

DRAFT

## Zoning By-law Committee Meeting Minutes (VIA ZOOM)

September 1, 2021

**Committee Members Present:** Bernard Greene, Roger Blood, Mark Zarrillo, Cliff Brown, Ken Goldstein, Linda Hamlin, ~~Linda Pehlke~~, Lynda Roseman, Paul Saner, Paula Friedman, Phil Hresko, Carla Benka, Linda Olson Pehlke

**Staff present:** Alison Steinfeld, Polly Selkoe, Victor Panak, Jonathan Simpson

**Petitioners Present:** Janice Kahn, Petra Bignami, Steve Heikin, Michael Zoorob, and Jonathan Klein

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Co-Chair Bernard Greene opened the hearing.

Polly Selkoe explained the SB's charge to the Zoning By-Law Committee to make recommendations to the Planning Board on zoning warrant articles

### Firearm Use Warrant Article

Petra Bignami, TMM 12, co-petitioner of this Warrant Article, thanked everyone who contributed to the warrant's development. It was proposed because Newton had an application for a firearms store and it was felt that Brookline should be proactive, rather than reactive.

Janice Kahn, co-petitioner of this warrant article, stated that a big concern is security issues, for example, guns stolen from a gun store. It is important to not impose a ban as this would be illegal. Instead the By-law would regulate the location and operation of gun stores, just as happened with marijuana stores.

Carla Benka suggested that the Chamber want to weigh in on this proposed warrant article.

Janice Edinberg explained that a citizen committee worked with the Gifford Center which provided pro bono advice.

Commented [Office1]: Who is this?

Ken Goldstein commented that if too few locations are allowed that would be like a ban.

Janice Kahn said that there would be several sites in Brookline where a gun store could locate.

Ken Goldstein asked why the buffer zone from a residence was 150'.

Petra Bignami and Janice Kahn explained that typically there are more gun crimes near a gun store and a gun could go off accidentally in a gun store and go through the wall into residence.

Paula Friedman supported the article and suggested focusing on the strengths in the article.

[Linda Olson Pehlke asked if the petitioners considered including the L zoning district as potential location. She also asked whether or not the definition of the use should be expanded to include other types of shops that also \(but not exclusively\) sell firearms.](#)

Linda Hamlin was dubious about justification of distances.

Janice Kahn said the warrant article relied on data from the Gifford Center.

Lynda Roseman asked if other towns have done this.

Janice Kahn said many towns are exploring this.

Jonathan Simpson thought a moratorium could provide more time to bolster the arguments for this warrant article.

Roger Blood asked about the effect on future housing.

Polly Selkoe said it wouldn't prohibit a residential building, only a gun shop.

Mark Zarrillo stated this is a use regulation. Be straight forward about that.

Phil Hresko concurred.

Steve Heikin pointed out that the two Coolidge Corner properties on the map are within 150' of 11 Longwood Avenue and 20 Webster Street, both residential buildings.

The citizen petitioners said they will reconsider the buffer zones around residential buildings and come back with proposed revisions at the next ZBLC meeting.

No vote was taken.

#### **Citizen Petition Parking and EV Warrant Articles**

Michael Zoorob described the EV Warrant Article: for residential properties 100% of spaces should be EV ready and for non-residential for 7 or more parking spaces 15% should be EV ready. A special permit can alter this requirement. Cost is much less than retrofitting.

Paula Friedman wanted the minimum of 7 spaces, changed to 15 spaces before triggering the requirement for EV spaces for non-residential uses.

Linda Pehlke thought that providing EV ready spaces could be financially onerous, [especially when the project is a renovation. Linda also asked about whether or not this by-law would be triggered when a parking area \(and not the building\) is re-done.](#)

Ken Goldstein said building renovations should not be exempted, and it should apply to parking lot renovations, as well.

Mark Zarrillo is not supportive because the battery technology will change in the future.

Linda Pehlke suggested lowering the percentage, as it will add to the cost of housing.

Bernard Green moved the proposed Warrant Article to recommend favorably and it passed, 3-2, with 6 abstentions.

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Vote under EV ARTICLE

LP – abstain

KG – yes

MZ – no

RB – yes

PF – no

LR – abstain

CB – abstain

LH – abstain

CB – abstain

PS – yes

BG – abstain

#### **Planning Board Parking Warrant Article**

Steve Heikin explained the Planning Board's Warrant Article to allow a Special Permit to reduce parking. The Housing Choice bills allows a simple majority rather than 2/3 vote, where zoning will help increase housing. He would like it merged with Michael Zoorob's amendment if a compromise can be reached. No vote was taken.

#### **Citizen Petition Parking Article**

Michael Zoorob's parking Warrant Article allows reductions in parking but he would be willing to revise it to be more consistent with the Planning Board Warrant Article.

Paula Friedman thinks that the parking articles are not ready for prime time, because any parking reduction should be part of a larger parking study and plan for Brookline and is ageism.

Roger Blood stated this could put pressure on the no overnight parking ban.

Michael Zoorob supports the overnight parking ban.

Mark Zarrillo is opposed to waiving rights of Town to influence development. He is in favor of the Planning Board Warrant Article which requires counterbalancing amenities in order to reduce parking.

Linda Pehlke is opposed to the proposed counterbalancing amenities, because there are no standards for the counterbalancing amenities.

Ken Goldstein supports the Planning Board Warrant Article.

Paul Saner stated not requiring minimums doesn't necessarily reduce parking. He is hoping a compromise will happen.

Citizen Comment

Lisa Shatz, 56 Summit Avenue, supports not having minimums so more housing would be produced.

Matti Klock, 5 Verndale, supports Michael's article.

Co-petitioner Johnathan Klein, 150 St. Paul Street, TMM 10, HAB, sated that where he lives many of the parking spaces sit empty. He is in favor of reducing parking.

Blair Hines, Planning Board member, supports Planning Board Warrant Article.

Roger Blood wants also want to keep the counterbalancing amenities.

Ken Goldstein supports the Planning Board Warrant Article.

No vote was taken.

The ZBLC Hearing was continued to September 13<sup>th</sup> at 7 pm.