

Warrant Article 7 – To see if the Town will authorize the Select Board, on such terms and conditions that are in the best interests of the Town, to accept and grant easements at 19-21 Brington Road and at 25 Brington Road. [See PDF attached]

The Schools Subcommittee held a public hearing on WA 7 on Tuesday, April 5, 2022, at 5 p.m. via Zoom. Present were members Cliff Brown (Chair), Scott Ananian, Ben Birnbaum, and Katherine Florio. Also present were Building Department project administrator Anthony Giugli, and Associate Town Counsel Jonathan Simpson.

To watch the public

hearing: <https://brooklinema.zoomgov.com/rec/play/RIV60KfWzF6vvqgKVJleR2sk7kU6M02ykSRgE4cdugVCBzOqkJ3fLff3B07ZeJTQZXkt2uOI1bcW7CAI.Ek4OTytG3iVP23pE?continueMode=true>

Passcode: s4Jqj&7t

<p>Executive Summary:</p>	<p>19-21 and 25 Brington Road are residential buildings that stand immediately to the west of 22 Tappan Street (formerly 111 Cypress Street), a property that Town Meeting, in November 2017, voted to take by eminent domain, subject to existing easements, for the construction of a high school building. The school building opened in January 2022. WA 7 would preserve these established rights enjoyed by the owners of those residential buildings and by the Town, permitting owners of 19-21 and 25 access to their properties along a new Town service road on the 22 Tappan property, and allowing Brookline access along that service road to Town infrastructure on the private properties. The easement the Town receives relates to a small portion of land belonging to 19-21 Brington that has on it some fencing, a light pole, a conduit that runs underneath it and three parking spaces put in by the Town that will be used by the owners of 19-21 Brington. This easement will allow the Town to have access and maintain the property.</p> <p>The Article authorizes the Select Board to give and receive such easements.</p>
<p>Voting Yes will...</p>	<p>Reaffirm rights and conveniences currently enjoyed by the Town and abutters and agreed to by those parties.</p>
<p>Voting No will...</p>	<p>Compel the Town to redraft the proposed easements to meet the concerns of Town Meeting while current easements remain in effect.</p>
<p>Financial impact [if any]</p>	<p>None foreseen</p>
<p>Legal implications [if any]</p>	<p>None foreseen.</p>

Introduction

See above under Executive Summary.

Discussion

Q: Who would be responsible for snow/leaf removal on the portion of private property that falls under the easement? A: The Town. Q: Have the abutters and the Town reached a final agreement? A: One question remains open [as of the date of the hearing here described], a query by one of the abutters as to whether the proposed agreement would provide the Town with sufficient access to Town infrastructure on his/her property. The answer offered at the SC meeting, which as of 4/5/22 had yet to be provided to the abutter, was yes.

Recommendation: Favorable Action by a vote of 4-0

