

BROOKLINE COMMUNITY AGING NETWORK
Livable Community Advocacy Committee
April 3, 2023

Attending: Susan Granoff (Chair), Arden Reamer (Guest Presenter), Maria Morelli (Guest Presenter), Janet Gelbart (Notetaker), Carol Caro, Susan Cohen, Bennett Davies, Jonathan Davis, John Harris, Katie Hope, Carol Macbain, M. Mayotte, Anne Meyers, Sue Reamer, Yolanda Rodriguez, Stuart Rubinow, Paul Saner, John Seay, Lucille Tawa, David Trevvett, Barbara Wilhelm, Henry Winkelman

I. A conversation with Select Board Candidate Arden Reamer

Guest Participant: Arden Reamer (Town Meeting Member, Precinct 8)

Ms. Reamer said she decided to run for Select Board so the race would be contested and voters would have a choice. She has lived in Brookline almost all of her life and has children at Florida Ruffin Ridley School and at Brookline High. Her mother and brother are also town residents. Ms. Reamer holds masters degrees in education and business administration and worked in social services and in the Executive Office of Administration and Finance before changing her focus to her family and her community. She served as PTO Treasurer and School Building Committee Parent Representative when the Florida Ruffin Ridley School was renovated, and became a Town Meeting Member from Precinct 8 in 2021. If elected to the Select Board, Ms. Reamer hopes to provide the leadership to create a sustainable financial future for the Town and all of its stakeholders. (Additional details about her personal and professional background appear in the materials circulated to the attendees and attached at the end of these minutes.)

Q&A

1. What is your position on the Pierce debt exclusion?
I support it. Pierce is in horrible shape and is not ADA compliant. Students with mobility issues have to enter through the basement and be carried up to their classrooms. Science classrooms are below par. Ridley, Driscoll and the high school are all state-of-the-art schools, and Pierce should be as well as a matter of equity.
2. What are your thoughts on affordable senior housing?
We need to provide housing for people on fixed income to be able to afford to live in Brookline comfortably with access to transportation, the library, the Senior Center and shopping.
3. There is a 10-year waiting list for Hebrew Senior Life, the new Senior Housing facility on Harvard St. But, within the last year, the HAB (Housing Advisory Board) changed the preference for housing eligibility from 75% Brookline residents to 25%, even though surrounding communities retain a 75% preference for their own residents. As a Select Board Member, what could

you do to change this?

I would be a liaison between the HAB and the Senior Center to advocate for a revised policy. Through the budget process, I would work to ensure sufficient funding for senior needs.

4. When the Town acquired property at Fisher Hill, there was talk of using an existing building on the site as an annex to the Senior Center. Do you think this is an issue the Select Board should be concentrating on?

There needs to be a [Fisher Hill study] committee which includes a representative from the senior community. Residents of South Brookline need access to senior services, and they need a site with parking which is very limited at the Senior Center.

5. There are many requests for new or expanded services, but also concerns about increasing taxes. A specific instance is the high school expansion which resulted in the need for increased maintenance but there has been no provision for additional maintenance staff. How would you address this?

In addition to the debt exclusion for Pierce, the May ballot includes an override to address the operating deficits in both the Town and School budgets. This will help meet some of the needs, and we must keep up with the additional personnel required to maintain our new buildings. We need new revenue streams, like expanding the commercial tax base, and the Harvard Street rezoning is an attempt to address that. My colleagues in Precinct 8 are looking at ways to increase revenue from PILOTS (payments in lieu of taxes from non-profit organizations), and we will also receive new revenue from the Community Preservation Act which took effect in 2022. On the expense side, we need to hold all departments accountable for finding efficiencies so that we do more with the funding we already have.

6. The Advisory Committee has been told that Town departments are losing staff because our salaries are lower than those offered in surrounding communities. At the same time, the School Superintendent reported that the teacher salary structure is among the top five in comparable communities. Is too much going to the schools? If so, how would you address this issue?

We definitely need to re-examine the Town-School Partnership and evaluate whether the current 60-40 split between the schools and the Town should be adjusted.

7. While many residents are supportive of updating the Pierce School, there is concern that the proposal on the ballot is too extravagant. Can you comment on the Spend Smart proposal.

I've spoken with [Select Board Member] Mike Sandman about this in depth. After reimbursement from the MSBA (Massachusetts School Building Authority), the actual cost to Brookline taxpayers is \$174 million. The MSBA funding is contingent on building a new school, not renovating the existing one. The Pierce building committee has already eliminated

costs through a value engineering process. Adding to the costs is the need to maintain the garage for school employees and the installation of geothermal heating and cooling in keeping with the Town's sustainability goals. I am not familiar with the Spend Smart numbers so I cannot compare the two projects.

8. Looking at a potential 10% increase in taxes, what do you say to the average senior who can't afford it?

We need to make sure that seniors receive all the tax exemptions they are entitled to. But the long-term answer is to find additional revenue streams such as expanding the commercial tax base, increasing PILOTS, and utilizing Community Preservation Act funding.

