

## Zero Emissions Advisory Board (ZEAB)

Register to receive meeting link via confirmation email: <https://bit.ly/3zEngvx>

Meeting Date	Meeting Time	Location
Aug 3, 2022	10:00 AM – 11:00 AM	Virtual/ZOOM

Agenda:

Item #	Description	Presenter/Lead
1	Approval of minutes from 07-06-2022.	Chair
2	Discussion and possible vote on Ice Rink design	Stahl/staff
3	Discussion of <a href="#">proposed Fall Home Rule Petition slate</a> , including property tax surcharge and luxury gasoline vehicle excise surcharge	Chair
4	Director updates (time permitting) especially on other building projects, if possible	Director Barrasso
5	Discussion of fleet electrification	Chair/Barrasso/L ohe
5	Public comment and discussion (time permitting).  Public comments may be accepted at the beginning of the meeting or during discussion, upon request to the Chair.	Chair

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ARTICLE \_\_\_\_\_. To see if the Town will vote to authorize the Select Board to petition the Massachusetts General Court for special legislation, as set forth below, to fund greenhouse gas emissions reductions in the Town of Brookline; provided, however, that the General Court may reasonably vary the form and substance of this requested legislation within the scope of the general public objectives of this petition:

**An Act authorizing the Town of Brookline to fund reductions in greenhouse gas emissions**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Emissions Reduction Fund. Notwithstanding the provisions of section 53 of chapter 44 or any other general or special law to the contrary, the Town of Brookline, shall establish a separate account to be known as the Emissions Reduction Fund of which the town treasurer shall be the custodian. The authority to approve expenditures from the fund shall be limited to the Town Meeting, and the town treasurer shall pay such expenses in accordance with chapter 41.

The following monies shall be deposited in the Emissions Reduction Fund: (a) all funds collected from the real property surcharge or bond proceeds in anticipation of revenue pursuant to sections 1 and 6; (b) all funds received from the commonwealth or any other source for such purposes; and (c) proceeds from the disposition of a real property interest that was acquired with funds from the Emissions Reduction Fund. The treasurer may deposit or invest the proceeds of the fund in savings banks, trust companies incorporated under the laws of the commonwealth, banking companies incorporated under the laws of the commonwealth that are members of the Federal Deposit Insurance Corporation or national banks, or may invest the proceeds in paid up shares and accounts of and in co-operative banks or in shares of savings and loan associations or in shares of federal savings and loan associations doing business in the commonwealth or in the manner authorized by section 54 of chapter 44, and any income therefrom shall be credited to the fund. The expenditure of revenues from the fund shall be limited to implementing the recommendations of the Brookline Zero Emissions Advisory Board and providing administrative and operating expenses to the board.

SECTION 2. Surcharge on real property; residential exemptions (a) Notwithstanding the provisions of chapter 59 or any other general or special law to the contrary, the town of Brookline shall impose a surcharge on real property of between 1 and 3 per cent of the real estate tax levy against real property, as determined annually by the board of assessors. The amount of the surcharge shall not be included in a calculation of total taxes assessed for purposes of section 21C of said chapter 59.

(b) All exemptions and abatements of real property authorized by said chapter 59 or any other law for which a taxpayer qualifies as eligible shall not be affected by this chapter. A taxpayer receiving an exemption of real property authorized by said chapter 59 or any other law shall be exempt from any surcharge on real property established under this chapter. The surcharge to be paid by a

taxpayer receiving an abatement of real property authorized by said chapter 59 or any other law shall be reduced in proportion to the amount of such abatement.

(c) (1) For the purposes of this section the term “area median income” shall mean the median family income for the Boston-Cambridge-Quincy area, adjusted for family size for the property, as established by United States Department of Housing and Urban Development.

