

BROOKLINE COMMUNITY AGING NETWORK  
Livable Community Advocacy Committee  
January 9, 2023

Attending: Susan Granoff (Chair), Maria Morelli (Guest Presenter), Representative Tommy Vitolo (Guest Presenter), Fran Perler and Marilyn Rosenbaum (Guest Presenters), Anthony Ishak and Perry Grossman (Guest Presenters), Carol Seibert (Notetaker), Carol Macbain, Carol Caro, Janet Gelbart, John Seay, Susan Cohen, Paul Warren, John Harris, Henry Winkelman, Marion Freedman-Gurspan, Melissa Trevvett, Matt Weiss, David Trevvett, Ruth Seidman, Hugh Mattison, Yolanda Rodriguez, Roger Blood, Sandy Spector, Roslyn Feldberg, Lou Crimmins

*Special Request by Susan Granoff and John Seay (BrooklineCAN Treasurer):* The Livable Community Advocacy Committee (LCAC) is the advocacy arm of the larger BrooklineCAN (Brookline Community Aging Network) which advocates for the town's senior population. Of the approximately 80 individuals on the LCAC mailing list, 20 people who regularly attend LCAC meetings have not currently renewed their membership in BrooklineCAN. Another 30 individuals on the LCAC mailing list have never been members of BrooklineCAN. We are all urged to renew a lapsed membership or join on the BrooklineCAN website now: [www.brooklinecan.org](http://www.brooklinecan.org). If you are unsure of your status, please check with John Seay <[js@johnseay.net](mailto:js@johnseay.net)>. Your new expiration date will be one year from the date of dues payment. Your dues help make possible the many services and programs offered by BrooklineCAN. Thank you!

1. **Presentation: Harvard Street as an MBTA Communities District: Lifting Barriers to Multifamily, Mixed Income, Mixed Use Development; Reinforcing Main Street Character**

Guest Presenter: Maria Morelli, AICP (Senior Planner, Regulatory Division, Brookline Department of Planning and Community Development)

Ms. Morelli has been a member of Brookline's Planning Department for ten years and has developed expertise in the complex world of zoning regulation as a tool to fulfill our shared goals for the kind of community we want Brookline to be. Her talk focused on her current work on a study of how this town might meet the requirements of a relatively new Massachusetts zoning law by naming Harvard Street as our "MBTA Communities District." In 2021, the state adopted the MBTA Communities zoning law requiring most cities and towns served by the MBTA to zone a district for multi-family housing near MBTA stations. (M.G.L. c. 40A, sec. 3A). There is a December, 2023 deadline for Brookline to adopt

zoning for a district that will comply with the MBTA Communities Statute. Failure to meet this deadline would result in significant loss of State funding for public housing and possible civil lawsuits against the Town of Brookline. Emergency funding of \$250,000 would be needed to meet the task once community/decision-makers are on board. Town planners believe that the timeline is doable with zoning recommendations to be ready for public review by June, 2023, Warrant Articles prepared by September, and a vote at the Fall, 2023 Town Meeting.

The current study of Harvard Street zoning by the Planning Department actually pre-existed the new state law, but fortunately dovetails quite well with the new requirements. Ms. Morelli explained that it would be possible to meet the State requirements with a Harvard Street development.

Ms. Morelli noted that our Town can achieve many shared goals by creating zoning bylaws that allow and incentivize multifamily, mixed income, mixed use development. Most of the multifamily housing developed in Brookline has been the result of 40B projects, not through town-promulgated zoning regulation. It is recognized that multifamily housing production is not keeping up with population growth and demand.

The Brookline that we all recognize as our town did not happen by chance. Brookline is beautiful, enjoyable, walkable and encourages browsing, shopping, eating because we have not chosen a suburban strip-mall development model but instead created the “main street” identity that defines Brookline through our zoning regulations. In much greater detail, Ms. Morelli explained what we need to do to lift existing barriers to multifamily development along Harvard Street while reinforcing the elements that give that street its character.

Her slides, provided below, give much detail about some of the design elements she believes will work: maintaining the current four-story scale, using a zoning approach that reinforces existing neighborhood characteristics, providing affordable units on-site, requiring heat-island mitigation, and deterring demolition in National Register districts. Providing education to the town is step one. The Planning Department study that Ms. Morelli discussed at our meeting will be published and made accessible to all on the Town website within the next few weeks. There will be multiple upcoming opportunities to hear more on this project. Ms. Morelli invites our active engagement with the process this year. She urges anyone with questions to contact her at [mmorelli@brooklinema.gov](mailto:mmorelli@brooklinema.gov). Written questions that Ms. Morelli received from our members and her answers appear in a separate document.

