



WARRANT

THE COMMONWEALTH OF MASSACHUSETTS TOWN OF BROOKLINE SPECIAL TOWN MEETING

Norfolk, ss

To Any Constable of the Town of Brookline

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to NOTIFY and WARN the Inhabitants of the TOWN OF BROOKLINE, qualified to vote at elections to meet at the High School Auditorium in said Brookline on TUESDAY, the THIRTEENTH day of NOVEMBER, 2018 at 7:00 o'clock in the evening for the Special Town Meeting at which time and place the following articles are to be acted upon and determined by the representative town meeting:

ARTICLE 1

Submitted by: Select Board

To see if the Town will, in accordance with General Laws, Chapter 44, Section 64, authorize the payment of one or more of the bills of previous fiscal years, which may be legally unenforceable due to the insufficiency of the appropriations therefor, and appropriate from available funds, a sum or sums of money therefor, or act on anything relative thereto.

ARTICLE 2

Submitted by: Human Resources

To see if the Town will raise and appropriate, or appropriate from available funds, a sum or sums of money to fund the cost items in collective bargaining agreements between the Town and various employee unions; fund wage and salary increases for employees not included in the collective bargaining agreements; and amend the Classification and Pay Plans of the Town, or act on anything relative thereto.

ARTICLE 3

Submitted by: Select Board

To see if the Town will:

- A) Appropriate additional funds to the various accounts in the fiscal year 2019 budget or transfer funds between said accounts;
- B) And determine whether such appropriations shall be raised by taxation, transferred from available funds, provided by borrowing or provided by any combination of the foregoing; and authorize the Select Board, except in the case of the School Department Budget, and with regard to the School Department, the School Committee, to apply for, accept and expend grants and aid from both federal and state sources and agencies for any of the purposes aforesaid.
- C) Appropriate \$207,442.50, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts over \$100,000 to be approved by the Select Board, to address the impact of transportation network services on municipal roads, bridges and other transportation infrastructure.
- D) Appropriate \$500,000, or any other sum, to be expended under the direction of the Commissioner of Public Works, with any necessary contracts over \$100,000 to be approved by the Select Board, for water and sewer related repairs to the Brookline Reservoir.
- E) Appropriate \$1,500,000 to be expended under the direction of the Building Commissioner, with any necessary contracts to be approved by the Select Board and the School Committee, for the schematic design services to construct or expand a school as determined by the outcome of the 9th School feasibility study.

or act on anything relative thereto.

ARTICLE 4

Submitted by: Select Board

To see if the Town will vote to release for expenditure the funds appropriated under Section 13, Special Appropriation No. 65 of Article 7 of the 2018 Annual Town Meeting as provided in said appropriation.

Or act on anything relative thereto.

ARTICLE 5

Submitted by: Planning and Community Development

To see if the Town will authorize and empower the Board of Selectmen to file a petition, in substantially the following form, with the General Court:

AN ACT AUTHORIZING THE TOWN OF BROOKLINE TO GRANT 12 ADDITIONAL LICENSES FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES.

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. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the town of Brookline may grant 12 additional licenses for the sale of all alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 to establishments located within the town's four Target Commercial Areas, as those areas are defined by the town's zoning map, as it existed as of January 31, 2018, upon approval of and under conditions set by the licensing authority of the town of Brookline. A license granted pursuant to this act shall be clearly marked on its face "Target Commercial Area, Brookline Village" or "Target Commercial Area, Coolidge Corner" or "Target Commercial Area, JFK Crossing" or "Target Commercial Area, Washington Square" and shall be subject to all of said chapter 138 except said section 17.

(b) The licensing authority shall restrict the 12 licenses authorized in this section to four Target Commercial Areas as follows:

(1) Three licenses for the sale of all alcoholic beverages to be drunk on the premises shall be issued to the entities within the Brookline Village Target Commercial Area, which shall include parcels on and immediately bordering River Road, Brookline Avenue, Pearl Street, White Place, Station Street, Washington Street, Holden Street, Linden Street and intersecting Harvard Street, as the borders and encompassing all property therein, as those areas are shown on the map; provided, however, that for the purposes of this paragraph, map shall mean the parcel specific corridor areas designated as "Brookline Village", dated January 31, 2018, a copy of which is on file in the office of the Brookline town clerk;

(2) Five licenses for the sale of all alcoholic beverages to be drunk on the premises shall be issued to the entities within the Coolidge Corner Target Commercial Area, which shall include parcels on and immediately bordering Waldo Street, Harvard Street, Centre Street, Webster Street, and intersecting Beacon Street, as the borders and encompassing all property therein, as those areas are shown on the map; provided, however, that for the purposes of this paragraph, map shall mean the parcel specific corridor areas designated as "Coolidge Corner", dated January 31, 2018, a copy of which is on file in the office of the Brookline town clerk;

(3) One license for the sale of all alcoholic beverages to be drunk on the premises shall be issued to the entities within the JFK Crossing Target Commercial Area, which shall include parcels on and immediately bordering Columbia Street, Thorndike Street, Coolidge Street, Fuller Street, Clarence Street, Centre Street, and intersecting Harvard Street, as the borders and encompassing all property therein, as those areas are shown on the map; provided, however, that for the purposes of this paragraph, map shall mean the parcel specific

corridor areas designated as “JFK Crossing”, dated January 31, 2018, a copy of which is on file in the office of the Brookline town clerk; and

(4) Three licenses for the sale of all alcoholic beverages to be drunk on the premises shall be issued to the entities within the Washington Square Target Commercial Area, which shall include parcels on and immediately bordering Salisbury Road, Westbourne Terrace, Washington Street, Winthrop Road, and Tappan Street and intersecting Beacon Street, as the borders and encompassing all property therein, as those areas are shown on the map; provided, however, that for the purposes of this paragraph, map shall mean the parcel specific corridor areas designated as “Washington Square”, dated January 31, 2018, a copy of which is on file in the office of the Brookline town clerk.

(c) A license granted under this section shall only be exercised in the dining room of a Common Victualer and in such other public rooms or areas as may be deemed reasonable and appropriate by the licensing authority as certified in writing.

(d) The licensing authority of the town of Brookline shall not approve the transfer of a license granted pursuant to this section to a location outside of the town’s four Target Commercial Areas, but it may grant a license to a new applicant within the four Target Commercial Areas if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(e) The licenses assigned to the four Target Commercial Areas shall not be sold or transferred by the licensee. If a licensee terminates or fails to renew a license granted under this section or if any such license is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority and the licensing authority may then grant the license to a new applicant in the town’s four Target Commercial Areas under the same conditions as specified in this section.

(f) All licenses granted pursuant to this act shall be issued within 2 years after the effective date of this act; provided, however, that a license originally granted within that time period may be granted to a new applicant pursuant to subsection (d) or (e) thereafter.

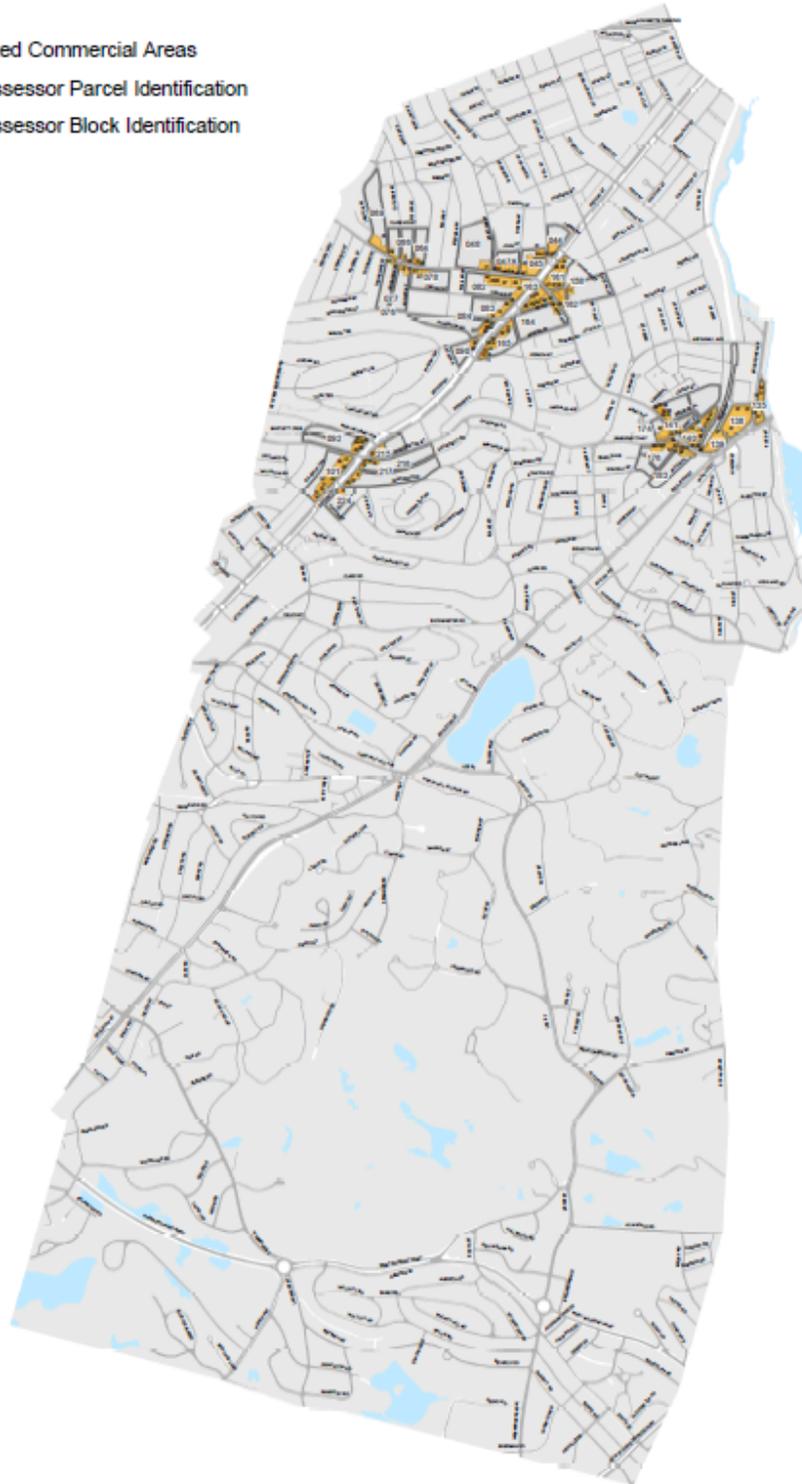
SECTION 2. This act shall take effect upon its passage.

Town of Brookline

Target Commercial Areas

January 31, 2018

-  Targeted Commercial Areas
-  66 Tax Assessor Parcel Identification
-  090 Tax Assessor Block Identification



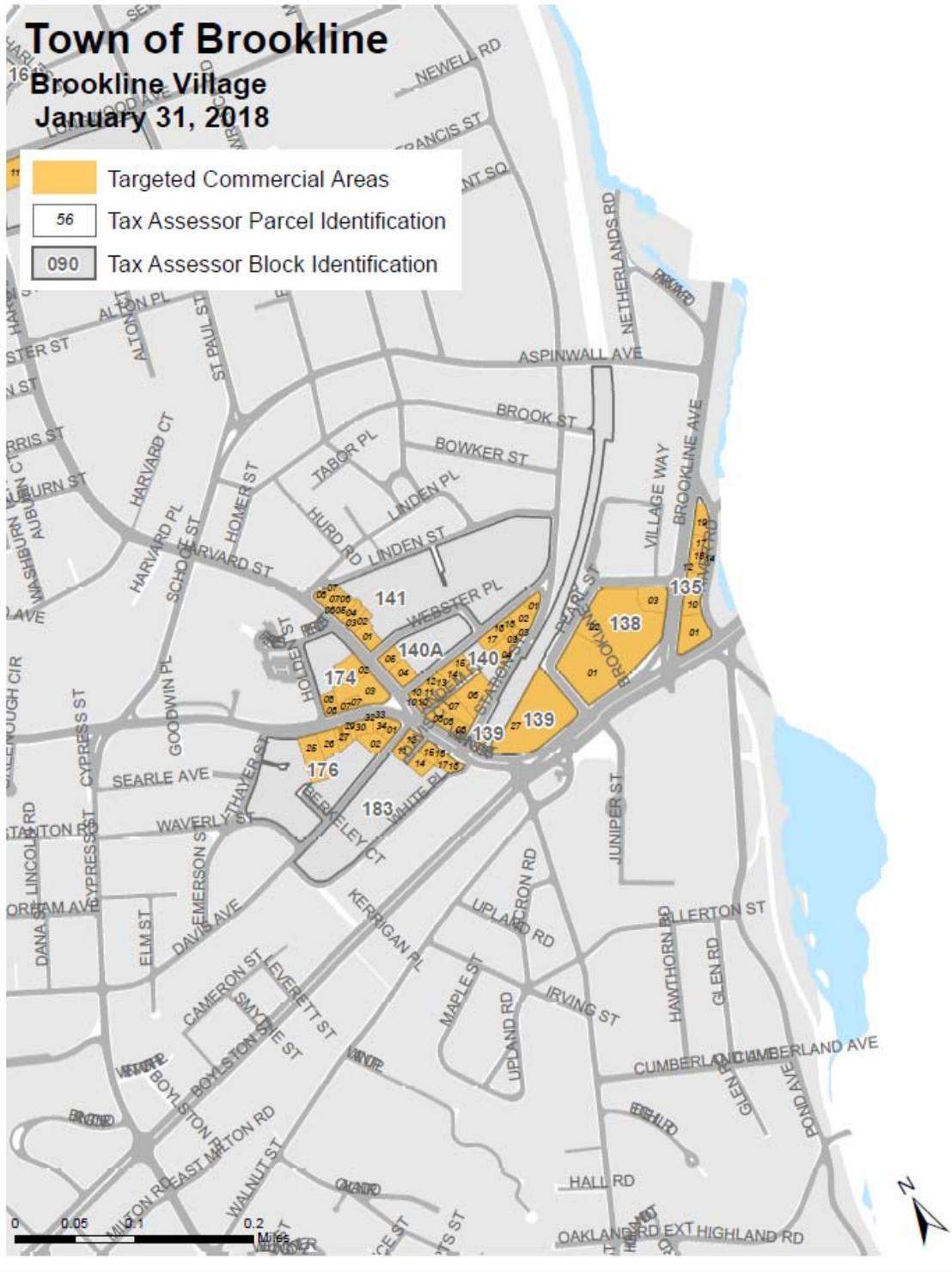
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Town of Brookline

