



**WARRANT ARTICLE EXPLANATIONS  
FILED BY PETITIONERS FOR THE  
NOVEMBER 19, 2013 SPECIAL TOWN MEETING**

**ARTICLE 1**

Submitted by: Board of Selectmen

This article is inserted in the Warrant for every Town Meeting in case there are any unpaid bills from a prior fiscal year that are deemed to be legal obligations of the Town. Per Massachusetts General Law, unpaid bills from a prior fiscal year can only be paid from current year appropriations with the specific approval of Town Meeting.

**ARTICLE 2**

Submitted by: Human Resources

This article is inserted in the Warrant for any Town Meeting when there are unsettled labor contracts. Town Meeting must approve the funding for any collective bargaining agreements.

**ARTICLE 3**

Submitted by: Board of Selectmen

This article is inserted in the Warrant for any Town Meeting when budget amendments for the current fiscal year are required.

**ARTICLE 4**

Submitted by: Thomas Vitolo

It is expected that Brookline will debate a number of new tobacco control policies in the next few years. Smoking restrictions in public parks or near the Brookline High School may be debated, as might prohibitions in dormitories, public housing, or lodging houses. Policies restricting the use of e-cigarettes and flavored tobacco may be pursued. Prohibiting tobacco advertisements in store windows or even displaying the product itself within stores may warrant consideration. These potential changes in Brookline's tobacco policy will require substantial debate.

**This warrant article does not seek any change in Brookline's tobacco control policy.**

Brookline has been at the forefront of tobacco control, recognizing the harm that tobacco use inflicts on both smokers and non-smokers alike. In 1982, Brookline Town Meeting required that 25 percent of the seats in large restaurants be reserved for non-smokers. In 1987, that requirement was increased to 50 percent. Brookline bars and restaurants went smoke-free in 1994. Brookline phased out smoking in

taxis and liveries in the mid-1990s. In the same period, the Town phased in smoke-free hotel and motel rooms, ratcheting up the minimum requirement of smoke-free rooms from no minimum to the current minimum requirement of 90 percent. Within the past few years, the Town Meeting has voted to prohibit medical and educational facilities from selling tobacco, and to increase the purchasing age to 19 years old.

**This warrant article does not seek any change in Brookline's tobacco control policy.**

Because the Brookline tobacco control policies have been modified so many times over the past thirty-plus years, the tobacco control by-law (Article 8.23) is riddled with language which is no longer appropriate. Language detailing how restaurants and bars will transition to smoke-free, and the accompanying waiver process, need no longer be included. The fraction of taxis and liveries which must be smoke-free by a series of specific dates is not required because they are now all required to be smoke-free. The portion of the by-law detailing the circumstances by which employees can request that their employer create a smoking lounge expired before some Brookline residents now old enough to purchase tobacco products in Town were even born.

**This warrant article does not seek any change in Brookline's tobacco control policy.**

This is a housekeeping article that seeks to remove impotent and no-longer-relevant language from the by-law. The segments of Article 8.23 rendered moot by Town or state legislation that has broadened smoking prohibitions as well as by the simple passage of time have been deleted. Because the state law has been modified over the years as well, there are portions of the Town by-law which are more permissive than state law; those portions of the Town by-law must be made as restrictive as the Massachusetts General Laws if the complete set of revisions is to be approved by the Attorney General. This is why *Membership Associations* is added to the list of definitions, and why the workplace smoking prohibition exemptions in private residences, membership associations, and hotels are made explicit. These definitions and exceptions come directly from M.G.L. c. 270 s. 22, and are necessary for Article 8.23 to comply with state law. This warrant article also corrects the current tobacco control by-law's inconsistencies in spelling and numbering.

**This warrant article does not seek any change in Brookline's tobacco control policy.**

**ARTICLE 5**

Submitted by: Police Chief

In November 2011, the Special Town Meeting approved a new Article 8.30 of the Town's By-Laws proposed by Police Chief Daniel C. O'Leary providing for fingerprint-based criminal background checks of persons seeking a Town license to conduct certain occupational activities within the Town. The occupations included in the By-Law were liquor licensees and their managers, hawkers and peddlers, taxi

cab operators, door-to-door solicitors, second-hand dealers, automobile dealers, and ice cream truck vendors, as they are positions of trust involving interacting with vulnerable populations such as children and the elderly, gaining possession of the property of others, or assuming control of premises selling alcoholic beverages. Fingerprint-based criminal history checks permit searches of criminal histories utilizing the FBI's database, and therefore are national background checks into an applicant's federal and state criminal histories. Without fingerprint-based criminal history checks, licensing-related background investigations are limited to an applicant's Massachusetts criminal history. Federal law permits the FBI to assist with national criminal record background checks for municipal licensing purposes only when based on fingerprints and only for municipalities that have enacted a local law authorizing the FBI to do so. In addition, in 2010, the Massachusetts legislature amended the CORI law to authorize municipalities to enact by-laws permitting the FBI to assist with fingerprint-based national criminal record background checks as to such occupations that the by-law specifies. In February 2012, the Attorney General's Office approved Article 8.30 of the Town's By-Laws.

In November 2012, Massachusetts voters approved an initiative petition entitled "Law for the Humanitarian Use of Marijuana" (now codified at St. 2012, c. 369), legalizing the production and distribution of medical marijuana. In May 2013, the Massachusetts Department of Public Health (DPH) issued regulations now codified at 105 CMR 725 establishing a process by which it will entertain applications and issue registrations to medical marijuana treatment centers (once registered, medical marijuana treatment centers are called "registered medical dispensaries," or "RMDs"). Under 105 CMR, RMD board members, directors, employees, executives, managers and volunteers must themselves be registered with DPH, and they are precluded from doing so if they have a conviction for a felony drug offense anywhere in the country. In addition, under its regulations, DPH must determine whether applicants for registration are "suitable" by considering convictions, guilty pleas, pleas of nolo contendere or admissions of sufficient facts under any state, federal, military, territorial or Indian tribal authority criminal law, whether a felony or misdemeanor. However, RMDs must send to DPH Criminal Offender Record Information (CORI) reports that reflect Massachusetts offenses only. DPH will depend on RMDs to self-report relevant offenses under federal and non-Massachusetts law.