9. Please comment on the Planning Department's Harvard St. MBTA Communities Act re-zoning proposal.

Brookline needs housing for all socio-economic groups – middle income, low income, and subsidized housing. The Harvard St corridor proposal re-evaluates how we do business on Harvard St. and whether more effective zoning could address more of our priorities. We need to work with the State Department of Housing and Community Development (DCHD) to come up with a way to comply with the MBTA Communities Act that is right for our community. I will work to build consensus around the outcome.

10. Would you make it a priority to fund a long-term analysis of how to meet the needs of residents aged 60 and older, especially the upper end of the demographic.

Absolutely, it is something we must do. I'm surprised we haven't done it already. Seniors definitely need a larger piece of the pie.

11. Another proposal is to introduce a local transportation option similar to the one in Newton which would tie together South and North Brookline and be of particular help to seniors, many of whom no longer drive. Would you be in favor of something like that?

Absolutely. I've seen it in Newton serving high school students. We need to make sure there is consistently reliable transportation for seniors especially since there is very limited parking at the Senior Center. I also want to talk about funding a bookmobile to bring library services to seniors.

12. Town Meeting passed a resolution to build senior housing at Station Street in Brookline Village. There was supposed to be a study of the feasibility to replace any parking lost with street parking. What is the status of that? There's been no report of what's going on there.

Often in Brookline, things are supposed to be done, the ball gets dropped, and no one is held accountable. I will be the one you can hold accountable. That's why I'm running, to make sure we do the things we

say we're going to do.

13. There are multiple committees involved in Town government but they often do not have representation from the senior community. Should they?

I totally agree. There should be at least one representative of the senior community on every Town committee, and there should also be a Select Board Member to make sure all members of the community are represented and heard.

14. We cannot pay for the services we now have, but in the course of this conversation you have supported, among other things, adding space at the Senior Center, whether at Fisher Hill or elsewhere, and a new local transportation service. How do you pay for it all without repetitive overrides which are driving out the middle class?

That is why I say we have a fiscal crisis in Brookline. We need to stimulate the economy through expanded commercial development such as the proposal to bring office space to underutilized areas like Chestnut Hill. Housing units and commercial space should be combined so that people can shop where they live with accessibility to the MBTA. As a member of the Select Board, I will be focused on this issue.

15. Economic development is a long-term solution, but right now, there is no additional money available without overrides. TMMs propose new things, but I have never heard one of them say to fund this, this is what needs to go away. What trade-offs would you make in the short-term to fund new initiatives? What would you make go away?

I'm not a fiscal conservative. We cannot cut services without eliminating jobs since 75% of our cost is salaries. But I do believe in efficient government and that's what I'm willing to give you.

Final Statement

I got into this race to make sure voters have a choice. Here is what you can hold me accountable for if I am elected:

- broadening the tax base through commercial development
- finding efficiencies in government through prudent fiscal oversight
- proactive climate policies to meet our sustainability goals
- support for our schools while understanding their impact on the total community
- re-evaluating the Town-School Partnership so it reflects the needs of all stakeholders
- detailed evaluation of our housing and business models to create policies to foster sustainable financial solutions to our affordability crisis

I will make the executive decisions needed to support business growth, assure equitable policies for seniors, and proactive solutions for transportation, accessibility, and communication.

II. Q & A Session with Maria Morelli on Choice of Harvard St as Brookline's MBTA Communities Act District

GUEST PARTICIPANT: Maria Morelli (Senior Planner, Brookline Department of Planning and Community Development)

Ms. Morelli had an Initial meeting with the LCAC in January to review the Harvard Street proposal in depth and its relation to the MBTA Communities Act. In addition to today's conversation, Ms. Morelli responded to written questions which are appended at the end of these minutes.

The Harvard Street Corridor Study (which was begun over two years ago, prior to passage of the MBTA Communities Act) was part of the Planning Department's overall review of the barriers to creating multi-unit and mixed-use development. Under current zoning, Brookline is unable to create different types of housing for different types of households or to expand the commercial tax base in a prime commercial corridor. The Harvard Street proposal reinforces the 3-1/2 to 4 story scale and Main Street character of the area while encouraging modest commercial and housing growth. It is designed to maintain existing businesses and housing and allow implementation of the inclusionary zoning bylaw which requires 15% of new development to be affordable units. Enactment of the MBTA Communities Act with a limited timeframe for the Town to comply has reinforced focus on the Harvard Street proposal and the measures outlined in the study. Since late 2022, the Planning Department has engaged in a robust community process and will continue meeting with various community groups up until the vote at November town Meeting.

Q&A

1. Have there been any changes to your proposal based on information from the meetings you've held so far?

Most of the concerns so far have been about the MBTA Communities Act itself. For example, the law does not allow us to mandate ground floor commercial use or cap unit size. The Select Board has sent a letter to the State Department of Housing and Community Development (DCHD) summarizing the community's concerns.

