

## **ARTICLE 13**

**Submitted by:** Susan M. Roberts TMM Pct. 17, Elton Elperin, Dennis DeWitt

**The Goal.** This proposed warrant article seeks to reduce the alarming number of demolitions of 19th and early 20th century single, two- and three-family homes throughout Town by encouraging neighborhood projects that (i) preserve, renovate, or add to principal structures found by the Preservation Commission to be historically or architecturally significant, and therefore subject to the Town's demolition by-laws, or (ii) replaces them with structures that have been subject to design review in accordance with Brookline's Community and Environmental Impact and Design Standards.

**The Needed By-law Change.** The proposed new Zoning By-law provision is similar to Brookline's existing Design Review By-law, §5.09(2)(m), which requires a special permit for any substantially complete demolition of a principal structure within Coolidge Corner Overlay District. The new provision expands the geographic applicability of the required special permit to all parts of Town, but narrows applicability only to those demolitions of structures found by the Preservation Commission to be historically or architecturally significant under the Town's demolition By-laws. **In other words, we already have a By-law that would help accomplish our goal, but it only applies to Coolidge Corner.**

**An Expose' of the Problem.** Many of the recent small project developments in Brookline have been greeted with general, if not universal, dismay. The projects often are single-lot insertions into a residential neighborhood, requiring demolition of a 19th or early 20th century homes that neighbors regard with affection. The replacement structures typically cater to the luxury market, sometimes adding a unit if the zoning allows that by right. Following demolition, the new structures generally fail to fit gently into the existing streetscape. They have a markedly larger footprint than the original structure resulting in loss of ground level green space and removal of trees. Less open space necessitates below grade, beneath-the-building parking, a luxury component which, when combined with elevators, can accommodate owners' reaching their units by elevator from the parking garage. However, below-building parking requires the buildings to be elevated, making the traditional entranceways difficult to achieve. The buildings presenting a blank wall to the street where the windows of the first floor would have been. The resulting replacement buildings now end up taller than their neighbors, especially given elevator heads, outdoor patios, and parapets. To maximize square footage and marketability, the buildings' composition is best served by being a squared-off box, rather than a form that incorporates features of the original building, such as a gabled or hipped roof with dormers. Buildings that once had contributed to the neighborhood scale, landscaping, and social interactions have now been replaced by structures that turn their backs on their neighbors, both functionally and aesthetically. Community cohesion has been degraded.

### **A Key Collateral Concern:**

Neighbors and community members throughout Brookline detest the wastefulness of these demolitions. However, in our struggle with climate change we can measure that waste. It is estimated that the construction industry causes roughly 20% of annual CO2 emissions. The carbon footprint of building replacement after demolition should be avoided wherever possible. It can be avoided by building additions to existing structures. This can preserve the beloved streetscape while preserving embodied carbon.

**The Bottom Line:** Certainly, there is a time and place for demolitions to occur. But time will tell whether, if adopted, the proposed warrant article will be effective in encouraging preservation of structures with additions. **One thing appears clear in Brookline: The community, given the opportunity to demolish their neighbors' buildings, would prefer not to. But, if demolition is forced on them, they would at least like the opportunity to review the proposed replacement.**

#### **ARTICLE 14**

**Submitted by:** Alec Lebovitz TMM8 and Mike Toffel TMM8

The Town of Brookline Payment In Lieu of Tax (PILOT) Policy was adopted by the Select Board in 2007 and was most recently revised in 2011. Key provisions state that:

- “all property owners should contribute a fair share toward the cost” of Town services,
- “The Town will seek voluntary PILOT Agreements with all tax exempt institutions within the community that own real property, or that rent real property from the Town (pursuant to MGL Chapter 59 section 5, sub-section 2B)”, and
- “These PILOT Agreements should be based upon fair market value and tax levy. PILOT Agreements should be established on the basis that the non-profit organization’s payment amount is equal to the percentage of tax levy that supports the critical services of the Town’s Police, Fire and Public Works operations. The Town has determined that this share is equal to at least 25% of the full levy”.

The full Town of Brookline Payment In Lieu of Tax (PILOT) Policy is available at <https://www.brooklinema.gov/DocumentCenter/View/677>

However, Brookline does not currently publicly report the list of properties with tax exempt status, which of those institutions have PILOT agreements or other agreements, the payment amount agreed to, or how much they actually pay.

In its February 2020 final report, the Brookline Fiscal Advisory Committee (BFAC) recommended to the Select Board and Town Administrator “that Brookline’s PILOT payments be disclosed annually, such as is done by the City of Boston, and benchmarked against other municipalities.”<sup>6</sup> However, in the ensuing two years, the Select Board has not discussed this idea, according to the reports of the BFAC Moderator’s Committee that Town Meeting created to provide transparency around progress (or lack thereof) surrounding the Town Bodies’ deliberations of BFAC recommendations.<sup>7</sup>

This article seeks to require, via a bylaw amendment, that the Town publicly report this information annually within the Town’s Annual Report, in order to promote greater transparency and accountability. Such reporting is done in other towns, including Boston, which reports the information in summary form and in detail. The Town Assessor confirmed that each data element required to comply with this Warrant Article is already being collected by the Town, and that aggregating them would entail negligible costs. The petitioners also consulted with Town

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<sup>6</sup> The Brookline Fiscal Advisory Committee (BFAC) final report and presentations are available at <https://www.brooklinema.gov/2242/Important-BFAC-Documents>

<sup>7</sup> BFAC Moderator Committee reports are available at <https://www.brooklinema.gov/1978/Moderators-Committee---Brookline-Fiscal->