DPH's regulations explicitly permit "lawful local oversight and regulation" that do not "conflict or interfere with the operation of 105 CMR 725." Two other warrant articles related to medical marijuana regulation are before this Special Town Meeting. The first proposes Zoning By-Law amendments regulating RMD siting and certain facets of RMD operations. The second proposes a local licensing scheme for RMDs and annual inspections to assure the RMDs' compliance with legal requirements, such as those regarding security (DPH's regulations permit but do not mandate annual inspections). This proposed amendment to Article 8.30 of the Town By-Laws seeks to complement the second warrant article by providing potentially highly-relevant information regarding an applicant's suitability for a new Town RMD license, under the same strict protections and policies applicable to fingerprint-based criminal background checks now conducted on other types of license applicants. As with other licensing-related fingerprint-based criminal

background checks the Town conducts, these would only be conducted on a one-time basis in connection with an application for a new license (and not for renewals). The proposed by-law amendment provides that fingerprint-based criminal background checks be conducted on the RMD licensee itself (as is now done with the other licensees the by-law now lists), as well as the RMD's managers, officers, directors and executives (the DPH regulations define "executive" to mean the chair of the board of directors, chief executive officer, executive director, president, senior director, other officer, and any other executive leader of an RMD).

Medical marijuana is new to Massachusetts. Some of the expressions of interest the Town has received from potential RMDs have been from medical marijuana businesses that have already established themselves in other states. Given these circumstances, it would promote public safety to assure that national criminal background checks are conducted on businesses and their executives seeking to set up shop within the Town. Amending Article 8.30 to add RMDs and their executives, directors and managers will permit the Town to do so.

## **ARTICLE 6**

**Submitted by:** Board of Selectmen

In November 2012, with voter approval of an initiative petition entitled "Law for the Humanitarian Use of Marijuana" (now codified as St. 2012, c. 369), Massachusetts became the nineteenth state to legalize the production and distribution of medical marijuana. The law defines a "medical marijuana treatment center," or "registered marijuana dispensary" ("RMD"), as a Massachusetts not-for-profit entity registered under this law that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses or administers marijuana products containing marijuana, related supplies or educational materials to qualifying patients or their personal caregivers. The law delegated to the Massachusetts Department of Public Health ("DPH") responsibility for formulating implementing regulations. It permitted DPH to issue registrations for up to 35 RMDs (with a minimum of one in each county and a maximum of five in any one county) during the first year after the law takes effect, and an additional number subsequently as DPH may deem sufficient to meet patient needs.

In May 2013, DPH adopted regulations that are now codified as 105 CMR 725. The regulations contain detailed provisions regarding the qualification and operating requirements applicable to RMDs. They permit RMDs to cultivate, manufacture, dispense and transport medical marijuana and marijuana-infused products ("MIPs") from the site. Under the regulations, RMDs are restricted-access locations that may dispense medical marijuana to qualified patients and their caregivers bearing DPH-issued registration cards. They may not sell products other than marijuana, MIPs, vaporizers and other products that facilitate the use of marijuana for medical purposes. There are detailed security requirements applicable to the RMD and related property, such as vehicles. While the regulations permit DPH to conduct inspections, they do not require that it do so on any regular basis. The regulations explicitly permit "lawful local oversight and regulation, including fee requirements" that do not "conflict or interfere with the operation of 105 CMR 725."

The May 2013 Annual Town Meeting adopted a Zoning By-Law provision establishing a one-year moratorium on the siting of RMDs within the Town to afford the Town time to establish a framework for regulating RMDs that is consistent with and complementary to the State scheme. Under the provisions of this Zoning By-Law provision, the moratorium ceases on the earlier of an amendment to it or June 30, 2014. The Department of Planning and Community Development submits a warrant article proposing amendments to the Zoning By-Law that would permit the siting of RMDs under conditions the warrant article proposes.

The Board submits this proposed By-Law to complement the Planning Department's proposal. The Board proposes to establish a local licensing framework that would permit the Board to establish reasonable regulations to minimize any possible public health and safety concerns RMDs may pose, and to permit local inspections for compliance with applicable law, including 105 CMR and any regulations the Board adopts. A local regulatory scheme would assure that RMDs operate in Brookline both within the constraints of the law and without posing undue public safety and health concerns given local conditions and needs. Care would be taken to assure that the local licensing scheme and its implementation would not conflict or interfere with 105 CMR 725.

#### **ARTICLE 7**

Submitted by: Department of Planning and Community Development

The Planning and Community Development Department is submitting this article with the support of the Selectmen's Zoning By-Law Committee. It ends the moratorium on the sale of medical marijuana or related uses in Brookline adopted by Town Meeting in May 2013 in response to the state having now adopted regulations regarding this use. Several departments have been working together – Planning, Building, Health, Police, and Town Counsel - to formulate zoning requirements that are not only consistent with the state regulations, but provide necessary restrictions and oversight.

An initiative petition titled "Law for the Humanitarian Medical Use of Marijuana" (Petition #11-11) was approved by the Massachusetts voters in the November 6, 2012 general election. More than 70 percent of Brookline voters approved the law, which took effect on January 1, 2013.

The new law defines a "medical marijuana treatment center" as a Massachusetts not-for-profit entity, registered under the new law, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses or administers marijuana, products containing marijuana, related supplies or educational materials to qualifying patients or their personal caregivers. The new law enables the Massachusetts Department of Public Health (DPH) to register up to 35 such centers within the first year of enactment, with a minimum of one and a maximum of five located within each county. DPH has now promulgated regulations for registration and administration of such centers. Thus far, the production and distribution of marijuana for medical use has been legalized in 18 states and the District of Columbia. Laws and regulations vary from state to state.

