

# **Brookline PAX Recommendations**

## **Annual Town Meeting, May 26, 2009**

### **Art. 15: Increase Planning Board from 5 to 7 members OPPOSE Referral, SUPPORT PAX amendment**

PAX supports this article and sees no reason to refer – except to delay and maybe try to eventually defeat it. There is nothing complicated about this; many boards have seven or more members, including CTO&S, and function very well. More importantly, the Planning Board (albeit hard-working and appreciated) desperately and immediately needs additional blood and, especially, more breadth of vision. It has no one from South Brookline, with major development issues there; and it's long and widely been viewed in Coolidge Corner as out of sync with the values and priorities of its neighborhood leaders. This article presents opportunity – let's use it.

### **Art. 19: Permit ZBA to reduce bylaw-required increase in parking OPPOSE**

This proposal concerns existing buildings in a business district. If an owner wants to change or expand a non-residential use “primarily” within the existing building, it would allow the ZBA, by special permit, to reduce the additional parking that would otherwise be required by the Zoning By-Law by as many as ten spaces or 50% of the additional spaces otherwise required, whichever is greater.

Problems: Town Meeting should not relinquish such a wide swath of zoning policy to the ZBA, which is not elected and does not have the benefit of entertaining and deliberating upon a wide variety of citizen opinions in an extended debate. How would it play out in practice? Would it encourage the construction of second, third and fourth stories on the many low-rise stores along Harvard St and other commercial streets? Whether desirable or not, the Zoning By-Law Committee did not even discuss the question. There has been no public discussion of how it might change the face of the business districts, affect the current population of merchants, and change the face of the Town. The ZBA is a very poor forum to deliberate and decide on such large questions.

More problems: The expansion or change of business use must be “primarily” within an existing building, so new construction – lateral, upward or both – could increase the existing building by as much as 49%. But after the first expansion, there could be any number of subsequent 49% expansions of the previously expanded building, and two such expansions could more than double the original size of the building. And with each expansion, the ZBA could waive at least ten additional parking spaces. Meanwhile, if another property owner were to tear down an existing building and construct a new one of twice the original size, she/he would have to abide by the Zoning By-Law's parking requirements!

Finally, the article fails to address the most important situation it ought to deal with – a change or expansion of a non-residential use entirely within an existing building – because “primarily

within” implies partially outside. As in the preceding paragraph, this skews what should otherwise be a purely economic and business decision by the building owner.

### **Art. 23: Resolution concerning citizen complaint policy SUPPORT, as amended**

This PAX-initiated resolution urges selectmen to reject one recommendation of the CCRC and to consider three additional ones. The first would constitute a major step backwards to practices abandoned in 1987 and replaced with procedures that were widely praised at the time by many civil rights leaders. The selectmen and police union now assert a legal objection to that two-decade, “1 or 2 votes are sufficient” procedure; and our amended motion (adding “to the extent permitted by civil service law”) fully addresses that issue. Many of the CCRC’s proposed reforms are excellent ideas, but not this one.

“Resolved” clause 2b recommends re-adoption of one of the unanimous 1987 selectman votes that was never implemented, developing analogous complaint procedures for departments other than police and fire; and clauses 2a and 2c would improve current practices in ways clearly suggested by the 2007 Conquest incident and its aftermath. Regarding 2a, which recommends that applications for criminal complaints be approved by a superior officer, the Chief has not objected, stating only that it’s implicitly the case now. Why not make it explicit, however he wishes to draft it?

### **Art. 24: Resolution to support one-year trial of surveillance cameras OPPOSE**

PAX recommends termination of the trial. (See Art. 25 below.)

### **Art. 25: Resolution to terminate one-year trial of surveillance cameras SUPPORT**

PAX joins substantial minorities of the Board of Selectmen (3-2) and Advisory Committee (13-8-1) in supporting this resolution. We should not be succumbing to the recent insistent drums of fear by participating in a nine-community network of police cameras provided by the Department of Homeland Security for full-time governmental surveillance of residents and visitors in public spaces around town. They would provide a false sense of security, not preventing crime, much less terrorism. And major studies have shown them to be of little significant help in solving crimes – or assisting in evacuations, the original reason given for these cameras. They would inevitably increase, over time, in number and resolution. And in no way are they “free”! (See our handout for an extensive cost itemization.)

The Cambridge City Council voted 9-0 to reject the cameras. We, too, don’t want to live in a society where the government watches us, using high-powered technology that can pan, tilt, and zoom in, creating digital files that can be stored and shared or made part of government databases. What may seem like small, incremental infringements on our liberty leads toward altering the very nature of a free society. This view is increasingly being expressed with alarm in Great Britain, which has huge numbers of police surveillance cameras without any demonstrable benefit.

PAX recommends terminating the “trial” of these cameras because major, scientifically valid studies have already been carried out, all tending to demonstrate the ineffectiveness of these camera systems for their stated purposes. The volunteer camera oversight committee lacks the resources and expertise to carry out such a study – and how can citizens’ sense of mounting intrusions on their privacy be measured? The one-year trial period appears to be a mechanism to defuse the objections of the many residents who testified in opposition to the camera system before the Board of Selectmen.

### **Art. 26: Resolution to adopt pay-as-you-throw trash system SUPPORT referral**

PAX strongly supports the goal of reducing our solid waste stream, primarily by motivating citizens to be better recyclers. Solid waste has both an economic cost and an environmental one – greenhouse gases are produced in the disposal process. We commend the Selectmen’s PAYT Study Committee for their hard work and analysis of the issue. In particular, the concept of treating solid waste disposal as a utility is an important one, creating an economic signal that encourages conservation.

Yet even the PAYT Committee recognizes that a number of recent questions are valid, e.g., (a) how to handle bulky goods, and (b) the impact on the denser parts of town. So PAX recommends referral to an appropriate committee, selectmen’s or moderator’s. In either case, we urge that the work done to date not be lost, but rather built upon.

### **Art. 27: Resolution to support state single-payer health care bill SUPPORT**

A few ago when Town Meeting endorsed single-payer health care, many viewed it as utopian or quixotic. Since then, as more people's lives and finances have been destroyed by our dysfunctional private insurance system, sizable majorities in most surveys favored some kind of national health plan. The Massachusetts law, with its individual mandate, has proved to be neither universal nor affordable. It's time for Beacon Hill to respond to the will of citizens, health care providers, and many in the media and business by finally enacting legislation that will put the needs of people above the bottom lines of insurance and drug companies.

*Marty Rosenthal and Frank Farlow, Co-chairs*

***PAX supports: Excellent public education and services, Respect for public employees and organized labor, and Respect for the environment, diversity and social justice.***

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