2. People are concerned about how the changes affect them personally and the meeting you held just with the folks in Precinct 8 was very helpful. You plan to hold other area specific meetings so residents can focus on how the changes impact their immediate surroundings. Have those been scheduled?

Opticus Design will be conducting those meetings, beginning with an explanation of form-based design, and then go on to schedule the public workshops. I will have their plan by mid-April and publicize the schedule on our website. We will also work with TMMs to communicate it.

3. How do you keep existing stores open if developers are building up over them?

Zoning is not a revitalization plan. It is insurance that what you want is done by setting criteria for what is allowable. Not every building owner will choose to develop housing, but you want a scale that is viable for development (four stories) yet does not encourage demolition and reconstruction (six stories). Zoning minimizes displacements by establishing controls. Whether or not to keep a store open is up to the individual developer.

4. Has a decision been made about Harvard Street? What other areas were considered?

We are proposing Harvard Street to comply with the MBTA Communities Act and avoid the penalties for non-compliance. We did look extensively at other options, and Planning Director Kara Brewton is holding one of several sessions tomorrow to discuss the constraints we faced in other districts and why Harvard Street is the optimal choice. There will also be an opportunity at that time for community input into what they would like to see in those areas.

As part of the Harvard St. Corridor study, we looked at the existing character of the district as well as the barriers to development. Having already done that study saved the Town about \$150,000. It also helps us to comply in a tight timeframe with sound planning which retains the area's existing character. The proposal is about changing the zoning to match the existing footprint and building envelopes, to retain and not to transform. Through an emergency funding request that was approved by the Select Board, we were able to hire a pre-eminent firm to create the form-based zoning.

5. When were the studies of the other areas done and how many were there?

The MBTA Communities Act restricts us to a one-half mile radius of rapid transit so we are limited to North Brookline. We ruled out the two-family districts because changing them to three-family to meet the criteria is a more radical change. We looked at all of North Brookline – Washington Street, parts of Route 9, Commonwealth Ave., the smaller residential districts, single-family and multi-family. Director Brewton will be discussing that in more detail tomorrow.

6. You have said form-based building is about geometry and numbers. But Harvard St. has soul in the stonework and the brickwork and I would hate to see that lost because of geometry.

We are not looking at numbers first. We are looking at what is currently there and how to save it. For example, even though Brookline Village is on the National Register of Historic Districts, there is nothing in the current zoning to prevent demolition. We will be developing architectural

standards over and above form-based zoning which is more costly but will protect what is there.

7. There are concerns that smaller four-story buildings between taller buildings as now exist on Harvard St. can be torn down and raised to the higher level, that parking will be lost, and that in addition to Harvard St. you are including some of the side streets. Please explain.

Let's start with side streets. We are looking at all of Brookline Village because it is at risk, so that includes parts of Washington St. We also need to meet a theoretical density of 7,000 units so we have to include some of the side streets to reach that and still stay within four stories. We included an area from Stearns to Saint Paul because its already built up so nothing more will happen there. There's no potential for infill. We can protect it by writing the zoning to match what's there now. We get the land area for multi-family zoning without the risk of further development.

People get nervous when they hear "as of right." All that means is that the developer has to comply with all the standards in the law. The new zoning includes more standards and more design review which provides the protection that is missing now. Developers will not take down a four-story building to build a four-story building. I encourage you to talk to the building owners and not just take my word for it.

We are not going into the smaller residential streets like Steadman and Beals. Anything that is existing two-family is not included in the maps I shared with you (see Planning Department Response appended to these minutes). The zoning is defined by boundaries and those smaller residential streets are not within the boundaries.

8. What about parking requirements?

There is a parking minimum per residential unit in the current bylaw and provision to go below that minimum to zero by special permit. But we want to prevent unlimited parking, so we are proposing a parking maximum where a special permit is required to go above one space per residential unit, and require traffic studies of the impact of additional parking on a congested area, particularly the side streets.

Visitor parking is parking in the public way, and the Economic Development Division will do a professional study to analyze the parking supply in the public way. We don't want curb cuts on Harvard Street that take away any existing parking. The zoning does not address the public way, only parcels. My colleague, Meredith Mooney, Director of the Economic Development Division, will be conducting a study focusing on parking for patrons of local businesses.

9. Have you considered air rights?

We are not looking at tall buildings so we are not considering air rights at this time. This is a first step to create zoning that works for everyone. In the future, we could consider overlay districts that address air rights if that makes sense.

10. This feels like there is no genuine choice, but to take it or leave it because of the time constraints and potential penalties. Are we compromising by choosing the one place that has been studied extensively instead of making the best choice?