The proposed warrant article does the following:

- Amends the definition of Medical Marijuana Treatment Center by adding “also known as a Registered Marijuana Dispensary (RMD)” to be consistent with the wording used in the definition under the state regulations, 105 CMR 725.
- Changes the name of the use under 20B to “Registered Marijuana Dispensary (RMD)” from “Medical Marijuana Treatment Center” to be consistent with the state regulations (105 CMR 725), adds a footnote referring to requirements for all RMDs under a new Sec. 4.12, and changes the use columns under Local and General Business, Office and Industrial districts from a “No” to an “SP” to allow the siting of RMDs in these zoning districts. RMDs remain a prohibited use in all residential zones.
- Adds a new Section 4.12 listing requirements for all RMDs, including: state licensure, where an RMD may be located (not within 500 feet of a K-12 school, nor within a building with a daycare center, restrictions based on – but not as restrictive as – the “default” restrictions in state DPH regulation as discussed below); the type of entrance from the street to the area where marijuana products are dispensed (access must be through a lobby or vestibule, not directly onto the street, providing an additional margin for screening and security purposes); the type of signage (no internally illuminated signs); restricting any cultivation of marijuana in Brookline to be within an enclosed building; and requiring security measures. This section also requires specific submittals from the applicant prior to a Building Permit and then again prior to a Certificate of Occupancy to ensure that the Town has current information about all licenses, operators/owners of the site, and security measures.
- Inserts the new use, 20B, to the list of uses under the general parking requirements for retail and office uses.
- Lastly, adds an annual review of the special permit by the Board of Appeals. This should be deleted from the warrant article if a Town By-Law passes requiring an annual license by the Board of Selectmen.

A discussion of the procedural posture of this article is warranted. The Zoning By-Law Committee has proceeded on the premise that the regulations proposed in this article could be made more stringent during the by-law review process and still be within the “scope of the warrant.” The reasoning is that the Town’s current Zoning By-Law flatly prohibits RMDs, so any additional restriction that may be added before the final Town Meeting vote would result in an outcome that is “between” the current situation (no RMDs) and the “looser” warrant article. In addition, the ZBLC recognizes that any by-law that is so stringent that it effectively forecloses RMDs in the Town could well be rejected by the Attorney General as inconsistent with the November 6, 2012 referendum.

To give an example, the proposed warrant article would prohibit RMDs within 500 feet of a K-12 school. That article adopts the 500-foot distance that would apply under state regulations in the absence of a Town By-Law. The “default” state regulations would, however, apply that 500-foot buffer zone not only to K-12

schools but also to daycare centers and “any facility in which children commonly congregate.” The ZBLC did not recommend such language in recognition of the fact that – if the state language were adopted without modification -- the location of multiple daycare centers and parks throughout Brookline would effectively prohibit RMDs in much of the Town, including medical office buildings in commercial areas. At the same time, the ZBLC does recommend that RMDs not be located in the actual building where a daycare center is located.

As another example, an organization that is pursuing licensure as a non-profit RMD recommended a 1,000-foot buffer zone around schools, on the theory that federal authorities have exercised their discretion in adopting that distance for federal law enforcement purposes. This would, again, limit the areas in which RMDs could be located.

The ZBLC notes that the various boards, committees and commissions that will review this warrant article would have flexibility to recommend more stringent regulations than proposed in the article – for example, a buffer zone around daycare centers or parks, or a 1,000-foot (rather than 500-foot) buffer zone around schools. The final by-law will ultimately be decided by Town Meeting, with the recognition that any by-law must ultimately pass muster with the Attorney General.

#### **ARTICLE 8**

Submitted by: Department of Planning and Community Development

The Planning and Community Development Department is submitting this article with the support of the Selectmen’s Zoning By-Law Committee. This article seeks to “clean up” several F-1.0 District references in the Zoning By-Law and to achieve consistency between certain T-5 and F-1.0 District requirements.

The Coolidge Corner District Planning Commission, which met in 2006 and 2007, recommended the creation of a new zoning district - the three-family F zone. Prior to the adoption of the new F zone, the residential districts were divided into single-family, two-family or multi-family (three or more dwellings). Because many properties located in North Brookline were zoned multi-family, but were located in areas dominated by three-families, or a mixture of single, two, three-family and multi-family properties, it was felt that a new zone for three-family dwellings should be created. The goal of the F zone was to limit the number of units allowed on a lot to three and diminish the incentive to tear down existing homes, including three-families, in order to build larger, out-of-character multi-family buildings. The F zone has an FAR of 1.0, which is the same FAR as the T-5 and M-1.0 districts.

The process of proposing properties suitable for the new F zone and adopting the resulting zoning changes took place over a number of years between 2006-2008, culminating in a large “housekeeping” article that inserted the new F zone throughout the Brookline Zoning By-Law. However, there were still several omissions to the zoning by-law where the new F zone should have been referenced. For example, in the use table for attached single-family dwellings (townhouses), no more than two attached dwellings are allowed in a two family zone. Previously, up to six attached single families had been allowed in a T zone by special permit but this was changed by

Town Meeting in Fall 2007. When the F zone was created, it was intended that it be limited to three attached single-families but this language was not added. This zoning amendment adds that restriction.

This omission came to light as a result of a development proposal to demolish a two-family Victorian dwelling and build four attached townhouses on a property zoned F-1.0. This project was approved by Special Permit under Table 4.07, Use #5, because it did not specifically state the number of attached dwellings allowed by Special Permit in an F zone. This Article proposes to fulfill the will of the Town Meeting vote establishing the F zone by inserting a statement defining the number of allowable townhouses as three in an F zone.

In addition, the article would require a special permit for the approval of attached townhouses (Use #5) in a T zone. This proposed change addresses the current anomalous situation where a special permit is required for such approval in F (three-family) and M (multi-family) zones, but not in T (two-family) zones.

Additionally, Table 5.01, the Table of Dimensional Requirements of the Brookline Zoning By-Law, currently does not include any dimensional requirements for attached one-family dwellings for the F- 1.0 district. This Article proposes to correct that by adding dimensional requirements for attached single-families in the F-1.0 district that are the same as those currently in place for attached single-families in the T-5 district. Also in Table 5.01, the article proposes to change the current yard setback and open space dimensional requirements for “[a]ny other structure or principle use” in the F-1.0 district to make these requirements analogous to the T-5 zoning district.

Finally, this article would modify the definition of Gross Floor Area in Section 2.07.1 of the Zoning By-Law. Since 2007, that definition has made the calculation of gross floor area subject to a “multiplier” to account for additional building bulk whenever ceiling height exceeds 12 feet. This multiplier was originally included in the Zoning By-Law in response to “McMansions,” rather than, for example, concern about ceiling heights in commercial or multi-family buildings. In May, 2013, Town Meeting passed a change in the definition that limited the multiplier to one- and two-family buildings, recognizing that, for example, commercial or multi-family buildings might in fact require higher than normal ceiling heights to be consistent with abutting structures. As of this writing, that change has not yet been approved by the Attorney General. This warrant article would apply the multiplier to three-family buildings, in recognition of the fact that they are more similar to one- and two-family buildings than to multi-family or commercial buildings. (Note that if the Attorney General approves the May, 2013 one- and two-family language before Town Meeting’s vote on this article, the only necessary addition will be to add three-family buildings)

Please note that also as a result of the review of the four-unit development described above, a scrivener’s error in Table 4.07, Use #6 (Multiple Families Or Attached Dwellings Of Four Or More Units), was discovered. Under the F column, an SP (Special Permit) was inserted, where the designation should have been “No”, because the number of units allowed in an F district is three. The Brookline

Planning Department has since corrected this error by changing the F zone designation under Use #6 to No. No amendment is needed because this was a printing error when the most recent zoning by-law book was produced.