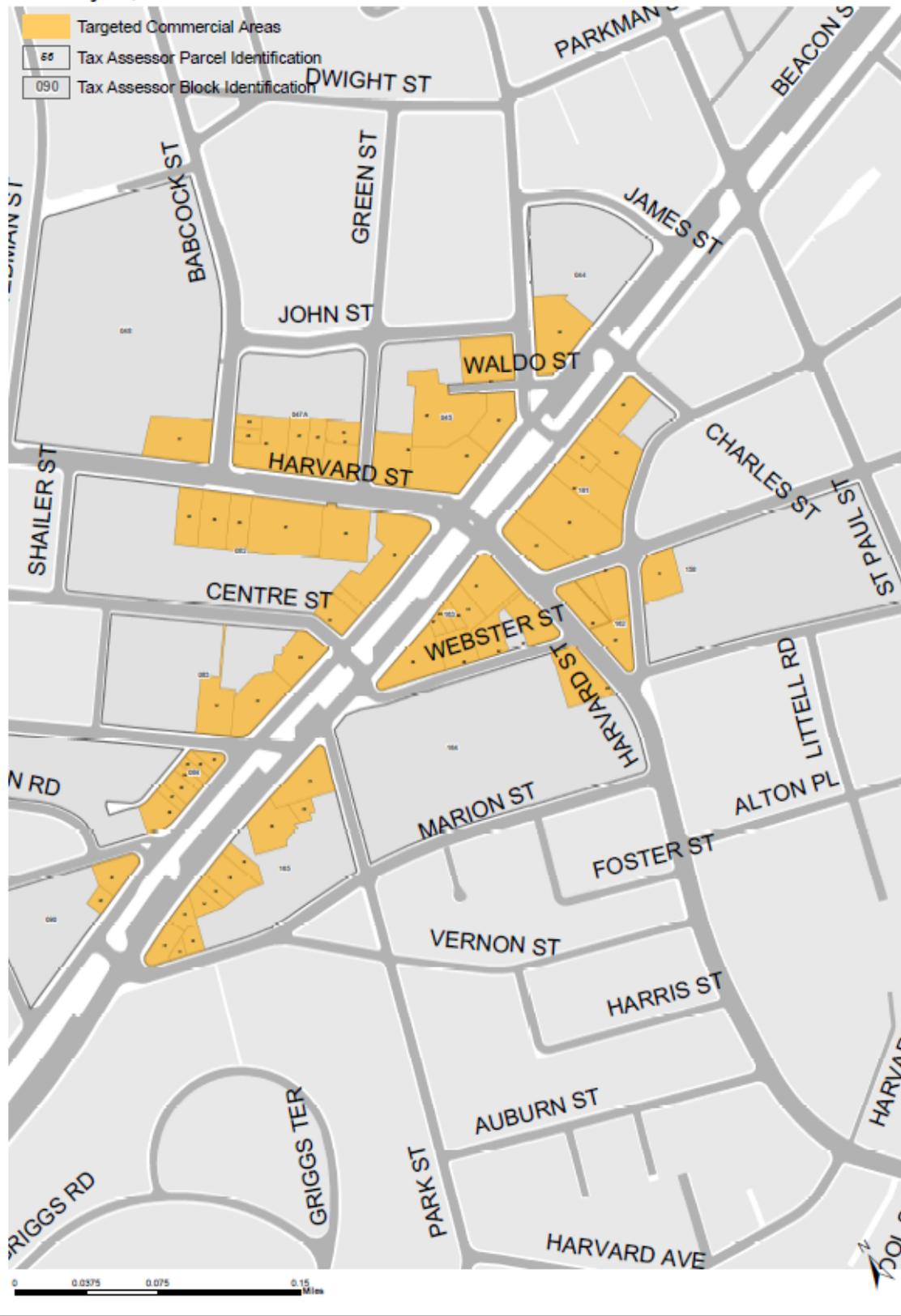
Brookline Village
January 31, 2018

-  Targeted Commercial Areas
-  56 Tax Assessor Parcel Identification
-  090 Tax Assessor Block Identification



Town of Brookline

Coolidge Corner
January 31, 2018



Town of Brookline

JFK Crossing

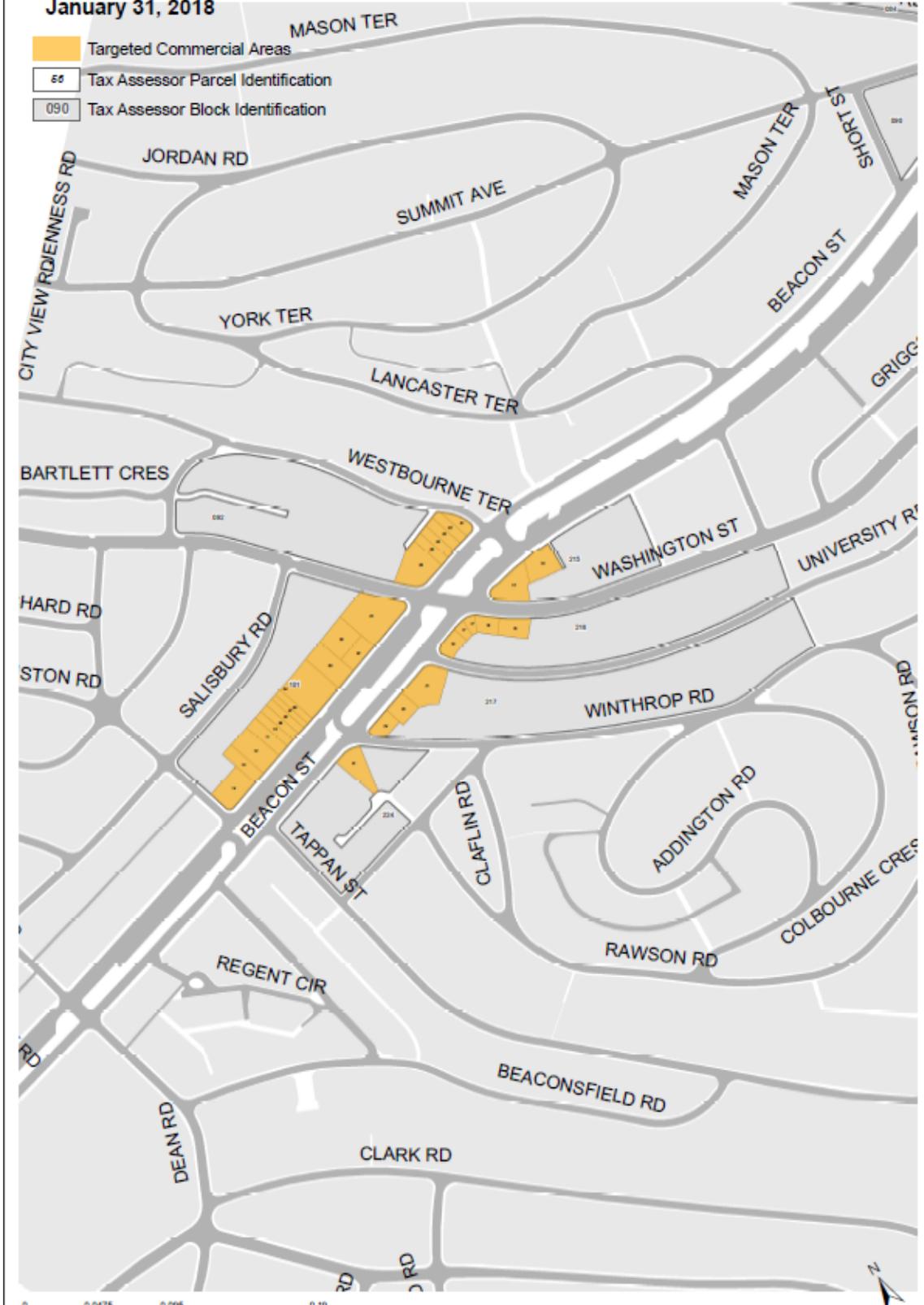
January 31, 2018



Town of Brookline

Washington Square
January 31, 2018

-  Targeted Commercial Areas
-  Tax Assessor Parcel Identification
-  Tax Assessor Block Identification



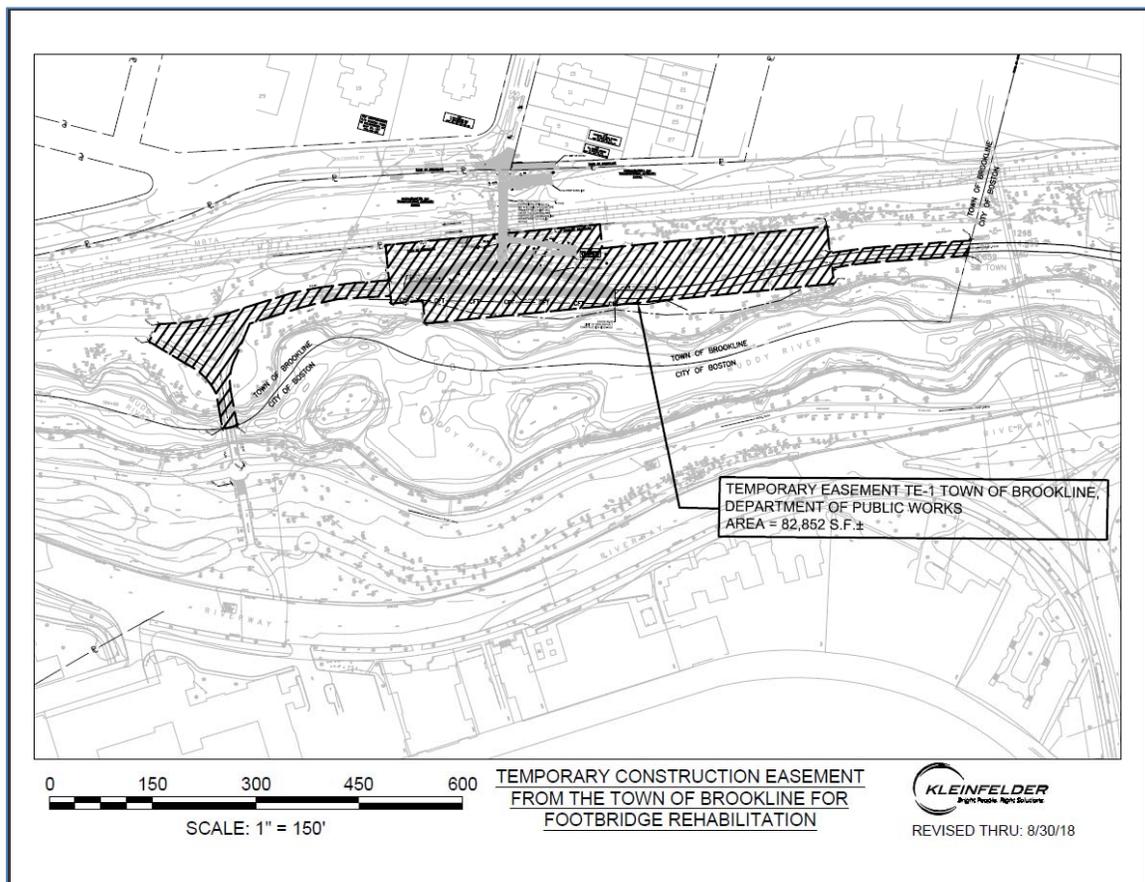
or act on anything relative thereto. The General Court may make such amendments as are within the scope of the general public objectives of this petition.

ARTICLE 6

Submitted by: Department of Public Works

Exhibit TE-1: Plan as referenced in the article

To see if the Town will vote to authorize the Select Board to grant and acquire, as necessary, a temporary construction easement on Town of Brookline property for construction activities associated with the Carlton Street Footbridge Rehabilitation Project, as substantially shown on the plan submitted herewith entitled “**TEMPORARY CONSTRUCTION EASEMENT FROM THE TOWN OF BROOKLINE FOR FOOTBRIDGE REHABILITATION**” prepared by Kleinfelder Engineering, revised through 8/30/2018, as may be amended, said plan on file with the Town Clerk. Further, to authorize the Select Board to enter into all agreements and take all related actions necessary or appropriate, including to expend, as needed, a sum or sums of money therefor from existing appropriation(s) for the Carlton Street Footbridge Restoration, to carry out this vote and other acts authorized herein, or act on anything relative thereto.

