early this Spring. Another resource issue, Select Board capacity, was addressed in the case of the 10 Brookline Place Study Committee. That Select Board - appointed and charged committee has no Select Board member.

The MC report also expressed concern over limited resources in the event the Town were to undertake Comprehensive Planning.

EDAB held two public hearings in the Fall of 2021 related to Article 26, which was significantly amended, to begin an initial planning process for future Comprehensive Planning, with important conditions. At its second hearing, the following change in the resolution was cited as an important prerequisite:

*“...adequate funding to retain all necessary consultants and additional planning staff to successfully complete the work of Planning Process Study Committee and the implementation of its recommendations.”*

EDAB members also commented on the need for Select Board leadership for comprehensive planning to be successful.

On November 2, 2022, EDAB's Co-chairs sent a letter to the Select Board explaining the Board's Article 26 resolution: (citations in italicized quotes):

*“...a call to “examine the 2005 Comprehensive Plan with a view towards determining how a future comprehensive plan could be more effective”. This change was cited as important since the previous Comprehensive Plan has not advanced economic development in town. Several EDAB members expressed concern over the impact that a Comprehensive Planning process may have on “corridor studies including Lower Boylston and the planned Upper Boylston study... and other ongoing planning studies”. The Board felt that these should not only “continue without impediment” but that*

*recommendations from those studies should be implemented, if that is the will of a future Town Meeting, even if Comprehensive Planning is still in process.”*

**Part 6. Planning Board Progress Report/Chart**

**BFAC MC Progress Report a.o February, 2022  
Planning Board**

For each BFAC recommendation, enter the status of your review by entering a number from 0 to 3 as defined below:

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	<b>BFAC Recommendation</b>	<b>Status</b>	<b>Meeting Date(s)</b>
3	Warrant article development	2	several - Fall 2021
4	AC structure and skills	0	
7	SB Responsibilities	0	
7.1	Lead by example	2	several - Fall 2021
7.2	Clarify financial authority	0	
7.3	Increase transparency	0	
12	New economic development	2	several - Fall 2021

Note: The responses above relate to the Planning Board's introduction of a Warrant Article proposing to reduce residential parking requirements for Fall Town Meeting. This article was adopted in modified form, in a "compromise" version that reflected language from a similar citizen-initiated Warranted Article.

### Recommendation 3. Warrant Article Development

To the extent permissible, reform the warrant article development, review, and implementation process to enable consistent, transparent, robust analysis and reporting of each article’s short-term and long-term costs and benefits; to discourage financial appropriations made outside the annual budget cycle; and to take into consideration the limitations of staff time and volunteer resources.

Recommendation 3 was motivated by BFAC observing that “warrant articles often have budgetary impacts that are not well understood when they are voted on by various committees and by Town Meeting and often trigger an opaque process (rather than transparent discussions) about which other priorities will see reduced funding to compensate.” BFAC recommended that the Select Board create a committee that would include (at least) Town Meeting Members who are not members of the Advisory Committee to consider Recommendation 3.

Select Board has not deliberated Recommendation 3, and has not created this committee.

Advisory Committee and the Moderator are currently exploring ideas to change how the Advisory Committee reviews warrant articles, such as by changing its subcommittee structure and workflow. They anticipate implementing these changes in time for the Advisory Committee’s warrant article reviews associated with the Fall 2021 Special Town Meeting. These changes might achieve some of Recommendation 3’s objectives, and the BFAC Moderator Committee will explore this in its next report (Spring 2022).

1 Planning Board expressed concern that citizen initiated zoning changes, while generally well-intended, create a significant diversion of time and resources from the core workloads of the Planning Department as well as various committees.

# Summary of Comments on BFAC MC Report 8.4.12 FINAL.Planning Board.pdf

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Number: 1 Author: abignami Subject: Highlight Date: 2/7/2022 10:01:27 PM -05'00'

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Author: Steve Subject: Sticky Note Date: 2/23/2022 11:41:41 AM -05'00'

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The PB concern includes the process by which proposed zoning changes are reviewed -- whether citizen-initiated or by town boards or committees. The extensive hearing process often results in proposed changes to the WAs, which result in further rounds of meetings. All of this does indeed divert Planning Department staff from their primary workload, which includes review of and proposed changes to the zoning bylaw, such as the Multi-family study, which has been sidetracked due to competing priorities including warrant article review.