(2) There shall be a complete exemption from the surcharge for qualifying residential real property owners who demonstrate, pursuant to subsection (d) hereof that, in the immediately prior calendar year, that they earned less than 110 per cent of area median income. There shall be a 50 per cent exemption from the surcharge for qualifying residential real property owners who demonstrate, pursuant to subsection (d) hereof that, in the immediately prior calendar year, that they earned between at least 110 and but less than 200 per cent of area median income. The exemption shall be applied to the primary residence of the taxpayer only. In the event that a property owner’s primary residence is in an owner-occupied multi-family property, the exemption shall be applied on a pro-rated basis only to the value of the owner-occupied unit. The exemption provided for herein shall be in addition to any and all other exemptions allowed by the general laws.

(3) Real property shall qualify for the exemption if all of the following criteria are met:

- (i) The applicant or joint applicant’s prior year’s income would make the applicant or joint applicants eligible for the exemption;
- (ii) The qualifying real property is owned and occupied by the applicant or joint applicants as their primary residence; and
- (iii) The board of assessors has approved the application.

(d) A person who seeks to qualify for the exemption shall, before the deadline established by the board of assessors, file an application, on a form to be adopted by the board of assessors, with the supporting documentation of the applicant’s income as described in the application. The application shall be filed each year for which the applicant seeks the exemption.

(e) Any amount of the surcharge not paid by the due date shall bear interest at the rate per annum provided in section 57 of said chapter 59.

SECTION 3. Surcharge on real property; collection (a) Upon the assessors' warrant to the tax collector, the surcharge shall be imposed.

(b) After receipt of the warrant, the tax collector shall collect the surcharge in the amount and according to the computation specified in the warrant and shall cause appropriate books and accounts to be kept with respect to such surcharge. The property card shall include a “Y” or an “N” to identify whether the landowner has been granted an exemption. The tax collector shall pay the

amounts so collected, quarterly or semi-annually, according to the town of Brookline's schedule for collection of property taxes for the tax on real property, to the town's treasurer for transfer into the Emissions Reduction Fund established pursuant to section 1.

(c) The remedies provided by chapter 60 for the collection of taxes upon real estate shall apply to the surcharge on real property pursuant to this chapter.

SECTION 4. Expenditures for emissions reductions (a)(1) The Brookline Zero Emissions Advisory board shall, from time to time, make recommendations to the Brookline Town Meeting to fund programs or activities to promote emissions reductions. Said board may include in its recommendation to Town Meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with emissions reduction but for which sufficient revenues are not then available in the Emissions Reduction Fund established pursuant to section 1 to accomplish that specific purpose or to set aside for later spending funds for general purposes that are consistent with emissions reduction.

(b) After receiving such recommendations from the Brookline Zero Emissions Advisory Board, Town Meeting shall then take such action and approve such appropriations from the Emissions Reduction Fund established pursuant to section 1, and such additional appropriations as it deems appropriate to carry out the board recommendations.

SECTION 5. Administrative expenses. In each fiscal year, the Brookline Town Meeting may make such appropriations from the Emissions Reduction Fund as it deems necessary for the administrative and operating expenses of the Brookline Zero Emissions Advisory Board, but the appropriations shall not exceed 5 per cent of the annual revenues in the Emissions Reduction Fund. Funds that are set aside shall be held in the Emissions Reduction Fund and spent in that year or later years, but funds set aside for a specific purpose shall be spent only for the specific purpose. The Emissions Reduction Fund shall not replace existing operating funds, only augment them.

SECTION 6. Properties purchased by the Emissions Reduction Fund. (a) A real property interest that is purchased with monies from the Emissions Reduction Fund shall be bound by a permanent deed restriction that meets the requirements of chapter 184, limiting the use of the interest to the purpose for which it was acquired. The deed restriction shall run with the land and shall be enforceable by the town. The deed restriction may also run to the benefit of a nonprofit, charitable corporation or foundation selected by the town with the right to enforce the restriction.

(b) Real property interests acquired under this chapter shall be owned and managed by the town, but Town Meeting may delegate management of such property to the Brookline Zero Emissions Advisory Board or other town board or commission, as it may deem appropriate. Town Meeting may also delegate management of such property to a nonprofit organization created under chapter 180 or chapter 203.

