



Brookline PAX Recommendations Annual Town Meeting, May 24, 2011

Art. 9 – FY12 Budget

SUPPORT, with possible PAX amendment

Special appropriation 41 – Street Rehabilitation (see explanation on page 9-57 of Combined Reports)

PAX has in past Town Meetings favored specifically earmarking **traffic calming** appropriations, and also selectmen monitoring of this activity, to augment citizen participation including Town Meeting's influence over the funding of these projects, which are important for neighborhoods and public safety, especially for children and seniors. To this end, since receiving the Combined Report last week, we have been trying to ascertain why there is no traffic calming appropriation for next year. If our further inquiries merit one, we may introduce an amendment, which we ask you to support.

Special appropriation 43 – Bicycle lanes

While we support the effort to encourage bike riding for health and ecological reasons, we regret that to our knowledge – based on inquiries during the past few months – the Transportation Board seems (a) not to have examined the impact on the already snarled Harvard Street car traffic – bad for drivers, businesses and neighborhoods (which receive evasive traffic); and (b) not to have made clear any legal provisions governing bike lanes, e.g., the various circumstances under which cars can and cannot legally enter bike lanes. The former should be studied in the near future, and the latter needs to be clarified and publicized.

Art. 10 – Create Lawrence Local Historic District

SUPPORT

We support the unanimous TMM-3's and the more than 85% of residents of the proposed historic district.

Art. 11 – Town plowing of sidewalks

SUPPORT NO ACTION

While our overall conservative persona yearns for more Town sidewalk plowing as in bygone eras, our fiscal conservative persona knows it's not gonna happen. In accordance with our and Josh Safer's 2008 resolution adopted by a large majority of TMM's, we reiterate our conviction that the only realistic solutions are (a) more public education, warnings and coordinated enforcement (especially by cruising police officers) of the private sidewalk shoveling obligation; (b) a program to help residents who can't clear their own abutting sidewalks; and (c) a public hearing each November as to the various departments' plans in these regards.

Art. 12 – Cleveland Circle Hotel Overlay District

SUPPORT

In part due to the support of Precinct 13's nearly unanimous Town Meeting delegation, we recommend adoption of this overlay district, at this point primarily to preserve the Town's ability to benefit financially from the inevitable development of these parcels. While we always at least listen to neighborhoods, here the economic benefits are clear-cut, the alleged harm seems manageable, and many neighbors are very supportive. Going forward, we urge Town officials to pay close attention to congestion concerns in the process of modifying traffic patterns at this enormous and complex intersection.

Art. 14 – Rezoning of Red Cab site on Route 9

SUPPORT

PAX commends the collaborative efforts of the Davis Path Special District Zoning Committee, which provided considerable citizen input into the process and resulted in the introduction of a valuable new zoning tool into the Zoning Bylaw – the "sky plane" concept. While this is a natural site for commercial development, it abuts a public path and playground and is just south of a small historic street (White Place) that is 12 feet lower. The proposed zoning still allows for a very large development but mitigates its impact by (1) employing a sky-plane envelope that reduces shadow impact, (2) establishing better setbacks, (3) providing equal quality and appearance of three facades (those facing Route 9, the

playground and White Place), and (4) requiring fewer parking spaces. To ensure implementation of these provisions, they are incorporated in the proposed zoning rather than left to the inefficiency of the usual special permitting process.

Art. 18 – Resolution honoring Michael & Kitty Dukakis

SUPPORT

PAX is pleased to join the unanimous Board of Selectmen and Advisory Committee in supporting this resolution.

Art. 19 – Resolution on Traffic Calming procedures & citizen input

No Recommendation

As of the PAX board's meeting on May 16, it remained unclear what language would be moved, including by the main petitioner. We have always supported both traffic calming (see above, Art. 9, Special Appropriation 41) and overall procedures that heighten citizen involvement. We await with great interest the final motion, debate, and any amendments that would further heighten citizen involvement..

Art. 20 – Resolution on prohibiting robocalls in political campaigns

SUPPORT NO ACTION

While many of us find these calls (like political signs banned in the 1980's and for many decades before that) annoying, we lack confidence in our state legislature's regulating them without unduly restricting First Amendment rights. A prime example of the basis for our fears is the legislature's proceeding to mandate a Pledge of Allegiance in schools in 1977 even after the Supreme Judicial Court ruled it unconstitutional and Gov. Dukakis vetoed it. (Only 27 of 160 House members, including all those from Brookline and Newton, voted "NO," and the Senate passed it 27Y-10N, our Jack Backman voting NO.) While limiting freedom of speech for the sake of avoiding annoyance is often all too easy, it usually violates democratic ideals and at least the spirit of the First Amendment, and in this instance it may well be unconstitutional.

Art. 21 – Resolution on removing Town from Norfolk County

SUPPORT NO ACTION

The votes recommended by the selectmen and the Advisory Committee undesirably authorize the selectmen to move forward with state legislative action before Town Meeting is provided with the results of dialogue with other Norfolk County communities regarding their views and wishes on the issues at hand, including possible revision of the assessment structure in relation to services rendered in the various communities. Equally important, we oppose any such legislative action until the crucial concerns expressed in Police Chief O'Leary's letter of April 6, 2011 (pages 21-13 to 21-15 of the Combined Report) are substantially alleviated. Last year we had a close call on possible closing of the Brookline Court – as did happen to several others – and this resolution plays with political fire in a manner other communities would likely view as downright spiteful. If the courthouse were later closed, any County assessments we had saved would be at best a Pyrrhic victory, and at worst a horrendous miscalculation.

Marty Rosenthal (TMM-9) and Frank Farlow (TMM-4), 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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