## Recommendation 12. Aggressively Pursue New Economic Development

Aggressively pursue new economic development to increase the vibrancy of the town's economy, generate new property tax revenues, minimize the burden on residential taxpayers, and expand payment in lieu of taxes (PILOT) revenues. To this end, enact zoning changes to incentivize new development and encourage increased density in designated areas. A significant commitment to strategic planning and public education will be necessary to achieve this goal.

EDAB unanimously endorsed Recommendation 12 and wrote to SB encouraging it to also endorse it, copying AC. SB did not respond. EDAB is focused on enhancing tax revenue through new real estate development initiatives but is deeply concerned that several challenges are impairing implementation:

- Slow execution of 2005 Master Plan: Of the four mixed-use corridors identified for economic development by 2015, only one study has been started. As a result, the Town remains in a reactive posture, unable to generate significant economic development beyond one-off parcels proposed by developers.
- Understaffing: The Planning Department is significantly understaffed to carry out the work necessary to support accelerated economic development.
- Outdated zoning: Many commercial developers stay away from Brookline because present zoning is inadequate for financially feasible redevelopment and seeking one-off zoning changes is expensive, time consuming, and risky.
- Reactive versus proactive political support: EDAB would like SB to more aggressively review and commit to economic development efforts that a majority can support, and be more engaged in driving them to realization. needs.
- Unsettled politics: The lack of consensus around high-density mixed-use development (that includes residential) along the mixed-use corridors will delay and/or prevent implementing a long-term economic development strategy for organic new tax growth development. There is concern that the current citizen-led effort in favor of a new town-wide, neighborhood-based comprehensive planning and zoning study will result in further delays of new economic development.

<sup>1</sup> Planning Board is deeply involved in the practical realities of economic development projects as they advance through regulatory review. They may decide to take up strategic questions, such as proposing zoning changes, to become more proactive. They expressed similar concerns about developer uncertainty resulting from our outdated zoning bylaw. They suggested that Brookline establish a commercial linkage program to generate more public benefits.

Select Board Member John VanScoyoc chairs the Boylston Street Corridor Study. However, the Select Board does not appear interested in taking more of a leadership role, appears uninterested in BFAC Recommendation 7 of naming a Select Board Member to lead on economic development, and has apparently not advocated strongly in its budget discussions to add staff to the Planning and Economic Development Department that would facilitate/accelerate this agenda.

Author: Steve Subject: Sticky Note Date: 2/23/2022 11:44:24 AM -05'00'

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The PB does not concur with the reference to the zoning bylaw being "outdated" -- in this paragraph and in the bullet point above headed "Outdated zoning." We acknowledge that it is, in places, unclear and/or contradictory, but we generally find it to be an adaptable and useful working document. The zoning bylaw might be more properly considered (from a developer's point of view) as too restrictive, such as in terms of height, FAR, and parking requirements. The reduction in residential parking requirements approved by Fall Town Meeting addresses one of these major issues.

**BFAC Recommendation No. 12: New Economic Development (NED)****Planning Board Response: Actions Involving/Incentivizing NED**

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**Note:** The actions listed below generally involve zoning changes – either implemented or proposed. While many of the items below were not initiated by the Planning Board, the Board has provided extensive guidance and positive recommendations enabling these initiatives to proceed and be implemented. Other actions which would encourage new economic development or increase town revenues, such as expanding PILOT revenues, are not under the Planning Board’s jurisdiction. Another opportunity to increase revenues that has been previously discussed, and would again be worth serious consideration, would be to establish a Real Estate Transfer Tax.