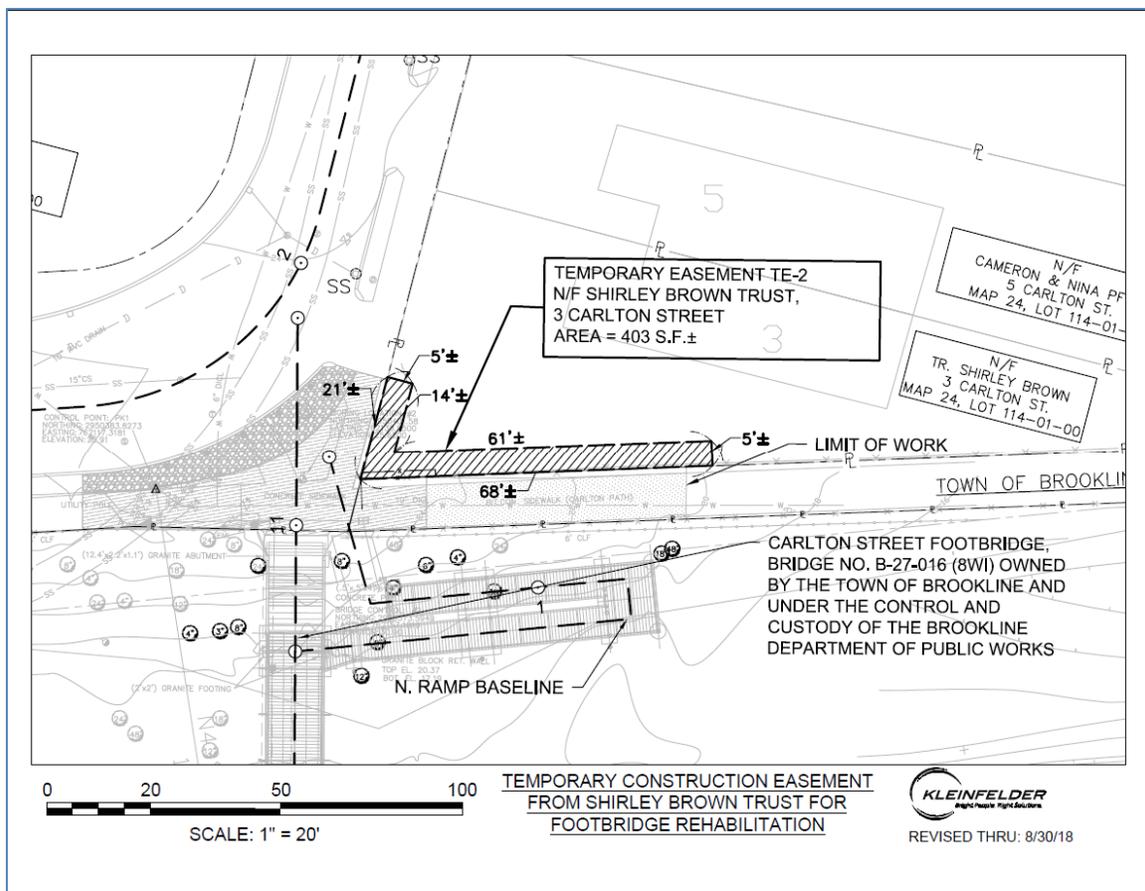


ARTICLE 7

Submitted by: Department of Public Works

Exhibit TE-2: Plan as referenced in the article

To see if the Town will vote to acquire by gift, purchase, eminent domain or otherwise, on such terms and conditions as the Select Board shall deem to be in the best interests of the Town, a temporary easement on the parcel of land shown on plan entitled “**TEMPORARY CONSTRUCTION EASEMENT FROM SHIRLEY BROWN TRUST FOR FOOTBRIDGE REHABILITATION**” prepared by Kleinfelder Engineering, revised through 8/30/2018, as may be amended, said plan on file with the Town Clerk, for public way and park improvement purposes, including, but not limited to the construction, alteration, maintenance, improvement, repair and/or replacement of pedestrians bridges, roads, sidewalks, driveways, pathways and landscaping; and, further, to authorize the Select Board to enter into all agreements and take all related actions necessary or appropriate, including to expend, if needed, a sum or sums of money therefor from existing appropriation(s) for the Carlton Street Footbridge Restoration, to carry out this vote and other acts authorized herein, or act on anything relative thereto.

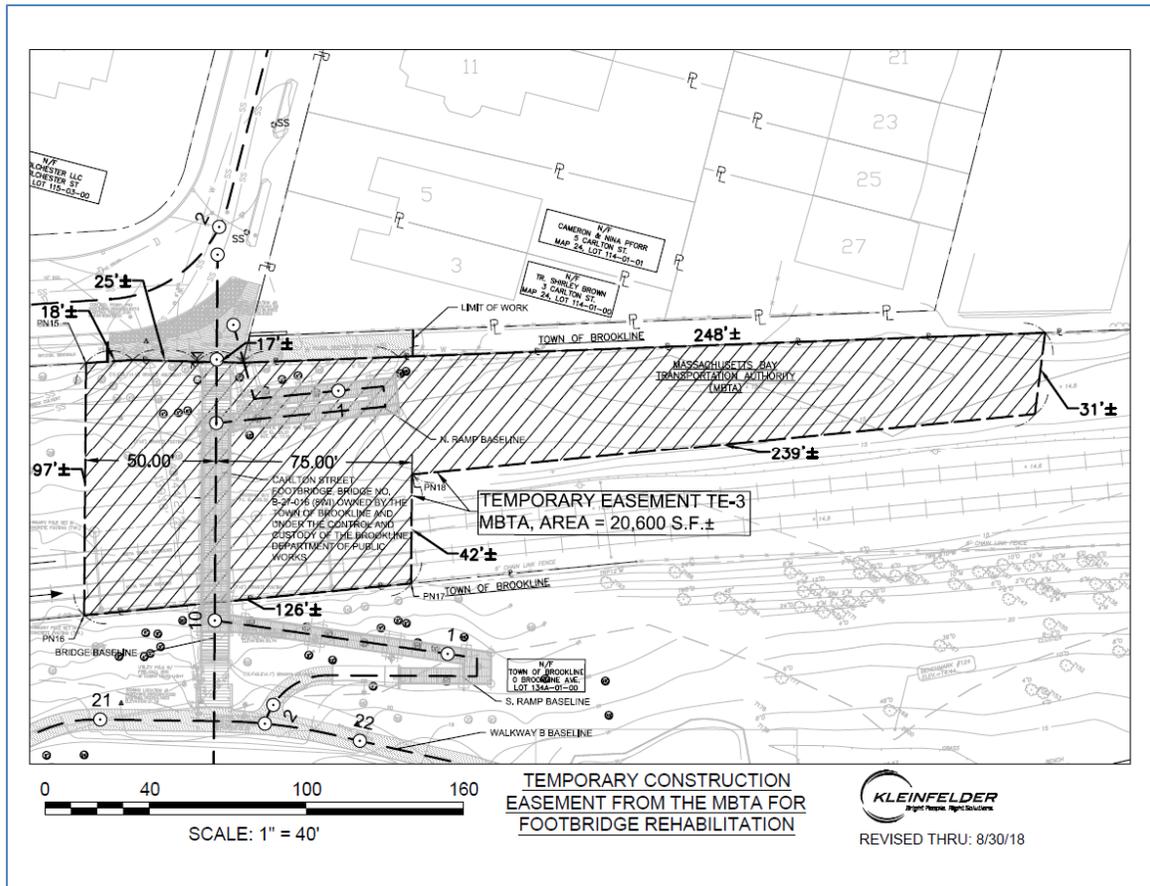


ARTICLE 8

Submitted by: Department of Public Works

Exhibit TE-3: Plan as referenced in the article

To see if the Town will vote to authorize the Select Board to acquire, if necessary, a temporary construction easement from the Massachusetts Department of Transportation, Rail and Transit Division, under which the Massachusetts Bay Transportation Authority (MBTA) operates, to conduct construction activities associated with the Carlton Street Footbridge Rehabilitation Project, as substantially shown on the plan submitted herewith entitled “**TEMPORARY CONSTRUCTION EASEMENT FROM THE MBTA FOR FOOTBRIDGE REHABILITATION**” prepared by Kleinfelder Engineering, revised through 8/30/2018, as may be amended, said plan on file with the Town Clerk. Further, to authorize the Select Board to enter into all agreements and take all related actions necessary or appropriate, including to expend, as needed, a sum or sums of money therefor from existing appropriation(s) for the Carlton Street Footbridge Restoration, to carry out this vote and other acts authorized herein, or act on anything relative thereto.

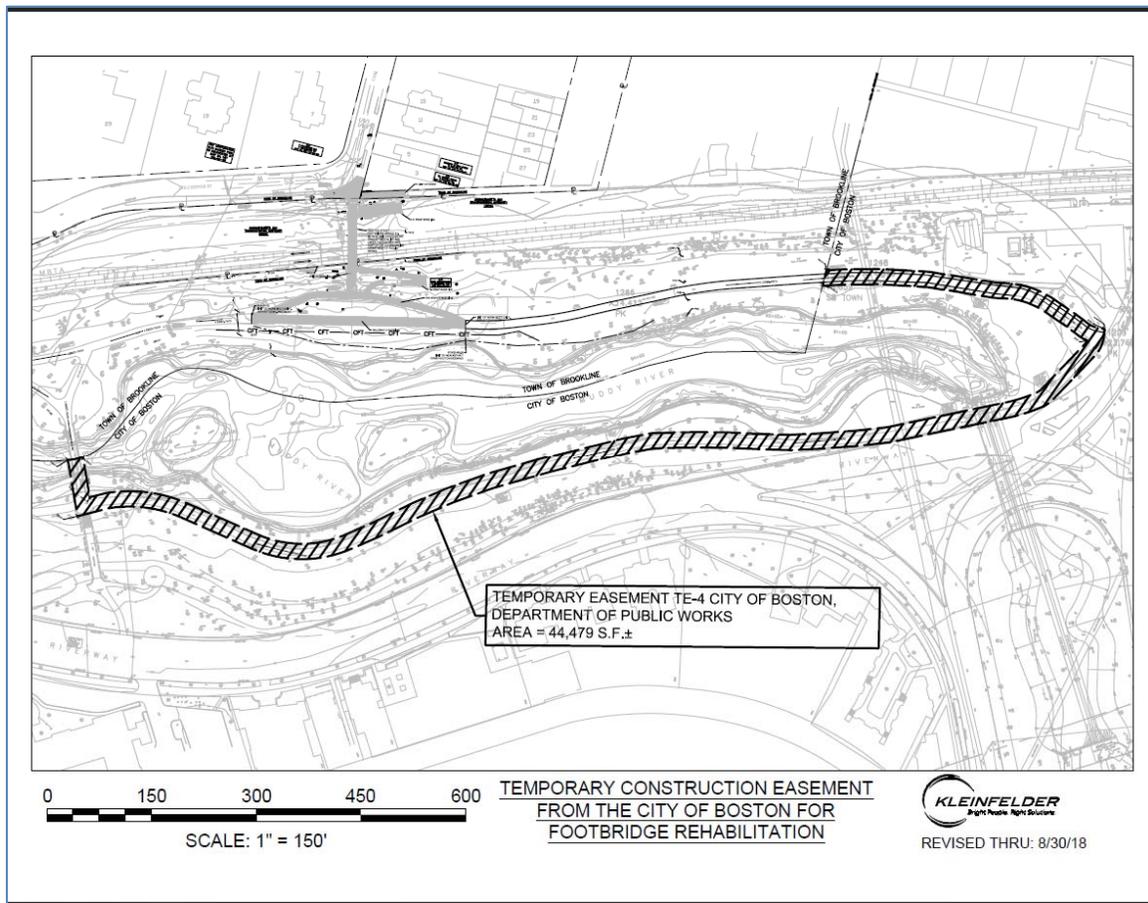


ARTICLE 9

Submitted by: Department of Public Works

Exhibit TE-4: Plan as referenced in the article

To see if the Town will vote to authorize the Select Board to acquire, as necessary, a temporary construction easement from the City of Boston, Parks and Recreation Department, on City property comprising a part of Riverway Park, for construction activities associated with the Carlton Street Footbridge Rehabilitation Project, as substantially shown on the plan submitted herewith entitled “**TEMPORARY CONSTRUCTION EASEMENT FROM THE CITY OF BOSTON FOR FOOTBRIDGE REHABILITATION**” prepared by Kleinfelder Engineering, revised through 8/30/2018, as may be amended, said plan on file with the Town Clerk. Further, to authorize the Select Board to enter into all agreements and take all related actions necessary or appropriate, including to expend, as needed, a sum or sums of money therefor from existing appropriation(s) for the Carlton Street Footbridge Restoration, to carry out this vote and other acts authorized herein, or act on anything relative thereto.



ARTICLE 10

Submitted by: Building Department

To see if the Town will vote to authorize the Select Board to grant, upon terms and conditions in the best interest of the Town, an easement to the Boston Gas Company permitting it to install and maintain a gas line on the Fire Station 6 parcel located at 962

Hammond Street, said parcel being shown as Lot 42 on Town of Brookline Assessor's Map 130 in Block 441, for the purpose of providing gas to the facilities located on the Fire Station 6 parcel.

Or take any other action relative thereto.

ARTICLE 11

Submitted by: Robert M. Zuker, on behalf of Chestnut Hill Realty

ARTICLE I

To see if the Town will amend its Zoning By-Law and to approve a Master Development Plan for the Hancock Village redevelopment project, as follows:

- (i) Amend the Zoning Map to include a new HVOD overlay district, the boundaries of which are shown on the plan entitled, "Hancock Village Overlay District Boundary Map," prepared by Stantec, dated August 29, 2018, and filed with the Town Clerk as of August 30, 2018;
- (ii) Amend Section 3.01.4 to add the following new zoning overlay district to the list of previously identified zoning overlay districts: Hancock Village Overlay District;
- (iii) Amend Section 5.06.4 to create Section 5.06.4.k "Hancock Village Overlay District ("HVOD")" as follows:

k. Hancock Village Overlay District

- 1) The Hancock Village Overlay District (HVOD) is the site of an established residential development in the Garden Village model that has been identified as an appropriate site for a limited amount of new mixed-income housing, coupled with a limited scope of expansion and interior alteration of the existing improvements, all as shown on the Master Development Plan and otherwise specifically addressed herein.
- 2) As used in this Section 5.06.4.k, the following terms shall have the following meanings, except where the context clearly indicates otherwise:
 - a) **ADDITION** — An expansion of an existing building that increases the exterior massing of such building.
 - b) **ADDITION PLANS** – Architectural plans and elevations submitted in connection with one or more Additions pursuant to Section 5.06.4.k.4.b.ii.H.
 - c) **AGE-RESTRICTED DWELLING UNIT** – An attached Multi-Family Dwelling Unit intended and operated for occupancy by persons 55 years of age or older in which at least 80% of the occupied units within the

applicable building are occupied by at least one person who is 55 years of age or older in accordance with applicable requirements of federal and Massachusetts law.