There are risks to Harvard Street if nothing is done. Some studies require more time. The logic behind Harvard Street is that we can remain consistent with the Town's goals for racial diversity, equitably priced housing and expanding the commercial base while cherishing what is already there. Director Brewton's presentation tomorrow will provide the context you are looking for. There are also different levels of study. We have considered other areas but have not done the deep level that has already happened on Harvard St.

People should consult the Planning Department page on the Town website (www.brooklinema.gov/2044/Multifamily-MBTA) for updated information and a schedule of future meetings. They can also contact Maria directly if they have further questions.

III. Date of Next Meeting: May 8

Arden Reamer

Brookline Select Board

My name is Arden Reamer and I am running for Select Board!

I am so excited to meet with you in the coming months to discuss the important issues facing Brookline, and even more importantly to hear from you! To get started, I want to tell you a bit more about myself and why I decided to enter the race for Select Board.

Born and Raised in Brookline:

I love this town. I was raised here, and am now raising my own family here. My husband and I have 2 children, enrolled at the Florida Ruffin Ridley School and Brookline High School. Our other child is our dog, Oreo. My mother is here and still active in the community, and my brother is also a longtime Brookline resident. In short, my whole family is invested in our community, our schools, and Brookline's future.

With a Master's in Education and a Master's in Business Administration, I began my professional life in social services with underserved communities and in the Massachusetts Office for Administration and Finance. Since turning my full attention to family and community, I have served as PTO Treasurer and School Building Committee Parent Representative when the Florida Ruffin Ridley School was renovated. I've been active in supporting Brookline's committed reproductive health providers. And in 2021, I became a Town Meeting Member for the first time, representing Precinct 8 (Coolidge Corner).

Why I'm Running for Select Board:

Unless you are very new to Brookline, you know that we've struggled in recent years with the many challenges of Covid, growth in our schools, and political strains that mirrored those in the rest of the country. Because of my mother, I worry about the issues facing our older residents, and keeping Brookline an age-friendly community. Because of my kids, I worry about EVERYTHING, but especially our schools and climate change. Because of our dog, I worry about our parks, the turkeys and coyotes, and the rats! Because I am female, I worry about the future of reproductive health and rights, about race, gender, and LGBTQ inequities that are growing instead of shrinking.

I've watched as our Select Board has missed opportunities to provide strong leadership on all of these issues. We need new, steady, thoughtful, progressive leadership to move forward.

What Your Vote on Tuesday, May 2nd Means:

A vote for Arden Reamer for Select Board is a vote for the new leadership we need. Ask anyone in Precinct 8, and they will tell you I have been a leader in driving local civic engagement, talking with everyone on my frequent walks with Oreo throughout the community, and hosting constituent information sessions. That's the kind of energy, commitment to community voice, and leadership I will bring to the Select Board.

Here are just a few other issues I've been hearing about:

- Making Brookline more affordable for seniors, renters, and other cost-burdened residents
- Making Brookline a competitive employer where our great staff wants to stay and where they are supported to provide excellent municipal services
- Helping our independent businesses stay and thrive in vibrant commercial areas
- Thinking about the climate crisis and supporting progressive municipal policies that are working towards a solution
- Advocating for reproductive rights and gender affirming care I look forward to hearing about what's on your mind! With these and other critical issues confronting our Town, we will need effective and compassionate leadership to move us forward. As a mother, a wife, an advocate, a former civil servant, an elected representative, and a lifelong Brookliner, I will be ready on day one to provide strong executive leadership that is sensitive to the needs of residents and the Town. I would be honored to have your support for my campaign and your vote on May 2nd. Please visit my website: www.arden4brookline.com

Written Q&A with Maria Morelli
Choice of Harvard St as Brookline's MBTA Communities Act District

Staff responses are below in boldface type

1. Starting this month, there will be opportunities for much more public input. How will members of the public be informed of the date/ time/ and purpose of these meetings — in addition to posting this information on the Town website calendar? Have you considered using Soofa signs? Sandwich boards? Paper mailings? What topics will people get to speak on at these meetings (a few concrete examples would help)?

STAFF RESPONSE: There are several formats for community forums. As the manager of this project, I am meeting in “Community Pods,” which are small groups organically scheduled times where people want a more low-key setting to discuss concerns and conduct site walks to address streetscape, massing, especially relationship to neighboring structures, architectural standards for “skin” of the building, impact from operations such parking location and trash management. I am working through neighborhood associations and precinct Town Meeting members to create these organic meetings. I invite you to contact me for a site walk on Harvard Street: mmorelli@brooklinema.gov

As for more formal public meetings:

See the [Stay Connected](#) events page for a list of public meetings that the Town is hosting as well as my informal Zoom Office Hours Mondays and Tuesdays.

Director Kara Brewton is hosting two public meetings April 4 and April 14 to discuss district options explored and ideas the community has).

The Department will be giving the Select Board monthly updates with public comment.

Formal community meetings will be conducted by Opticos Design, the form-based zoning consultant. By mid-April I will have a project timeline with more specific topics for community workshops that target the concerns of specific segments on Harvard that affect those abutters.