Whenever zoning changes are made, it is necessary to review every section in the Zoning By-Law to ensure that there should not be a related change. This amendment corrects earlier omissions of necessary changes to related By-Law sections and seeks to ensure that similar situations are governed by consistent standards.

## **ARTICLE 9**

**Submitted by:** Department of Planning and Community Development

The Planning and Community Development Department is submitting this article with the support of the Selectmen's Zoning By-Law Committee.

Currently, Use #53, Accessory Domestic Residence, of the Zoning By-Law allows the construction by-right of an accessory residence on the same lot as another residential (or other) structure, as long as it is occupied by no more than four persons who are full-time employees or family members of such employees. In Section 2.01.1 and 2, "A" Definitions, the Zoning By-Law defines accessory building as "a building devoted exclusively to a use accessory to the principal use of the lot" and an accessory use as "a use incident to, and on the same lot as, a principal use". There are currently no specific restrictions in Use #53 on the size of an accessory domestic residence in relation to the principal building, although the accessory structure must meet the general yard setback and dimensional requirements and may not exceed the maximum allowed Floor Area Ratio (FAR) for the property. Ironically, the Zoning By-Law does not allow a totally independent domestic dwelling unit in a single-family district within the main house, if that separate unit has a full kitchen (i.e. stove). Such a separate unit within a single-family residence would reclassify the structure as a two-family house and would be prohibited.

The main issue of concern with separate domestic dwellings is that if and when the property is sold and the new owner does not employ domestic help, it is not realistic to expect that the separate structure will remain vacant. A recent example of this is a domestic accessory single-family house which was built at Beech and Kent Streets in an S-10 zoning district. Although the 28,000 s.f. lot was large enough to be subdivided, it was not possible to do so by-right because the existing main house would have then exceeded the allowed FAR for the newly configured smaller lot. Therefore, the lot was kept as a single property and the floor area of both single-family dwellings together conformed to the allowed FAR.

There are many large lots in Town where it might be appropriate to allow an accessory structure for persons employed to help maintain the property. The revisions to Use #53 would allow, by special permit, a separate domestic accessory building on a lot that was at least 40,000 s.f. and in an S-40 zoning district. It would also limit the size of such separate buildings to 1,200 square feet. The special permit requirement would require notice to neighbors and allow a case-by-case review of whether such an accessory dwelling would have negative impacts.

NOTE: Under Section 9.09.1.d of the current Zoning By-Law, existing carriage houses, or garages with usable space above, may, in a single-family neighborhood, be converted to a dwelling unit by use variance, the standard for which is to preserve an architecturally or historically significant building which could not otherwise reasonably be maintained. Although the standards for a variance are high, there have been many cases in Town where permission has been granted. The proposed amendment would not change this section of the By-Law.

## **ARTICLE 10**

**Submitted by:** Board of Selectmen

Article 10 in the November 2010 Special Town Meeting Warrant called for certain modifications to the Town's Zoning By-Law regarding minimum off-street parking requirements for new residential construction. Article 10, which proposed reducing the minimum off-street parking requirement, was the subject of considerable debate at the November 2010 Special Town Meeting and, ultimately, did not pass. Town Meeting, however, voted to refer the subject matter of Article 10 to a Moderator's Committee on Parking (the "Committee") to study the issue and prepare a report.

In response to the charge from Town Meeting, the Committee held 26 meetings beginning on January 5, 2011 through August 16, 2013. The Committee heard from proponents and opponents of Article 10, real estate developers, real estate agents, municipal planning officials (from Brookline, Cambridge and Newton) and interested residents of the Town. In addition, the members of the Committee also conducted numerous interviews with Town officials (including from the Planning Department and the Assessor's Office) to gather additional data for its study. The input provided by the aforementioned individuals was helpful, but also demonstrated the conflicting arguments for and against a change to the Zoning By-Laws. As a result, the Committee decided early on that, to the extent possible, its deliberations needed to be informed by quantitative data – although it was mindful that getting the "perfect dataset" would be an unrealistic endeavor.

Initially, the Committee began by looking at the data submitted both by proponents and opponents in connection with Article 10. The Committee, however, concluded that the data submitted in connection with Article 10, although providing useful data points and presenting the Committee with ideas for further investigation, was insufficient. The Committee analyzed several datasets provided by the Town's Assessor's Office, including automobile excise tax information that had originated with the Massachusetts Registry of Motor Vehicles. The Committee used this historical data to try and assess whether and to what extent changes to the Town's minimum off-street parking Zoning By-Law had on construction of residential developments. Generally speaking, the data showed that a change in the minimum residential off-street parking requirements has historically not had much of an impact. Market conditions, more than anything else, influence the decision of how much parking to provide in new construction. At the end of the day, however, the Committee felt that analyzing historical data raised more questions than it answered, and that the data could be interpreted very differently to argue either for or against maintaining the current off-street parking requirements.

Given the limitations of the historical data sources, the Committee, with the assistance of the Town Clerk and Town Assessor, developed a survey questionnaire that was mailed out to all Town residents together with the 2012 Annual Town Census. The survey identified 14 specific “parking neighborhoods” and asked respondents various questions about their off-street parking situation. The Committee analyzed the survey responses and was able to draw the following conclusions from them:

- (1) Regardless of the size of the dwelling the average number of cars per household is well below the current off-street parking requirements, although there are wide variations around the averages.
- (2) The differential between the average cars per household and the spaces allotted is greatest for studio and one bedroom apartments, and less so for 2- and 3+ bedroom apartments in multi- unit buildings (as opposed to 2 and 3 family houses).
- (3) A large majority of the Town – including respondents in high density areas such as Coolidge Corner – believe that their off-street parking needs are adequate. The highest levels of dissatisfaction with their off-street parking situation are in the areas of Heath School/Eliot St., Brookline Hills/Brookline High School, Corey Hill, and Washington Sq./Corey Farm. Moreover, among residents of multi-family units, the larger the unit, the more the respondents were likely to believe that their parking is inadequate.