- d) **CONFORMANCE REVIEW** — The process and standards set forth in Section 5.06.4.k.12 to determine conformance of the HVOD Project or any proposed phase or portion thereof with the Master Development Plan and the standards and requirements set forth in this Section 5.06.4.k.
- e) **CONSTRUCTION ACTIVITY** – The construction of new structures, roadways, driveways, parking areas or Additions, or site work associated with such construction. Construction Activity shall not include: (i) site work not associated with the construction of new structures, roadways, driveways parking areas or Additions; (ii) the installation of utilities; (iii) restoration and improvement of land within the Open Space Areas (HVOD Buffer Areas) depicted on the Master Development Plan; (iv) improvements solely to the interior of structures that do not increase floor area, footprint or bedroom count; or (v) activities involving uses and structures referred to in M.G.L. c.40A §3, to the extent allowed under said section of the General Laws. Construction Activity shall include the reconstruction of any structure within the HVOD voluntarily demolished (wholly or partially) other than in the event of damage or destruction by fire, explosion or other catastrophe.
- f) **CONVERTED TOWNHOUSE UNIT** – One of up to twelve (12) existing one-bedroom townhouse units to be converted to a three-bedroom unit by an Addition that is allowed as part of the HVOD Project pursuant to Footnote 2 in Figure 5.06.4.k.1.
- g) **DESIGN CERTIFICATE** – A certificate issued by the Planning Board pursuant to Section 5.06.4.k.4.b.ii.H, below.
- h) **DESIGN GUIDELINES** – The Design Guidelines set forth in Section 5.06.4.k.4.b.ii.G, below.
- i) **DINING ROOM EXPANSION** – An Addition that expands the dining room area of an existing townhouse unit within the HVOD that is allowed pursuant to and in accordance with Section 5.06.4.k.4.b.ii.
- j) **DISTRICT FLOOR AREA RATIO (DFAR)** — The ratio of the combined gross floor areas of all buildings within the HVOD to the total area of the HVOD.
- k) **FINAL PLANS** — The plans and materials submitted in connection with the Conformance Review pursuant to Section 5.06.4.k.12.
- l) **GRADE PLANE** — The average of finished ground level adjoining a building at the exterior walls. Where finished ground level slopes away from the exterior walls, the grade plane shall be established by the lowest

points within the area between the building and a point 6 feet from the building. For purposes of calculating building height within the HVOD, this definition shall be used in place of the level specified in Section 5.30.

- m) **HANCOCK VILLAGE CONFORMANCE REVIEW COMMITTEE (HVCRC)** — The Committee appointed by the Planning Board pursuant to Section 5.06.4.k.12.b to determine conformance of the HVOD Project or any proposed phase or portion thereof with the Master Development Plan and the standards and requirements set forth in this Section 5.06.4.k. The HVCRC shall consist of nine (9) members, and shall include among the membership two (2) members of the Neighborhood Conservation District Commission and one (1) member of the Preservation Commission, allowing for a single person with dual memberships to serve in both roles, if appropriate. Said members of the Neighborhood Conservation District Commission and Preservation Commission shall be appointed to the HVCRC by the Chairs of their respective Commissions. The Planning Board shall establish rules and regulations governing what constitutes a quorum and other matters related to the conduct of the HVCRC.

- n) **HEIGHT OF BUILDING** — The vertical distance of the highest point of the roof beams in the case of a flat roof, or the top of the rafters at the ridge in the case of a sloping roof above the grade plane. For purposes of calculating building height within the HVOD, this definition shall be used in place of the definition specified in Article II of this By-Law, and the provisions of Sections 5.30-5.32 shall not apply; provided, however, that, within the HVOD: (i) structures or facilities normally built or installed so as to extend above a roof and not devoted to human occupancy, such as transmission towers, chimneys, smokestacks, flag poles, masts, aerials, elevator penthouses and water tanks or other structures normally built above the roof and not devoted to human occupancy shall be excluded from the computation of building height as long as they would not if counted cause the applicable maximum Building Height to be exceeded by more than 10 feet, except as authorized by a special permit granted by the Board of Appeals; (ii) any rooftop mechanical feature, heating or air conditioning unit, vent, stack, or mechanical penthouse shall be screened by parapet walls or similar building elements, to the extent necessary to screen such feature from view from properties outside of the HVOD, and shall comply with the provisions of the Noise Control By-Law; and (iii) rooftop structures shall not cause the applicable maximum Building Height to be exceeded by more than 10 feet except as authorized by a special permit granted by the Board of Appeals.

- o) **HVOD** — The Hancock Village Overlay District, the boundaries of which are shown on a map of land entitled “Hancock Village Overlay District Boundary Map” dated August 29, 2018, prepared by Stantec Planning and Landscape Architecture P.C., filed with the Town Clerk, which map, together with all explanatory matter thereon, is hereby incorporated in and made a part of this By-Law. The HVOD has an area of approximately 2,165,545 square feet.

- p) **HVOD PROJECT** — All development within the four “Development Areas” and the two “Open Space Areas” (HVOD Buffer Areas), as shown on the Master Development Plan, including all associated roads and site access features shown thereon, and renovations pursuant to Section 5.06.4.k.4.b.i of this By-Law and the construction of a single additional recycle center as provided for in Section 5.06.4.k.4.v. The HVOD Project does not include any Addition.
- q) **MASTER DEVELOPMENT PLAN** — A plan entitled “Hancock Village Master Development Plan” dated August 29, 2018, prepared by Stantec Planning and Landscape Architecture P.C., a copy of which is on file with the Town Clerk’s Office and shall be incorporated into this By-Law and made a part hereof.
- r) **NEW TOWNHOUSE BEDROOM** – One of up to 140 new bedrooms constructed as part of a renovation of, or Addition to, dwelling units within the HVOD existing as of the effective date of this Section 5.06.4.k (excluding any bedrooms included as part of the HVOD Project, including, without limitation, any bedrooms within a Converted Townhouse Unit).
- s) **PROPONENT** — The proponent or developer of the HVOD Project or any proposed phase or portion thereof, or the proponent or developer of any Addition.
- t) **SIGNAGE PLAN** – A plan entitled “HVOD Signage Plan” dated August 29, 2018, prepared by Stantec Planning and Landscape Architecture P.C., a copy of which is on file with the Town Clerk’s Office.
- u) **STRUCTURED PARKING** — A parking facility contained entirely within a building or structure.

Other terms used but not defined in this Section 5.06.4.k shall have the meanings set forth in Article II of this By-Law.

3) The HVOD is established as an overlay district superimposed over the underlying zoning districts. The regulations set forth in this Section 5.06.4.k shall apply to the entire HVOD land area in lieu of all other use, bulk and dimensional, parking, landscaping, screening, setback/radius, signage, affordable housing and other zoning regulations that would otherwise be applicable. Such regulations shall apply to the entire HVOD land area as if it were one lot, even if it is comprised, at any time, of more than one parcel, including parcels separated by a street or way.

4) Land within the HVOD may be developed and used as follows:

- a. The HVOD Project shall be allowed in accordance with the Master Development Plan and the standards and guidelines set forth in this Section 5.06.4.k. The following structures and uses shall be allowed as

components of the HVOD Project or any proposed phase or portion thereof:

- i. Multiple Dwellings (but not including lodging houses, hotels, dormitories, fraternities or sororities) containing, in total, no more than 382 new dwelling units constructed in locations as shown on the Master Development Plan as follows:

Figure 5.06.4.k.1

	Total Units	1 Bedroom Units	2 Bedroom Units	3 Bedroom Units	Total Bedrooms	Affordable Units
Asheville Building	112	84	28	0	140	28 at 80% Adjusted Area Median Income (“AMI”) ¹
Gerry Building	36	13 ²	11	12 ²	71 ²	9 at 80% AMI; 18 at 100% AMI ^{2, 3, 4}
Sherman Building⁵	234	133	101	0	335	0
Total	382 ²	230 ²	140	12	546	37 at 80% AMI; 18 at 100% AMI ^{2, 3, 4}

Footnotes to Figure 5.06.4.k.1:

¹ For purposes of this Section 5.06.4.k, the designation “at 80% AMI” shall refer to an Affordable Unit that meets the LIP Criteria laid out in the Guidelines for M.G.L. c. 40B Comprehensive Permit Projects, Subsidized Housing Inventory (Updated December 2014) or any subsequent revision or replacement guidelines adopted by the Massachusetts Department of Housing and Community Development (DHCD), available for rent to an Income Eligible Household, as defined said Guidelines.

² The Proponent may, at its election, convert 12 three-bedroom units within the Gerry Building to 12 one-bedroom units within the Gerry Building, provided that the Proponent also converts 12 existing one-bedroom townhouse units within the HVOD to become Converted Townhouse Units, all of which shall be three-bedroom units and 3 of which shall be Affordable Units at 80% AMI. If so elected by the Proponent: (i) the number of one-bedroom units within the Gerry Building shall increase to 25; (ii) the total allowed number of three-bedroom units within the Gerry Building shall decrease to 0; and (iii) the total number of bedrooms in the Gerry Building shall be reduced to 48.

³ For purposes of this Section 5.06.4.k, the designation “at 100% AMI” shall refer to an Affordable Unit (as defined in Section 4.08.2.c), available for rent or sale to an Eligible Household (as defined in Section 4.08.2.d) earning less than or equal to 100% of the AMI.

⁴ In lieu of providing 18 Affordable Units at 100% AMI (10 one-bedroom units, 8 two-bedroom units) within the Gerry Building, the Proponent may, at its election, instead provide 18 one-bedroom units and 8 two-bedroom units at 100% AMI (for a total of 26 units containing 34 bedrooms) within townhouse buildings that exist within the HVOD as of the effective date of this Section 5.06.4.k, and shall indicate its decision to make such election on the Affordable Housing Plan for the Gerry Building required by Section 5.06.4.k.4.a.i.I.

⁵ Multifamily use within the Sherman Building shall be limited to Age-Restricted Dwelling Units.

All Affordable Units (whether at 80% AMI or 100% AMI) included within the HVOD Project (or included within any townhouse buildings that exist within the HVOD as of the effective date of this Section 5.06.4.k, pursuant to Footnote 4 in Figure 5.06.4.k.1) shall follow the following standards and procedures:

A) Each Affordable Unit shall be indistinguishable in external appearance from market rate units located in the same building as such Affordable Unit. Affordable units shall have the same mechanical systems as market rate units, except that Affordable Units with up to two bedrooms may have only one bathroom, and Affordable Units with three bedrooms shall have at least 1.5 bathrooms. Affordable units shall have the same level of quality of finishes and appliances as the market rate units except where the Director of Planning and Community Development specifically approves, in advance, a request for different finishes and/or appliances. All residents of the HVOD, including residents of the Affordable Units, shall enjoy equal rights to use and access the Community Center Building and related facilities.

B) The Affordable Units shall contain square footage which is no less than (1) the average size of market rate units containing the same number of bedrooms, or (2) the following, whichever is smaller:

- 1 bedroom: 700 square feet
- 2 bedrooms: 900 square feet
- 3 bedrooms: 1100 square feet

For purposes of this subparagraph only, square footage shall be calculated within the interior surfaces of the perimeter surfaces of the walls of the unit.

C) Floor plans for Affordable Units which differ from those of market rate units located within the same building shall not be approved without the recommendation of the Director of Planning and Community Development.

D) Initial rents, and rent increases for the Affordable Units shall be established in accordance with Guidelines established by DHCD and the Town's Department of Planning and Community Development.

- E) The Town may establish a system of priorities for selecting buyers or renters, in accordance with the Town's Affordable Housing Guidelines and any applicable DHCD requirements.
- F) All Affordable Units will be monitored on an annual basis by DHCD and the Town of Brookline Planning Department/ Housing Division. The Town may require that lessees of affordable rental units meet income recertification requirements upon renewal of lease terms.
- G) Affordability restrictions shall be embodied in DHCD's LIP Rent Regulatory Agreement for the 80% AMI Affordable Units and a similar Town Rental Agreement for the 100% AMI Affordable Units.
- H) Covenants and other documents necessary to ensure compliance with this section shall be executed and recorded prior to the issuance of a certificate of occupancy. In addition, the execution and recording of such covenants and other documents prior to issuance of a certificate of occupancy shall be a condition of any building permit issued for an HVOD Project building (or building permit for the renovation of an existing unit intended to be rented at 100% AMI pursuant to Footnote 4 of Figure 5.06.4.k.1) containing Affordable Units.
- I) Submittal of Affordable Housing Plan—The Proponent shall submit an Affordable Housing Plan form to the Planning and Community Development Department prior to making an application for a building permit for a particular HVOD Project building. This form shall provide a schedule of all project units by location, square footage, unit types, number and types of rooms, and location of Affordable Units within that building. Locations of all Affordable Units must be approved by the Director of Planning and Community Development.
- J) Prior to issuance of any certificate of occupancy for any unit in the HVOD Project including Affordable Units, the Proponent shall submit to the Director of Planning and Community Development for approval a plan for marketing and selection of occupants of the Affordable Units in the building

where the certificate of occupancy is sought; said plan to include the initial rents for the units designated as affordable. All Affordable Units (80% AMI and 100% AMI) within a particular building will be marketed at the same time and will follow DHCD Guidelines for Affirmative Marketing and Tenant Selection, as outlined in Section 3 of Guidelines for M.G.L. c. 40B Comprehensive Permit Projects, Subsidized Housing Inventory (Updated December 2014) or any subsequent revision or replacement guidelines adopted by DHCD.