SECTION 7. Record keeping. The Brookline Zero Emissions Advisory Board shall keep a full and accurate account of all of its actions, including its recommendations and the action taken on them and records of all appropriations or expenditures made from the Emissions Reduction Fund. The board shall also keep records of any real property interests acquired, disposed of, or improved by the town upon its recommendation, including the names and addresses of the grantors or grantees and the nature of the consideration. The records and accounts shall be public records.

SECTION 8. Matching funds. Funds in the Brookline Emissions Reduction Fund may be made available and used by the town as the local share for state or federal grants upon recommendation of the Brookline Zero Emissions Advisory Board and Town Meeting, as provided for in section 4, if such grants and such local share are used in a manner consistent with the recommendations of the Brookline Zero Emissions Advisory Board.

DRAFT

ARTICLE \_\_\_\_\_. To see if the Town will vote to authorize the Select Board to petition the Massachusetts General Court for special legislation, as set forth below, to charge, in addition to the excise tax on registered motor vehicles set forth in Chapter 60A, Section 1 of the Massachusetts General Laws, an excise tax on gasoline-powered vehicles; provided, however, that the General Court may reasonably vary the form and substance of this requested legislation within the scope of the general public objectives of this petition:

**An Act authorizing the Town of Brookline to assess a surcharge upon gasoline-powered motor vehicles.**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Definitions. The words “gasoline-powered motor vehicle,” when used in this chapter, shall mean a motor vehicle capable of being powered, whether wholly or in combination with other power sources, by a distillate of petroleum or allied substance with suitable volatility and other characteristics to be used as a fuel for operating internal combustion engines, whether or not it is mixed with other materials.

SECTION 2. Notwithstanding the provisions of any general or special law to the contrary, the board of assessors of the town of Brookline may assess a surcharge on gasoline-powered motor vehicles along with the excise tax bill set forth in chapter 60A, section 1 of the General Laws. Such surcharge shall be valued at the rate of twenty-five dollars per thousand of valuation of the vehicle. For the purpose of this surcharge, the value of each such motor vehicle shall be as defined in section 1 of chapter 60A. No surcharge shall be assessed under this chapter on any excise tax bill assessed pursuant to chapter 60A on a vehicle whose value is assessed at less than thirty thousand 2022 dollars, adjusted for inflation. The surcharge shall be abated in equal proportion to any abatement granted pursuant to chapter 60A, and shall otherwise be subject to all provisions of chapter 60A, including for assessment, abatement, collection, deferral, and remedies for nonpayment.

SECTION 3. This act shall take effect on July 1 of the year immediately following its passage.

or act on anything relative thereto.



**TOWN OF BROOKLINE**  
*Massachusetts*  
**PARK AND RECREATION COMMISSION**

**MEMORANDUM**

TO: Select Board Members  
School Committee  
Preservation Commission  
Building Commission  
Planning Board  
Zero Emission Advisory Board  
Advisory Committee

FROM: John Bain, Park & Recreation Commission, Chair  
Wendy Sheridan Ames, Park & Recreation Commissioner; Skating Rink Task Force, Chair

DATE: May 5, 2022

RE: Larz Anderson Ice Rink – Preliminary Feasibility Study Status Update

CC: Park and Recreation Commission  
Mel Kleckner, Town Administrator  
Melissa Goff, Deputy Town Administrator  
Erin Chute Gallentine, Commissioner of Public Works  
Kara Brewton, Director of Planning and Community Development  
Dan Bennett, Building Commissioner  
Thomas Barrasso, Sustainability Director  
Tina McCarthy, Preservation Planner

Dear Partner Boards and Commissions,

We are writing to provide an update on the work of the Ice Rink Task Force and Park and Recreation Commission since the Larz Anderson ice skating rink refrigeration system failed in 2020. This letter provides an update on the Task Force's work and preliminary recommendations, public process, and analysis to date. For those Boards and Commissions with regulatory or jurisdictional review over aspects of the project we seek your input regarding analysis, review and assessments that should be contemplated in the next phase of planning. Attached to the memo we have provided a brief project history, summary of the scope of work, community needs and site context as a reminder of events that led to the establishment of the Task Force. In addition, we want to take this opportunity to ensure that Town officials and the public are aware that the Larz Anderson Ice Rink is nearing permanent closure. We are not sure how much longer the rink will be able to function with the temporary refrigeration system due to various infrastructure deficits.