**Previous and Recent Actions****Accepted/Implemented**

- Housing Production Plan 2016 (most recommendations not implemented)
- Major Parcel Study 2018 ~~(Implementation?)~~
- Review and Approval of numerous 40Bs - ongoing
- Emerald Island Overlay Zoning
- Waldo-Durgin Overlay Zoning
- Newbury/Welltower Overlay Zoning
- Reduction of Parking Requirements in TOD
- Elimination of Commercial Parking Requirements
- Reauthorization of Micro-Units and Senior Housing throughout Town
- Legalization of ADUs
- Legalization of STRs
- Adoption of CPA

**Considered/Not Implemented**

- Zoning Bonuses (FAR/Height) to encourage FFF Development
- “Plus One” Strategy linked to FFF development/Conversion
- Commercial Linkage Program
- Modification of existing PBI incentives for height and FAR to make them more consistent and more usable
- Beacon Street Design Guidelines Subcommittee (on hold)

**Current Actions and Anticipated Implementation Timeframe**

- Multifamily Study (increase in FAR?) – Spring 2022 Town Meeting
- Boylston Street Corridor Study -- East (Zoning) — ~~2021 Fall Town Meeting~~
- Consideration of Reduced Parking Requirements by Special Permit – Fall ’21 TM
- Consideration of Increased FAR by Special Permit – Spring ’22 TM?
- Elimination of Residential Parking Requirements (Citizen Petition – Fall ’21 TM?)

**Upcoming Actions**

- Boylston Street Corridor Study- West (Zoning) — ~~Spring 22 TM~~
- Parking Study – Winter 2022
- Housing Production Plan Update – Spring 22 Town Meeting

**Part 7. CTO&S Liaison Sean Lynn-Jones memo dated Feb 25, 2022**

## **Toffel, Michael**

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**From:** Lynn-Jones, Sean M. <sean\_lynn-jones@hks.harvard.edu>  
**Sent:** Friday, February 25, 2022 12:37 PM  
**To:** David Pollak  
**Cc:** Jean Berg; Abby Cox; Richard Benka; Betsy DeWitt; Ian Roffman; Sean\_Lynn-Jones@alumni.harvard.edu; Bohrs, Harry; jberg@winsor.edu  
**Subject:** Committee on Town Organization and Structure Update on BFAC Recommendation 4

Dear David,

This is the response of the Committee on Town Organization and Structure (CTO&S) to the BFAC Moderator's Committee's request for an update on the status of how CTO&S has considered BFAC Recommendation 4.

CTO&S met on February 23 to discuss its response to the BFAC Moderator's Committee. On November 3, 2021, CTO&S had discussed possible surveys related to BFAC's recommendations for the Advisory Committee. On September 1, 2021, CTO&S had received an update on how the Advisory Committee was responding to BFAC Recommendation 4. The July 8 and August 4, 2021, CTO&S meetings also discussed BFAC Recommendation 4. In September and October 2020 CTO&S discussed Article 29 of the November 2020 Town Meeting at several meetings. That Article incorporated elements of BFAC's Recommendation 4.

CTO&S did not think that entering a 0, 1, 2, or 3 in the "status" box would adequately describe that status of BFAC's Recommendation 4, for the following reasons.

First, the November 2020 Town Meeting vote on Article 29 can be seen as an indication of Town Meeting's preferences on BFAC's Recommendation 4. Town Meeting by a large margin voted for an Article 29 motion that did not accept the idea of having an Advisory Committee that consisted of "apolitical" experts who are not Town Meeting members. The vote on the Article 29 amendment (moved by John Bassett and incorporating an amendment by Stanley Spiegel) that would require the Advisory Committee to have at least one Town Meeting member from each precinct (where practicable) was 149 in favor, 59 opposed, and 14 abstentions. The Article 29 motion also included bylaw amendments that reflected aspects of BFAC's Recommendation 4: the number of Advisory Committee members who are not required to be Town Meeting members has been increased from eight to ten, and the Advisory Committee has been given the flexibility to offer a report instead of a recommendation on some Warrant Articles. As of February 2022, the bylaw amendments in the Article 29 motion had not yet been approved by the Attorney General's Office. CTO&S was involved in the process of reviewing Article 29 and would prefer to allow some time to assess the effects of

Article 29 before considering further changes to the composition and duties of the Advisory Committee.

Second, the Advisory Committee has been changing some of its procedures for considering Warrant Articles and reporting to Town Meeting. Those changes reflect some aspects of BFAC's Recommendation 4. CTO&S plans to keep informed of the impact of these changes. Any discussion of further changes should be deferred until there has been time to assess the existing and planned changes, including changes that the new Advisory Committee chair may implement.

Best wishes,

Sean M. Lynn-Jones  
Member  
Committee on Town Organization and Structure