I will discuss your other great suggestions with the Director.

2. Has there been any analysis and consideration of any areas other than or in addition to Harvard St (and that adjacent multi-family area) in order to meet the DHCD requirements? This has been requested by many TMMs. Why or why not? Many TMMs and other residents object to not being given a genuine choice.

STAFF RESPONSE: The Planning Department extensively assessed many areas for

possible MBTA Districts before proposing Harvard Street as an optimal choice. Planning Director Kara Brewton has scheduled two public meetings—April 4 from 5:30 pm to 9 pm, and April 14 at noon—for a presentation of the Department’s assessment of the other areas (risks, opportunities, constraints) as well as a discussion of the community’s ideas. She will be reporting to the Select Board on April 25 on this matter. I encourage community members to attend the April 4 meeting, which is on the Town Calendar and on the Stay Connected events page. Out of respect to Director Brewton, I will not preempt that discussion by responding more fully here.

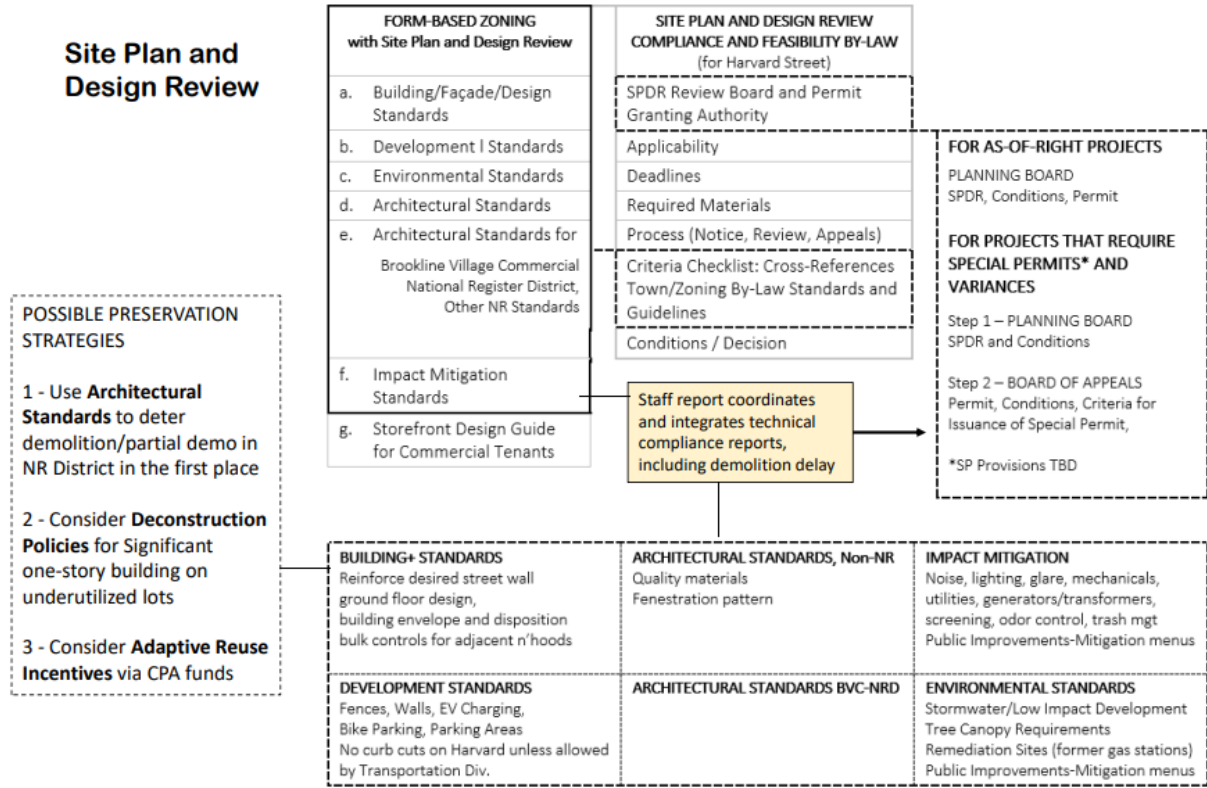
3. What exactly does "by right" mean? With "by right" zoning, who decides whether a developer's plan for a property actually meets the criteria spelled out in the zoning by-laws? If a developer is judged to meet those criteria, is that the end of the conversation, or are there additional requirements that come into play, additional conversations between developer and Town?