On March 16, 2022, the Skating Rink Task Force met for a final time as a culmination of their nearly two years' worth of work in service to the Park and Recreation Commission and the Town of Brookline. At this meeting, the committee accepted the final Brookline Ice Rink Recreation Facility - Preliminary Feasibility Report from the consultant team and voted on recommendations to be presented to the Park and Recreation Commission. There were five motions that were presented, and all were unanimously supported by the committee. The [motions](#) are thoughtful and will require significant investment of collaboration across departments, as well as sourcing of funding, to accomplish. Despite these challenges, the need is strong to address the ice rink and recreation facility deficiencies in our Town.

The Preliminary Feasibility Report is just that – preliminary. It is a very first step that achieves the use justification goals set out at the start of the project. It also helps us to begin the true work of this project which will require significant collaboration across departments, committees, boards, and commissions.

Klopfert Martin Design Group (KMDG) was hired as the consultant lead for this project. KMDG was selected due to their success working previously with the Town through implementation of both conservation and preservation restrictions, historic building restoration, new building construction, site interpretation, community needs and sensitivity to historic and cultural landscape design in the creation of Fisher Hill Reservoir Park. They are currently working with the Town on the restoration of the Larz Anderson lagoon area, including the reconstruction of the tempietto, causeway and footbridge. They understand and appreciate the historic significance of Larz Anderson Park. This has been helpful in their work on the preliminary ice rink feasibility study. Not surprisingly the most recent public process revealed a lot of nostalgia and longing for the continuation of the open air ice skating rink. There was also an acknowledgement that it is highly inefficient, is subject to an increasingly short season, and is often closed due to highly variable weather conditions. The Task Force listened to all input and developed several design options, including the final recommended concept that includes both an indoor and outdoor ice skating rink with a shared support building in between. The idea of the double rink was in response to examples shared from other locations including the Lefrak covered and outdoor ice rinks at Prospect Park in Brooklyn, New York. Prospect Park, designed by Frederick Law Olmsted, is also a historically significant park. We are interested in your opinions about the merits of these options and additional considerations for future phases of planning work. We hope all of your members have the opportunity to read the [Executive Summary](#) at the start of the Preliminary Feasibility Report and have the link to the [final report](#). The attached summary provides additional information regarding the mechanical failures of the ice rink, funding for the preliminary study and temporary refrigeration, scope and goals for the Preliminary Feasibility Study, public process and community engagement.

Given the recent workload of the Park and Recreation Commission over the last two months, the Commission has not had the opportunity to fully review and discuss the motions made by the Skating Rink Task Force. At our meeting on Tuesday, May 10, 2022 we intend to give a brief status update to the Park and Recreation Commission recommending that the work of collaboration begins first – before any votes are taken on the Task Force’s motions. The Preliminary Feasibility Report, while comprehensive, is also admittedly cumbersome at 400+ pages. Given this, we would welcome the opportunity to prepare and present on the work to date, the process behind the work and status of the project to your boards and commissions. We want to be respectful of your time. If you find that your meetings are over committed or prefer to submit comments in writing we are glad to incorporate through that process as well. In particular, we would like to establish a method of collaboration across departments and hear what needs to happen next through each of your specific lenses and areas of expertise. This is an ambitious project that is in the very early stages, and we know that a project of this sort can only succeed through transparency, understanding, collaboration and effort. Given the state of the existing facility, the need is urgent, however, only working together will we have a successful outcome.

We look forward to working with you.