After collecting and analyzing the various qualitative and quantitative data, the Committee established the following general principles for a change to the minimum off-street parking requirements:

- (1) The minimum off-street parking requirements for new buildings are higher than necessary for certain residential uses in certain residential areas. Town Meeting should consider downward adjustments for these specific uses.
- (2) Any downward adjustments should be conservative, given the imperfect knowledge; it is better to be incremental and evaluate later rather than initiate a dramatic change.
- (3) Town Meeting may want to consider some creative options (such as including off-street parking in FAR).

Given the above, the Committee recommends that Town Meeting should revise the minimum off-street parking as follows:

Committee Recommendations for Revisions to Minimum Off-Street Parking		
Number of off-street parking spaces required		
Size of unit	Currently Required	Proposed (Changes are underlined)
Studio	2 spaces per unit	<u>1.0 space per unit</u>
1-bedroom	2 spaces per unit	<u>1.5 space per unit</u>
2-bedroom	2 spaces per unit/2.3 spaces per unit for attached single-family dwellings in zoning districts with a maximum FAR of .5	<u>2.0 space per unit</u>
More than 2 bedrooms	2 spaces per unit/2.3 spaces per unit in zoning districts with a maximum FAR of .5	2.0 spaces per unit/2.3 spaces per unit in zoning districts with a maximum FAR of .5 or

Consistent with the aforementioned general criteria, the Committee believes that downwardly adjusting the minimums for studios and 1-bedroom units makes sense, as the Committee’s survey shows that car ownership in these units is considerably less than the current minimum requirements. In addition, the Committee believes that the minimum off-street parking requirements for 2-bedroom units can be lowered slightly. The Committee, however, does not recommend changing the minimums for 3+ bedroom units. The Committee believes that these changes address the largest discrepancies between the off-street parking requirement and actual need for off-street parking.

Finally, it is important to note the limitations on the Committee’s charge and what the Committee did not consider. Because the Committee’s task was to evaluate off-street parking for new residential development, its proposed modifications will not affect the off-street parking situation for existing buildings (including the large number that had been built without parking). In addition, although the Committee is mindful of efforts to encourage the use of bicycles and other “green” modes of transportation by Brookline residents, it has found no evidence that changing minimum off-street parking requirements for this purpose would be an appropriate or an effective use of zoning. That said, the Committee encourages Town Meeting to consider other changes to the Zoning By-Law, which could tie allowing developers to lower their parking requirements in exchange for offering certain specified benefits to residents, such as providing parking spaces for car sharing services such as Zipcar, bicycle racks, or other alternative transportation (such as a shuttle bus). Other ideas for Town Meeting to consider are allowing reductions in parking requirements if developers increase green space or build underground parking. Finally, because the Committee recognized that

much of the need for off-street parking is by residents of older buildings (who have no or inadequate parking), Town Meeting may want to consider mechanisms to require or encourage developers to make some of the parking spaces they build available to non-residents of their development. [See the full report of the Moderator's Committee on Parking: "The Minimum Off-Street Parking Requirements in Brookline's Zoning By-Law, Analysis and Recommendations for Modification" dated August 30, 2013.]

## **ARTICLE 11**

**Submitted by:** Department of Planning and Community Development

This zoning amendment would, by special permit and positive recommendation by the Director of Engineering/Transportation and the Director of Planning and Community Development, permit a reduction in the number of required loading bays and the design and layout of off-street loading facilities on a case-by-case basis.

The provision of off-street loading spaces in accordance with the needs and requirements of particular property uses is a necessary public policy in the interest of maintaining traffic safety, minimizing congestion, and ensuring that new development is compatible with existing development patterns. However, operational needs of a particular use can vary significantly within the same broad use categories as defined by our Zoning By-law. For example, a 100,000 square foot limited service hotel (i.e., no dining/banquet facilities) may require an area for deliveries in box trucks or vans (e.g., linen service trucks often the size of a UPS truck or FedEx van); a 12,000 square foot pharmacy may require loading from an 18-wheeler truck due to the company's regional distribution operations; and a 13,000 square foot high-traffic grocery store may require three 18-wheeler trucks to deliver goods daily. Our current Zoning By-Law requires a single loading space accommodating an 18-wheeler truck for all of these examples, even though a provision of such a space would only match the operational needs of one of these three examples.

In recent years, reduced loading requirements have been written into special districts to begin providing some flexibility from the Zoning By-law. Although the purpose of special district regulations is to "insure that the dimensional and related requirements of the Zoning By-Law address these [Districts'] unique conditions," such regulations cannot adequately predict all potential combinations of operational requirements that may be proposed within such an area.

If passed, this Zoning By-Law amendment would allow for more design flexibility for three major redevelopment projects: Davis Path District hotel (also known as the Red Cab site at 111 Boylston Street and Kerrigan Place), 2 Brookline Place Children's Hospital redevelopment, and future redevelopment options for the Durgin and Waldo garage sites (10-18 Pleasant Street and 5 Waldo Street). All of these projects are able to accommodate the existing By-Law's loading requirements. However, such conforming loading spaces would likely be oversized in dimensional length or number while taking up more space than a more suitably designed loading facility with respect to actual building operations.

It has also been noted by a member of the Planning Board that our current load dock size requirements are premised on the use of a standard-sized on-site dumpster, and that the use of such dumpsters appears to be on the wane, with alternative systems in use. The increased use of recycling and other technologies have combined to change the type and quantity of materials flowing in and out of buildings. Just as our own Solid Waste Advisory Committee has helped move the Town to new systems, our Zoning By-Law should be able to embrace these as well. The Special Permit process would appear a promising way to do that in an orderly, regulated process.

This proposed Zoning By-law amendment would allow the adequacy of proposed off-street loading areas for new development to be reviewed on a case by case basis by the Director of Engineering/Transportation, the Director of Planning and Community Development, the Planning Board, and the Zoning Board of Appeals, dependent on a specific building program, proposed traffic operations, and site design.

