

2022 04 Oct, 4:19 pm

TOWN CLERK
LEXINGTON MA

**Sustainable Lexington Committee
Minutes of Meeting of June 28, 2022**

A meeting of the Sustainable Lexington Committee (SLC) was held by Zoom conference. A quorum of seven was present throughout.

Members Present: Cindy Arens, Celis Brisbin, Paul Chernick, Lin Jensen, Rick Reibstein, Todd Rhodes (vice-chair), Charlie Wyman

Members Absent: Archana Dayalu, Dan Voss (Chair)

Staff Present: Maggie Peard

Other Attendees: Joe Pato (Select Board), Mark Sandeen (Select Board), Mike Boudett (Capital Expenditures), Ricki Pappo, Marcia Gens, Gerry Yurkevicz, Hien Nguyen, Janet Kern, Tanay Dalmia, Charles Hornig, Robert Peters, Jeanne Krieger, Diane Pursley

The meeting was called to order at 6:05 pm. Todd referenced the opening statement requested by the Town Clerk, and all members present responded that they could hear.

Todd announced that Archana is regrettably resigning from committee due to too many demands on her time. Members were sorry to hear the news and said she will be missed.

Approval of minutes. The minutes of May 24, 2022, were approved as written.

Comments from residents; emails to committee mailbox; new business. Lin noted the email Mark forwarded from an LHS student asking for more aggressive action to install solar. Todd mentioned that someone in Needham asked about Lexington's gas-powered leaf blower ban, and he forwarded the request to Dan Koretz. Maggie forwarded a question about use of pesticides at local businesses to the Health Department.

Todd noted that unless the special rules for meeting during the pandemic are extended past their current July 15 expiration date, next month five of us will need to meet in person, while others can join by Zoom. Celis let us know that he will be out of town next month.

The committee extended a warm welcome to Maggie Peard, who was joining a Sustainable Lexington Committee meeting for the first time. Maggie introduced herself, reviewed her background, and looks forward to working with us. Committee members introduced themselves.

Select Board liaison guidelines. Joe explained that while the Select Board wants to rotate liaisons, Joe will continue to serve as our Select Board liaison, as he has for many years. The Select Board views their role as helping to channel and facilitate the operations of committees, and that liaisons are not expected to attend meetings (out of concern for SB workload). He noted

that committees anticipating submitting warrant articles for town meetings are encouraged to reach out and offer to meet with Select Board members.

Sustainability & Resilience Officer updates. Maggie described a number of initiatives she is currently working on or involved with:

- The Sustainable Procurement Policy: Rick and Stella had initiated work on the policy and it is now being shared with staff to get additional input.
- Outreach to lower income residents regarding Community Choice (which the Peregrine annual report shows are enrolled at a lower rate than higher-income residents)
- The Comprehensive Plan
- An MAPC gas leaf blower transition group that she has joined with Rick
- A cohort organized through ICLEI on greenhouse gas inventories
- A bigger push on residential electrification

SustainabLY update. Tanay and Maggie explained that SustainabLY has been reorganized to have two members who will attend SLC meetings (Tanay will be joined by a new member, Atreyi Basu), plus seven others, all from the high school, starting in the fall.

Climate Action Plan update. Maggie explained that we had been on track to work with MAPC, but they have serious staffing issues and can't meet the timetable originally agreed to. With sufficient funds available, the town decided to hire a consultant and proceed on our own; an RFP has been drafted and will go out shortly. Charlie and Lin voiced support for task forces that will meet multiple times. Maggie explained that the plan will be similar to the Net Zero plan in that it will have key metrics for implementation, while taking a more holistic approach similar to the Sustainable Action Plan. Rick mentioned that a group of BU students is working with Brookline on how to track progress on implementation of their climate action plan, and some of their findings may be useful for Lexington.

Food waste update – composting and curbside pickup. Maggie reported that she just met with the consultant on the zero-waste plan, and that the evaluation of town-wide composting options is still in progress. Harvey (our current trash collection contractor) is unlikely to do food waste pickup. A draft zero waste plan, due in September, is being prepared by consultant Ruth Abbe. Several questions and points were made by committee members: Since Black Earth said it would take at least two years to get a Hartwell operation up and running, plans should be made for an option in the meantime. The new contract with Harvey should give the town the right to pull food waste out of the waste stream.

