



Economic Development Advisory Board
333 Washington Street
Brookline, MA 02445
617-730-2468

Building a Better Brookline
Meeting Minutes: October 5, 2016

Anne R. Meyers, Co-Chair
Paul Saner, Co-Chair
Dr. Robert I. Sperber, Founder
Cliff Brown
Derrick Choi
Alan Christ
Susan Houston
Kenneth Lewis
Carol Levin
Thomas Nally
Marilyn Newman
Alden Raine
Donald A. Warner

Attendees:

EDAB Members Present: Paul Saner, Ken Lewis, Tom Nally, Carol Levin, Marilyn Newman, Anne Meyers, Al Raine, Derrick Choi, Don Warner

EDAB Members Absent: Cliff Brown, Bob Sperber, Susan Houston

Economic Development Division: Kara Brewton, Andy Martineau, Evan Lehrer

Guests: Hugh Mattison, Clint Richmond, Andrew Fischer, Fred Perry

Materials: Agenda, draft minutes, warrant article summary, sign-by law handouts

1. Review and Approve Minutes

- Minutes from September 2016 were approved.

2. Public Hearing on Warrant Articles 7-11

- Andy Martineau presented to the Board regarding Warrant Article 7 to remind the Board of context and key points.
- Andy described how the zoning is triggered, noting that there are very specific requirements with respect to minimum lot size, lot coverage, sidewalk widths, uses, floor heights, and public benefits that need to be met under the Special District zoning.
- Andy also noted that one of the Committee members, Hugh Mattison, has filed a warrant article that seeks to amend the minimum required sidewalk width on Washington Street.
- Hugh Mattison presented to the Board Regarding Warrant Article 8.
- Hugh discussed how the River Road project should follow healthy and green sustainable practices.
- He noted that his proposal for 18ft. sidewalks with an adjacent planting strip and tree selection that provides for a robust canopy would allow for development to more appropriately mesh with Rt. 9 design.

EDAB Questions/Comments:

- What would Warrant Article 8's impact be on feasibility of hotel project?
- *If ramp doesn't work then the hotel is not feasible because parking does not work.*
- How many parking levels are proposed for the hotel project?

- *The original proposal included three levels, the current proposal has 2.2*
- Derrick Choi noted that the intent of Hugh's Mattison's proposal is to a full push back of the entire structure on Washington Street. He wonders if the
- Would the proposed setback changes would significantly impact the proposed hotel's business model?.
- *Andy clarifies stated that the setback proposed by Mattison Hugh is not about +/- 10 rooms, but about the overall feasibility of the development.*
- Marilyn expressed concern over the language regarding 40B developments in the draft EDAB letter. She Marilyn stated that she agrees though that commercial development in select areas of town is far more financially beneficial than residential development, but language in 3rd third paragraph regarding 40B should be removed.
- *Don asked isn't if there is a way we can come up with a solution that would satisfy what Hugh is looking for while also satisfying the needs of the developer? Why can't the hotel proposal be taller?*
- *Paul Saner stated that tThe geometry simply will not allow for other alternatives. Architects on the Committee concluded that the turning radii and slope of parking ramps would be reduced to where they would not be safe, and thus the project infeasible.*
- *Andy said stated that the Committee process and resulting zoning was truly arepresents a balancing act in looking at ways to create a more comfortable environment for all users: bicycles, pedestrians, etc. so the The sidewalks would become substantially wider than the existing as a result of the zoning passing.*

Public Comments

- Emerald Necklace Executive Director, Karen Mauney-Brodek stated that the River Road project provides significant benefits to the area and encourages visitors and residents to visit the Emerald Necklace by providing better access. She aApplauds Hugh's efforts as it is a priority for the Emerald Necklace to encourage ease of passage. Noted that she believes greenery is a strong visual guide for pedestrians to access parks.
- Clint Richmond stated he was troubled by the "pinch points" Andy mentioned in his presentation. Clint noted that it seems to be a response to the proposal and not a response to the zoning as written. Stated that its seemed like a violation of the spirit of complete streets. He does not like the idea of sidewalks resting under cantilevers. He sStated he doesn't necessarily support Warrant Article 8, but believes his concerns could be concerns shared at Town Meeting.
- Derrick Choi noted observed that that if all we areif we are debating this species of street trees and sidewalk widths, then we are in a very good place.
- Fred Perry asked if Andy's provided visuals were merely illustrative or if they are legitimate plans.
- Andy responded that the visuals are not documents one would submit to receive permits, and clarified that Town Meeting will be voting on the zoning, not on the design of the structure.

VOTED

Upon a motion made by Mr. Tom Nally and seconded by Ms. Marilyn Newman, the board voted 8-0 with one abstention to recommend favorable action on Article 7 and to authorize

the Board co-chairs to finalize a draft letter to the Board of Selectmen outlining the Board's position on articles 7-11.d...

Mr. Don Warner abstained from the vote.