STAFF RESPONSE: “By right” or “as of right” means that the developer must comply with ALL requirements in the bylaw. Therefore, the zoning by-law must have two important safeguards—which are currently lacking in Brookline’s zoning: (1) comprehensive and objective design standards that spell out what you *want* to see constructed in specific neighborhood types and (2) a site plan and design review (SPDR) bylaw that coordinates all impact areas from trash management to stormwater management to ensure compliance and feasible mitigation of those impacts. The Planning Board would be the authority to review all projects for compliance/feasibility at a public meeting, where public comment would be requested to improve impacts. Planning Staff would assist the Planning Board by coordinating all of the technical reports from every pertinent Town Department so that the SPDR process is thorough and integrated—and transparent. The SPDR process would allow the Planning Board to put conditions on the project. Below is a diagram of the standards that we would integrate into the Harvard Street District bylaw—note we would need to write this SPDR bylaw and create the objective design standards under the form-based zoning, which provide the requisite specificity for avoiding unintended design outcomes.

We caution anyone thinking, as a quick way to comply with the MBTA-CA, of merely decoupling the Special Permit process for zoning districts where multifamily is already built- up areas *without* the two safeguards above in place in the bylaw. This approach could have unintended consequences.

The SPDR process would also allow the Town to ask for mitigation funds; however, Staff advises that the Town document in writing some of the mitigation categories that may be covered (repair of sidewalks, new public trees, BlueBikes racks, ADA-compliant traffic signals, etc) so that conditions on the project are not perceived as an effective denial of a by right project. Note that we can still have Special Permit

projects but we need to ensure that such SP provisions are not so onerous that they do preclude by right residential projects.



4. People are very concerned about potential loss of cherished businesses in one-story buildings on Harvard St, so let's talk about the actual risks. How many places are there actually along Harvard where tear-down/new construction might realistically take place? (a) What percentage of those buildings are owned by those businesses, as opposed to leased? (b) Point out the shallow lot sizes all along much of Harvard St, which are unlikely to support new 4-story buildings. (Developers want deeper lots - the Calvin/Tatte building required purchasing an adjacent lot to get enough space to build.) (c) If these shallow lots are not appealing to developers who want to build 4 stories, can rezoning these areas still help us meet the DHCD criteria? (d) How many deeper lots are there along Harvard St. Can you provide a few examples?

STAFF RESPONSE: Staff has always acknowledged the importance of protecting existing businesses from rapidly paced demolition, which is why the Department advises keeping the max building height scale at four-stories to temper turnover. (If retail is lucrative, the owner is less tempted to redevelop four stories because the return on investment would not be worth it.) We also encourage the community to attend Economic Development Advisory Board meetings when the Harvard Street district is the topic (April 3 at 7 pm is the next one). The co-chairs have excellent real estate experience and can expound on my responses more fully.

One of the most unique “ecosystems” is the enclave of Jewish shops in the JFK

Crossing area in the midst of the magnificent Temple Kehillath Israel. Staff is often asked how zoning changes might affect this important cultural asset, as well as other cherished businesses.

Part A

The good news is that many of these buildings are owned by the shop owners or business founders themselves. For example, the Butcherie owners own that building and thankfully were able to renovate the building when it suffered a fire a few years ago. The owner of Andrew's Catering owns his buildings. The founders of Kupel's Bakery, the Kupelnick's, sold the business to a longtime manager but still own the building. We continually reach out to property owners and will share more about business owners who own their buildings.

In addition, the recent development at the 2Life senior affordable housing project will be adding to this special enclave: The nonprofit has signed a lease with a Jewish bakery to fill the new 5000 sf space that was created as a result of this 40B. This will no doubt attract even more customers to the existing Jewish shops, both from the residential and commercial components, and is a great example of how infill development can support existing businesses by increasing the customer base.