Sincerely,

John Bain –Park & Recreation Commission, Chair

Wendy Sheridan Ames – Park & Recreation Commissioner; Skating Rink Task Force, Chair



# TOWN OF BROOKLINE

*Massachusetts*

## PARK AND RECREATION COMMISSION

### History of the Larz Anderson Ice Rink

The Town of Brookline owns and operates Jack Kirrane Ice Rink, a seasonal outdoor skating rink at Larz Anderson Park. The rink has been in operation since 1958 and serves over 15,000 skating visits per season including public skate, youth, high school and adult hockey programs, skating lessons, School PTO and team/group rentals and private events. While this beloved community asset is a wonderful and unique recreational facility, it is vulnerable to the weather and inadequate for youth and adult ice hockey. Due to the short season and unpredictable conditions, the community has long discussed the need for an indoor or covered ice rink facility.

The 60+ year old rink has undergone various replacements, repairs and updates since its opening, but has reached its end of its useful life. On November 28, 2019 the refrigeration system chiller, a critical component of the ice making process, experienced an internal failure. The system was repaired for a cost of \$65,000 which was funded through a Reserve Fund Transfer, and allowed the season to continue without interruption.

Unfortunately, on April 29, 2020, following shut-down for the season, the refrigeration system experienced another, more damaging, failure. Emergency repair technicians found that the chiller had again breached, only this time causing the vessel to fill with brine. The breach was contained within the closed loop system; however the chiller was permanently damaged. At this time, it was determined that any future operation of the rink would require a significant investment in capital dollars.

The Park and Recreation Commission understood that a long-term evaluation of the future of ice skating in Brookline needed to occur. In June 2020, the Park and Recreation Commission met and voted to appointment an Ice Rink Task Force to hold public meetings to discuss the short and long-term future of the skating rink at Larz Anderson Park. During 2020-2021 the Task Force worked collaboratively with the public, the Park and Recreation Commission and Town staff to achieve a variety of goals including the conversion of the Larz Anderson Mechanical Room to accommodate temporary refrigeration units in the winter and a recommendation to commence a feasibility study to review the viability of a renovated or new ice skating rink in Brookline. These temporary refrigeration units have allowed the ice rink to open for the 20-21 and 21-22 winter seasons, but have come with an expensive price tag. At an additional cost of \$160,000 the initial year and a cost of \$112,000 this year, we know this is a temporary and costly solution. This does not include the cost of electricity to run the temporary chillers, which is about \$30,000 annually. Over the last two seasons additional problems have been identified with the secondary refrigeration and slab.

### Brookline Ice Skating Rink Recreational Facility Preliminary Design Services

The Jack Kirrane Ice Skating Rink Recreational Facility Preliminary Design Services went out for bid in April 2021. Interviews were completed through the Town's Purchasing Division by a Selection Committee consisting of Parks and Recreation Staff, Commissioners and Ice Rink Task Force Members during the month of April and into May. The bid was ultimately awarded to a team assembled by Klopfer Martin Design Group (KMDG). The team included JLG Architects, a nationally recognized architecture firm specializing in sports facilities, particularly ice rinks, for both municipal and institutional sports

clients. In addition, KMDG worked with McMahon Associates on preliminary transportation studies and Jennifer Schultz of Sullivan & Worcester regarding project permitting.

The following objectives for the Brookline Ice Rink Feasibility Study were outlined in the RFP:

1. Analyze the future of ice skating in Brookline.
2. Evaluate options for the Brookline Ice Rink, including siting, circulation, feasibility, impacts, and capital costs.
3. Provide ideas to expand and adapt the facility to provide year-round recreational use.
4. Examine two separate in-town locations for the proposed skating rink/recreational complex. The first site is Larz Anderson Park, but the second site to be determined and studied through the feasibility study.

