

A Resolution authorizing the Town of Brookline Select Board to file a home rule petition with the General Court to create a Brookline land bank.

To see if the Town will authorize and empower the Select Board, on such date and in such manner as required by the House Clerk, to file a petition for legislation to establish a Brookline Land Bank, which will be considered in the legislative session opening on the first Wednesday in January in the year 2019, provided that the General Court may reasonably vary the form and substance of this requested legislation which shall be within the scope of the general public objectives of this petition.

Whereas there is evidence that Brookline's 2010 population will increase 12% – 17% by 2030;

Whereas Brookline land devoted to affordable housing, schools, parks, open space, recreational facilities, and conservation areas is already insufficient to meet Brookline's current needs;

Whereas Brookline is missing opportunities to acquire land for economic development;

Whereas currently available public land will face growing demands as a result of further population growth;

Whereas in order to meet the growing need for public facilities, amenities, and economic development, Brookline should acquire, through purchases, additional land for municipal purposes;

Whereas in view of limits on Brookline revenue growth, there is likely no funding from existing sources available for land purchase after meeting the Town's existing operational and infrastructure maintenance commitments;

Whereas the Real Estate Transfer Fee, as recommended, to fund the Brookline Land Bank is equitable, very low impact, and inexpensive to administer;

Whereas this type of fee is appropriate to fund these selected, specific, clearly defined, non-recurring purposes;

Whereas the Brookline Land Bank is well suited to operate within the Town's organizational structure and financial policies, and is specifically adapted to and compatible with the unique combination of long established urban and suburban neighborhoods and commercial districts in Brookline.

The Town of Brookline hereby requests that the Legislature grant the Town of Brookline authority to levy a real estate transfer fee of not more than 1% of the purchase price of non-exempt real estate transactions, 0.5% to be paid by the seller and 0.5% to be paid by the buyer. Not less than the first \$500,000 of the purchase price shall be exempt. Certain transfers shall be exempt including transfers between family members as defined by Town bylaw, transfers of convenience, and governmental transfers. Certain sellers and purchasers shall be exempt, including at a minimum, vulnerable senior citizens, veterans, disabled, and blind persons as defined by Town bylaw.

The Town shall have remedies to enforce collection. Fees shall be paid into a Brookline Real Estate Transfer Revolving Fund.

The Town shall issue required certificates as payment of the fee to be presented to the Norfolk County Register of Deeds. The Town may adopt additional requirements, exemptions and regulations to enforce this act.

The appropriation of funds from the Brookline Real Estate Transfer Revolving Fund shall be limited to affordable housing, parks, open space, playing fields, and play grounds and reasonable amounts for personnel and other costs.

The Town shall prepare an annual Land Bank report.

This act shall only become effective by a majority vote for a question on a Town election ballot.

or act on anything relative thereto.