- K) The Building Commissioner may limit, restrict or withhold the issuance of a certificate of occupancy for any market rate unit in a particular HVOD Project building until certificates of occupancy also have been issued for a corresponding percentage of Affordable Units in such building as required by this Section 5.06.4.k.a.i (for example purposes only, the Building Commissioner may withhold, limit or restrict a certificate of occupancy for a market rate unit in the Asheville Building if issuance of such certificate of occupancy would result in Affordable Units constituting less than 25% of the total number of units in the Asheville Building for which certificates of occupancy are being, or have been issued).
- ii. Leasing, business and professional office uses incidental to and exclusively for the management of buildings within the HVOD; provided, however, that the aggregate gross floor area of all such uses shall not exceed 10,000 square feet. Uses allowed pursuant to this subsection and subject to the limitation on square footage are distinct from those uses described in subsection iv, below;
 - iii. Parking as shown on the Master Development Plan and otherwise in accordance with Section 5.06.4.k.6;
 - iv. Social or community facilities, private swimming pools, health and fitness clubs, tennis courts or other amenity space incidental to one or more Multiple Dwellings within the HVOD and identified on the Master Development Plan and intended for the exclusive use of residents of the HVOD; and
 - v. Recycling facilities incidental to one or more allowed uses within the HVOD, including one additional recycle center not shown on the Master Development Plan. Should the Proponent elect to construct the single additional recycle center not shown on the

Master Development Plan, that construction shall conform to the following requirements:

- i) The recycle center shall not be located within the area zoned S-7.
 - ii) The total square footage allowed for the recycle center shall not exceed 1,000 sf (excluding any covered areas not enclosed by walls).
 - iii) The height for the additional recycle center shall not exceed 29 feet above grade.
 - iv) The design of the recycle center shall be consistent with the design of recycling centers shown on the Master Development Plan.
 - v) Should the construction of the recycle center require the relocation of parking spaces, driveways or roadways, such relocation shall not result in an increase in the number of total parking spaces permitted in the HVOD pursuant to Section 5.06.4.k.6, nor an increase in the number of surface parking spaces shown on the Master Development Plan, nor a material reconfiguration of the site circulation. Surface parking relocated due to the construction of the recycle building shall not be relocated to the area zoned S-7.
 - vi) Construction of the recycle center cannot result in any change in the location or footprint of any building shown on the Master Development Plan.
 - vii) Construction of the recycle center shall be subject to Conformance Review pursuant to Section 5.06.4.k.12. With respect to that review, the Final Plans shall be reviewed for conformance with the conditions of this Section and all other relevant Sections of 5.06.4.k.
- b. The residential use of those existing structures shown on the Master Development Plan but not included within the HVOD Project, and the structures themselves, are allowed by right in the manner, form, dwelling unit and bedroom counts and configurations, and with the structural dimensions that exist as of the effective date of this Section 5.06.4.k. The existing residential use and structures shown on the Master Development Plan may be expanded, altered and changed as follows:
- i. The renovation of existing dwelling units within the HVOD by converting laundry or utility rooms to bedrooms, creating up to 13 new bedrooms, is allowed exclusively in the locations shown as

“Laundry/Storage Room Conversion” on the Master Development Plan, provided such renovations do not increase the footprint of the existing buildings.

- ii. An Addition shall be allowed by right; provided, however, that the following conditions shall be satisfied:
 - A) The DFAR, including the proposed Addition, shall not exceed 0.5. For purposes of this Section 5.06.4.k, the DFAR shall be computed using the entire gross floor area of: (i) the HVOD Project, regardless of whether construction thereof has been completed at the time of such Addition; and (ii) any other building existing within the HVOD at the time of such Addition. The total square footage allowed for Additions pursuant to this section shall not exceed 85,000 square feet, measured from the exterior faces of the walls or from the centerlines of the of the walls for adjoining buildings.
 - B) No Addition shall be allowed except for an Addition that includes: (a) a Converted Townhouse Unit; or (b) a New Townhouse Bedroom; or (c) a Dining Room Expansion. A Dining Room Expansion will only be added to units that have half baths on the first floor and modernized, reconfigured kitchens. No such Dining Room Expansion: (i) shall add more than 60 square feet of gross floor area, measured from interior wall to interior wall, to any individual dwelling unit; (ii) include more than 3 exterior walls or include a wall closing it off from the adjacent living space; (iii) extend more than 6 feet from the previously existing footprint of the unit being modified, excluding any roof overhangs and the thickness of the exterior wall of the Addition; or (iv) have a lateral width of more than 10 feet.
 - C) Any Dining Room Expansion shall only serve to extend the habitable space of the first story of the existing buildings to which they are attached and shall not extend past the height of the first story except as is necessary to conform to the design guidelines delineated below in Section 5.06.4.k.4.b.ii.G.
 - D) Any Addition shall not involve the construction of new structures, the addition of new dwelling units, or, except with respect to a Converted Townhouse Unit or New Townhouse Bedroom, the addition of new bedrooms or lofts.
 - E) No new structures shall be constructed, except as shown on the approved Master Development Plan.

- F) An Addition that includes a Converted Townhouse Unit may be constructed at any time as part of the HVOD Project, subject to and in accordance with the terms of this Section 5.06.4.k. Prior to the issuance of a building permit for a Dining Room Expansion or a New Townhouse Bedroom, at least ten (10) years must have passed since the issuance of the first building permit for a building within the HVOD Project.
- G) The Planning Board has reviewed the applicable Addition Plans in accordance with the process set forth in Section 5.06.4.k.4.b.ii.H below, and confirmed the Addition conforms to the following Design Guidelines:
- i. Additions shall be compatible with the character of the building and earlier Additions in terms of size, scale, massing, material, location and detail. Additions shall be designed so that the primary elevations of the original building remain clearly delineated.
 - ii. Each Addition shall respect the existing historic streetscape. The historic relationship of buildings to the street, including setbacks and open spaces, shall be maintained.
 - iii. Building materials shall conform to the requirements of Section 5.06.4.k.10.a, below.
 - iv. Additions shall maintain the spatial organization between the existing buildings.
- H) Prior to submitting an application for a building permit in connection with an Addition, the Proponent shall submit Addition Plans to the Planning Board. Within forty-five (45) days of such submission, the Planning Board shall review the Addition Plans at a regularly scheduled meeting, for the sole purpose of determining whether such Addition Plans conform to the Design Guidelines set forth above in Section 5.06.4.k.4.b.ii.G. Within fourteen (14) days of said meeting, provided the Addition Plans conform to the Design Guidelines, the Planning Board shall issue a Design Certificate, a copy of which shall be filed with each of the Office of the Town Clerk and the Building Department, stating that such Addition Plans conform to the Design Guidelines. In the event the Planning Board does not issue such Design Certificate pursuant to this Section 5.06.4.k.4.b.ii.H, the Planning Board shall specify in writing

all of its reasons for determining that the Addition does not conform to the Design Guidelines and the Proponent may, at its option: (x) withdraw the request for such Design Certificate; or (y) modify the Addition Plans to bring them into conformance with the Planning Board's findings, and resubmit the Addition Plans for review in accordance with this Section 5.06.4.k.4.b.ii.H. If, after completion of either of (x) or (y), above, a Design Certificate does not issue, the Proponent may seek review under G.L. c. 249, §4. In the event the Planning Board fails to act within any of the time periods specified in this Section 5.06.4.k.4.b.ii.H, the conformance of the Addition Plans to the Design Guidelines shall be deemed confirmed by the Planning Board. Notwithstanding the foregoing or anything herein to the contrary, any Addition Plans for a Converted Townhouse Unit shall conform to the applicable substantive requirements of Section 5.06.4.k.4.b.ii, but review for conformance with such requirements shall be conducted by the HVCRC as part of a Conformance Review in accordance with Section 5.06.4.k.12 below (and not by the Planning Board pursuant to this Section 5.06.4.k.4.b.ii.H).

- c. Prior to the commencement of any Construction Activity for the HVOD Project, or any portion thereof, under this Section 5.06.4.k, the land within the HVOD shall remain subject to the underlying zoning then in effect. Upon a Proponent's election to pursue development of the HVOD Project, or any portion thereof, as shown on the approved Master Development Plan, a notice to such effect shall be recorded in the Norfolk Registry of Deeds and filed with the Town Clerk and the Building Department prior to issuance of any building permit for the HVOD Project pursuant to this Section 5.06.4.k. From and after the filing of such notice, all Construction Activity within the HVOD shall be in accordance with the approved Master Development Plan or pursuant to Section 5.06.4.k.4.b.ii in the case of an Addition. Activities that do not constitute Construction Activity may be undertaken, if otherwise permitted by applicable provisions of this By-Law, prior to, or following, the filing of the notice described in this Section.

5) The following dimensional regulations shall apply to the HVOD:

- a) **Building Footprint:** All buildings shall be limited to the two-dimensional building footprint shown on the Master Development Plan, with the exception of an Addition satisfying the requirements of Section 5.06.4.k.4.b.ii.
- b) **Maximum Building Height:** Asheville Building: 60 feet above Grade.

Gerry Building: 47 feet above Grade.

Sherman Building: 69 feet above Grade.

Community Center Building: 47 feet above Grade.

Converted Townhouse Units: 35 feet above Grade.

Recycle Center Buildings: 29 feet above Grade.

An existing structure shown on the Master Development Plan but not included within the HVOD Project, and any structure reconstructed on the footprint of such existing structure (whether due to voluntary demolition or due to damage or destruction by fire, explosion or other catastrophe), shall have a maximum Building Height equal to the height of the existing structure as of the effective date of this Section 5.06.4.k.

- c) Setbacks: All buildings shall be subject to the setbacks from the boundaries of the HVOD (excluding the boundary line that is also a municipal boundary line) as shown on the Master Development Plan.
 - d) Maximum DFAR: The DFAR for the entire HVOD shall not exceed 0.5.
- 6) The parking and traffic circulation requirements set forth in this Section 5.06.4.k.6 shall apply within the HVOD, rather than the requirements set forth in Sections 6.01 through 6.03 and Sections 6.05 through 6.09 or elsewhere in this By-Law; provided, however, that Section 6.04 shall apply to the design of all parking in the HVOD in all respects except for the requirements as to setbacks, interior landscaping, and common driveways. Prior to the issuance of any Conformance Determination pursuant to Section 5.06.4.k.12, the Director of Engineering and Transportation shall find that the HVOD Project has met all applicable standards related to parking and traffic circulation.
- a) The Master Development Plan establishes a schedule of total parking spaces to be provided within the HVOD. At no time shall the total number of parking spaces within the HVOD exceed 1,439. If and to the extent construction of the entire HVOD Project is completed, no fewer than 1,375 parking spaces shall be provided within the HVOD. For any phase of the HVOD Project that includes the construction of a new building, as part of the Conformance Review conducted pursuant to Section 5.06.4.k.12, the Proponent shall submit to the HVCRC a phasing schedule describing the number of parking spaces to be constructed as part of such phase.
 - b) Parking locations shall be as shown on the Master Development Plan; provided that additional parking spaces may be provided in structured parking facilities within the Asheville, Gerry and Sherman Buildings. Such spaces shall count toward the maximum total number of parking spaces allowed within the HVOD in Section 5.06.4.k.6.a.

- c) To the extent consistent with the Master Development Plan, parking may be provided through on-street spaces on private roadways within the HVOD, ground-level paved areas, Structured Parking or any combination thereof.
 - d) Parking spaces within the HVOD shall be used only by HVOD residents and their guests, and employees or agents of the owners or managers of property within the HVOD. The entire HVOD shall be treated as one lot for the purpose of providing the required number of parking spaces, subject to the provisions of this Section 5.06.4.k.6.d. All tenants within the HVOD shall have the right to lease or otherwise license or use parking spaces within the HVOD on such terms and conditions as may be established by the owner or owners from time to time, provided that there shall be no discrimination between tenants within any particular building with respect to their ability to lease or otherwise access and use parking spaces within the HVOD. The owners of adjacent parcels within the HVOD, as applicable, shall establish the rights of such owners and their tenants, guests and invitees to use the parking spaces within the HVOD pursuant to one or more easement agreements, which shall be duly recorded at the Norfolk County Registry of Deeds or filed with the Norfolk County District of the Land Court, as applicable.
 - e) All parking areas and facilities shall be set back from the boundaries of the HVOD as shown on the Master Development Plan.
 - f) Sidewalks or multipurpose pedestrian ways and facilities shall connect each parking area or facility to buildings, public spaces, or other destination points within the HVOD as shown on the Master Development Plan. Except as shown on the Master Development Plan, no vehicular access to the HVOD over the frontage sidewalks shall be permitted.
 - g) All streets within the HVOD shall be designed and maintained so that fire lanes are unimpeded by obstacles and landscaping, as shown on the Master Development Plan.
 - h) Any of the specific requirements set forth in this Section 5.06.4.k.6 may be waived by the HVCRC in accordance with Section 5.06.4.k.12.g, below, with the exception of the minimum and maximum total number of parking spaces specified in Section 5.06.4.k.6.a.
- 7) Signs, to the extent visible from public ways, shall conform to the Signage Plan.
- 8) There shall be a buffer area, delineated as “HVOD Buffer Area” on the Master Development Plan, from the boundary of the HVOD (excluding the boundary line that is also a municipal boundary line). Said buffer may be:
- a) Landscaped in accordance with the requirements set forth in Section 5.06.4.k.9 to minimize visual impact on adjacent residential uses through the use of plantings, berms, or fencing; or

- b) Developed as open space with play areas as shown on the Master Development Plan.
- 9) Landscaping and Screening of Parking and Buffer Areas.
- a) Landscaping within and around parking areas in the HVOD shall be substantially as shown on the Master Development Plan; provided, however, that a detailed landscaping plan shall be submitted for review and approval by the HVCRC as part of its Conformance Review.
 - b) In reviewing the landscaping plan, the HVCRC shall consider whether:
 - i. Proposed plantings include both trees and evergreen shrubs, including those existing within the HVOD.
 - ii. Trees are proposed to be two and one-half inches (2 ½”) caliper four feet (4’) above ground level, of a species common to eastern Massachusetts, and likely to reach an ultimate height of at least thirty feet (30’).
 - iii. Shrubs are at least thirty inches (30”) in height at the time of planting, and of an evergreen species common to eastern Massachusetts, and likely to reach an ultimate height of at least four feet (4’), except where a lower height is necessitated for egress visibility as determined by the Building Commissioner.
 - iv. Plantings are grouped, not evenly spaced, and located or trimmed to avoid blocking egress visibility.
 - c) Screening shall be required to obscure the visibility of parking areas of seven (7) or more spaces from within fifty feet (50’) beyond the boundaries of the HVOD at normal eye level. Such screening shall consist of plantings of species, size and spacing to provide effective screening within three (3) years of planting, and shall be supplemented by an opaque fence or wall at least six feet (6’) tall but no higher than seven feet (7’) tall.
 - d) Whenever possible, the landscaping and screening requirements set forth in this Section 5.06.4.k.9 shall be met by retention of existing plants.
 - e) All plant materials required by this Section 5.06.4.k.9 shall be maintained in a healthful condition. Dead limbs shall be promptly removed and dead plants shall be promptly replaced at the earliest appropriate season. Any fences required for screening shall be properly maintained.
 - f) Proposed changes to landscaping within the HVOD from the detailed landscaping plan reviewed and approved by the HVCRC pursuant to Section 5.06.4.k.12 shall be submitted to the Planning Department for review and approval by the Assistant Director of Regulatory Planning.