To determine the second site, the design team assessed that the rink complex would require approximately 2 acres, which includes the rink, support facility, and parking. The Parks and Open Space Division, in collaboration with the Ice Rink Task Force, identified all municipal open spaces, greater than 2 acres but excluding school grounds. This resulted in 27 possible sites, including Larz Anderson Park. These include:

Walnut Hills Cemetery	Skyline Park	Corey Hill Park
Waldstein Playground	Lost Pond Conservation Area	Griggs Park
Cypress Street Playground	D. Blakely Hoar Sanctuary	Emerson Garden
Eliot Playground	Putterham Woods/Putterham	Robinson Playground
Fisher Hill Reservoir	Meadow Golf Course	Dane Park
Newbury –Town parcel	Brookline Reservoir	Knyvet Square
Soule Playground	Longwood Mall	Single Tree Reservoir
Amory Playground	Riverway Park	Beacon Street Mall
Brookline Ave.Playground	Olmsted Park	
Harry Downes Field	Larz Anderson Park	

During the July 2021 Ice Rink Task Force working session, the Ice Rink Task Force members reviewed and discussed the sites, eliminating any that, while large enough, were not truly feasible due to layout, function, or location. For example, in the case of Skyline Park, the landfill cap prohibits any construction that could potentially permeate the existing barrier. From that discussion, four sites remained. These included Newbury College (newly acquired town property), Soule Playground, Putterham Woods at Putterham Meadow Golf Course, and Dane Park.

The four remaining sites were discussed during the August 2021 Ice Rink Task Force working session and during the September 2021 Parks and Recreation Commission monthly meeting. During the September 2021 Parks and Recreation Commission meeting, the Commission voted for the design team to focus on Putterham Woods as the second site.

As the study moved forward, the Brookline community expressed many concerns over the Putterham Woods site and design options, particularly siting the need to improve and enhance the tree canopy that exists in this location.

After the Community Meeting 3, the Ice Rink Task Force gathered to discuss the options and feedback. In addition to public comment, the Task Force also took into consideration the difficult topography of Putterham Woods and the challenging location near the Horace James Traffic Circle. At the October 2021 meeting, the Ice Rink Task Force voted to eliminate further study at the Putterham Woods Site and instead, focus the remaining time and resources on the Larz Anderson Park site assessment and preliminary design. The initial analysis done on Putterham Woods remains in the Ice Rink Feasibility Study Report and can be referenced by future architects and designers if necessary.

## **Public Process and Community Engagement**

Prior to the launch of the Preliminary Ice Rink Feasibility Study, the Park and Recreation Commission and the Ice Rink Task Force held three public meetings from June 2020 – December 2020 to better understand community needs and perspective on the existing ice skating rink at Larz Anderson Park.

The team launched the feasibility study in June 2021. Notification about the ice skating rink feasibility study, its goals and the public process was shared with all Town Meeting Members, over 400 Larz Anderson Park abutters, distributed via email to stakeholder groups, and posted on the Departments' websites and the Town Calendar. In addition, the meeting and project was announced at the Park and Recreation Commission meetings and a project page developed for easy reference on the status of the project, all presentations and minutes.

The project team held four public meetings as the feasibility study was drafted with a public presentation at the Park and Recreation Commission meeting in November 2021. The Ice Rink Task Force also held an additional five public working sessions between each of these meetings that were held in compliance with Open Meeting Law. Finally, the Park and Recreation Commission discussed the Feasibility Study at their June 2021, July 2021, September 2021 and November 2021 public meetings.

A draft Preliminary Ice Rink Feasibility Study was made publicly available for review and public comment in December 2021. Based off feedback from the public and various staff members, the document was modified and the final version was published in February 2022. After receiving the final document, the Ice Rink Task Force held two more public working group meetings to review and discuss the contents of the report and offer their final recommendations to the Park and Recreation Commission for consideration.

Throughout the Feasibility Study drafting process, the Park and Recreation Commission received and reviewed hundreds of written letters and/or public comments where members of the Brookline and Boston communities shared their input and feedback on the various study locations and preliminary designs. All of these letters were shared with the KMDG Consulting Team and members of the Ice Rink Task Force, and all verbal comments were recorded in the meeting minutes of the Ice Rink Task Force as well as Park and Recreation Commission.