

Public Safety Subcommittee

WA 17: Resolution regarding Open-Air Parking Licenses and Electric Vehicle Charging

The Public Safety Subcommittee held a public hearing on WA 17 on Tuesday, September 10th at 7 PM in Room 308 of Town Hall. In attendance were: the petitioner, C. Scott Ananian (TMM-10); Willy Osborn (TMM-6, member of the Transportation & Renewable Energy Working Team); Hugh Mattison (TMM-5); Kristine Knauf (TMM-15); Zoe Lynn (Planning); and subcommittee members Alisa Jonas, David-Marc Goldstein, Susan Granoff and Janice Kahn (Chair).

WA 17 is a Resolution that seeks Town Meeting approval to direct the Select Board or its designee to appoint a study committee with two primary goals: (1) to fund an incentivized pilot program for open-air parking licensees to provide EV Ready parking spots, and (2) to reform the license process to make it less burdensome for licensees to comply with the law. The Resolution also wants the committee to study how to more effectively enforce licensing requirements. The Subcommittee voted 4-0-0 to support WA 17 with several small amendments to the resolved clauses which were incorporated by the petitioner into the Resolution, and which appears at the end of this report.

BACKGROUND: At the Special Town Meeting in November 2016 C. Scott Ananian proposed an amendment to Section 6.04 of the Zoning By-law that would have added a new Section 6.04.15 (Electric Vehicles) requiring that at least 2% of parking spaces, and not less than a single parking space, be equipped for electric vehicle charging, providing a Level 2 or Level 3 charger. The goal of that warrant article was to encourage electric vehicle adoption by residents of Brookline. That 2016 warrant article was referred to the Selectmen's Climate Action Committee for further study. Linda Olson Pehlke (TMM-2) who chaired the EV Charging Station Study subcommittee found that approximately 5,000 vehicles (about 15% of all registered vehicles) in the Town are "garage orphans", that is, cars that are parked in spaces not owned by the vehicle owner.

The current warrant article is an outgrowth of the EV Charging Station Study and was filed in order "to begin addressing the needs of those members of our community who rent or who cannot afford to own property with dedicated parking" who might otherwise want to invest in purchasing or renting an electric vehicle.

DISCUSSION:

The petitioner began by describing the broader goal of reducing greenhouse gas emissions from fossil fuel-powered vehicles which both this article and WA 31 are seeking to address. The Commonwealth of MA is committing to having 10% or 300,000 ZEVs (Zero Emission Vehicles) on the road by 2025. To meet the state goal by 2025 at least 500 vehicles in Brookline would need to be EVs; the sustainability working team town goal is to triple that within the next 10

years. People who don't have access to chargers are slow adopters of BEVs (battery electric vehicles) and plug-in hybrid cars which run on both battery and fossil fuel.

WA17 is looking to address the lack of accessibility to chargers by asking Town Meeting to urge the Select Board to appoint a study committee to examine the process for administering open-air licenses, so as to encourage the installation of EV chargers throughout the Town through the existing licensing authority. The three areas of study the resolution identifies is: (1) funding a pilot program with incentives for those who have an open-air parking license to provide EV Ready parking spots, (2) reforming the currently burdensome process for acquiring an open-air license, and (3) enforcing the licensing requirements.

According to state law everyone who rents out a parking space (indoor or outdoor) needs to have a license. There is no minimum – it can be 1 car – though there is a maximum. A property owner can have 5 spaces by right – but if money is exchanged for the parking space, a license is required.

The discussion focused on the two “Resolved” clauses.

Resolved Clause 1. The Select Board is the licensing authority in the Town. Given the number of committees that the Select Board needs to appoint and to staff, the many Town staff who are already dealing with subject of this and other environmental issues, and given the desire to move forward with the goals of this article, consensus was reached that adding the words “**or direct their designee(s)**” would give the Select Board flexibility.

The first goal of the Resolution is to fund a pilot program with incentives to open-air parking licensees to install EV chargers. Incentives could include rebates on costs incurred with acquisition and installation of EV chargers, for example. The petitioner estimated that the pilot program would cost the Town approximately \$10,000. Zoe Lynn, Sustainability Program Administrator within the Planning and Community Development Department, informed the subcommittee that since Brookline is one of 240 MA Green Communities, the Town is eligible for grant programs. Since 2011 the Town has received over \$800,000 in state grants for energy conservation measures (e.g., conversion to LED streetlighting). The Town's “green community” status would make it eligible for Federal and other grants as well. With the goal of seeking funding in mind, “**no later than FY22**” was added to the wording with the intention to secure funding for the FY22 budget cycle.