## **ARTICLE 12**

**Submitted by:** Board of Selectmen

The Town of Brookline has been exploring opportunities to install solar photovoltaic (PV) systems on municipal buildings and properties in an effort to support the generation of renewable energy and to reduce spending on energy costs. M.G.L. Ch. 25A §11i allows public agencies seeking to generate local renewable energy to issue a Request for Qualifications (RFQ) for solar developers that are qualified in Massachusetts to provide comprehensive solar energy management services (EMS). A solar EMS contract is a long-term (up to 20 years) service agreement that includes PV system design, financing, and installation; operations, maintenance and PV system removal; long-term lease of public space; electricity generated by a PV system; and a system performance guarantee. A community entering into a solar EMS contract will be responsible for hosting the PV system on a municipally-owned site, and purchasing all the electricity generated by the PV system per a price schedule agreed upon in the solar EMS contract. The developer owns the PV system and generates revenue by selling electricity to the community and monetizing the tax incentives and Solar Renewable Energy Credits (SRECs) associated with solar electricity generation. The community benefits from a long-term guarantee for solar energy production without the risks of ownership.

In November, 2010 Town Meeting created a new overlay zoning district to allow large-scale ground-based solar panels on the Town-owned Singletree Hill Reservoir, located off of Boylston Street behind the Chestnut Hill Benevolent Association. This site is appropriate for solar panels due to its heightened elevation above other properties and open exposure. The elevation allows for excellent solar exposure while naturally screening any solar facilities from neighboring properties. In addition, the water storage facilities on site need to be routinely cleared of vegetation. The installation of solar panels would assist in keeping that area clear of obstructions. Finally, the zoning also requires a buffer of 25 feet from all lot lines, which will further alleviate any impacts on abutting properties.

Last year Brookline, along with 17 other municipalities, participated in a regional procurement led by the Metropolitan Area Planning Council (MAPC) for solar EMS services. After an extensive review process, Broadway Electrical Co. was unanimously identified as the top choice from the 14 responses received. This procurement process has satisfied the requirements of Ch. 25A, and all participating cities and towns are now eligible to enter into contracts with Broadway, if they so choose. The Town initially submitted the following sites as having the potential for solar development, based on site availability and their roof replacement schedule: Singletree Hill, Town Hall, the High School, the Evelyn Kirrane Pool, Baker School and the Main Library. The Town received proformas on these sites from Broadway in May 2013.

The current Solar Carve-Out program, which is managed by the MA Department of Energy Resources (DOER) and regulates the number and value of SRECs, is limited to 400 Megawatts (MW). SRECs are a key source of income generated from solar PV systems. On June 7, 2013, DOER announced it had received an exponential increase in applications for SREC eligibility, which necessitated changes to the 400-MW Solar Carve-Out program. The current Solar Carve-Out Program is effectively over, and DOER is now developing a new program. Projects in MAPC's regional solar procurement, including those being considered in Brookline, will likely fall into the next program, which will be capped at 1200 MW. It is anticipated to launch in early 2014 and will be associated with a different incentive structure. The economics of projects are likely to change, and there will be some lag time while Broadway confers with their financial partners and prepares new site proformas. The procurement process can continue, however, as the MAPC Regional Solar Initiative's RFQ process allows for price negotiations.

### **ARTICLE 13**

Submitted by: Sandra DeBow, Director of the Human Resources Department

On March 26, 1957, the Annual Town Meeting accepted the provisions of G.L. c. 149, § 33B ("Section 33B"), a 1950 version of a local option overtime statute, which provides, in relevant part:

"Except as otherwise provided in this section and notwithstanding any other provision of general or special law, the service of all persons employed by ... every town in which it shall be accepted by vote of the town at an annual town meeting, shall be restricted to five days and forty hours in any one week, and eight hours in any one day, and said eight hours shall be arranged to fall within a period of not exceeding nine consecutive hours; provided, that service in excess of the days and hours aforesaid may be authorized by an officer of such city or town or by any other person whose duty it is to employ, direct or control such employees, and such additional service shall be compensated for as overtime. This section shall not apply to policemen, firemen, school teachers, incumbents of offices specifically established by or under the authority of any general law or special act, or such other classes or groups of employees as from time to time may

be specifically exempted therefrom in the manner provided for the acceptance of this section. ...”<sup>1</sup>

Accordingly, Section 33B requires the Town to pay some of its employees, including certain department heads and mid to upper-level managers, overtime compensation if they work more than a five day, forty-hour week, or more than eight hours per day.

The law specifically exempts police officers, firefighters, teachers, and other employees whose positions are “established by or under the authority of any general law or special act.” In addition, the Town’s adoption of Section 33B preceded the advent of public sector collective bargaining in Massachusetts, *see* 1960 Mass. Acts ch. 561 as amended, and, under a law that was enacted in 1973, the provisions of a collective bargaining agreement govern when there is a conflict with Section 33B. *See* G.L. c. 150E, § 7(d)(i). Because the Town’s collective bargaining agreements contain provisions related to work hours and overtime, employees in collective bargaining units are also, in effect, exempt from the operation of Section 33B.

The Town’s adoption of Section 33B also preceded the enactment of state and federal labor laws relating to overtime compensation, which benefit Town employees. In 1960, the Massachusetts Legislature adopted the State overtime law. *See* 1960 Mass. Acts ch. 813, as amended, which requires employers to pay employees overtime compensation if they work more than 40 hours per week, except for employees who work “as a bonafide executive, or administrative or professional person.” *See* G.L. c. 151, § 1A. In 1974, the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.*, was extended to municipal government employees. Like the State overtime law, the FLSA requires employers to pay employees overtime compensation if they work more than 40 hours per week, with the same exception carved out for executive positions.<sup>2</sup>

Thus, Section 33B currently applies largely to certain Town department heads and mid to upper-level managers, whose positions are not established by or under the authority of a general or special law, and to a number of part-time, hourly workers who are not in a bargaining unit but are otherwise covered by the Town’s Living Wage By-Law<sup>3</sup> (e.g., Library Pages).

Since the Town’s adoption of Section 33B in 1957, many employee wage and overtime protections have come into play. Therefore, should the Town revoke its acceptance of Section 33B, the majority of its employees would continue to enjoy the overtime protections of state and federal overtime laws, the Town’s Living Wage By-law, and the wage and overtime protections contained in the Town’s collective

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<sup>1</sup> The 1957 Town Meeting vote also excepted the positions of “Park Police, Police Matron,” “Fire Alarm Operators-Fire Department,” and “Golf Starter and Caddy Master.”