10) The following design and performance standards shall apply to all Construction Activity within the HVOD. These standards shall be reflected in the final plans and materials submitted for review and approval by the HVCRC as part of its Conformance Review:

- a) Exterior Finish Materials:
 - i) Building exteriors shall be compatible with the character, style, materials and details of the existing Hancock Village and constructed of durable and maintainable materials.
 - ii) Buildings shall include operable windows of metal or vinyl-clad wood and shall meet or exceed the minimum thermal resistant requirements of the State Building Code.
 - iii) The design, layout and color of doors and windows shall reflect the style and character of existing buildings within the HVOD.
 - iv) Finish materials shall not be susceptible to rapid staining, fading or other discoloration.
- b) The provisions of Section 7.04 shall apply to the HVOD Project. Without limiting the foregoing, all exterior lighting shall be designed and maintained so that no direct light or glare shines on any street or abutting residence located outside the HVOD. No exterior lights shall be mounted higher than fifteen (15) feet.

11) Prior to any Conformance Review for a building within the HVOD, the Proponent shall submit a rubbish and recycling plan and schedule to the Chief of Environmental Health for review and approval. Such approval shall be based on a determination that:

- a) All rubbish generated within the HVOD shall be handled and disposed of in compliance with all applicable regulations by the Proponent;
- b) The Proponent has provided sizes, number, and location of recycling buildings, dumpsters, trash compactors, and recycling containers;
- c) The Proponent has provided a schedule for trash and recycling pick-up demonstrating compliance with applicable Town by-laws;
- d) Dumpsters are fully screened on three sides with solid walls of a sufficient height with a solid front gate;
- e) Trash compactors are enclosed; and
- f) The Proponent has provided a rodent and insect control plan.

12) Development of the HVOD Project or any phase or portion thereof shall be allowed, subject to a Conformance Review by the HVCRC as provided herein.

a) A request for a Conformance Review shall be filed with the Town Clerk, and copies shall be submitted to the Planning Board and the Zoning Coordinator. The application shall include, as applicable, the following Final Plans and related materials:

1. Locus Map showing boundaries of the subject property
2. Existing Conditions Plan
3. General Layout Map
4. Site Development Plans identifying building locations including all accessory structures, site circulation, location of trash receptacles, location of parking and all other site components. These shall include Landscaping, Utility and Stormwater Plans (which Utility and Stormwater Plans shall be reviewed and approved by the Director of Engineering and Transportation prior to submission to the HVCRC and shall be provided to the HVCRC for informational purposes only)
5. Architectural Floor and Elevations Plans
6. Transportation Access Plan (reviewed and approved by the Director of Engineering and Transportation and provided to the HVCRC for informational purposes only)
7. Exterior Lighting Plan
8. Table of development data, including building height, setbacks, gross floor area, number of dwelling units, number of bedrooms per dwelling, number of affordable housing units, number of parking spaces (including designated handicapped spaces), and number of bicycle parking spaces/racks.
9. A computation, prepared by a licensed professional engineer, of the current DFAR of the HVOD and the impact of construction of the HVOD Project or phase or component thereof on that DFAR.

b) As soon as practicable after receipt of a request for a Conformance Review, the Planning Board shall appoint the HVCRC to conduct the Conformance Review.

c) Within fourteen (14) days of receiving the request, the Director of Planning and Community Development (or her designee), shall send a letter, with a copy to the Town Clerk, notifying the Proponent that its request is either complete or incomplete. Any determination that the request is incomplete shall state what additional information is required to complete the request. If the Director of Planning and Community Development (or designee) does not issue a letter within the 14-day period, the request shall be deemed complete.

d) The Conformance Review shall be completed within sixty (60) days of the determination that the request is complete, presuming that the Proponent has made timely submissions of materials in response to reasonable requests of the

HVCRC that are consistent with its powers under this By-Law, except with the written consent of the Proponent. During the Conformance Review period, the HVCRC shall hold one or more public meetings, (i) notice of which shall be posted in accordance with the Open Meeting Law, M.G.L. c. 30A, §§ 18 through 25 and its implementing regulations; and (ii) which shall be conducted in accordance with rules and regulations to be adopted by the Planning Board. The HVCRC may consult with relevant Town boards and departments, which may submit comments or recommendations in writing or at a meeting of the HVCRC. The affirmative vote of a majority of a quorum of the HVCRC shall be required to complete the Conformance Review and issue a Conformance Determination authorizing the HVOD Project, or any phase or portion thereof, to proceed. Submission of any of the information or materials listed above in Section 5.06.4.k.12.a may be waived by the HVCRC if such information or materials would not be relevant to the phase (or portion thereof) for which Conformance Review has been requested, or is duplicative of information previously provided in connection with the HVOD Project or prior phases thereof.

e) Provided the request for Conformance Review submitted pursuant to Section 5.06.4.k.12.a is complete and the Final Plans for the proposed HVOD Project, or any phase or portion thereof, conform to the Master Development Plan and the requirements set forth in this Section 5.06.4.k, the HVCRC shall issue a Conformance Determination, a copy of which shall be filed with the Office of the Town Clerk within thirty (30) days of the HVCRC vote. In the event that the HVCRC denies a Conformance Determination pursuant to this Section 5.06.4.k.12, the HVCRC shall specify in writing all of its reasons for determining that the HVOD Project, or portion thereof, does not conform to the requirements of this Section 5.06.4.k, and the Proponent may, at its option: (i) withdraw the request for such Conformance Determination or waiver; or (ii) modify its plans to bring them into conformance with the HVCRC's findings, and resubmit the plans in accordance with Section 5.06.4.k.12.a above (provided, however, for any plans resubmitted in accordance with this Section 5.06.4.k.12.e, the time period for completion of Conformance Review specified in Section 5.06.4.k.12.d shall be reduced to thirty (30) days from the date the plans are resubmitted). If, after completion of any of (i) or (ii), above, a Conformance Determination does not issue, the Proponent may seek review under G.L. c. 249, §4.

f) A Conformance Determination and the full plan set associated therewith shall be timely recorded with the Norfolk County Registry of Deeds and shall run with the affected land. The Proponent shall provide evidence of such recording to the HVCRC and to the Building Commissioner, and no building permit shall issue for an applicable component of the HVOD Project prior to receipt of such evidence.

g) As part of its Conformance Review, the HVCRC, in its discretion, may waive minor variations from the site layout and building footprints depicted on the Master Development Plan, if it determines that such waiver is not inconsistent with the intent of this Section 5.06.4.k. In making this determination, the HVCRC shall consider whether:

- i) The purposes of this Section 5.06.4.k, will be protected;
- ii) Strict application of the requirement to be waived would undermine the public interest;
- iii) Specific substitute requirements can be adopted that will result in substantial protection of the public health, safety, convenience and welfare; and
- iv) Any building or structure made possible by the waiver will not violate the provisions of any state or federal law or local by-law or be materially inconsistent with the Master Development Plan.

13) The HVOD Project may be constructed in one or more phases, in accordance with an applicable Conformance Determination. Upon the granting of a Conformance Determination for the HVOD Project and any phase or portion thereof, the plan referenced in such Conformance Determination shall be deemed to be in compliance with the requirements of this By-Law at the time such finding is made, notwithstanding the status of any other phase or portion of the HVOD Project or any noncompliance of such other phase or portion with the requirements of this Section 5.06.4.k.

14) The owner of any portion of the land within the HVOD shall be entitled to lawfully divide such portion, including, without limitation, by virtue of plans endorsed by the Planning Board pursuant to M.G.L. c. 41, §81P or by ground lease pursuant to §2.12(5) of this By-Law; and to sell, finance or place under separate non-common ownership any such portion or portions of land, without modifying the approved Master Development Plan and without the need for other approvals or compliance with other provisions of this By-Law, except as set forth in Section 5.06.4.k. To the extent consistent with the Subdivision Control Law, M.G.L. c. 41, §81K, et seq., portions of land within the HVOD may be separated by a public or private way.

15) More than one (1) building shall be allowed on any parcel of land within the HVOD.

16) Prior to issuance of any certificate of occupancy for any building or other improvement, or any portion thereof, within the HVOD, the Proponent shall comply with the Public Works Department’s Site Plan Review Checklist and with the Building Department’s Certificate of Occupancy Process.

17) In the event of any conflict or inconsistency between the other provisions of this By-Law and this Section 5.06.4.k, the provisions of this Section 5.06.4.k shall prevail.

- (iv) To approve the Master Development Plan, entitled, “Hancock Village Master Development Plan,” dated August 29, 2018, and filed with the Town Clerk as of that date, for the Hancock Village Overlay District;

Or act on anything relative thereto.

Units/Affordable Breakdown - 148 SBI Units - 382 Units - 55 Affordable Units and 79 Affordable Bedrooms										
Bedroom Type	Gerry		Ashville		Side-total		Shoreline		Total New Units	
	# Units	# SF (sq/100%)	# Units	# SF	# Units	# SF	# Units	# SF	# Units	# SF
1	13	3,203	64	21	77	34	102	129	34	105
1.5	0	0	0	0	0	0	0	0	0	0
2	0	0	0	0	0	0	0	0	0	0
2.5	0	0	0	0	0	0	0	0	0	0
3	13	3,803	64	21	67	34	133	230	34	106
Sub-total 1BR	13	3,203	64	21	77	34	102	129	34	105
2	11	3,921	28	7	39	18	77	115	18	98
2.5	0	0	0	0	0	0	0	0	0	0
3	11	3,111	28	7	39	18	101	140	18	122
Sub-total 2BR	11	3,111	28	7	39	18	101	140	18	122
3	12	3,803	0	0	12	3	0	12	3	9
Total Units	36	27	112	28	140	35	211	284	55	327
Total # Bedrooms	71	44	140	35	175	75	315	348	79	497

AVERAGE GRADE PLANE	BUILDING HEIGHT
GERRY	47'
SHORELINE	67'
ASHVILLE 3 FLOORS	38'
ASHVILLE 4 FLOORS	67'
COMMUNITY CENTER	67'
RECYCLE CENTER	29'

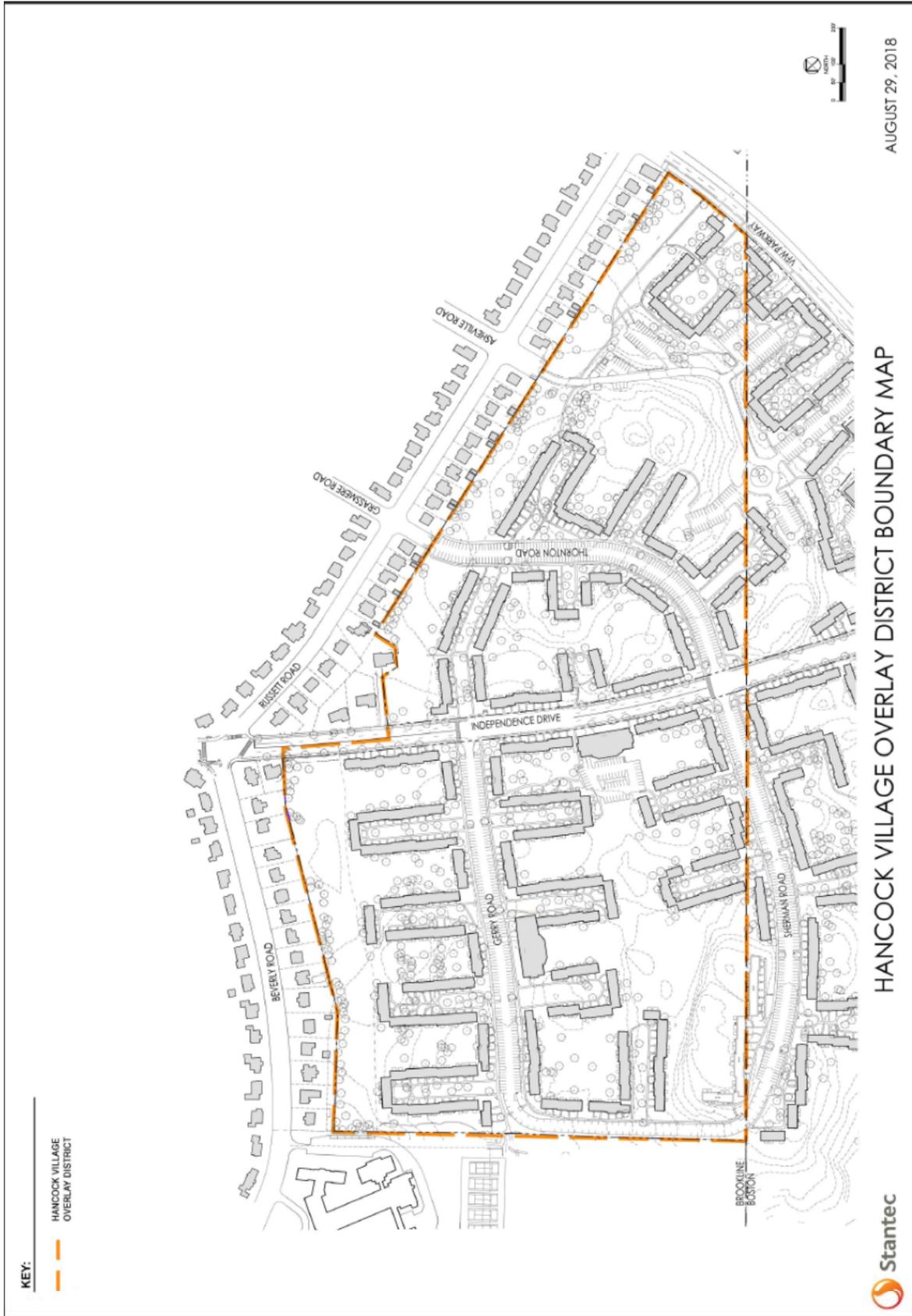
PROPOSED PARKING SPACES
1,375 (min) - 1,430 (max)

