

## NOVEMBER 19, 2019 SPECIAL TOWN MEETING WARRANT ARTICLES

### **ARTICLE 5. AUTHORIZATION FOR THE DISPOSAL AND SALE OF THE REAL PROPERTY AT 15-19 OAK STREET (NOBREGA, TMM4, ET AL)**

#### **ARTICLE 5**

Submitted by: Mariah Nobrega, TMM4, Neil Wishinsky, TMM5, Ben Franco, Select Board Member

To see if the Town will vote to authorize the Select Board to sell, lease or otherwise dispose of the parcels of land located at 15-19 Oak Street, Brookline, Massachusetts, consisting of approximately 8,209 square feet, including all buildings and structures thereon and all privileges and appurtenances thereto belonging and all interests held pursuant to M.G.L. c. 183A, as well as all trees and shrubs thereon, on such terms and conditions as the Select Board determines to be in the Town's best interest, or take any other action relative thereto.

#### **Land Description:**

A certain parcel of land with the buildings thereon known as and numbered 15 Oak Street, Brookline, MA, situated in Brookline, Norfolk County, Massachusetts, and bounded and described as follows:

EASTERLY by Oak Street, sixty-two and 12/100 (62.12) feet;

SOUTHERLY by Lot 10 on a plan hereinafter referred to, one hundred (100) feet;

WESTERLY by land of owners unknown, sixty (60) feet;

NORTHERLY by Lot 8 on said plan, eighty-five and 40/100 (85.40) feet;

Containing approximately 5,709 square feet of land and being Lot 9 on a plan of 18 house lots near Chestnut Hill Station, Brookline, drawn by Whitman and Breck, Surveyors, dated April 18, 1871, and recorded with Norfolk County Registry of Deeds in Book 410, Page 30.

Also, a certain parcel of land lying Southwesterly on Oak Street in said Brookline, bounded and described as follows:

NORTHEASTERLY by said Oak Street, twenty-five (25) feet

SOUTHEASTERLY by land formerly of the Rivers School and now of the Town of Brookline, one hundred (100) feet;

SOUTHWESTERLY by land now or late of Carroll and by land formerly of Daniel F. McGuire, twenty-five (25) feet; and

NORTHEASTERLY by other land formerly of Daniel F. McGuire, one hundred (100) feet.

Containing about 2,500 square feet of land, or however otherwise said premises may be bounded or described and be all or any of said measurements or contents more or less.

Said premises are shown on a "Plan of Land in Brookline, Mass", dated September 18, 1941, by Walter A. Devine, Town Engineer, and recorded with Norfolk Registry of Deeds, Book 2369, Page 279.

#### **Assessor's Description:**

##### **Address Block-Lot-Sub lot**

15-19 OAK ST, Unit 15 432-18-01

15-19 OAK ST, Unit 17 432-18-02  
15-19 OAK ST, Unit 19 432-18-03

#### **ARTICLE 5 PETIONERS' EXPLANATION**

In furtherance of the proposed Baldwin School project, Town Meeting authorized the purchase of three residential condominiums at 15-19 Oak Street in December of 2018. The transaction was completed in early 2019 and the cost of debt service for the acquisition was incorporated into the debt exclusion referendum which was rejected by Brookline voters at the Annual Town Election on May 7, 2019. Annual debt service is expected to average about \$333,477 for a 25-year borrowing period. With the failure of the debt exclusion referendum, the matter of whether the Town should sell the properties has been raised since the reason for the acquisition has not come to pass and there may be alternative uses for the funds. This warrant article is being filed to preserve the Town's ability to sell the units and to insure that this debate happens at the November Town Meeting.

Recently, the School Committee proposed using the Oak Street condominiums as office space in the fall of 2020 as part of their overall space planning. The Building Commissioner has raised a number of zoning and building code requirements to convert the Oak Street residential properties into office use. It is likely that there are more cost effective approaches to providing the required office space but that would need to be further analyzed. If the Town decides to sell the Oak Street properties, the School Department would be required to issue a Request for Proposals (RFP) to identify other leased space for administrative offices. Sale of property requires an open and competitive process to realize the highest price possible. Note that should this be approved by Town Meeting, the Select Board would not be required to sell the properties. This is merely an authorization to sell. The Select Board would also determine the timing of such a sale, if one occurs.