3. Public Hearing on Warrant Articles 5 and 6.

- Mr. Clint Richmond opened up his presentation to the board with a short history of Brookline's actions on plastics, specifically the passing of a law in 2012 banning polystyrene disposable food ware from food establishments, as well as a law banning single use plastic bags.
- He Clint further elaborated on the climate of the rest of the state regarding these restrictions citing 50 municipalities statewide regarding petrochemical plastics and 34 regarding restrictions on single-use throw away plastic bags.
- The proposed Warrant Articles 5 and 6 are updates to the bylaws passed in 2012 of which Brookline was the pioneer. Mr. Richmond stated that to remain in the vanguard on these issues, they must be further addressed with additional regulation.
- He cited continued use of petrochemical plastics as exacerbating the nation's landfill problem and contribution to global warming.
- Andrew Fischer, co-petitioner, stated he is concerned about the impact of climate change is having globally and how Brookline as a town can take action to prevent further negative environmental impacts/outcomes.
- Richmond stated there is a financial incentive to the town as many materials that are collected for recycling don't actually end up being recycled, or the process of recycling the material is simply inefficient.
- Richmond claimed there are aesthetic benefits as these materials often make it into the public realm as litter.
- There are many establishments already making the transition to more sustainable products: Cutty's, Clover, Chipotle.
- There are loopholes that have allowed establishments, particularly in regard to plastic bags, to distribute a complying bag to customers, but actually increased the use of petrochemical plastics. Warrant Article 6 Proposes increasing thickness minimum from 2.25 mm. to 4.00 mm.
- Current exemptions from 2012 bylaw that Article 5 seeks to address are straws, utensils, and stirrers.
- Warrant Article 5 proposes extending these regulations beyond the food sector to the retail sector.
- Richmond stated that in order to move to greater sustainability we have to wean ourselves off of fossil fuels because there is no such thing as a sustainable barrel of oil..

EDAB Questions/Comments:

- Can you list what will disappear from our experience? Plastic straws, etc? Can you summarize the articles?

- *Warrant Article 5 proposes prohibiting only polystyrene straws, utensils and stirrers at retail. Food establishments would be prohibited from distributing polystyrene, polyethylene, and polypropylene straws, utensils and stirrers during phase one of implementation with prohibition increasing during the second phase to eliminate all petrochemical based food ware from food establishments.*
- Are thin plastic bags recyclable?
- *Depends on your definition of recyclable. Brookline's curbside recycling program does not accept them.*
- Are produce bags included?
- *Yes, but retailers can use paper produce bags or biodegradable bioplastics.*
- What are the negatives of these proposals? What are your opponents saying?
- *Cost and availability of alternative products are primary concerns from opponents.*
- Do you mean in the grocery store, you will not be able to buy plastic cups that are prepackaged for use at home?
- *Only polystyrene cups, you can still purchase other plastics at retail.*
- Anne mentions that the implications are much more clearclearer for restaurants, but there is less clarity surrounding the impacts on retailers.
- *There is a concern about the unintended consequences that may affect the bottomline's of smaller retailers. There is an issue with process in that they didn't know about these warrant articles until recently.*
- *Who is going to enforce this?*
- Why is EDAB having this conversation when petitioners have provided no microeconomic analysis as to the impact this ban would have on the bottomline of Brookline food establishments and retailers?
- I feel like this is coming before EDAB too early without enough time to have all of our questions answered or enough time for staff to work with you, restaurants, and retailers.
- Is there a real compelling reason why this can't wait until Spring Town Meeting?
- For certain businesses, the change in per unit cost could be a big deal. That story is an important part of the process.
- Isn't this more of a state or national issue?
- *Nothing will happen at the State or Federal level without more action at the local level. State legislatures won't act until they are compelled to act.*
- A little more investment, with work over the next 5 months, may garner more support for these articles before Spring Ttown Mmeeting.
- Perhaps EDAB should put on the agenda for future meetings time for Clint to provide the microeconomic analysis Derrick requested.

Staff Comments

- Kara Brewton states that there are replacement products available.
- The price difference for alternative products is different for different products for different types of businesses.
- Department is working very hard to notify businesses of the actual implications of these articles, not even the cost..

- Department is still working back and forth with Clint to understand what the plastic articles will even require before we can mail it off to different restaurants and establishments in different languages if necessary..
- After the 2012 plastic bag ban, we requested that petitioners work with us in the future, and again this did not happen.

VOTED

Upon a motion made by Mr. Tom Nally and seconded by Ms. Carol Levin, the board voted 9-0 to take no action on Warrant Articles 5 or 6 at this time.

4. Public Hearing on Warrant Article 4

- Kara Brewton spoke regarding Warrant Article 4.
- Petitioner worked with the Town through the High School's peer leaders program.
- When Tobacco article came up earlier, regarding a complete tobacco ban, the 12 tobacco license holders were very engaged.
- This article, a flavored tobacco ban, was not a surprise to our existing tobacco holders and petitioner has worked with town staff.
- Two business owners made a compelling policy case stating that if tobacco is only for adults, why should flavored tobacco be regulated differently than flavored alcohol?
- It seems that there is split support for these articles.
- Concerned mostly about process.
- Important for EDAB to take a position, either for or against, on proposals that will affect retailers.
- Public Health advisory voted to move ahead with this regulation for public health reasons.
as tobacco use, particularly by young people, poses a public health concern.

EDAB Questions/Comments:

- Is this a ban on expensive cigars?
- *Single cigars would be sold at a minimum price point.*
- The process in this case is one that we want to incentivize and encourage.
- It's important to know exactly what the implications and impacts are.
- *What we do know is that tobacco holders have shown varying levels of support.*
- What would the actual ban be on?
- *Single cigars priced below \$2.50, flavored tobacco products, and limitations on signage.*
- What age do you have to be in Brookline to purchase tobacco?
- *21 years old.*
- Understand the reason to
- What is the core of the argument that states that limiting sale will keep these out of the hands of young people?

- *It is very easy for these products to trade hands from a legally purchasing adult to someone <21 years of age.*

VOTE

AI made a motion to recommend favorable action on move forward with this warrant article. There was not a second.

Upon a motion made by dude next to meKen Lewis and seconded by Ms. Carol Levin, the board voted 8-0 with one abstention to refer this article to the Selectmen's Tobacco Committee. with AI abstaining.

5. Board Member and Staff Updates:

- Kara Brewton gave updates on relevant upcoming events: Brookline Chamber Oktoberfest, etc.

Meeting Adjourned