<sup>2</sup> The case law suggests that because the Town adopted Section 33B, it is subject to that provision instead of the State overtime law, G.L. c. 151, § 1A. *See Lemieux v. City of Holyoke*, 740 F. Supp. 2d 246 (D. Mass. 2010); *Grenier v. Town of Hubbardston*, 7 Mass. App. Ct. 911, rescript (1979). If the Town were to revoke its acceptance of Section 33B, it would then be subject to the State overtime law.

<sup>3</sup> Article 4.8 of the Town’s By-Laws, which became effective July 1, 2002.

bargaining agreements, which are generally more generous than the overtime provisions of the FLSA.

Section 33B is outdated and is inconsistent with current state and federal laws pertaining to overtime compensation. It requires certain employees, who would otherwise be exempt from receiving overtime compensation, to be paid additional compensation for hours worked beyond a five day, forty-hour week or eight hour day, that neither they or the Town contemplated when their compensation levels were adjusted over the last two decades and is not received by their counterparts in other communities. These department heads and mid to upper-level managers fully understand and expect that they may be called upon to attend evening meetings and other work-related events on a regular or occasional basis, and that their current compensation levels reflect the ongoing reality that they may be required to work beyond a five day, forty-hour week, or eight-hour day, without receiving additional compensation.

For these reasons, the petitioners strongly recommend that the Town revoke its acceptance of Section 33B.

#### **ARTICLE 14**

**Submitted by:** Sundar Srinivasan

Understanding the Town's long term pension and healthcare liabilities is complex. Any forecast hinges on multiple assumptions playing out as projected over decades to come. If the actual path diverges from forecast, in some cases even just slightly, the impact to the town's finances could be enormous.

By comparison, understanding Brookline's debt obligations, their cost and maturities is fairly straight forward. The object of this resolution is to provide decision makers and citizens studying the town's finances with the requisite information to translate the town's pension and healthcare liabilities into present value amounts comparable to the town's other liabilities.

Having this information will empower decision makers and citizens with greater information as they seek to evaluate and understand current and future financial plans.

#### **ARTICLE 15**

**Submitted by:** Ruthann Sneider

In a recent decision regarding a duplex condominium in which a fire exposed an illegal apartment, the Building Commissioner ordered new construction, which was non-compliant with M.1 zoning, dismantled from the adjacent, condominium common area porch, but did not set a date certain for its removal. Instead, the Building Commissioner set conditions of use on the non-compliant owner, "As long as the attic remains unfinished and is used for storage purposes only the stairways can remain..." He further determined that the non-complaint staircase in the condominium common area, could remain in place until such time as the unit owner decided to make "any future renovations" to his unit.

Decisions by the Building Commissioner relating to condominium common areas are of equal importance to all members of an association whose enjoyment of their property and sometimes the monetary value of that property are affected by the outcome. Requiring a date certain for the enforcement of such a decision assures the equal right of all parties to a timely resolution and the justice inherent in the decision.

#### **ARTICLE 16**

Submitted by: The Diversity Committee of the Human Relations Commission (Brooks Ames, Mariela Ames, Larry Onie, Georgi Vogel Rosen)

This article seeks a resolution urging the Board of Selectmen to take the necessary steps to appoint the three outstanding applicants to the Human Relations Commission and subsequent qualified applicants until the Commission is at full strength. The basis for the article is set out in the "Whereas" clauses above.

#### **ARTICLE 17**

Submitted by: John Bassett, Frank Farlow, David Klafter, M K Merelice

When this resolution was submitted, the Obama administration had just begun its campaign to persuade Congress to authorize its plan to attack Syria. The intent of the petitioners is to modify the language of the resolution as necessary before Town Meeting depending on how the situation develops.

If an attack has not yet occurred, the resolution will declare Brookline's opposition to military action, urge the administration to instead pursue a diplomatic course, and commend the administration for its restraint. If the attack has been launched, the amended resolution will declare the Town's opposition, urge immediate cessation of any military action still in progress, and again urge the administration to instead pursue a diplomatic course.

#### **ARTICLE 18**

Submitted by: Clint Richmond, Sarah Wunsch, Frank Farlow, and Eunice White

*"The privacy and dignity of our citizens [are] being whittled away by sometimes imperceptible steps. Taken individually, each step may be of little consequence. But when viewed as a whole, there begins to emerge a society quite unlike any we have seen..."* - U.S. Supreme Court Justice William O. Douglas

*"It's not possible to be fully human if you are being surveilled 24/7"* - Pamela Jones, creator of the award-winning legal blog, Groklaw

*"The natural flow of technology tends to move in the direction of making surveillance easier, and the ability of computers to track us doubles every eighteen months."* - Phil Zimmerman, security researcher and computer scientist in a recent interview

#### **History & Introduction**

In January, 2009, the Board of Selectmen approved by a 3-2 vote a proposal by the Chief of Police to allow the installation and operation of general surveillance

cameras, funded by the Bush Administration's U.S. Department of Homeland Security (DHS), in twelve locations in Brookline, for the stated primary purpose of aiding in "evacuations" from Boston. The majority also restricted the operation of the system to a one-year trial period and created an oversight committee to study its operation during the trial period.

This petition calls on Town Meeting to again put Brookline on record as opposing the use of general police surveillance cameras in our public spaces.

The purposes are unclear and provide little justification for the cameras – After five years of debate, Town officials have not provided a coherent or consistent justification for the surveillance system. While it was initially proposed primarily as a means of aiding emergency evacuations, when this justification was questioned as at odds with common sense, other justifications were given, e.g., deterrence to crime or assistance in criminal investigations. However, the police have acknowledged that the purpose of the surveillance cameras is not primarily to fight crime since this was outside the scope of the DHS program.

There is no evidence that the camera system will achieve valid purposes – The use of general police surveillance camera systems has been thoroughly studied and show that cameras cannot be credited with effectively preventing crime, deterring terrorism or solving crimes. While there may be anecdotes about the benefits of such cameras, the evidence does not support their effectiveness.

Indeed, any hypothetical benefit is vastly outweighed by the specter of living in a society where the government(s), local or national, are monitoring all our public actions. Meanwhile, crime in Brookline is at a record low according to the latest Police Department report. Studies have shown that measures like improved lighting can reduce all types of crime including violent crime by 20% or more. Good community policing has also been shown to be effective at preventing crime.