- KEY:**
- HYOD BUFFER AREA 155,116 SF
 - HANCOCK VILLAGE OVERLAY DISTRICT
 - LAUNDRY/STORAGE ROOM CONVERSION (13 TOTAL)
 - DEVELOPMENT AREAS
 - EXISTING TREES TO REMAIN
 - PROPOSED TREES



- NOTES:**
- SUPPLEMENTARY PLANS AND MATERIALS ARE ON FILE WITH THE TOWN CLERK.
 - SECTION OR DIVISION OF LOTS SHALL BE DETAIL PRESENT TO BOROUGH OF THE ZONING BY-LAW.
 - BUILDING LOCATION, PARKING LAYOUT AND SITE DETAILS ARE APPROXIMATE, SUBJECT TO FINAL DESIGN AND THE CONFORMANCE DETERMINATION REVIEW PROVISIONS OF BOROUGH OF THE ZONING BY-LAW.
 - INFRASTRUCTURE AND UTILITIES WILL BE INSTALLED TO SUPPORT THE HOOD PROJECT AND MAY BE INCLUDED IN ANY PORTION OF THE HOOD.
 - PARKING MAY BE SHARED THROUGHOUT THE DEVELOPMENT, PARKING LOT LOCATIONS AND CAPACITY SHALL BE DETERMINED BY THE CONFORMANCE DETERMINATION REVIEW PRESENT TO BOROUGH OF THE ZONING BY-LAW AND ALLOWED BUILDING AND SITE RECONFIGURATION.
 - PROPOSED TREE LOCATIONS AND APPROXIMATE.
 - NOT PRESENTING THE UNDESIRABLE PROVISIONS ABOVE AND PRESENT TO AND IN ACCORDANCE WITH FOOTNOTE 3 IN FIGURE 3.04(A) OF THE TOWN ZONING BY-LAW. A LIST OF PROVISIONS AFFORDABLE INTO A ZONING UNIT WITHIN THE HOOD, INCLUDING THE HOOD, SHALL BE PROVIDED TO THE TOWN CLERK AND THE CONFORMANCE DETERMINATION REVIEW PRESENT TO BOROUGH OF THE ZONING BY-LAW AND ALLOWED BUILDING AND SITE RECONFIGURATION.
 - A THIRD RECYCLE CENTER CAN BE BUILT AS PART OF THE HOOD BUT WILL NOT BE LOCATED IN THE BY ZONING DISTRICT.
 - UP TO THREE (3) CONVERTED TOWNHOUSE UNITS ALLOWED AS PART OF THE HOOD PROJECT PRESENT TO FOOTNOTE 2 IN FIGURE 3.04(A).
 - ADDITIONS ALLOWED IN ACCORDANCE WITH SECTION 3.04(A)(3).

This map is presented for informational purposes and is not part of the article. A larger map will be mailed to Town Meeting Members. A copy of the map will also be available in the Town Clerk's Office.



AUGUST 29, 2018

HANCOCK VILLAGE OVERLAY DISTRICT BOUNDARY MAP

This map is presented for informational purposes and is not part of the article. A larger map will be mailed to Town Meeting Members. A copy of the map will also be available in the Town Clerk's Office.

ARTICLE 12

Submitted by: Robert M. Zuker, on behalf of Chestnut Hill Realty

ARTICLE II

To see if the Town will authorize the Board of Selectmen to enter into any necessary agreement(s) and/or amendments to existing agreements or other action(s) required for the negotiation and execution of a “Development Agreement” related to development within the four “Development Areas” and the two “Open Space Areas,” as shown on the plan entitled, “Hancock Village Master Development Plan,” prepared by Stantec, dated August 29, 2018, and filed with the Town Clerk as of August 30, 2018, including all associated roads and site access features shown thereon, and to negotiate and execute such other agreements with the proponents of such development as may be deemed necessary or appropriate by the Board of Selectmen, or act on anything relative thereto.

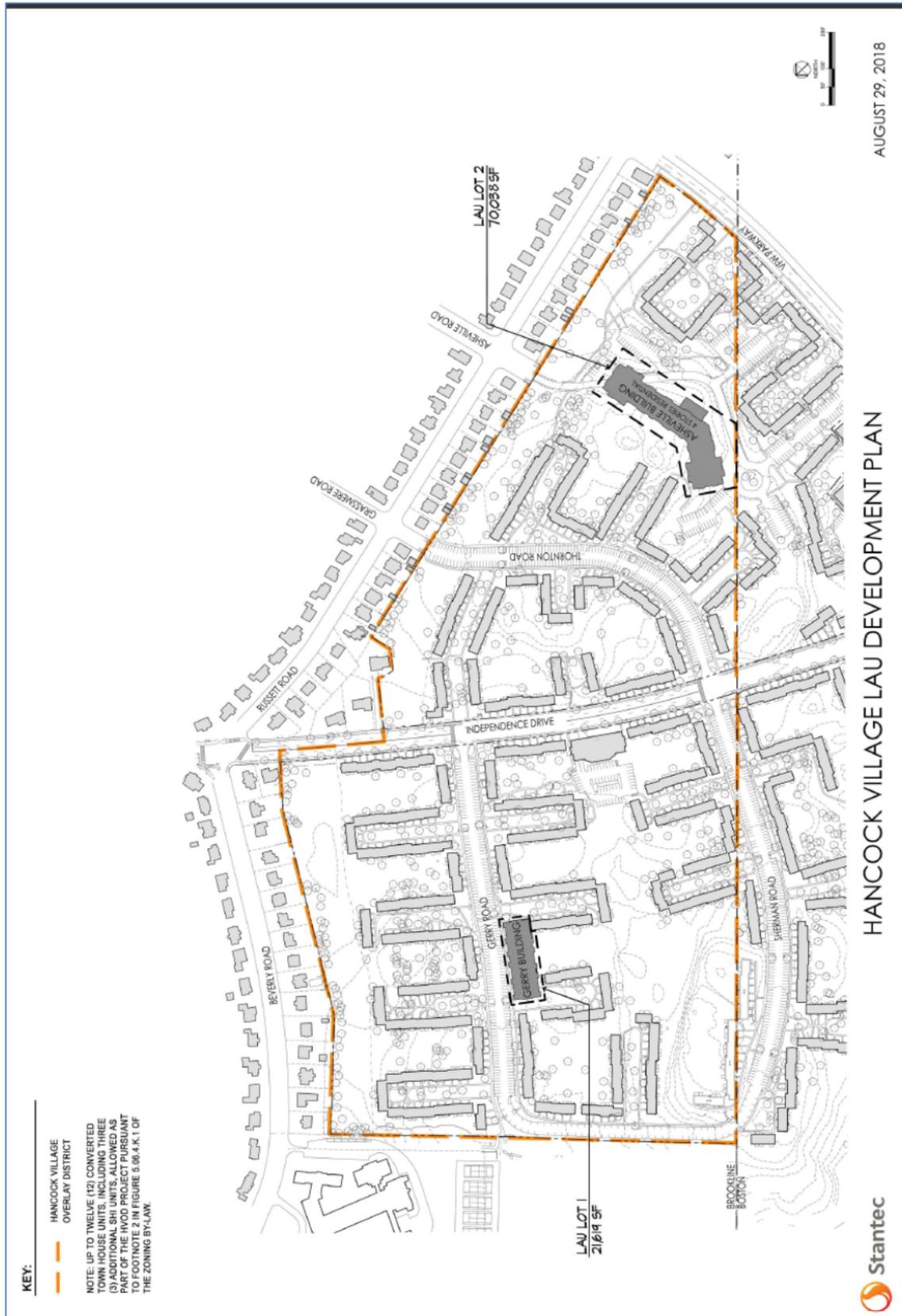
ARTICLE 13

Submitted by: Robert M. Zuker, on behalf of Chestnut Hill Realty

ARTICLE III

To see if the Town will authorize the Board of Selectmen to enter into any necessary agreement(s) and/or amendments to existing agreements or other action(s) required for the negotiation and execution of a “LAU Development Agreement” related to development of at least 148 units of housing, as shown on the plan entitled, “LAU Development Plan,” prepared by Stantec, dated August 29, 2018, and filed with the Town Clerk as of August 30, 2018, which units have been designated for inclusion on the Town’s Subsidized Housing Inventory maintained by the Department of Housing and Community Development (DHCD), and to negotiate and execute such other agreements with the proponents of such development and DHCD as may be deemed necessary or appropriate by the Board of Selectmen.

Or act on anything relative thereto.



This map is presented for informational purposes and is not part of the article. A larger map will be mailed to Town Meeting Members. A copy of the map will also be available in the Town Clerk's Office

ARTICLE 14

Submitted by: Robert M. Zuker, on behalf of Chestnut Hill Realty

ARTICLE IV

To see if the Town will authorize the Board of Selectmen to accept and subsequently enforce a deed restriction from the owners of the parcels known as Hancock Village in a form substantially similar to the draft deed restriction included as an exhibit to this article for the purposes of precluding further use of M.G.L. c. 40B or similar statute by said owners for the purposes of overriding the Zoning By-Law of the Town, for a period of twenty (20) years.

Or act on anything relative thereto.

ARTICLE 15

Submitted by: Robert M. Zuker, on behalf of Chestnut Hill Realty

ARTICLE V

To see if the Town will authorize the Board of Selectmen to acquire by gift or deed for general municipal purposes the land shown as “HVOID Buffer Area,” on the plan entitled “Hancock Village Master Development Plan,” prepared by Stantec, dated August 29, 2018, and filed with the Town Clerk as of August 30, 2018, consisting of approximately 155,116 square feet in area, along with any necessary accompanying easements, with a portion of said “HVOID Buffer Area” to be subject to such retained easements as may be reasonable or necessary for the original owners to access and maintain subsurface stormwater drainage and utility systems, and landscaping.

Or act on anything relative thereto.

ARTICLE 16

Submitted by: Robert M. Zuker, on behalf of Chestnut Hill Realty

ARTICLE VI

To see if the Town will vote to amend the Town’s General By-Laws to delete Section 5.10.3(d)(1) thereof, and to rescind the establishment of the “Hancock Village Neighborhood Conservation District” pursuant to Article 6 of the November 15, 2011, Special Town Meeting, or take any other action relative thereto.

ARTICLE 17

Submitted by: Brookline Justice League (Mariela Ames, Scot Huggins, Brooks Ames)

To see if the Town will amend the General by-laws to prohibit the Select Board from entering into or authorizing nondisclosure agreements, except with respect to agreements protecting the identity of the claimant from disclosure, in connection with claims of discrimination, retaliation, and harassment against the Town, and to require the Town to publicize the amounts paid to defend and settle those claims. This proposal requires amending Section 3.1.3 to include the following language in bold.

SECTION 3.1.3 LITIGATION AND CLAIMS

The Select Board may institute, prosecute, defend, compromise and settle claims, actions, suits or other proceedings brought by, on behalf of, or against the town, provided, however, that it shall act upon advice of counsel when the amount to be paid in any settlement exceeds one thousand dollars (\$1,000). It may employ special counsel in suits by or against the town whenever they deem it necessary.

The Select Board shall not enter into or authorize any agreement which has the purpose or effect of concealing the details relating to a claim of discrimination, retaliation, or harassment against the town, except with respect to the identity of the claimant. The financial terms of any settlement agreement concerning such a claim and the legal fees associated with defending and settling such a claim shall be published on the Town website within fourteen (14) days of the settlement and in the Annual Town Report.

Or act on anything relative thereto.

ARTICLE 18

Submitted by: Preservation Commission

To see if the Town will vote to amend Article 5.3 of the Town's General By-Laws as follows:

(language to be deleted from a section appears in ~~strikethrough~~, and new language appears in **bold underline**)

1. Amend Section 5.3.2.h of the Town's General By-Laws as follows:
 - h. "Demolition" – (a) the act of pulling down, destroying, removing or razing a Building or a significant portion thereof, by **substantially removing or substantially covering** one side of the building, or **substantially removing or substantially altering** the roof, or removing 25% **or covering 25%** of the **exterior walls** ~~structure~~; (ii) moving a Building from its site with no permitted new location for said Building; (iii) in the case of a Building within Section 5.3.5(b), substantially gutting (as defined by the Preservation Commission per section 5.3.14) an interior space that has generally been open to the public and is integral to the historic character of the building; (iv) in the case of a building within Section 5.3.5(b), the systematic removal, effacement, or destruction of the exterior architectural elements which define or contribute to the historic character of the Building, or (v) commencing any of the foregoing work. "Demolition" as used herein shall be deemed to include Demolition by Neglect.

2. Amend Section 5.3.4 by adding the following new Section 5.3.4.d:
 - d. An application for a Demolition Permit is valid only with respect to the owner(s) of record at the time it is delivered to the Preservation Commission Staff, unless otherwise provided for in this section. In the event a transfer of ownership occurs of a Significant Building, no Demolition Permit shall be issued until the new owner files a new application and complies with the procedures set forth in Section 5.3.3 through Section 5.3.12. An applicant for a Demolition Permit shall certify to the satisfaction of Preservation Commission Staff, immediately prior to its issuance, that there has been no change in ownership subsequent to the delivery of the application to the Preservation Commission Staff, and the Building Commissioner shall not issue a Demolition Permit without Preservation Commission Staff certification or evidence that the applicant intends to take advantage of the exemption listed below in this section. Notwithstanding the forgoing, if the Commission has, pursuant to its discretion in Section 5.3.10, voted to lift a stay based on a design submitted by a previous owner, the Building Commissioner, in conjunction with the Preservation Commission Staff, may approve and issue a Demolition Permit without having the new owner file a new Demolition Permit application for that design.