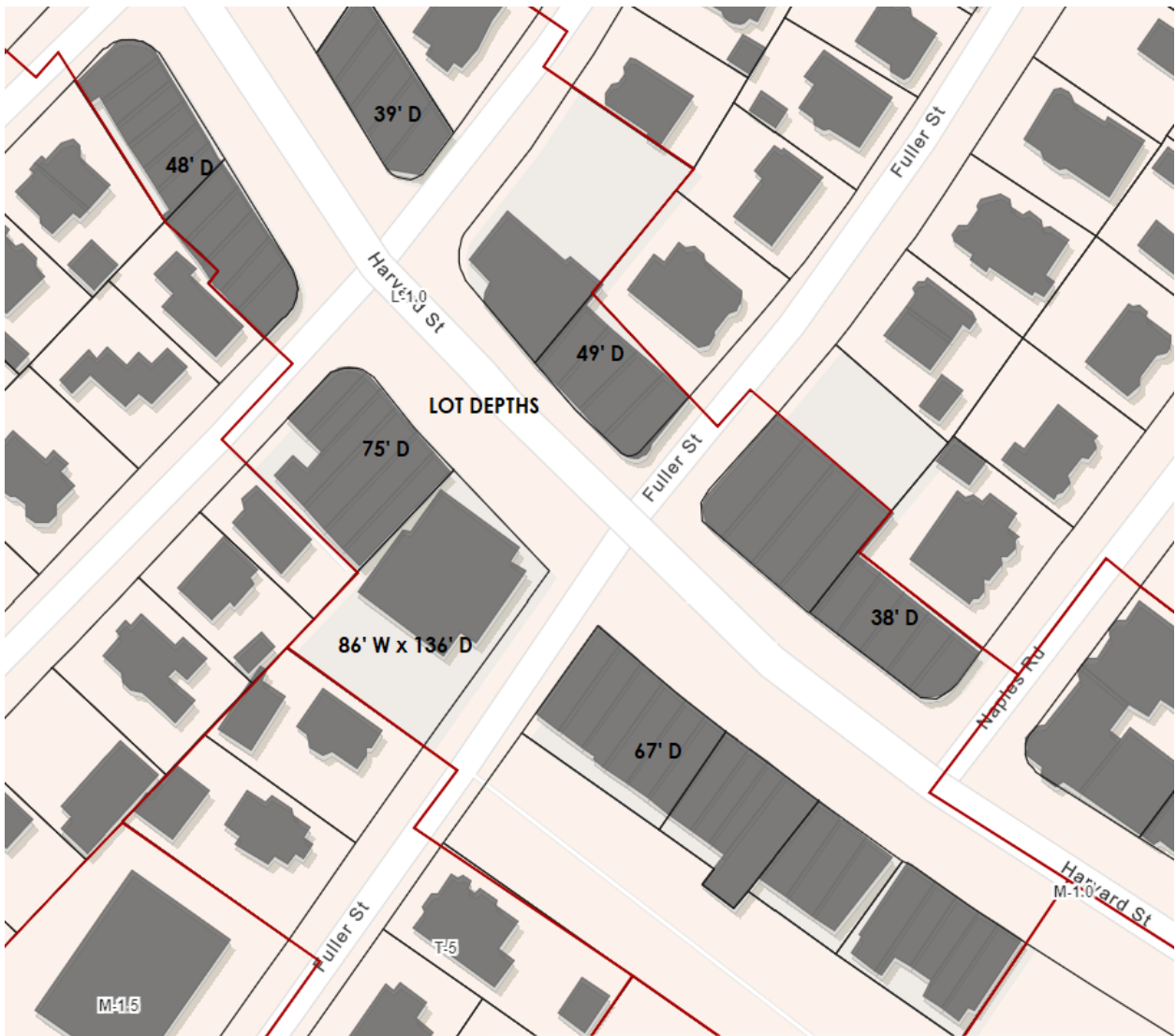
Because of the concern expressed for the viability of the Jewish shops in particular, I want to share a link to a [blog post](#) by Town Meeting Member Jonathan Abbett. As you know, walkability is especially important for the Conservative and Orthodox Jewish community observing religious practice. Mr. Abbett makes a point of supporting the Harvard Street MBTA-CA district because in his opinion that would increase opportunities for observers to live within walking distance of shops that uniquely serve their religious practice.

Parts B, D

Before answering the rest of your questions about lot size, I do want to point out that neither Town Staff nor Town Meeting Members own this private land. The property owners are individuals who have rights provided under the Constitution to use and enjoy their private land. The owners of these parcels have the right to sell their property or redevelop it. (For example, the owner of Shimon's gas station worked with a developer to permit a mixed use 40B after complaining about the restrictive zoning that impacted him financially.) Even though the Town is authorized to regulate private land, the intentions must be clear and transparent. If you intend to keep buildings 18 feet tall and to eliminate residential uses currently allowed, property owners would be very concerned. (In effect, this is what the non-functional bylaw does, even though the building heights allowed are 40, 45, 50 feet, or four-stories, and mixed use is also allowed.)

Below is a map of lots in the JFK Crossing area that shows the depths of some lots. The lots where many small shops, including the Jewish shops, are shallow: 38 to 67 feet

deep, for example. Although these lots *could be developable* under the new zoning *if the owner chooses*, corner lots that have access to rear parking off a side street and that are deeper (100 to 120 feet deep) are more appealing for redevelopment. Note that the Tatte building is on a lot 136 feet deep (and still the owner needed to purchase an abutting lot for below grade parking). The lot at 411 Harvard is about 100 feet deep and could be attractive, if the owner of that property were interested (not all owners are developers!). By the way, the owner of 411 Harvard also owns a very popular Jewish shop in JFK Crossing.



Part C

Of course, we can include any parcel where the zoning would *theoretically* have capacity for multiple residential units on one lot, even if we think it is unlikely to get

redeveloped! The MBTA-CA is not a production plan—we are not required to report on how many units actually get constructed. We just need to ensure that the zoning regulations do not obstruct the capacity to use that land for residential units.

5. How much of the land along Harvard St is likely to be rezoned if the current plan being developed is approved? 100%, 50%, or somewhere in between?

STAFF RESPONSE: Draft Harvard MBTA-CA district maps are [posted here](#). The boundaries may change. Webster Street to Green Street (because they have Beacon Street addresses) is excluded, as is the Arcade lot and abutting Town-owned parking lots. If these parcels are within the boundary of the DRAFT map, that means I need to update the map!