A free society is one in which police do not follow and track our movements in public places. America is a free country, in which no citizen should feel that he or she is being watched by its government. Permanent surveillance cameras are another step in the wrong direction toward radically changing our sense of being a free society. To those who say that what we do in public places is not protected by a right to privacy, we urge consideration of general principles that we have long held dear in the U.S.: that we are not and should not become a society in which the police privately watch our every move in public. While public places may not, in a technical legal sense, be places where we have an "expectation of privacy," the right to be let alone and not identified or tracked by the police is a fundamental aspect of a free society. A lack of privacy in public places should *not* be used as the justification for having all our activities recorded.

These are powerful cameras, which can easily become more powerful. The DHS digital cameras have the capacity to pan, tilt and zoom in; and to observe the activities of residents engaged in lawful activities, for example, whether they are home, the people with whom they are engaged in conversation, and peaceful political demonstrations. Once the precedent is set of allowing cameras it becomes harder to argue against additional capabilities (including higher resolution images,

facial recognition, or integration with location tracking). Such features could even be added without our knowledge.

Continuous surveillance is much different from a criminal investigation. Continuous surveillance is an endless dragnet, an all-or-nothing proposition in which there is no way to opt out. Continuous surveillance turns citizens into suspects and enables mass warrantless searches. While the intent of these cameras is not to harass, the effect is subtly chilling as people choose to limit their activities and forms of expression because they know they are continuously surveilled and potentially permanently recorded. Furthermore, there have been numerous documented cases both here and abroad of misuses of government surveillance.

Remote surveillance is much different from a person with a camera. Most people would object if a stranger were continuously photographing them up close. Unlike a person on the street with a camera, most people are unaware they are being watched by the police cameras from above. The remotely controlled DHS cameras shrouded in dark enclosures are particularly unsettling since you don't know where they are pointing or exactly who is watching. Also, the higher vantage of the surveillance cameras increases their ability to peer into upper floors of residences and generally reinforces the feeling of a silent, unsleeping omniscient eye that is more like a prison watchtower than a street video.

The camera system is not "free" of costs to the Town – The offer of "free equipment" is highly misleading. The initial cost (\$150,000) of cameras "wholly funded" by Homeland Security in the first year, and DHS paying \$15,000 per year of maintenance were funded by us taxpayers. These figures grossly underestimate the actual cost to the Town, given all the components in the system requiring setup, maintenance, repair and upgrading – not just of the cameras themselves, but the network links to Brookline headquarters, the computers and monitors that the video appears on, the software to administer, control and manage the camera system, the recording equipment, and the network link to Boston central headquarters; as well as the time in training of new staff and all staff for upgraded or replaced systems; and the electricity to run this very extensive system. The grant funding also bypasses normal Town Budget process.

The number and types of cameras in Brookline have grown since the cameras were installed. Before the DHS cameras were installed, the Town possessed the following recording cameras: 2 mobile cameras for criminal investigation; 2 cameras outside the Public Safety building; and a dozen cameras at the main branch of the Public Library. The cameras outside the Public Safety building were already being monitored live in the dispatch room in addition to being recorded.

Since 2009, the Town has purchased a state-of-the-art automatic license plate reader (ALPR), which can photograph thousands of vehicles per minute and read their license plates. Many Boston and state police vehicles that traverse Brookline also have ALPRs that were funded and promoted by Federal agencies. We learned at the last Town Meeting that the Brookline public schools have installed cameras for building access control and monitoring, which are also recording. The branch libraries have added cameras monitoring exits.

At the same time, the MBTA has substantially increased the number of cameras on its buses, trolleys and stations, some of which are now found in Brookline. The City of Boston has substantially increased the number of its cameras, many of which are on our borders. Finally, aerial surveillance is becoming more common and powerful, and some government agencies even have low-flying drones.

Permanent private video cameras play a greater role than government cameras (based on reports of criminal investigation by the Police Department related to the DHS cameras, and in media accounts of notorious cases, such as the 2013 Marathon bombing). Individual mobile cameras are ubiquitous, especially on cell phones. The public willingly cooperates in assisting in criminal cases. Independent, private cameras are much less of a civil liberties threat than widespread continuous surveillance by the government.

Cameras are militarizing our public spaces. Cameras are a highly visible component of counter-terrorism strategy. The concept originated in London with what was dubbed “The Ring of Steel” (during the Provisional IRA bombings), which continues to exist to this day and has been applied elsewhere (e.g., in New York City). The DHS camera program was originally designed after 9/11 to defend Critical Infrastructure across the nation, which locally includes Boston Harbor, Logan Airport, and our liquid natural gas facilities, and is coordinated by a Federalized central command. Brookline, like nearly all commercial or residential areas, is *not* critical infrastructure and so does not need cameras. Our cameras have a network connection to Boston although they are not usually feeding live to the central command in Boston. Brookline was part of phase II of this DHS program, which the petitioners argue remains unneeded. People do not want to feel like they are living in a war zone, but cameras contribute to this impression.

The cameras undermine our relationship to the police. Having the police involved in permanent surveillance is a new mission that is normally associated with a spying agency. The introduction of government cameras for counter-terrorism militarizes our police force. The impersonal nature of cameras reduces trust. The implied substitution of cameras for community policing could lead to less public cooperation with the police in criminal investigations.

Limits do not work. When the limited system was proposed, the Police Department gave the 12th Brookline camera to the City of Boston, where it runs 24 hours per day, and avoids the Brookline Oversight Committee (since Boston has no equivalent body). The supervision of emergency override operations has been problematic. When the Boston Marathon bombing occurred, all the Brookline cameras were left on for weeks after the capture of the suspects. If limited cameras are deemed useful then this will lead to more surveillance as we have seen here and elsewhere.

Removal is the best way to prevent abuses and negative effects. The Selectmen recognized the risks of the camera system by establishing the Camera Oversight Committee. But this job grows as the number, hours of operation, and types of cameras increases. It has been impossible for Committee members or other citizens to independently determine the costs and benefits of the system (in particular, the extent to which the cameras when claimed to be useful have made the difference between conviction and acquittal). The mobile crime cameras have also been used

for permanent monitoring (e.g., in Coolidge Corner) since there is so little crime in Brookline.

**Please vote YES for privacy and a free society.**

**ARTICLE 19**

Any reports from Town Officers and Committees are included under this article in the Combined Reports. Town Meeting action is not required on any of the reports.