The second goal is to simplify the current licensing process which may discourage property owners from seeking an open-air parking license. The current application requirements include an initial Fire Department inspection, yearly license renewals by the SB, and a public process that includes notifying people within a certain radius about one's intention to rent out one or more parking spaces. The fee itself is minimal – about \$50/year for 5 parking spots. Deputy Town Administrator provided the most recent five-year history of revenues from open-air parking licenses, for a total of \$55,525 (FY15 \$13,600; FY16 \$12,180; FY17 \$10,620; FY18 \$8,205; FY19 \$10,920).

The third goal is simply to enforce the licensing requirements.

Resolved Clause 2: The discussion focused on what level charger should the Town encourage. In the language of the original article, the Town would encourage low speed chargers. Low speed chargers (Level 1) use standard household outlets (15 amp), which would be especially good for plug-in hybrids which have small batteries that could be fully-charged overnight. These are relatively inexpensive charging outlets to install and the study committee could look at the costs, for instance, of installing a regular outlet at every space. It's anticipated that plug-in hybrids will be adopted in greater numbers before BEVs (battery-only electric vehicles).

Level 2 (220 amp) charging outlets are medium speed which is better for BEVs which have larger batteries and could charge a battery in 4 hours. The current chargers in Town parking lots are 2-headed (2 spots) medium speed chargers.

According to the petitioner, in 2015 the Department of Energy found that Level 2 chargers (4-hour or overnight) cost anywhere from \$600 - \$12,000. In CA the retrofit costs were \$4,000 to \$7,000. In MA the costs are \$700 - \$1200 for new construction, and approximately \$7,000 for retrofits.

Hugh Mattison (TMM 6) suggested an amendment to WA 17 that would include the following language to the 2nd Resolved clause: **“possibly including outlets for e-bicycles and e-scooters”**. Both e-bicycles and e-scooters would only require Level 1 chargers, in other words, public access to a standard household outlet. Zoe Lynn informed those at the meeting that another working team was considering that as a separate initiative. After some discussion there was consensus to keep WA17 focused on EVs.

The Public Safety Subcommittee voted 4-0-0 to recommend the amended language of WA17 which follows:

Resolution regarding Open-Air Parking Licenses and Electric Vehicle Charging

As amended by AC Public Safety Subcommittee 2019-09-10.

Deletions in ~~strikeout~~, additions **bold underline**.

To see if the Town will adopt the following Resolution:

WHEREAS, according to the 2017 report to Annual Town Meeting of the Electric Vehicle Charging Study Committee, 50% of Brookline properties are rental, not owner-occupied, and residents living in rented dwellings who wish to transition from a fossil-fuel burning vehicle are not in a position to invest in or adapt their home for an Electric Vehicle; and

WHEREAS, although reducing reliance on single-owner vehicles has a number of beneficial effects in addition to reducing greenhouse gas emissions, the electrification of the remaining motorized transport is necessary to meet the goals of the Commonwealth and Brookline's commitments under the Paris agreement; and

WHEREAS, lack of a self-owned parking spot can make charging an electric vehicle logistically difficult, discouraging Town citizens from switching to an emission-free vehicle; and

WHEREAS, the current open-air parking license process administered by the Select Board is cumbersome, and enforcement against those renting out open-air parking spots without a license is practically-speaking non-existent;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Select Board appoint a committee **or direct their designee(s)** to study the process of administering open-air parking licenses, with the following goals: (1) to fund a pilot program **no later than FY22** to provide incentives, including rebates on acquisition and installation costs, for open-air parking license holders who provide EV Ready parking spots, as defined in Section C405.10 of 780 CMR 13, the Massachusetts Building Code; (2) to reform the license process to make it less burdensome to comply with the law in good faith and acquire and renew an open-air parking license, and (3) to more effectively enforce licensing requirements.

BE IT FURTHER RESOLVED that the Town endeavor to add multiple ~~low-speed~~ charging outlets **(possibly including L1 as well as L2)** to all Overnight Resident Parking Lots, and establish a program to facilitate their use for overnight charging of battery electric vehicles and plug-in hybrids.

or act on anything relative thereto.

DOCUMENTS reviewed:

<https://www.brooklinema.gov/DocumentCenter/View/20106/November-19-2019-Special-Town-Meeting-Warrant>

<https://www.brooklinema.gov/DocumentCenter/View/20115/Article-Explanations-2019-STM>

Report to Annual Town Meeting 2017, Electric Vehicle Charging Station Sub-Committee, Selectman's Climate Action Committee, April 20, 2017.

Linda Olson Pehlke, Estimating Future Demand for EVSE in Brookline, June 6, 2018