## 2. Update: State Legislature's Action on Home Rule Petition for Means-Tested Property Tax Exemption for Brookline Seniors (S 2803)

Guest Presenter: State House Representative Tommy Vitolo

Representative Vitolo announced that, after years of effort, a home rule petition originally drafted by Brookline's Moderator's Committee on Elderly Tax Relief, chaired by Susan Granoff, has been passed by the State Legislature and signed into law by the Governor during the first week of January 2023. State Representative Tommy Vitolo and State Senator Cynthia Creem, with the support of Brookline's other representatives, successfully shepherded the bill through the Legislature. Susan expressed her appreciation to Brookline's delegation to the Legislature for all of their hard work and support that led to the enactment of this bill.

Brookline's new tax exemption is modeled after a highly successful program in Sudbury for senior homeowners that has been in operation since 2014 and which has been adopted by many other Massachusetts communities.

Under this exemption, no qualifying senior homeowner is required to pay property taxes greater than 10 percent of their total gross household income – as long as they pay at least half of their annual property tax bill.

It's restricted to senior homeowners who:

Are 65 or older (with a joint owner, if any, at least 60 years old)

Have resided in Brookline for at least 10 consecutive years

Have a prior year's gross household income low enough to qualify for the state Circuit Breaker Income Tax Credit

Own and occupy a Brookline home with an assessed value no greater than the prior year's median assessed value of all Brookline single-family residences (condos plus single-family homes) plus 10 percent (which in 2020 was about \$1.34 million)

Must not own "excessive assets" (as defined by guidelines to be set by the Select Board) AND

Are unable to qualify for Brookline's Senior Tax Deferral Program despite a good faith effort to do so (most likely because they have a conventional mortgage on their home)

The provisions of this act must still be reviewed by the Attorney General's office and will not go into effect for at least 90 days. More information about the

procedures for applying for this exemption will be provided by the Town's Assessors Office during the next few months.

3. **Presentation: Petition to Fully Fund the Town of Brookline's Rodent Control Action Plan**

Guest Presenters: Fran Perler and Marilyn Rosenbaum, JFK Crossing Rodent Point of Contact Group for the Brookline Health Department

Fran Perler reported on a petition organized by a coalition of JFK Crossing neighbors led by Fran and Marilyn Rosenbaum to urge the Select Board to fully fund the Rodent Control Action Plan developed by the Health and Public Works Departments and presented to the Select Board on October 12, 2022 in order to address the significant increase in rats experienced by Brookline. Fran provided some background on this issue and asked for our members' support. They plan to present the petition to the Select Board by January 22. The link to the petition can be found here: <https://fs4.formsite.com/E4qRKX/2tgf5z2tta/index.html> Because of its time sensitivity, a pdf of the petition was emailed to all of our members on Tuesday, 1/10.

4. **Discussion and Possible Vote: Proposed Updating of Traffic Rules and Regulations to Legalize the Operation of Micro-Mobility Devices on Brookline's Streets and Sidewalks**

Presenters: Anthony Ishak and Perry Grossman

The presenters make the case that Brookline's current regulations on this subject are outdated. Transportation Administrator Todd Kirrane in mid December, 2022 introduced a proposal to update the current rules prohibiting the operation of micro-mobility devices such as electric and non-electric scooters, skateboards, segway's, etc. (but not including electric or non-electric bicycles) on the public way by legalizing such operation on both sidewalks and streets with certain restrictions. The Transportation Board has specifically reached out to BrooklineCAN to get feedback from us about these new proposals and their potential impact on seniors should they be enacted. The proposal stipulates that pedestrians have the right of way on all sidewalks, that the operator of the device shall ride at a speed no greater than an ordinary walking speed when on a sidewalk and shall give audible warning before passing a pedestrian. Other rules would pertain, but the above were the provisions that elicited most commentary from the attendees at this meeting.

Drawing on the experiences they had when Brookline briefly tried a pilot allowing the operation of rental electric scooters on our byways, many expressed dismay at the possibility of again seeing non-pedestrians operating on sidewalks. The primary points made emphasized the importance of pedestrians feeling safe on the sidewalk and the threat to safety presented by allowing micro-mobility

devices to share that space. They pointed to the special dangers to seniors for whom a fall on the sidewalk (due to a collision with an electric scooter or trying to veer out of the way of an electric scooter) could have negative life-changing consequences. Further critiques pointed to the impossibility of enforcement, the lack of liability insurance if an accident were to happen, the lack of a requirement for training, etc. The presenters listened attentively and emphasized that this is simply a first draft. They came to LCAC to hear our concerns. It became clear that it will be necessary to work together to find the best approach to balance conflicting interests. This process is just beginning. If any LCAC participants wish to address written recommendations for consideration, forward these to David Trevvett <[detrevvett@gmail.com](mailto:detrevvett@gmail.com)> of the Pedestrian Advisory Committee and to the Transportation Board with copies to Susan Granoff <[susangranoff@msn.com](mailto:susangranoff@msn.com)> Anthony Ishak <[aishakpharmd@yahoo.com](mailto:aishakpharmd@yahoo.com)> and Perry Grossman <[perrygrossman2008@gmail.com](mailto:perrygrossman2008@gmail.com)>.

Further agenda items are deferred to our

**NEXT MEETING: MONDAY FEBRUARY 6, 2023 AT 3:00 pm**