Update on BEU-D implementation. Maggie reported considerable progress. NEEP is offering BEAM software through DOE, and we just signed an MOU with a ClearlyEnergy to assist with the implementation of the BEAM software. A free demo of the software will be available to the Town through the first reporting cycle of the BEU-D program. A list of buildings subject to the bylaw is just about complete, and outreach will begin in September.

Comprehensive Plan – review letter regarding sustainability and affordable housing, and related issues. Cindy explained that she had looked at a draft of the plan from March and was concerned about the mention of a trade-off between housing affordability and sustainability, and prepared the letter she circulated in response to that. An extended discussion followed about the Comprehensive Plan, its reach, and its relation to the Climate Action Plan. Joe explained that the Comprehensive Plan is a state-mandated master plan with goals for development, and that developments not by right must be compared with the Comprehensive Plan for compatibility. The committee felt the Comprehensive Plan should incorporate by reference the eventual, relevant conclusions of the Climate Action Plan. The committee agreed that Cindy, in her remarks to the Planning Board, could state that the committee shares her concerns.

Update on Attorney General’s ruling on Article 17 (hybrid HVAC) and Article 29 (home rule petition) and next steps. Cindy reported that the Clean Heat Alliance, in reviewing the AG’s ruling on the Brookline bylaw, perceived inconsistencies and confusing conclusions regarding the use of incentives. Brookline has appealed to Superior Court. DOER has issued new draft language for an updated stretch code and an opt-in “net zero” stretch code. Joe noted that at last night’s Select Board meeting, Joe raised this subject and asked that it be put on a board agenda in the near future. The Town Manager and Town Counsel are scheduling a meeting with the AG’s office to better understand their decision, and are also exploring the use of tax incentives to achieve the same ends if zoning incentives are not an option (and a Home Rule Petition being a slow and uncertain route). Since the new stretch code will require a 6-month waiting period, it was suggested that Town Meeting could give the Select Board the authority to adopt it so we wouldn’t lose as much time once it’s issued; Todd will draft a note to the Board that we might want to do that this fall.

Follow-up discussion regarding updates to the Integrated Building Design and Construction Policy. Celis walked us through the various provisions he suggests we might want to update in the appendix of the Integrated Building Design and Construction Policy. He explained that this is just a mid-stream progress report and further offline conversations are needed. Todd suggested that we should take a new draft to 80% completion, then share it with the PBC, DPF and others before bringing it to the Select Board.

Policy for Existing Building Performance and update on Financial Summit discussions regarding the Capital Planning Tool and transition to electric building systems. Todd explained that in 2019, Town Meeting approved adoption of an “outcomes-based building management process.” Mike Cronin has presented a capital planning tool for assessing the condition of existing buildings and their systems, prompting the need to complete an existing building performance policy.

The Town Manager sat down with Maggie and Mike Cronin and asked them to start working on this policy. Last fall, Dan circulated a draft policy modeled largely on the Integrated Building Design and Construction Policy with a list of topics and metrics to be included, but not much has happened since then. There is a concern that the financial planning tool estimates the straight-forward replacement cost of existing systems without assessing performance or operational costs.

Joe explained that the capital planning tool may not be able to satisfy its intended purpose, that of providing a town-wide priority list, as it doesn't really answer the questions of whether the building is meeting its intended purpose and is it a healthy building. The tool is useful as a rough first cut, but then we need a deeper dive, especially if we want to consider switching to a different system (gas vs electric, e.g.). Todd commented that a more focused discussion of the transition of fossil fuel system to electric by the Select Board is planned for a meeting in July.

Next step: Maggie offered to prepare a draft list of metrics, and Dan and Celis offered to help.

Update on project to develop an inventory of potential solar sites in town. Todd reported that the inventory of parcels has been completed and it is now in Dan's hands for analysis.

5G. Rick noted that the town has adopted a policy for 5G placement. It has good features, but some think it is wanting in some respects, including the lack of any setback from residences. Town Counsel has said that we can't base our municipal code on health (because of federal pre-emption), but Rick notes that we can have a setback from residences and other towns have done so.

Next Meeting: The next regularly scheduled meeting of the Sustainable Lexington Committee will be held at 6 pm on July 26, 2022.

The committee voted to adjourn at 9:18 pm.

Respectfully submitted,
Charlie Wyman