3. Amend Section 5.3.7 of the Town's General By-Laws as follows:

Within ~~20~~ **30** Business Days of an Initial Determination that the building falls into one or more of the categories in Section 5.3.5, the Commission shall review the Application and Initial Determination, without reference to any proposed replacement use or design, at a public hearing with notice given as provided in Section 5.3.12 to determine whether the building is significant as defined in Section 5.3.2.

Or act on anything relative thereto.

ARTICLE 19

Submitted by: Neil Gordon, TMM1, Andrew Fischer, TMM13

Subject: Restricting Leafblower Use on Sidewalks and Ways

To see if the Town will vote to amend Section 8.31.3 of the Town's General by-laws, LIMITATIONS ON USE, as follows (language to be deleted from Section 8.31.3 appearing in ~~strikethrough~~, and new language appearing in **bold underline**):

SECTION 8.31.3: LIMITATIONS ON USE

a. No Property Owner or Property Manager shall authorize or permit the operation of leaf blowers on property under their control, ~~or on the sidewalks or ways contiguous to such property~~, nor shall any person operate a leaf blower, except between March 15th and May 15th and between October 1st and December 31st in each year, and except for leaf blowers powered by electricity which are exempt from this seasonal usage limitation. The provisions of this Section 3.a. shall not apply to nonresidential property owners but only with respect to parcels of land that contain at least five acres of open space.

b. No Property Owner or Property Manager shall authorize or permit the operation of leaf blowers on property under their control, ~~or on the sidewalks or ways contiguous to such property~~, nor shall any person operate a leaf blower, except between the hours of 8 (eight) A.M. to 8 (eight) P.M. Monday through Friday, and from 9 (nine) A.M. to 6 (six) P.M. on Saturdays, Sundays and legal holidays.

c. On land parcels equal to or less than 7,500 (seven thousand five hundred) square feet in size, no Property Owner or Property Manager or User shall operate or authorize the operation of more than 2 (two) leaf blowers on such property simultaneously. ~~This limitation shall also apply to sidewalks and roadways contiguous to such parcel.~~

d. No Property Owner or Manager shall authorize the operation of any leaf blower and no person shall operate a leaf blower which does not bear an affixed manufacturer's label or a label from the Town indicating the model number of the leaf blower and designating a noise level not in excess of sixty-seven (67) dBA when measured from a distance of fifty feet utilizing American National Standard Institute (ANSI) methodology on their property. Any leaf blower bearing such a manufacturer's label or Town label shall be presumed to comply with the approved ANSI Noise Level limit under this By-law. However, Leaf Blowers must be operated as per the operating instructions provided by the manufacturer. Any modifications to the equipment or label are prohibited. However, any leaf blower(s) that have been modified or damaged, as determined visually by anyone who has enforcement authority for this By-law, may be required to have the unit tested by the Town as provided for in this section, even if the unit has an affixed manufacturer's ANSI or Town label. The Controller of any leaf blower without a manufacturer's ANSI label on such equipment may obtain a label from the Town by bringing the equipment to the town's municipal vehicle service center or such other facility designated by the Town for testing. Such testing will be provided by the Town's designated person for no more than a nominal fee (which shall be nonrefundable) and by appointment only at the Town's discretion. If the equipment passes, a Town label will be affixed to the equipment indicating Decibel Level. In the event that the label has been destroyed, the Town may replace it after verifying the specifications listed in the Controller's manual that it meets the requirements of this By-law.

e. No Property Owner or Property Manager shall authorize or permit the operation of leaf blowers on property not under their control, including but not limited to the sidewalks and ways contiguous to such properties, and no person shall operate a leaf blower except on private property with the authorization or permission of the Property Owner or Property Manager.

f. No Property Owner or Property Manager shall authorize or permit the operation of leaf blowers in a manner that intentionally distributes leaves or other debris beyond the property under their control, without the express consent of the owner of such property.

The provisions of this Article 8.31.3 shall not apply to the use of leaf blowers by the Town, its employees or contractors while performing work for the Town.

Or take any other action relative thereto.

ARTICLE 20

Submitted by: Jonathan Davis, TMM10

To see if the Town will amend the Zoning By-Law by adding the following Section 5.23:

“5.23 – SPECIAL RULES WITH RESPECT TO THE TRANSIT PARKING OVERLAY DISTRICT

1.a. With respect to any lot that is in whole or in part located within the Transit Parking Overlay District, the term “EXCESS” means the amount (if any) by which (a) exceeds (b) – wherein (a) is the off-street parking space requirements under Section 6.02, Paragraph 1, Table Of Off-Street Parking Space Requirements for the building or group of buildings located in whole or in part upon such lot as if the Transit Parking Overlay District did not exist, and (b) is the aggregate number of lawful off-street parking spaces actually provided by the building or group of buildings located in whole or in part upon such lot. In determining the EXCESS: the number of off-street parking spaces not actually provided due to variance shall nevertheless be added to (b); the number of off-street parking spaces not actually provided due to a lawful non-conforming structure or use shall nevertheless not be included in (a); and the number of off-street parking spaces not actually provided due to a previous payment under 1.c, below, with respect to the same structure shall nevertheless be added to (b).

b. Notwithstanding the requirements of Section 5.00 and the Table of Dimensional Requirements Table 5.01, the maximum Floor Area Ratio under the Table of Dimensional Requirements for residential use on any lot that is, in whole or in part, located within the Transit Parking Overlay District shall be reduced by reducing the maximum Gross Floor Area that would result in the aforementioned maximum Floor Area Ratio for such lot, such reduction to be the product of Three Hundred Forty Nine (349) square feet multiplied by the EXCESS (if there is an EXCESS). The maximum Floor Area Ratio as so reduced shall be rounded down or up to the nearest one hundredth. Such reduction of the lot’s maximum Floor Area Ratio shall not cause the lot to be removed from its zoning district.

c. In lieu of the foregoing reductions in maximum Gross Floor Area and maximum Floor Area Ratio there may instead be contributed to the Town’s Housing Trust the product of \$31,000 multiplied by the EXCESS as hereabove determined. Upon such contribution the maximum Gross Floor Area and the maximum Floor Area Ratio shall not be reduced as hereabove set forth. Such contribution shall be independent of any action or contribution required or allowed under Section 4.08.”

Or act on anything relative thereto.

ARTICLE 21

Submitted by: Girl Scout Troop 62558, Maria Arado-McDonald, Ann Kamensky

To see if the Town will vote to adopt the following resolution:

**EVERYTHING SHOULD HAVE A HOME. A RESOLUTION TO ENCOURAGE
BROOKLINE RETAILERS TO DONATE UNSOLD MERCHANDISE**

A new Resolution for the Town of BROOKLINE encouraging the donation of unopened and unused commercial items for sale within the Town, rather than inclusion of such items in commercial single-stream waste disposal programs.

§ 1. FINDINGS AND INTENT

WHEREAS, the Town has a duty to protect the natural environment, the economy, and the health of its citizens; and

WHEREAS, commercial entities operating within the Town are required to comply with comprehensive waste disposal regulations; and

WHEREAS, as an element of many waste disposal compliance plans, local commercial entities engage in so-called "single-stream" recycling, whereby all recyclable material is disposed in a single container, which is transported to a remote site for sorting; and

WHEREAS, Girl Scout 62558 has learned that some commercial entities include new, unopened, and unused materials into the shops dumpsters, particularly seasonal materials (i.e. clothing, shoes, school supplies); and

WHEREAS, downstream processing of recyclable materials adds energy and other environmental costs; and

WHEREAS, donation of new, unopened and unused items to charities within our Commonwealth would directly benefit its neediest residents; and

WHEREAS, commercial entities would directly benefit from a smaller trash bill and tax write off for donating to nonprofits

WHEREAS, donations are generally subject to favorable tax treatment;

WHEREAS, when acting on this Resolution, retail stores will get a decal to display stating, "this store does more about going green," allowing customers to know about the stores commitment to eliminating environmental waste and helping those in need.

NOW THEREFORE BE IT RESOLVED THAT the Town shall establish a voluntary donation program whereby businesses operating within the Town segregate new, unopened and unused items from being tossed into the store dumpsters and allow charities operating within the Commonwealth reasonable opportunity to inspect, accept and transport any such items prior to inclusion in the commercial trash stream, with such program encouraging the following:

- 1) Stores work with non-profit organizations to donate unsold merchandise.
- 2) Stores will receive a decal, to display, stating, "This store does more about going GREEN"
- 3) This action will reduce the environmental impact of unsold merchandise being placed in the trash stream, and
- 4) Unsold merchandise will be redirected to help a person in need.

Or act on anything relative thereto

ARTICLE 22

Submitted by: Isaac Silberberg, TMM14

Resolution calling for the General Court of Massachusetts to reinstate the effect of State And Local Tax (SALT) deductions.

To see if the Town will adopt the following Resolution or will amend and adopt the Resolution or will act on anything relative thereto:

WHEREAS, Brookline relies on local taxation to provide town services and educational opportunities to its residents,

WHEREAS, the Commonwealth of Massachusetts levies state taxes to pay for crucial initiatives and programs,

WHEREAS, federal tax reform legislation signed into law in December 2017 placed a cap on total state and local tax deductions which an individual may claim, penalizing members of communities which choose to invest in themselves,

WHEREAS, states across the country have enacted legislation to ease the burden such a cap creates on taxpayers,

THEREFORE, BE IT RESOLVED that Brookline Town Meeting calls on the General Court of Massachusetts to pass legislation which enables the Commonwealth of Massachusetts, as well as its cities and towns, to provide tax relief to citizens by reinstating the full effect of state and local tax deductions,

BE IT FURTHER RESOLVED that the Town Clerk shall submit a copy of this resolution to our representatives and representatives-elect in the General Court of Massachusetts upon passage,

Or act on anything relative thereto

ARTICLE 23

Submitted by: Jules Milner-Brage, TMM12

Resolution calling for study of restoring the Olmsted bridle path along the median of Beacon Street in Brookline (and inclusion of funding in the Town's Fiscal Year 2020 budget for such a study)---

To see if the Town will adopt the following resolution:

WHEREAS, Beacon Street is a cherished and prominent public space which provides one of the important east-west routes across Brookline and also serves many local residents and businesses;

WHEREAS, Beacon Street was designed by Frederick Law and John Charles Olmsted in the 1880s, "to make [it] attractive, not only because of the unusual convenience secured, but also because of the sylvan beauty to be enjoyed in passing over it;"

WHEREAS, the Olmsteds' design for Beacon Street conceived of it as, "first, [being] a spacious, direct trunk-line thoroughfare, specially adapted to pleasure driving, riding, and walking; and, second, [having] a cable railway...laid in the midst of [the] avenue...[and] screened on each side by two rows of trees growing in well-prepared borders;" and it remains essentially so to this day, except for one element;

WHEREAS, the Olmsteds' original design included a dedicated facility along Beacon Street's median to accommodate (horseback) "riding" use, a facility known as the "bridle-way"---which abutted the "railway" on its wider side and was distinct from the (driving) "carriage-way" further toward the street's outer edge there---that was enjoyed by local residents for decades before it was obscured in the 1930s;

WHEREAS, the Olmsteds' goals---that the "bridle-way" (specifically) be a space "where those using it may have greater enjoyment of the sociability of a promenade" and that Beacon Street (broadly) be both "a resort, and...a route of travel"---were served, in their original design, by consolidating "riding" activity in a dedicated, common (two-way) facility and by positioning both the median "bridle-way" and the two outer-edge "sidewalks" directly alongside (and thus within the shelter of) shade-tree plantings;

WHEREAS, separating modes of traffic with differing mass and/or speed ---as a means for reducing conflicts and increasing safety and comfort for all street uses---was a design principle championed by Frederick Law Olmsted, was a central aspect of Beacon Street's original design, and today is considered a transportation-engineering best practice in the design of major thoroughfares;

NOW, THEREFORE, BE IT RESOLVED, that Town Meeting calls for study of the feasibility and impacts of one/more approaches to (re)establishing a protected path suitable for two-way moderate-speed person-scale non-car travel abutting the median railway along the whole extent of Beacon Street in Brookline (between Ayr Road and Saint Mary's Street);

and BE IT FURTHER RESOLVED, that appropriation of sufficient funds for such a study, within the Planning Department, in collaboration with the Department of Public Works, be proposed to Town Meeting in the Town's Fiscal Year 2020 budget.

Or act on anything relative thereto.¹

ARTICLE24

Reports of Town Officers and Committees

¹ (Source for all quotes above---)

F.L. and J.C. Olmsted, "Preliminary Plan for Widening Beacon Street from the Back Bay district of Boston to the Public Pleasure Ground at Chestnut Hill Reservoir and for Connections with Massachusetts and Commonwealth Avenues," Nov. 29, 1886. (Courtesy of the National Park Service, Frederick Law Olmsted National Historic Site, Brookline, MA.) <http://flickr.com/photos/olmsted_archives/31414486471>

AND YOU ARE DIRECTED TO SERVE THIS WARRANT IN ACCORDANCE WITH THE BY-LAWS OF THE TOWN OF BROOKLINE.

HEREOF FAIL NOT, and make due return of this WARRANT, with your doings thereon, to the Selectmen at least FOURTEEN DAYS before the day of said meeting.

Given under our hands and the seal of the TOWN of Brookline, Massachusetts, this 6th day of September 2018.

SELECT BOARD



BY VIRTUE OF THIS WARRANT, I THIS DAY NOTIFIED AND WARNED THE INHABITANTS OF SAID TOWN TO MEET AT THE HIGH SCHOOL AUDITORIUM IN SAID TOWN ON TUESDAY, November 13, 2018 AT 7:00 P.M. BY POSTING TRUE AND ATTESTED COPIES OF THE WITHIN WARRANT IN TEN (10) PUBLIC PLACES. ALL OF THIS WAS DONE AT LEAST FOURTEEN (14) DAYS BEFORE SAID MEETING.

CONSTABLE

DATE