6. Won't this new MBTA by right development zone likely result in a decreasing percentage of affordable housing in Brookline? Because there is no requirement under state law that developers in this "by right" development zone build affordable housing units if their building has nine or fewer units, will developers have any financial incentives to build affordable housing units rather than high priced luxury units in any MBTACA development zone in Brookline? Aren't developers going to seek to maximize their profits by constructing high priced dwelling units?

STAFF RESPONSE: The proposed new zoning under MBTA-CA could actually produce MORE affordable units not fewer. Half the parcels on Harvard Street are built up and most have residential units. None have affordable housing—the exceptions are the 40B projects and the Brookline Housing Authority project near Alton Place (the current zoning did not create any affordable units on Harvard). The current zoning precludes any future commercial or housing growth because Floor Area Ratio, the 40 foot height limit, and the open-space standards are more conducive to suburbs with backyards! The affordable housing bylaw mandates that 15% of total units be affordable, but if there are no opportunities to apply it, then how will the Town create affordable units anywhere? [0 projects x 15% affordable units = 0 affordable units] DHCD updated its Guidelines (which are law) to allow municipalities to retain their existing inclusionary zoning bylaws if the percentage/income limits exceed 10% at 80% Area Median Income—as long as additional documentation is provided. DHCD will explain soon the documentation required to show economic feasibility of the Town's affordable housing bylaw. *Yes, the Town can mandate 15% affordable housing in the MBTA-CA District.*

In addition, the Housing Advisory Board has submitted Warrant Article 15 to Spring Town Meeting, which would narrow the cash payment alternative to providing affordable units on-site. The option for a cash payment is currently for projects between 4 and 19 units. That would be narrowed to 4 and 10 units—thereby ensuring that any Harvard Street project with a residential component would be a MIXED

INCOME project under the new zoning!

By combining WA15 (if it passes) with the height limit of four-stories, developers will be incentivized to put more units on site that are average sized. With a wide cash payment window, developers tend to create larger than average size units to avoid the “20 unit” on-site affordable threshold. Staff and the HAB would close that gap. Keep in mind that average size units are typically a minimum of 500 sf for studio to 1200 sf for a three-bedroom. There is no definition of non-luxury unit in terms of rents—it is relative to your area. If you look at Zillow and the listings for apartment rentals on Harvard Street, you will see that average size units have *exorbitant* rents.

A developer I consulted with calculated a scenario for a hypothetical 30 unit mixed-use project on Harvard (with 15% affordable), and the rents he would charge were in line with if not actually lower than some of the listings on Zillow; the unit sizes were also average in terms of the market.

6. What can the Town do to encourage developers to build affordable housing in any MBTA Communities Act zone in Brookline?

STAFF RESPONSE: *By not paying lip service to the MBTA-CA and instead designating a district where additional growth is possible—some community members are suggesting the opposite strategy of designating districts where NO further growth is possible. Note that in its February 7 resolution the Select Board instructed Staff to ensure that the MBTA-CA district actually facilitates more commercial and housing growth, especially to foster racial equity in keeping with the Town’s goals. The plan for Harvard Street would meet the Town’s goals and the Select Board’s resolution. Please see [Staff’s March 28 Update to the Select Board](#) (starts at 2:07).*

7. If rezoning increases property values all along Harvard St, won't that increase the assessments of those properties, and thereby increase their real estate taxes? If so, might the simple fact of rezoning drive out some businesses (especially those that are smaller, unique, and not part of a national or regional chain)?

STAFF RESPONSE: Assessments are based on *existing uses* not zoning. You can consult with the Assessor directly as well.

On the other hand, tax overrides increase taxes, which commercial tenants pay in addition to other expenses. High real estate taxes have been a deterrent to some prospective retailers (see 455 Harvard). This is a key reason why some property owners lease to readily credit-worthy national chains instead of local businesses. It is important that property owners are represented—these comments are from Harvard Street property owners themselves.

If property owners can redevelop their properties, then the improvements (improved

existing use) will be assessed for more taxes, which will provide more revenue. Complementary uses (on the upper floors) *could* help lower the Common Area Maintenance fees that landlords charge commercial tenants (as some landlords have stated to Staff).

In fact, a key question is: What potential growth is being suppressed because of the non- functional zoning?

8. Rezoning Harvard St, probably the Town's most important commercial corridor, seems to involve significant risk to this most important street, this critical Town asset. Why wouldn't focusing on some other streets or area(s) instead of, or in addition to portions of, Harvard St present less risk?

STAFF RESPONSE: Retaining the existing non-functional zoning is actually a risk to sustaining and enhancing this vital commercial corridor—many of the reasons are cited above and in particular in the [Harvard Street Study](#) that Staff conducted over the previous two years. In addition, Staff can speak even more fully at the April 4 public meeting. The proposed zoning seeks to remedy these barriers and risks—whether there is an MBTA-CA to comply with or not.